APPENDIX

TO THE

CONGRESSIONAL RECORD.

Election Contest—Smith vs. Jackson.

SPEECH

OF

HON. JONATHAN H. ROWELL,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 1, 1890.

The House having under consideration the following resolutions:

"*Resolved*, That James M. Jackson was not elected as a Representative to the Fifty-first Congress from the Fourth Congressional district of West Virginia, and is not entitled to the seat; and

"*Resolved*, That Charles B. Smith was duly elected a Representative from the Fourth Congressional district of West Virginia to the Fifty-first Congress, and is entitled to his seat"—

Mr. ROWELL said:

Mr. SPEAKER: I am glad that we and the country have at last been told the reason for this prolonged resistance to a consideration of this election contest. The gentleman from Georgia [Mr. CRISP] tells us that it was the intention of the minority of the Elections Committee to consent to the consideration of this case without resort to dilatory tactics until they read in a Republican newspaper statements purporting to give the actions of the Republican caucus and the purposes of the Republican side of the House, the statement being substantially that it was our intention to go on and force the consideration of all contested-election cases before the adoption of rules and thereby strengthen our majority without being hampered by rules of procedure other than such as the Speaker might determine as being the rules of general parliamentary law. And therefore, because of such newspaper statement, we have had three or four days of delay in the transaction of public business and the country has been regaled with the choicest excerpts from the Democratic hand-book of polite expression. [Laughter.] And yet the gentleman who stands at the head of the minority of the committee admits he was promptly informed by his associates on the committee that there was not a word of truth in the newspaper statement. Still he prefers to take the report of a newspaper correspondent, who was not present at the caucus, to the statement of a colleague who was. And this is the justification seriously given to the House and the country for the remarkable proceedings witnessed in the House for several days past. If the gentleman is satisfied with such an excuse we certainly ought not to complain.

Let me call the attention of the House to some other newspaper statements. Months previous to the meeting of this Congress the newspapers carried to every section of the country on the authority of the Democratic leaders of the House the statement that it was the intention of the minority side to resist by every means known to parliamentary law the unseating of any Democratic member whose seat was contested, and that, too, without reference to the right or wrong of the case. Before a single case had been submitted to the committee, before the evidence was printed or the briefs filed, before it was possible to form a correct judgment upon the claims of either contestant or contestee, we were given due notice by those who had a right to speak for the minority that these contested-election cases should not be heard if it was possible to prevent it by resorting to the obstructive methods, so effective in the past, in the hands of a determined minority. We were further told that no legislation of any sort should take place during this session except by the consent of the minority.

None can affect ignorance of the intent covered by such a programme. It meant: Though the people have selected one man to represent them and the seat is wrongfully occupied by another, that other shall continue in a position to misrepresent his constituency, although the lawful majority of the House stand ready to award the seat to the rightful claimant. I remind gentlemen that this took place before the question of rules was under discussion, before it could possibly be known when a code of rules would be prepared for our consideration; and I place the fact against the present excuse of the gentleman and I remind him of the further fact that this contest has come before the House in an orderly way, and without undue haste.

I do not intend to go over the argument so lucidly and so ably presented by my colleague from Pennsylvania [Mr. DALZELL], upon the *prima facie* rights of this case, but I call the attention of the House and the country to the fact that this edict went out to the country and was made with reference to a case where it is now admitted that the sitting member, instead of being the contestee, ought to have been the contestant; who has enjoyed the emoluments of office since the 4th day of last March; who has participated in the proceedings of this House since the first Monday of December, in violation of the law and in violation of right, and by the usurpation of a governor, who, thank God! is the only one that could be found in America who has been able to hold for a year the gubernatorial chair after his term of office had expired, and capable of issuing a certificate of election under such circumstances.

Mr. BOATNER. Will the gentleman permit a question?

Mr. ROWELL. Not now.

What I am now saying is that you have resisted for days the consideration of a case in the interest of the sitting member admitted by his party friends, the minority of the committee, to be holding a seat that ought not to have been awarded to him on the *prima facie* case, that he held a certificate by virtue of which he was sworn as a member of this House, that he had no right to have, and that was issued to him without justification, and that therefore and of right under the law Mr. Smith, the contestant, ought to have been here on the first Monday of December, taken the oath of office, and participated in the affairs of this House, and if Mr. Jackson, the sitting member, desired to contest his seat, he should have come here with a record as contestant to prove his seat, in place of occupying the position of advantage as sitting member.

I only call attention to the fact, Mr. Speaker, in order that this House and the country may know that on such a case the Democratic edict went forth, promulgated to the whole world as early as September last, that there was to be no unseating of members here until every possible scheme known to parliamentary skill and parliamentary law had been called into requisition to prevent it.

I shall not dwell, Mr. Speaker, at any great length on the apparent reflection upon the majority of the committee in the way this case was considered, found in the report of the minority. Before the holidays this case was set down for hearing at the head of the Calendar. It was orally argued before the committee on the 9th day of January. Every member of the committee had ample time and opportunity, extending over several weeks, to examine the evidence touching the illegality of every one of the two hundred and odd votes which have been challenged. I do not hesitate to affirm that every member of this committee, both the majority and the minority, had investigated the evidence with reference to each one of these votes and arrived at definite conclusions before the day when it was finally called up for determination. Then it was gravely proposed that the committee should sit down for three weeks—because it could not have been done in less time than that—and consider vote by vote every one of the questioned votes in so peculiar a case as this in order that we might possibly enable the minority to discuss this question with a little more light than they claim to possess now.

It was proposed, "Will you be bound by the decision of the majority?" And the proposition was not only promptly rejected, but laughed

at. It was then asked, "Will you show us the minority report?" and answered, "The majority can not dictate a report for the minority." Is it any wonder that we came to the conclusion that delay, and not light, was what was wanted? No one supposed that an agreement could be reached. The necessity of the minority of the House stood in the way and the large number of challenged votes furnished the excuse. Now, Mr. Speaker, it is my purpose to review very briefly the evidence bearing upon the votes called into question by the reports of the majority and minority of the committee; and that the House may understand the rules adopted by the committee in considering the evidence I refer to the report of the committee upon the questions of law. This portion of the report was carefully prepared after a review of the authorities was submitted by me to the whole committee and with but slight criticisms was accepted as the law by which we would be governed. It is as follows:

To qualify one to vote in West Virginia he must be a male citizen of the United States, twenty-one years of age, must have resided in the State for one year next preceding the election, in the county sixty days, and must be a bona fide resident of the election district in which he claims the right to vote. Paupers, convicts, and persons of unsound mind are not voters.

By the record and briefs filed in this contest, a large number of votes are attacked by both parties. In considering these votes so attacked the committee deem it proper to state generally the rules by which they have been governed in determining the question of legality or illegality, and for whom the votes were cast.

First. A vote accepted by the commissioners holding the election is *prima facie* legal. Before it can be thrown out for illegality it must be satisfactorily shown by the evidence to have been cast by one not legally qualified to vote—that is to say, the presumption of legality must be overcome by a clear preponderance of competent evidence.

By competent evidence we mean such evidence as would be admitted on the trial of the issue before a judicial tribunal, except where a relaxation of the rule is made necessary by the nature of the issue.

No provision is made by the statutes of West Virginia to ascertain what particular ballot any voter has deposited after it has been once placed in the ballot-box. Therefore in this case it becomes necessary to ascertain for which candidate a vote was given by other means than the ticket itself.

It seems to have been taken for granted by both parties that the voters themselves could not be compelled to disclose how they voted. It may be remarked in this connection that one who would knowingly cast an illegal vote ought not to be regarded as the most reliable witness. On the other hand, when he has been honestly mistaken, we can see no reason why such voter ought not to be trusted as a witness.

In order, then, to prevent illegal voting with impunity, it becomes necessary to determine what kind of testimony shall be received in ascertaining which candidate got the benefit of the illegal vote. The committee have followed the rule which appears to them to be the most reasonable, as well as the best sustained by authority.

In the absence of direct proof, evidence showing to what political party the voter belonged, whose election he advocated, whose friends maintain his right to vote, and kindred testimony have been held admissible. Of course what the voter said at the time of voting is admissible as a part of the *res gestæ*.

But what a voter said after the day of the election, either as to his qualifications, or how he voted, or whether he voted, the committee hold to be inadmissible in the absence of other testimony on the point. If such testimony can be admitted at all, which we do not concede, it certainly ought not to be received when the statement of the voter is made after the legality of his vote has been called in question. To admit this kind of testimony is to place it in the power of one not entitled to vote to have his illegal vote counted twice against the party he desires to defeat, without subjecting himself to cross-examination and without even the formality of testifying under oath.

Again, one legally qualified may, by statements after he has voted, make himself out to be disqualified without incurring any penalty, and in that way have his legal vote given to one party counted as illegal against another party. One who has not voted at all may in the same way be proved to have voted. In a close contest, with party feeling running high—perhaps party control involved—the admission of this kind of testimony would be doubly dangerous. It has nothing to commend it except a class of decisions whose authority has been weakened, if not destroyed, by later and better considered adjudications. The committee reject all such testimony as being mere hearsay of the most dangerous kind when standing alone. When the only evidence of how a man voted, or whether he was a legal voter, is the unsworn statement of the voter after the election, we have let the vote stand.

In regard to what constitutes a person of unsound mind we have adopted the rules substantially as laid down by American courts and text-book writers, and hold that a person having sufficient intelligence to make a valid will, or to bind himself by ordinary contracts, or to be criminally responsible for his acts, is a person of sound mind. One whose will would be held invalid, for no other reason than mental incapacity, is a person of unsound mind.

In the record we find the oft-recurring question "Was the voter in your opinion a man of unsound mind?" put to a non-professional witness without any attempt to define what was meant by unsoundness of mind. To the answer to such question, unaccompanied by any explanation of what the witness understood by the term, we attach very little weight.

The condition of the voter, his acts and speech, how he is regarded by those who know him, as to his competency to contract, judicial determinations, and the like evidence, has been given due weight. The term idiot is so well understood that the statement of a witness that a person is an idiot is given more weight, as being the statement of a fact within the knowledge of the witness, and not a mere opinion.

With these rules in view the determination of the legality of a vote only requires a fair and intelligent consideration of the evidence. Upon the question of what constitutes a pauper, there is some disagreement in the authorities, but we think the following may be taken as a fair definition: A pauper is one who is continuously supported in whole or in part out of funds provided by the public authorities for that purpose. One who has been a public charge and afterwards becomes self-supporting for a sufficient time before the election to show that his ability to support himself is not a mere temporary condition, may legally vote.

One who, under temporary misfortune or sickness, receives public aid, but is ordinarily self-supporting, is not a pauper.

The law which determines the question of residence is so well settled that it does not need a restatement by the committee; the difficulty is in the application of the law to the evidence.

Absence from the place claimed as a residence, for temporary purposes, does not work abandonment, but in this case some of the witnesses and some of the commissioners of election seem to have had the view that a voting residence might be retained by the simple statement of intention to retain a certain place as a voting residence, although an actual residence had been taken up elsewhere, with no fixed intention of ever again actually living at the place where the right to vote is claimed. Others seem to think that they can establish a new residence by intention before actually and in fact moving to the new place.

We do not concur in these views. It takes both act and intention to establish a residence, and an intention to retain a residence which has been left must be an intention actually to return to it and reside in it.

On the face of the returns, as claimed by the committee and conceded by the minority, contestant was elected by a plurality of 12 votes. Upon these returns, certified to the governor, he ought to have received a certificate of election, and is now entitled to be awarded the seat unless contestee has shown by competent evidence that illegal votes were counted for contestant outnumbering his conceded plurality, and in addition outnumbering the illegal votes counted for contestee. The first thing to do is to find out wherein we agree, and so narrow the discussion to matters of disagreement. In the brief filed with the committee by counsel for contestee in pursuance of the law governing the practice in such cases it is substantially conceded that 20 named votes cast and counted for contestee were so cast by persons not qualified voters and are therefore to be deducted from the whole number of votes returned for him. So well satisfied were the attorneys for contestee that they declined either to discuss or to refer to the testimony bearing upon them. Now, when the attorney of a party makes such a concession it would seem at least fair that the committee should accept it and the client be bound by it.

The majority did not, however, charge the whole 20 to contestee. One voter, named Frederick Schwall, is taken from the list because the committee believed that the concession of this vote was made under a different view of competent evidence from that taken by the committee. In addition to these 19 conceded illegal votes for contestee the majority of the committee, as shown by this report, find 26 other illegal votes that ought to be deducted from contestee's vote, making 45 in all, which, with the 12 votes with which contestant started, makes 57 to be overcome by illegal votes cast for contestant. Otherwise he is entitled to take his seat as a member of the House. This, of course, provided the committee have made no mistake in judgment in regard to these votes. In the report of the minority we find that 4 out of the 19 conceded by counsel are not admitted. Their names are: Ephraim Hensley, W. J. Gilmore, Grant Griffith, and Michael Hobart. Of the remaining 26 charged as illegal by the committee, the minority concede only 14, leaving 12 in dispute; but they concede 2 not claimed, 1 of which was left out of the report by mistake; the other, H. G. Armstrong, was left out intentionally and will be referred to later on. In the report the committee find that 19 illegal votes were cast and counted for contestant.

This concession should have been 17 instead of 19, Christian and Dotson having been by mistake placed in the list conceded as illegal by counsel for contestant, when in fact they were not conceded. The mistake grew out of taking the column of "not proven" in a tabulated statement for the column of "proven." The votes were clearly legal, and so admitted by the minority. The minority concede 31 illegal votes cast for contestee and claim 66 illegal votes cast for contestant. They also give another list of 21, which they say are not so clearly proven, and which, therefore, we shall not consider. Of the 66, 15 are in the committee's conceded list, leaving 51 in dispute out of this list. I shall take these votes up in the order of the reports, and now ask the attention of the House to the 4 conceded by counsel for contestee and not by the minority of the committee.

The first is Ephraim Hensley. The evidence in regard to this vote is on page 59 of the record. He moved from Ohio to West Virginia in August, 1888, having previously moved from Kentucky to Ohio. He was a Democrat. No attempt is made to contradict this evidence. He had not lived in West Virginia a year and his vote was clearly illegal.

The testimony in regard to W. J. Gilmore is on page 60 of the record. It shows that he moved with his father's family from West Virginia eight years before, and returned to West Virginia shortly before the election. He was a Democrat; he voted and had no right to vote.

In regard to Grant Griffith, I read from the contestee's brief, page 28, and make no further comment. It says:

The evidence tends to show this vote illegal.

No reference is made to the testimony.

The next one of the four is Michael Hobart.

As to Michael Hobart, I shall not stop to read from the testimony, but the contestee in his brief, on page 48, says in regard to him as follows:

This vote—

Speaking of Michael Hobart—

is not challenged by Smith, but challenged by Jackson and proven to have voted for him.

Mr. O'FERRALL. Where do you read from?

Mr. ROWELL. I am reading now from the contestee's brief. Let me continue this reading.

This vote is not challenged by Smith, but challenged by Jackson and proven to have voted for him. It is submitted whether under this statement of facts, the vote being proved to be illegal, it can avail Smith or not by having the same deducted from Jackson's total vote in the county. It seems to us it should not avail.

In other words, Jackson challenged this vote in his answer. It was not one of the votes challenged by Smith in his notice of contest, and, therefore, Jackson says it ought not to be charged against him, while admitting its illegality and that the vote was cast and counted for him.

Let me direct the attention of the minority to the vote of M. E. Polsne, claimed by them, and admitted in the report of the majority as an illegal vote, cast and counted for contestant under precisely similar conditions, challenged by contestant, proven to have voted for him, and admitted against him. But I will not stop to read that.

Mr. OUTHWAITE. May I interrupt you to read from the bottom of the twentieth page, and that will show whether you conceded that Polsne should be charged against the contestant?

Mr. ROWELL. You have not read all that was said about Polsne. I will:

M. E. Polsne is another voter challenged by contestant. Placed on the stand by contestee to prove himself a legal voter, on cross-examination he stated such facts as showed he was not, and then volunteered the statement, not in response to any question by either party, that while voting the Democratic ticket he nevertheless voted for contestant, and upon that testimony it is now insisted that his vote ought to be charged against contestant.

This testimony was peculiar, to say the least, and is subject to grave suspicion, but as the witness was not impeached by subsequent testimony we allow the charge and count the vote as illegal.

Mr. OUTHWAITE. Did you make the deduction?

Mr. ROWELL. Yes, sir; you will find it if you follow it up in the report.

Here is a Democrat, charged by contestant to have voted illegally for contestee and testimony introduced by him proving the charge. Whereupon contestee calls Polsne himself to sustain the legality of his vote, with the evident understanding that he had received it. Questions were so put to the witness on his examination-in-chief that he was able to answer them in a way to sustain his right to vote, but on cross-examination by contestant he was forced to admit facts which proved him a non-resident of the State. Both counsel stopped asking questions; it appeared that the vote must go out as a charge against contestee, and then the witness volunteers a statement, which stands in the record, that though a Democrat he voted for Smith. Having been trapped into an unwilling admission that he had voted illegally and that Jackson was about to lose a vote, he volunteers the statement. If he did not tell the truth, he has succeeded in having an illegal vote by the concessions of the committee counted twice for Jackson. I do not hesitate to say that I seriously doubt the truthfulness of this witness.

I next take up the list of votes charged by the committee to contestee and not admitted by the minority.

First in the list are William Gibson and John Starcher. The minority claim that they were not proven to be minors. Let us examine the facts. It is agreed that there are but four days' difference in the ages of those two boys. John Starcher is the illegitimate son of Jane, a daughter of Jacob Starcher. On page 63 of the record Peter Goff testifies that he moved to the State of West Virginia in September, 1867. Now, Mr. Speaker, there are some events that fix themselves upon the memory, and one of them is the date of emigrating from one section to another, and is an important era in a man's life. This is one way by which Mr. Goff fixes the date. He further says that he purchased a farm shortly after he got there, and obtained his deed for it on the 4th day of November, 1867; the deed shows the date. Human recollection may be uncertain, but a written document does not forget. The same witness say that he visited the house of Jacob Starcher in the month of September, 1867, saw and talked with his daughter, and that she showed no indication that she was about to give birth to a child. In the following winter of 1868–'69 he was frequently at the house of Starcher; Jane then had a baby about six months old, the boy John. During the same winter he was frequently at the house of Mr. Gibson and dandled the boy William upon his knee. He was not then to exceed seven or eight months old. Goff is a man of intelligence and character.

Another witness, a former member of the county commissioners' court, testifies that Gibson and Starcher were born in the spring of 1868. He fixes the date by an official document which he held in his hand while testifying. How is this testimony met? By an old midwife, seventy-two years old, who says that instead of the spring of 1868 it was back in September, 1867, when the boys were born, at the very time when Goff was visiting Starcher's and says that Jane had no child and showed no indication of being about to have one. The midwife kept no record, depends entirely upon recollection; she had attended the birth of a great many children, and now, by her simple memory going back twenty-one years, you seek to overcome recollections sustained by documentary evidence. There is one other witness who agrees with the midwife; he was not present and has no personal recollection of the ages of these boys. He fixes their age by the age of a child of his, as he says, born the following winter. He knows the age of his own child, not by memory, but by a record which he says his wife read to him. He can not read and only knows what his wife told him. The record is neither produced nor offered to be produced. Now you have the whole evidence. Is there a gentleman on that side of the House claiming to have any knowledge of the law of evidence or who ever sat upon the bench that would hesitate a moment in deciding that these boys were minors and their votes illegal?

I now pass to O. J. Simmons. My friend from Georgia forgot a little of the testimony bearing on this vote. A year before the election Simmons went to the State of Ohio and returned subsequently to West Virginia and set up a claim that he had never lost his residence. He had voted at an election in Ohio. All the law books hold that no man shall be permitted to set up intention against the solemn act of voting. There is no variance in the decisions upon that question. And how does he get around it? Why he says: "My vote in Ohio was illegal; I intended all the time to keep my home in West Virginia."

In other words, gentlemen, you refuse to acknowledge that this man lost his residence in West Virginia, although he left the State, took up his home in Ohio, and while there exercised the highest right of the citizen, the right to vote; because you say that his vote then was illegal on account of his secret intention to retain a residence in West Virginia.

I pass now to Reese Stratton, who some of my colleagues on the committee think ought not to be charged against the contestee.

Mr. Carrol, a witness who had more knowledge of Stratton than any one else, says, "He is not very far from an idiot. He understands a few simple things." Take it and weigh it.

I come now to W. A. Palmer, and I want the gentlemen on the other side to stop at W. A. Palmer, his vote is so vigorously defended. He moved with his father's family to West Virginia in March, 1888. He did not become of age until May, 1888, by his own testimony.

Do you recognize the legal proposition that a boy's home is with his father until he reaches the age of twenty-one unless he has been emancipated from parental control? Do you claim that a minor has any right, while under his father's control and living in his father's house, to form an intention and to make it effective to become a resident elsewhere than in his father's house? In the fall of 1887 his father rented a farm in West Virginia with the intention of moving there in the following March. The father and the boy went to the farm and put in fall wheat, and then went back home, and the boy lived at home all winter and went to school, still living in his father's family. In the March following he moved with the family to West Virginia, and in the following May he became twenty-one years of age, and claimed the right to vote because he had become of age in West Virginia; and finally, finding that that did not stick, he claimed that when he went over with his father to West Virginia to put in the fall wheat he then and there fixed the intention to become a resident of West Virginia. Now he had no legal right to fix that intention, and he did not carry the intention out, as a matter of fact or of law. In fact, he lived with his father all winter and went to West Virginia in the spring.

Mr. KERR, of Iowa. What length of residence is required in West Virginia for a voter?

Mr. ROWELL. One whole year. Now I come to Oliver Burns. He was a resident of Ohio when he voted. His vote was clearly illegal by your own proof, and the only dispute is which candidate he voted for. You got up a little dispute by sending a leading Democrat to him the day before he testified. The man said to him: "Of course I know you are a Democrat." "Yes." "Of course you voted the Democratic ticket." "Of course I did." "Do you recollect the names on the ticket?" "No, I have not a very good recollection; I don't remember the names." "Well, was Smith's name on the ticket?" "Yes, I think it was.

A MEMBER. What proof is there on the other side that he did not vote that ticket?

Mr. ROWELL. There was plenty of proof on the other side that he voted the Democratic ticket. Several witnesses testified that he was a well known and strong Democrat.

A MEMBER. Did anybody swear that he voted for the contestee?

Mr. ROWELL. It is admitted by both the majority and the minority of the committee that where in a State there is no means of ascertaining what ballot a man has cast by opening the ballot-box, in order that illegality may not prevail it is competent to prove to which political party he belongs, which political party he advocates, who attended him at the polls, who advocated and who resisted his right to vote, as a means of determining how he voted.

I come now to John Stinson. He lived in Logan County and voted in Wayne County. He was a tenant farmer. He had rented a farm over there in Logan, and he voted in Wayne under the claim that he hoped to rent another farm back in Wayne County next year. He lived in Logan County, and the question was how he voted, and it was proven by the witness that he was a Democrat. That ends that.

Now, I am going to say a word about Dr. Reese. There is something peculiar about Dr. Reese. He moved over into Ohio before the election with his family. He was called as a witness himself. He was asked, "Where do you live?" "In Ohio." "How long since you became a permanent resident of Ohio?" "A few days after the election. I moved with my family over there before, and I was there a few days with them." Other witnesses swore that he was there continually with them. But he says, "I did not make up my mind to become a permanent resident of Ohio until the election was over, though I had moved there with my family. I had a land contract that if I did not forfeit I intended to carry out and finally come back to West Virginia; but a day or two or three days after the election I forfeited the land contract and then I became by intention and act an actual citizen of the State of Ohio."

The fact that he did not move back to West Virginia, the fact that in June following he acknowledged himself then a bona-fide citizen of Ohio, the fact that this land contract was forfeited immediately after election, must show that it was a pretense and that he was not only in law but in fact a resident of the State of Ohio.

Here is another voter—Ali Artrip. He was both a minor and a non-resident. He is proven by his guardian to have been only twenty years old; he did not reach twenty-one until the following April or May, as testified by his guardian, who fixes his memory by a written document. Ali Artrip's father was sent to the insane asylum before Ali was born; he died there and this guardian purchased the mother's dower in a piece of land. He fixes his knowledge of this boy's birth by the deed to the land; and only a few months before the election the ward in conversation told him that he would be of age the May after election.

Boys know the anniversary of their birthday. How does the other side attempt to contradict this? Ali Artrip was living with his mother in Kentucky and ran away to escape imprisonment; he came over there and voted. His minority and non-residence are proven by his own statement, made several months before the election, proven by the statement of his guardian, who also says that in the whole community where Ali was raised everybody agreed as to his age. They bring in two witnesses who heard about the father's going to the insane asylum, and they thought it must have been some time in the winter of 1866-'67, so that it was physically impossible for this boy to have been born later than November. All they know is by hearsay; and one of the witnesses said his mother was accused of having been "a little frisky." [Laughter.]

George Cox is another voter who moved to Kentucky from West Virginia and engaged in business there, discharging the duties of citizenship in working the roads and paying taxes. He and his family lived in Kentucky with his mother, and to all outward appearances he was as much of a citizen there as any other voter. He came back to West Virginia before the election because his wife's father had purchased and presented to his wife a piece of land. His claim is that he expected that his wife would receive a gift of land from her father, and in that case he intended to return. His intention to return was conditional, and therefore not within the rule.

Joseph Starling, a clearly illegal voter, the only dispute being how he voted; and we do not think there is any doubt about that. He was a Democrat.

E. D. Lewis is a voter about whom there is a good deal of conflict in the testimony. Two witnesses testify to his minority from personal recollection. Another that he read in the family Bible the date of his birth as September 3, 1868; that the boy's mother told him that was the correct date. The mother, however, testifies that he was born a year earlier, and that she has a record, which she fails to produce, to that effect. An old gentleman eighty years old—the same who took the boy to the polls and voted him—brought in a Bible with the age recorded September 3, 1867. This Bible, by a memorandum written upon it, was presented to one Susan Washington in 1873, and the husband of Susan Washington at the time this evidence was taken was living with this boy's mother, a family record of one family fixed up, as it seems to me, to suit the purposes of another's family, to be used in evidence in this case in place of the record which was seen and read by one of the witnesses.

Now, I have gone over every one (or I have missed only one) of these 16 votes that they say are not to be counted against the contestee; and I have correctly abstracted the evidence and shown that every one of these voters, except one, about whom there is a question of doubt, ought to be counted.

I call attention to the vote of H. G. Armstrong, whose name was left out of the report intentionally; but it was a mistaken intention resulting from the desire to be fair. H. G. Armstrong was appointed to office under the Cleveland administration. He moved with his family from Charlestown, Kanawha County, to the city of Washington and remained here during that Administration. Charlestown was in another Congressional district. He returned to West Virginia, going to Jackson Court-House, in this district, and voting there. He never had a home there, but he went back there two years before and voted. In the haste of preparing the report we did not stop to examine the law on the question whether a man by casting his vote at a particular place while in Government employ may not thereby fix his residence there. But, of course, both act and intention are to be considered; the single act of voting did not enable him to set up his right to vote there; therefore your concession is right.

I now come to the list of 66 votes which you say are illegal, and I take up the case of William Wix. He was charged in the notice of contest as a minor and as having voted for the contestee. You charge that he voted for the contestant and was a minor, and that his vote ought to be deducted from the contestant's vote. Now, what is the evidence? On the day of the election he attempted to vote; his vote was challenged by a Republican; he went away from the polls, and when his Republican adversary was out of the way he slipped up and got in his vote and afterward he boasted—this is part of the *res gestæ*—that he had got in a Democratic vote. That is the evidence on the one side. On the other, his mother and sister testify that he was not of age. His mother says she had told him he was of age in order to make him take hold and support the family, because his father had died. His sister says:

> On the morning of the election I urged him to go and vote the Democratic ticket, because his father was a Democrat, I was a Democrat, and his mother was a Democrat; but he said he was going to vote Republican.

His sister, claiming to know that he was a minor, swears that she sent him off to the polls and urged him to cast a Democratic ballot. She further swears that when he came back home he said he had voted the Republican ticket. Now, you have on one side the evidence of the sister who sent him off as a voter to the polls to vote the Democratic ticket.

A MEMBER. But did he not refuse to comply with her request?

Mr. ROWELL. Yes, she says he did; she says that when he came back he said he had voted the Republican ticket. The further proof is that he was a poor boy and wore a Harrison cap. Now, here at the polls were Republicans trying to prevent his voting, knowing he was going to vote the Democratic ticket; he dodges the Republican challenger, gets in his vote when the challenger is out of the way, and then while at the polls boasts—this is a part of the *res gestæ* and is legitimate and proper testimony—he boasts that he had got in a Democratic ticket.

What do we do with this vote? We say that the evidence is evenly balanced; that it was an illegal vote; but there is not sufficient evidence to justify us in saying whether he voted one way or the other, and we simply let that question alone. That is the way we deal with it.

Now, I take the vote of John Brannon, jr. Gentlemen on the other side have overlooked some of the testimony about John Brannon, because the attorneys who briefed the case for that side did not index the testimony; and it is the testimony of the man with whom John Brannon, jr., lived. His name is Bates, and you will find his testimony on page 729. He says he came to his house on the last day of August; that he went back to the county where he formerly lived, and came back on the 6th day of September, and lived there continually up to the following spring. That was sixty days before the election; that is uncontradicted proof, and that is the kind of vote you charge as illegal.

Next I take John Sheets. One witness testified that John Sheets had not been in West Virginia for a year and that his name is John Sheets. That is all the oral evidence in the case. Discussing the question whether he had the right to vote and discovering he had not the right he told the witness he would not vote. The poll-book is introduced, and it shows a man by the name of John L. Sheets had voted. No witness called anywhere to identify John Sheets as John L. Sheets. It was competent to prove it if it were true. It looks like a trick to deceive the committee. The witness said he never heard of a middle letter in the name of John Sheets. Yet that you charge as illegal.

I take the vote of C. M. Messerly. He was a merchant tailor. On the 13th of September he came to West Virginia and entered into the business of merchant tailoring. He brought his apprentices with him. He left his family behind, but he came with his men and engaged in the tailoring business. This involves a legal question. Ordinarily a change of residence is not completed until the family moves. The exception is when business is engaged in and an interest manifested to change residence, as was decided in an early Missouri case. But it is not shown that Messerly voted. The only evidence that he voted or how he voted is his statement to the witness after the election was over.

I take up the case of Henry Dye. Henry Dye lived in West Virginia. He told one witness he was going to Kentucky to live. He told another witness, the man with whom he lived, he was going to Kentucky to collect some money and that he was coming back. He did come back and voted. One witness on one side and one on the other; yet you say there is a preponderance of evidence which overcame the presumption as to his vote, and I deny it.

Let me take the next case, J. C. Leonard. He voted in Jackson County. His vote is challenged, and his father is called as witness. His father testified his son went to Kansas City and remained during the spring and summer and then came back; that on the morning of the election the father, being a Democrat and supposing his son was a voter, never having lost his residence because of his tramp out West to Kansas City, urged his son to vote the Democratic ticket; but the son said no, he would vote the Republican ticket. The father never thought but that he was a voter, never thought he left the State for other than temporary purposes. He is the only witness examined on either side. Yet that vote you charge as an illegal vote for the contestant.

Let us take the next vote, John Davis. What is the circumstance about John Davis? He owned property where he voted. A year before he hired out to work at Huntington. He rented a house there. In July, previous to the election, he moved with his family back to his father's house. He brought back his things. He remained until the spring of 1889. His family still remains. In the spring of 1889 he went back to work in Huntington; but from July, 1888, to the spring of 1889 he and his family resided at his father's house. Yet you say, because he formerly lived in Huntington, therefore his vote should not be counted as a legal vote. And this is a fair sample of your rulings.

The next one is William McCoy, in regard to whom one witness testifies that he had not seen him in the county for sixty days before the election, while another man, his brother, testifies that he saw him, knew where he had been at work down in the district, and that he had been there for more than sixty days. He was a widower with one child, and his only home is where he works. Now, there are the two witnesses. You can select between them which testimony you choose.

I will next come to the case of Israel Cullens. It is printed "Isaac" Cullens, but that is a mistake; his name is Israel. He had lived in West Virginia for years. He sold his farm, stored his goods, and went on a

visit to Indiana, but before going had negotiated for the purchase of another farm adjoining the old farm and in the same district. Subsequently he bought this farm, came back to it, took his goods which had been stored, went there and made his home. The testimony shows that he went off on this visit after he had sold his farm, being then at leisure, and had found another which he afterwards purchased, to which he took his wife, but that in the mean time he had visited friends in Indiana; and this ballot is also held by you to be illegal, because of the mere fact that he had made this visit.

William Lee comes next. He is charged with being a pauper. The overseer of the poor says that he furnished Lee with a coffin to bury his little child a month or so before the election, and that he had to the extent of some $18, including the coffin, aided him about that time. William Lee came into the court, however, and showed himself to be self-supporting; that at one time, when he had been so unfortunate as to lose his child, he went to the overseer of the poor, assuming him to be a friend of his, and got a coffin for the child, but expected to pay him for it and did not get it as a pauper. He further testified that the same overseer at the election had undertaken to compel him to vote the Democratic ticket, and threatened if he did not his vote should be thrown out, and for the reason that he had furnished him this coffin. Now, I hold that he is no pauper under the rules which the committee have agreed to adopt on both sides.

The next case is that of Ezekiel Fletcher. There is only one witness, Gilman, who testifies about Ezekiel Fletcher. He swears that about five or six years before he had known him in Tyler County; that he saw him some three weeks before the election, and he did not believe he had been in the election district over six weeks; and he is to be declared an illegal voter for the reason that the witness had not seen him. Is that testimony worth anything with regard to this man's vote? But upon that sort of testimony you undertake to overthrow the presumption that he was a legal voter. I did not see him there; neither did you see him there. Does that disqualify him?

Mr. OUTHWAITE. Is that all the evidence?

Mr. ROWELL. Yes, that is all the evidence on that point.

Now I take the case of Elijah Kiggins, and the testimony in that case will be found on pages 376, 386, 746, and 748 of the record. He had lived at Raven Rock for several years and worked at the cooper's trade there at the time of the election. About three weeks before he was married in Ohio, but did not lose his residence, unless getting married works disfranchisement.

Next I come to the case of J. Luh. I have gone far enough, Mr. Speaker, already to overthrow the claims of the minority of the committee and upon the votes already considered to leave a clear majority to contestant, even conceding all the remaining votes claimed by the minority. Now, here is this case of J. Luh. It involves a legal question already discussed. He bought a farm in the district in August, 1888, and moved onto it. He went to work on the farm and made it his home. His wife, however, did not join him for some time afterward. She did not come down immediately to stay, but came down every day or two to see him. It seems that she did not move down permanently until October. If, then, you throw out this man's vote, you make the man's residence dependent upon where his wife lives, instead of making the wife's residence dependent upon the home of her husband.

Now, there is a question of law involved which applies to this vote and to that of Messerly, which I leave for the consideration of the House. Leaving out fourteen of these names, to which I shall return hereafter, I take the case of Thomas Burt.

Mr. MOORE, of Texas. You say you will not discuss the question as to the fourteen?

Mr. ROWELL. I say I will not just now.

Mr. MOORE, of Texas. I hope the gentleman will do so, because there has been no discussion in regard to them.

Mr. ROWELL. I will come to them presently. I have already shown, Mr. Speaker, enough legal votes that the minority fail to overcome to offset their claim to a majority; but I come to the case of Thomas Burt. In this case there is but one witness. His testimony is to be found on page 420 of the record. He lives some 10 miles from where Burt lives. He disputed with Burt on election day as to whether he had been a resident of the district for sixty days. Burt claimed that he had been, and that is all there is of the testimony. There is no testimony to show that he had not. That is the whole of it.

It seems that Burt was employed by some company, and the witness claims that the secretary would not say that Burt was on the pay-rolls sixty days. Thereupon the secretary, being spoken to on the subject, said that his name was on the pay-rolls, and that it had been there for over sixty days, and witness says "So far as I know, he had been a resident there." That is all the testimony against the right of this man to vote, and yet this is held up as an illegal vote cast for the contestant. I say that I have carefully made an abstract of that testimony. I have given you the page on which you can read it yourselves. And it shows, Mr. Speaker, how very far from judicially the minority of the committee have made up their report.

Now I come to the next case, that of W. S. Bird, and I shall not stop to comment on the testimony in that case, because there is some doubt in regard to whether he lived on one side of the line or the other. There was a question there as to the boundaries. He thought he voted in the right district; but inasmuch as there is some doubt about it I will not stop to argue that point.

Next I come to the case of George F. Jones. He was examined himself. His testimony is set forth in the evidence furnished by the committee. It shows that he had lived in the State for two years and in the district from the 23d day of August, 1888. What is the objection to that vote?

Why, the contestee put a witness on the stand who stated that on the day of election Jones said he had been in the State a year and in the district thirty days. Supposing that that was the legal requirement of a voter and being asked the question how long he had been in the State, he said: "I have been in the State one year and in the district thirty days:" and that is the evidence against his vote: that he had said he had lived in the State one year and in the district thirty days; and they throw that vote out on this testimony.

Now, as to the case of James Parr, which is given on pages 436 and 761 of the record. That is just as clear a case of legal voting as any other one. This man raised a crop in the summer in the county where he voted. He was a single man. He flitted between that county and Wirt County, but that summer had his home in this county and raised a crop there. It is undertaken to throw out his vote because some witness testified that he had his washing done over in Wirt. It is therefore endeavored to be made out, according to the views of the minority, that a man's home is where he gets his shirts washed, and not where he lives. I have given you the testimony in that case. I claim that a man's home is not necessarily with his washerwoman.

Now, we take the case of Samuel Gray. That is a peculiar case. Samuel Gray is charged with being a minor. He is put upon the witness stand and is asked:

How long have you lived in West Virginia?

He says:

Fifteen years.

Q. Did you vote at the November election?—A. I did.

Q. For whom did you vote?—A. I voted for Smith.

Those are all the questions asked him. Then they put in, from the records of the county, a record of the issuing of a marriage license to some Samuel Gray; and in the marriage license it is said he was eighteen years old. Note, they do not ask this witness if he is a married man; they do not ask him if he got his marriage license in that county. No witness testifies that this Samuel Gray was the same Samuel Gray who got the marriage license. It looks like a trick to deceive the committee and it seems to have deceived the minority.

Now, I come to the case of William L. Johnson, whose father says that he lived in West Virginia, that in 1887 he moved to Texas and worked there for some time, that in the following August he returned to West Virginia and claimed West Virginia was his residence, and that he only went to Texas for temporary purposes. He voted, and subsequently he went back to Texas to work again, a very common thing among laboring men. There is some doubt about this vote, and we leave that without argument and submit it to you, and you can do as you please with it.

The next is Frank Bratton. It is claimed that he is an insane man. Now, let us see what is the evidence. One witness testifies when he voted two years before the judges commenced to ask him questions and he commenced to answer the question, but his father was with him and answered it. He answered the question for him, and so witness concluded that he must be of unsound mind. Another witness, a doctor, was asked the question: "Do you think he was of unsound mind?" and he said "Yes" and gave no reason. The committee have determined that you must define what you mean. You have got to show the facts upon which your judgment is made. He voted in 1886. He voted again in 1888—a strong presumption in favor of his vote. The proof is his father was a strong Republican and in 1886 he went to the polls with his son; and now it is claimed that he was of unsound mind; but a man of unsound mind can not have any politics. Nobody proves who went to the polls with him in the election of 1888 how he voted or what his politics were. You have no evidence as to how he voted and no sufficient evidence that he was of unsound mind. I have given you the whole of that.

Now I come to these twins, the Greathouse boys. They are charged with being minors. Now listen, gentlemen of the minority of the committee, while I recount the evidence in regard to their minority. The boys' father, mother, grandfather, grandmother, and aunt, as well as the family Bible, all state they were born in October, 1867. You have got the father and the mother, who keep the anniversary of the birthday of their children, especially if they are twins, and you have got the grandfather and the grandmother, both of whom were present at the birth, and an old aunt, who was also present at the birth, and you have got the family Bible, a record, all showing that they were born in October, 1867. What have you got on the other side? You have a doctor, who attended at the birth and whom the witnesses say was drunk on that day. He says they were born in November; and he knows that because the father paid him a dollar in November, and subsequently paid him $4 more, and finally the balance of the fee; but he does not show how he knows the date of the payment, or that he kept

any book account, or that he has any recollection that the first payment was made on the day of their birth.

And there is one other piece of testimony. The assessors of West Virginia each year are required to bring in a report of the births and the date of the births. They go out into the country, inquire of somebody respecting the births in the county, and put them on a slip, and come in and make a record. I do not know how they get it in this case, but they have it at November. This record at best is but secondary evidence, good only in the absence of anything else. All the evidence they have with that is that of a drunken old doctor, and they put it against these five witnesses and the family record. This fair minority think that that is sufficient proof that these two voters were minors and their votes were illegally cast for the contestant. That is a fair sample of more than half of the list of 66 votes.

Now I come to the case of William Bradshaw. He lived four years in West Virginia. He worked in West Virginia constantly. Some time in the spring he could not get a house that was cheap enough to live in, but he continued to work in West Virginia and moved over the line for about six weeks, until he could get one that was convenient enough for him to live in. He worked there all the time, and you say that that cost him his residence. I say you can not find a declaration in any law book that was ever printed in America that will throw that vote out. I see I have used the wrong name. George Anderson, and not Bradshaw, is the voter I am talking about. Bradshaw is the voter who was in Ohio a short time to avoid arrest.

Now I come to J. D. Dickson, a peculiar Democrat, a very vicious Democrat, who refused to vote for Jackson because he said he was a Know-nothing and no Irishman could vote for him. Dickson held office under the Cleveland Administration, and he was sent out to Dakota, and on his return, not being ready to go to housekeeping, he sent his wife over into old Virginia for a time, taking up his residence with a friend, and subsequently, when he got ready in the fall, he went to keeping house, so they claim that he was a non-resident and that his vote was illegal. His own testimony shows the facts.

Now I take Jesse Morris. It is claimed that he voted twice. What is the proof? The proof is that they find on the poll-books "Jesse Morris" and "J. W. Morris," and they assume that Jesse Morris and J. W. Morris are the same person. Nobody swears to it. The ground for the inference is that Jesse got pretty drunk on election day and went up and asked to vote, and the judges told him he had voted and he said he had not voted "this ticket." The proof is that he was there at the polls, doing his best to get the candidate for sheriff on the Democratic ticket elected.

I take now this man Shearriffe. He voted in Wirt County. Formerly he lived in Marshall County. In June, 1888, he came to his father-in-law's, in Wirt County, worked there all summer, had his clothes there, continued to live there, then went up into the other county a little while before election, and then came back and voted, his residence being there. That is all about him.

Next I take Austin Tafferee, who voted in 1886 and 1888 in this district. One witness thinks he was of unsound mind. No; I have mixed up two cases of unsound mind. This is the one where it was thought that he was unsound because his father answered questions for him. I pass that case without saying anything more about it. What I said of Bratton should have been said of this voter.

Next I come to W. H. Mamel. They charge that this voter was not of age and there was some hearsay proof to that effect. They forget that his father comes upon the witness stand (if you want the evidence it is on pages 841 to 844) and swears to the boy's age and brings in the family Bible showing his age, the record kept by the good old German mother now dead, and he testifies that very soon after the birth of each of her children she made a record of it in the Bible. There is the evidence of this boy's age which you overlooked, gentlemen, because it was not briefed for you.

Here is another case, George Anderson. He was over in Ohio six weeks during the summer, and hence you say he has lost his residence.

Now I come to old Israel Taylor. I am suprised, gentlemen, that this minority of the committee should take old Israel Taylor and attempt to throw out his vote, cast in Parkersburgh, because if there was anybody in Parkersburgh that was a voter it was Israel Taylor. He owned a life estate in a little farm a few miles outside of Parkersburgh. He was a brick-worker.

In January, 1888, he moved what things he had from the farm down to Parkersburgh and continued to work at his business in Parkersburgh, and lived with his son-in-law there from January, 1888, to December, 1888. He swears to it and his son-in-law swears to it. You have got one witness who undertakes to mix up the time between when he moved the son-in-law's goods and when he moved his goods, but the case is as plain as any case that can be made. There is no more question about his right to vote than there is a question that I stand here.

Now, I come to Robert Alexander. You say his vote ought to be thrown out. He voted at Volcano. He had voted there for twenty-two years. He was secretary of two incorporated companies that had their headquarters there. He was secretary of the school-board of Volcano. Two years previous to this election his wife, not liking to live in the town, asked the privilege of setting up business for herself out in the country. So he rented a little farm for his wife and children and they ran the little farm and the little business at their own expense and had the proceeds of it. He continued to do business in the town, but his wife, for health and because she thought she could make a little money, as I have said, asked the privilege of setting up in business for herself and he aided her to do so. And yet you say that this man, who for twenty-two years had lived there, who held a public office there, and who had never moved away from there, was obliged to follow his wife out into the country, where he never had resided, and vote out there. That is the kind of voters that you want to throw out.

I come now to Oscar Cunningham. You had a little more excuse for throwing out Oscar Cunningham's vote. There were two brothers of them who lived in Parkersburgh. Oscar was the single one, living with his brother, having moved from some other place two years before with his brother to Parkersburgh. His brother was married. He went over into Old Virginia and worked a few months at the iron works in Old Virginia during the summer. He came back and voted; and you throw him out. There is some little excuse for the action in this case, more than in the other; but there is no excuse for it in the law.

Here is William White, a colored horseshoer. You undertake to prove by a couple of colored "strikers" for the contestee, one of whom handled the whisky for that campaign, that White had said that his home was over in Ohio. White worked for a man in Parkersburgh, lived with his family, shod horses for him, having come there in the spring. On election day the question came up as to whether he had the right to vote. He told this man, as he had told him before, that he had lived in Wheeling, W. Va., for nine months, and, as he had lived in Parkersburgh for seven months, that made more than twelve. Then he went out and consulted with one of the leading men, telling him how long he had lived in West Virginia.

And he was advised, of course, that he had a right to vote; and he did vote. You undertake to throw out his vote on the evidence of these two colored men, one of whom, I say, handled the whisky for the Democratic campaign—set up the drinks everywhere. You propose to throw out this man's vote because this "striker" of the contestee says that this man calls his home over in Ohio, said that he went around at the State fair shoeing horses.

I now come to the vote of J. B. Nettleton. He was a school-teacher; had taught school five years in the precinct where he voted and had been in the habit of voting there. He came from Ohio. Like every other young man, he called the State from which he came his home; but by the solemn act of voting and by the fact of five years' residence he had become a voter in West Virginia. You throw him out. Only one witness testifies on this point, and that witness said he had not any doubt about his right to vote when he tried to get him to vote the Democratic ticket.

Now, I have gone through, I believe, with all but one of the 66 votes not admitted. I can not stop to go through with that one, inasmuch as I have not a memorandum upon the point. When I came to examine it I thought the vote possibly doubtful. The name is John Parkins. John was an illegitimate son. There was a dispute about his age. He was proven of age; but he lived on a boat; and the question was where he hitched his boat oftenest along the Ohio River, whether at Parkersburgh or at the Kanawha River or somewhere else. That is all there is about this vote. Like a great many other votersin West Virginia, he was the inhabitant of a boat which was hitched along the river.

Now I come to the 14 votes, commencing in the minority report with No. 24 and going down to 37. I shall stop only a minute to consider them. These fourteen men were colored employés, working on a construction or repair train which went through four counties in West Virginia. They voted at Hurricane, the headquarters of their division. The witness that testified about them was their foreman or boss, a leading Democrat, who also voted at Hurricane. He said he was in the habit of voting there, although he called his home Old Virginia, whence he came, and paid his taxes in another town; but because it was the headquarters of their business, where they came to get their supplies, where they got their washing done, where they got their pay, it being the headquarters of the business, he fixed his residence there and voted there. He was a leading Democrat. But it is claimed that these fourteen men could not fix their residence in West Virginia. Some of them had voted there the year before; all of them had been in the State working on the train more than a year; and for the year previous nearly all of them had been working on the train that went through the headquarters at Hurricane. To say that they are not legal voters is to say that men so working can not acquire a residence, and you will find no law that sustains that proposition.

Mr. MOORE, of Texas. The gentleman does not pretend to give the evidence; he only states the result.

Mr. ROWELL. In the short time I have I can not do anything but give an abstract of the evidence. I can not stop to read it.

Mr. MOORE, of Texas. Were these men, or was either of them, within any of those four counties, except when they came in there on this construction train? Did they not board on the train? Did they not get passes from Mr. Goodwin, the contractor, to go home, as they said, on Christmas?

Mr. ROWELL. Now, if you will possess your soul in patience——

Mr. MOORE, of Texas. Is not that in the record?

Mr. ROWELL. I will talk about that very point, because I had just reached that part of the testimony.

The law of West Virginia says that a man shall not acquire a residence anywhere by virtue of his working for the State or of working for the corporation. The courts time out of mind have said that while that does not make him a resident it does not prevent him from becoming a resident; and I refer you to the celebrated decision in the cases of the students of the university in the State of Michigan. These men, some of them, had been there without reference to working on the train; others were trainmen. They had a right to fix a residence. They fixed it at Hurricane, the headquarters. They had been at the headquarters going in and out, not sixty, not ninety, but one hundred and sixty days. But they lived in the cars of the repair or construction train. That is the exact fact; and at Christmas time they took passes to visit Old Virginia, just as in summer time you, if you do not get a pass, pay your way to go to some watering place to take a rest. You seem to assume that because a man speaks of the home of his boyhood as "home," therefore, no matter how long he may have lived away from there, that must continue to be his home. It is neither good law nor good sense nor anything reasonable to present in an election contest.

I have gone over this evidence; I have demonstrated, with two exceptions, all of these 66 votes as claimed, and which have not been admitted, are plainly, clearly, and unmistakably legal. I have demonstrated the votes charged by the contestant as legal are unquestionably legal. I have repeated the testimony to you, but it does not change the majority which the majority of the committee reported in favor of the contestant.

One word, Mr. Speaker, and I shall close my remarks. The contestant comes here as a contestant when the law, and right, and the concessions of the minority place him in the position of contestee. From the vantage ground of a seat unlawfully obtained this contestee is seeking, by refusing to count clearly legal votes, to retain the seat the emoluments of which he has drawn without right since the 4th day of last March. He does not present himself—I do not mean personally—he does not present himself before the House with that kind of a case, with a case that appeals to the generosity of this House. On the contrary he accepted a certificate with the knowledge of how it was issued and upon what basis. And he refuses to stand before this House and rest his case in its very inception upon his *prima facie* right to a seat, thereby confessing it was his intention to participate in the affairs of this nation so far as they come before the House of Representatives by virtue of a title tainted by illegality and wrong and usurpation.

I trust, Mr. Speaker, gentlemen of the minority, having been able to present before the whole country the tactics of resistance for so many days to prevent the consideration of such a case, will be willing finally to concede it is neither partisanship nor prejudice that compels the Committee on Elections to present in this House the report they do. When that committee presents a partisan report it will be time enough to arraign it. As far as I am concerned, this House will come to the day of final adjournment before my name will be signed knowingly to a partisan report.

Now, in this case, Mr. Speaker, I hope and trust that at least the minority of the committee will not claim as a justification for the spectacle that has been presented to the country and the House that this report is either partisan or unjudicial. It was simply impossible out of the record to overthrow the solid array of facts which gives the right to this contestant. [Applause on the Republican side of the House.]

The Silcott Defalcation.

SPEECH

OF

HON. JOHN F. ANDREW,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1890,

On the bill (H. R. 4539) making an appropriation to supply the deficiency occasioned by the defalcation in the office of the late Sergeant-at-Arms.

Mr. ANDREW said:

Mr. SPEAKER: This bill differs from an ordinary appropriation bill, as in this case we are called upon to act in a judicial capacity in regard to a claim in which we ourselves are pecuniarily interested. And as fair-minded men have questioned the legality of such a claim as this, it would seem that if this claim is to be entertained at all it should be by a disinterested tribunal. It is argued by the advocates of the bill that the Sergeant-at-Arms, whose clerk has absconded with these funds, is a disbursing officer of the Government, and that consequently the Government should suffer this loss. This view is not at all clear. In the Forty-sixth Congress when the rules of the House were under discussion, Mr. Garfield used this language:

Now, the Sergeant-at Arms of this House is not a disbursing officer of the United States. He is only our agent, and if he should be robbed of or should make away with the money in his possession, we, as members, would have no recourse whatever, for the Treasurer of the United States holds our receipts.

In the Forty-seventh Congress a bill was passed by the House making the Sergeant-at-Arms a disbursing officer but was not acted upon by the Senate. Had that bill become a law we would not now be called upon to discuss this question. It, therefore, seems that the liability of the Government in such a case as this is no new question and that it has been seriously doubted. And under such a condition of facts I do not propose to act as an arbitrator, and furthermore, I am not clear in my own mind that we have not caused this loss by our own carelessness. This appropriation of $75,000 will, of course, use up the surplus in the Treasury by just that amount, and for that reason may be favorably received in some quarters. While I do not know that it is possible to prevent extravagant expenditures of the public funds by this Congress, I do know that I can prevent any of those funds from improperly getting into my possession.

The Silcott Defalcation.

SPEECH

OF

HON. SAMUEL W. PEEL,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1890,

On the bill (H. R. 4539) making an appropriation to supply the deficiency occasioned by the defalcation in the office of the late Sergeant-at-Arms.

Mr. PEEL said:

Mr. SPEAKER: The question under discussion is a very embarrassing one, embarrassing because the members of this House are called upon to act as attorney, witness, court, and jury in their own case, something all men dislike. That many members have lost their month's pay for November last and some have lost much more in pay, deposits, etc., there is no doubt. With each of them I deeply sympathize. I am amongst those that lost one month's pay; I lost all of it. But, Mr. Speaker, this is a question too grave to be governed in our official action by sympathy or our personal necessities.

That the late Sergeant-at-Arms, John P. Leedom, was a disbursing officer of the House of Representatives I have no doubt, made so by frequent acts of this House and a continuous custom for nearly fifty years, practiced for the convenience of the individual members; but that, Mr. Speaker, does not necessarily make him a disbursing officer of the United States, and many members overlook the fact that Mr. Leedom has not stolen or run away with our money; he is here doing all he can to capture the rascal and repair the wrong as far as he can. The man who has run off with our money is Mr. Silcott, the late cashier to the Sergeant-at-Arms, the man from whom we have received our pay for the last six years, the man to whom we have intrusted our blank receipts to enable him to get our money from the Treasury Department of the United States—this we did at our peril; no one to blame for this but ourselves—without which he could not have drawn our pay.

This kind of slipshod business has been practiced for over forty years by both sides of this House, and for which both political parties are alike responsible, and for our own neglect of duty we ought to bear the loss, and learn by the lesson and correct the practice.

Some say as a reason for supporting this bill that the Treasury had no right to pay our November salary to Mr. Silcott until it was due (December 4, last). This is all very true, Mr. Speaker; it was not due until December 4, and the Treasury Department ought not to have paid it until that day, and ought not to have paid on that certificate; but the trouble comes back on us again for giving Mr. Silcott our blank receipts for our November pay before it was due, thereby enabling him to secure the payment from the Treasury Department and each being a party to the wrong; our mouths are again closed.

So, Mr. Speaker, entertaining the views I do I can not support the bill, and shall vote against it. I do not think the House can afford to take $75,000 out of the common Treasury to make up a loss to ourselves, that has been stolen at least partly through our carelessness. It is a matter, however, that addresses itself to the conscience and good judgment of each member for himself, and I concede perfect honesty and sincerity upon the part of all gentlemen who differ from me upon this subject. But I must act for myself, and I oppose the bill from a sense of duty.

The Silcott Defalcation.

SPEECH

OF

HON. CHARLES J. BOATNER,

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1890,

On the bill (H. R. 4539) making an appropriation to supply the deficiency occasioned by the defalcation in the office of the late Sergeant-at-Arms.

Mr. BOATNER said:

Mr. SPEAKER: The course which this debate has taken renders it necessary that I should briefly give the reasons which will control my vote on the bill under consideration.

The gentleman from Illinois has kindly drawn a distinction between the old and new members of this House. I do not think the new members desire to be put upon a plane different from that occupied by their associates. All or none are entitled to be paid.

If the Sergeant-at-Arms of the late House was a disbursing officer of this House, the Government has not discharged its obligation to pay Members and Delegates their salaries. If, on the contrary, he was not a disbursing officer, but the mere private agent of members, his defalcation is a loss to his principals, and not to the Government. In order to arrive at the conclusion that he was not a disbursing officer of this House we must decide that every House of Representatives which has sat since 1838 has been guilty of the asinine stupidity of adopting a rule which it had no right to adopt, which was beyond its powers, and therefore null; that all of the distinguished members of the House of Representatives who have preceded us, many of whom have ascended to the highest pinnacles of power and honor in American politics and in official life, were so ignorant of the Constitution and laws of the land as to impose duties and responsibilities on an officer of this House which they had no right to impose, and which created no other responsibilities in the officer than those of a private agent of the several members. I have a high respect for the abilities of the gentlemen who maintain this proposition, but they must admit themselves that a large number of very eminent gentlemen who have preceded us have held a contrary opinion.

In 1838, a similar defalcation having occurred, a committee of the House, as shown by the gentleman from Mississippi [Mr. CATCHINGS], considered that they had fully provided against a repetition of it by reporting to the House the rule which substantially has been in force ever since. That rule provided that the Sergeant-at-Arms of the House "should keep the accounts of members, and pay them their salaries," and to the end that the United States, whose disbursing officer he was thereby declared to be, should be secured in the faithful discharge of the trust imposed upon him, he was required to give bond in favor of the United States in the penal sum of $10,000, conditioned for the faithful disbursement of all moneys intrusted to him by virtue of his office. As the membership of the House grew in numbers and the amount of money falling under the control of the Sergeant-atA-rms increased, the amount of his bond was raised from $10,000 to $50,000, and a bond for this sum was executed by the late Sergeant-at-Arms.

We find that the Treasury Department, notwithstanding the present denial of such a course, has consistently treated and dealt with the Sergeant-at-Arms as a disbursing officer, because, if not such an officer, payment in money would not have been made to him, even on the express and notarial power-of-attorney of each member of the House, authorizing and requesting him to do so. As shown by the gentleman from Mississippi, the statutes of the United States declare that any power-of-attorney or authority to draw money from the Treasury of the United States shall be null, and the Treasurer, therefore, in all cases, as I am informed, makes payment to the attorney or agent by issuing a Treasury warrant, drawn to the order of the principal, and which the agent is therefore powerless to collect. Had the Treasury Department considered Mr. Leedom as a private agent of the members, a warrant in favor of each member for the amount due him would have been issued.

It is, in my judgment, absurd to give more force and effect to the receipt affixed to the certificate of the amount due each member than to an express authorization to the Sergeant-at-Arms to collect the amount thereof. As I have previously shown, if a member had indorsed on the back of his certificate an order, or request, directing the Treasurer of the United States to pay the amount thereof to John P. Leedom or any other named individual, the Treasurer, if he obeyed the order at all, would have done so by issuing a Treasury warrant in favor of the member, thus putting it beyond the power of the agent to collect until it had gone into the hands of his principal and received his indorsement.

The receipt can be considered as nothing more than an authorization to the Sergeant-at-Arms to collect the money. Although that officer is not named in the receipt or in the certificate, he is the only person who could have collected it. And, though there is an acknowledgment at the foot of the certificate that the member has received the amount thereof, yet the Treasurer knew when that receipt was presented to him that it was not an acknowledgment of payment, but merely a compliance with the rule established by the Department in its dealings with the disbursing officer of the House.

I repudiate the suggestion that Mr. Leedom was my agent. Such a relation exists only by contract. I made no such contract. I did not intrust my receipt to Mr. Leedom. I intrusted it to the Sergeant-at-Arms of this House, as an officer whose duty it was, under the rules of the House and the law of the land, "to keep my accounts and pay me my salary."

I find by Rule II of the last House, which is also a statutory provision, that, among other officers, a Sergeant-at-Arms shall be elected, who shall hold his office until his successor is appointed.

Section 5 of the Constitution of the United States declares:

Each House may determine the rules of its proceedings.

In accordance with this authority, it has established the following rule, which has been in force with very slight variations more than forty years:

RULE IV.

1. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings, to maintain order under the direction of the Speaker, and, pending the election of a Speaker or Speaker *pro tempore*, under the direction of the Clerk; execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker; keep the accounts for the pay and mileage of Members and Delegates, and pay them as provided by law.

* * * * * * *

3. He shall give bond to the United States, with sureties to be approved by the Speaker, in the sum of $50,000, for the faithful disbursement of all moneys intrusted to him by virtue of his office and the proper discharge of the duties thereof, and no member of Congress shall be approved as such surety.

Some gentlemen seem to think that because the bond which was executed by the Sergeant-at-Arms limited his liability and that of his sureties to the salaries of members of the Fiftieth Congress, instead of being conditional, according to the rule, which is the law, that the status of the case is altered, and because the Comptroller of the Treasury has furnished the form of a bond which is invalid the members, and not the Government, must bear the consequence of this negligence. The argument is so purely a quibble that no answer to it seems necessary.

The gentleman from Arkansas [Mr. MCRAE] is kind enough to warn us of the danger we incur in passing this bill. He declares that members of this House have not conducted themselves as prudent business men and says it is hard for members to lose their salaries. I am at a loss to perceive wherein the danger lies, unless, indeed, it be that the House would be disgracing itself, as he intimates, should it pass the bill. Whenever it becomes dangerous for a member to vote according to his convictions on a matter which involves only a question of giving to the members of this House that which rightfully belongs to them under the laws of the land, a seat here will be no longer desirable. I apprehend that it would be no very great hardship for the members to lose the portion of their November salaries which was stolen, because it is only a portion, and therefore no question of the hardship of the case arises.

I deny that the members of this House, in acting on the faith of the rule, which has in my judgment the force and effect of law, have been guilty of imprudence as business men. On the contrary, I maintain that in acting upon that rule they had the right to suppose that a legal bond had been given and that both the Treasurer and the Sergeant-at-Arms would do their duty.

According to the provisions of the rule, the Sergeant-at-Arms should have been under bond for the sum of $50,000, conditioned for the faithful disbursement of all public moneys coming into his hands. It was the duty of the Treasurer to see that this condition was complied with; according to a regulation of the Treasury Department, no amount exceeding the bond of a disbursing officer is ever paid to him at any one time or is left in his hands for disbursement. Had this salutary rule been observed and had the bond exacted of Mr. Leedom been in accordance with the rule of the House, he could not have received more than $50,000 until he showed that he had disbursed all previous payments, and had he defaulted for this sum his bond would have covered it, and neither the members nor the Government would have been losers by the defalcation. The gentleman from Arkansas is only exceeded in his magnanimous generosity by the individual who proposed to sacrifice all his wife's relations in his country's cause.

With an interest at stake, as he says, of only about $60, he reads those who have both greater and less sums involved a lecture on their duty to the Government, and expresses his willingness to stand his loss "like a little man." I could stand mine, which is a trifle, with perfect equanimity, but the question is not what we shall do with our own, but what is our duty to others.

There are members of this House who have allowed large sums to accumulate in the office of the Sergeant-at-Arms. None of this money is gone.

Shall those whose salary for November has been stolen recoup themselves from the money which justly, lawfully, and equitably belongs to their associates? I think the acute sense of official honor which forbids a "recoupment" out of the public Treasury ought to embarrass

the gentlemen when they proceed to prorate the funds of private individuals among themselves.

So far as I am concerned, I should feel disgraced were I to yield to the clamor raised against this bill and vote against what I believe to be an honest and proper payment of members' salaries.

I may add, in conclusion, I have no personal interest in the question at issue, because if the views of its opponents prevail the small balance ($67) which is due me on my November salary was collected by the Sergeant-at-Arms, placed in his safe, and is now in the funds taken charge of by the Treasurer. Had I sought to pose as a political virtuoso I could have done so at a very slight expense, and I do not fear but that my constituents will smile with derision at the supersensitiveness of those members of this House who are afraid to take what is due them because they fear some one will impugn their motives. I do not refer to those who honestly believe that the Sergeant-at-Arms was their private agent, but to those who repudiate any such relation, but declare they prefer to lose their salaries rather than to explain their votes at home.

The Silcott Defalcation.

SPEECH

OF

HON. MARRIOTT BROSIUS,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 15, 1890,

On the bill (H. R. 4539) making an appropriation to supply the deficiency occasioned by the defalcation in the office of the late Sergeant-at-Arms.

Mr. BROSIUS said:

Mr. SPEAKER: The course of this discussion has uncovered the main difficulties members encounter in reaching a conclusion upon the matter before us; and as it is a subject upon which there might be some misconception of the motives of members in supporting one or the other of the measures proposed, I desire to avail myself of the permission of the House to place upon record a statement of the views which impel me to support the majority report.

If there was in my mind a doubt upon the question, I would withhold my support, in view of the character and purpose of the bill; but I have a firm conviction of the validity of the arguments which sustain and the entire justice and propriety of the measure. Under these circumstances I feel that my duty is as clear as sunlight and my path as straight as a line.

The views I formed upon a cursory examination have undergone ome modification. The discussion has developed entire agreement among us that there is no statute which in terms charges the Sergeant-at-Arms with the duty of drawing the salaries of members from the Treasury and paying it over to them. The practice in vogue for many years rests solely upon the rules of the House and the usage of the Treasury Department. The only contention developed by the debate is whether under the rules and usages referred to the Sergeant-at-Arms is the agent of the Government or the private messenger of members of the House.

It is entirely obvious that Congress and the Treasury Department have both regarded the Sergeant-at-Arms as a public officer charged with important public functions, among which is the payment of the salaries of members of the House. In 1856 Congress passed an act which not only proceeded upon the assumption that he was the disbursing officer of the Government, through whom alone the members of the House could obtain their salaries, but distinctly recognized him in that character by imposing upon him duties which could only be performed by a disbursing officer, duties utterly at variance with the idea of his being the private agent of members.

The act authorized him to deduct from the monthly pay of members a portion of their salary for every day's absence from their seats. Upon the theory proposed this presents the anomalous spectacle of the Government exercising over the private agent of another a control superior to that of his principal; nullifying his commands to his agent by requiring him to withhold money from his principal which the latter commanded him to pay over. No agency could exist in such a clash of authority. A man can not serve two masters.

That he is a public officer—charged with duties of a public character—and responsible to the United States is further shown by the precautions taken by the latter to protect itself against his official delinquencies. He is required to execute a bond to the United States in the sum of $50,000, conditioned for the faithful performance of his duties. The members are protected by no bond—they have no redress for any losses from his breach of duty. No statute enables them to sue upon the bond to the United States. The duties he performs are necessary means of transacting the business of Government. It is public official business and he is employed by the Government, paid by the Government, and responsible to the Government.

Furthermore, the Constitution provides that members of the House shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. It further provides that the House of Representatives may determine the rules of its proceedings. Under these constitutional provisions the rule of the House requiring the Sergeant-at-Arms to keep the accounts for the pay and mileage of members and pay them as provided by law, acquires the force of law, and as effectually constitutes him a public disbursing officer as if he had been made so by a statute of the United States in express terms. His authority is derived not from individual members, but from the rule which possesses all the potency of public law for the purpose intended. He does not bring our salaries from the Treasury because we individually send him for them, but because the House of Representatives in a constitutional manner imposed that duty upon him. He can not decline to perform the duty. It is not a privilege granted that he may enjoy or not at his option; it is an official duty imposed by constitutional authority.

The House of Representatives is one of the public official agencies for carrying on the Government. It is a familiar principle of law that public officers are not responsible for the delinquencies or misfeasances of those employed under them, if due care has been exercised in the employment of them. The doctrine of *respondeat superior* does not apply to such cases, and if it did few persons would be willing to assume the responsibility of public duties. But the House is more than a public agent; it is a part of a co-ordinate branch of the Government. Its constitutional act, as already observed, possesses the force of law within the scope of its operation.

If we concede, for the purpose of the argument, that the mode of paying salaries of members is derived entirely from the rule of the House, and that the House selects the officer to make the payment, it still remains that his appointment was made by constitutional warrant in a constitutional mode and for a constitutional purpose, and that an individual member who did not even vote for his election can personally share none of the responsibilities of his official delinquencies. As well attempt to hold a member responsible for the consequences of legislation or a judge for the results of his judicial decisions.

The members of the Fifty-first Congress knew nothing of the Sergeant-at-Arms of the Fiftieth Congress. They regarded him as an officer of the Government, authorized to pay them their salaries, possessing the same official character and authority as any other fiscal agent of the Government; that money in his hands for payment of salaries was in Government custody, so much so as in the hands of a clerk in the Treasury Department. We had no agency in his selection; no responsibility therefor; no opportunity to object to or means of preventing.

The inexperienced new members found this official agent of the Government and inquired of him how the Government transmitted our salaries to us, and was informed that the only mode established was through him as a disbursing officer, and that if we desired our salaries paid monthly, as provided by law, we would have to sign blank receipts and leave them with him, one for each month, and when the money was due he would send us a draft. We must sign the receipts or we can not get our salaries. We thus conformed to the established mode of receiving our salaries. The blank receipts were not available for any authorized use until the maturity of the salary, and when the Treasury Department accepted them as vouchers he knew that the money he paid was not due and the payment not warranted by law.

The House in its collective official capacity as a legislative body, acting under warrant of the Constitution, authorized the Sergeant-at-Arms to take my receipt in blank and bring my money from the Treasury, and provided no other means of my getting it. The House has the power, and it is its duty to provide a convenient means of transmitting the salaries to the members, but it has no power to constitute any officer of its choosing the agent of an individual member and compel him to intrust his money in his keeping whether he is trustworthy or not, and take the chances, against his will, of losing it. Had I been a member of the Fiftieth Congress I might have voted against Mr. Leedom, and made every exertion to prevent his election, under the belief that he was not to be trusted. Yet I am compelled to trust him, and make him my personal agent and place my money in his keeping and lose it if he steals it, because a legislative body whose will expressed by a majority of votes has the force of law, chose him as the officer who was to be charged with the duty of disbursing the salaries of Representatives.

Illustration is not needed to unveil the hideous deformity of such a proposition. It is not possible to conceive of injustice more flagrant and cruel, and no honest mind can rest with satisfaction upon the idea of inflicting it upon members of Congress who are not only guilty of no negligence or wrong but are powerless to employ safeguards of any kind or to protect themselves, for they are under a compulsion to conform to the rules of the body to which they belong. If there was any negligence anywhere it was in a former Congress and not in this; and if such a thing was conceivable as the punishment of a collective body of legislators it could not go to the length of punishing this Congress for the delinquencies of its predecessors.

Under these views, which I do not care further to amplify, I can not but regard the withholding of the salaries of members for services ren-

dered, because a public official of the Government, with whose appointment we had nothing to do, stole the money before it reached our hands, as adding another robbery to the one already perpetrated. In this matter we are as innocent and blameless as a saint, and in the hands of the Government we ought to be as safe as an angel in the court of heaven. But there being a deficiency, the money can only be made available for our payment by an appropriation bill. The report of the majority of the committee therefore presents the only possible mode of securing the salaries due us; we have no alternative but to vote for it.

Mortgage Indebtedness.

SPEECH

OF

HON. JOSEPH D. TAYLOR

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 15, 1890,

On the bill (S. 1181) to require the Superintendent of Census to ascertain the number of people who own farms and homes, and the amount of mortgage indebtedness thereon.

Mr. JOSEPH D. TAYLOR, said:

Mr. SPEAKER: This bill had its origin in numerous requests and resolutions from farmers, laborers, and farmers' associations of various kinds, sent to the Senate and House of Representatives, asking that this information be ascertained in connection with the taking of the Eleventh Census.

The Senate bill now under consideration is the result of a conference between the Census Committee and the Superintendent of the Census. In the first place it was thought that this information could be obtained through the enumerators of the census in connection with the population schedule at an expense of $200,000 or $300,000. It was shown by the Superintendent of the Census that this method would be unwise and unreliable, and would delay the taking of the census, and render it, when taken, less valuable.

In the first place it was shown that the enumerator only sees one out of five or six of the persons who could answer questions pertaining to indebtedness, mortgage liens, and titles of this kind, and could not gather trustworthy statistics of this character. In the next place if the head of a family were seen he might regard such questions as inquisitorial and refuse to answer them, and if the wife or son or daughter were seen they might not know, as a matter of fact, whether the property were mortgaged or not, and if mortgaged they might not know for what sum or for what purpose.

It being the intention of the Superintendent of the Census to ascertain the population accurately and quickly and to publish this information at the earliest possible date, it was agreed on all hands that this method be abandoned, and that the Superintendent be authorized to get this information in his own way, and an appropriation of a million dollars is made in this bill for this purpose.

This matter was given a great deal of time and consideration in the Senate. The first report of the Census Committee, which was really a report in relation to the first plan named, was adverse. The matter was re-referred to the committee, and a bill in substance the same as the one now under consideration was reported to the Senate, and it passed with only a few dissenting votes.

The Senate was unwilling to endanger or delay the taking of the census, as provided in the law which passed the last Congress, but the members on both sides, in the main, agreed that this information ought to be gathered in some other way, even if it does cost a large sum of money. And it should be remembered by the friends of this measure, and it has been mainly urged by the Democratic side of this House, by whom all of the bills have been introduced, I believe, that it may cost over a million dollars. The Superintendent of the Census gives it as his opinion that it will cost more rather than less.

It is well that the House and the country understand what the passage of this bill means. The law passed by the last Congress, under which the Eleventh Census is now being taken, provides that the indebtedness of the country shall be taken by counties, that the recorded indebtedness, as shown by the records in each county, shall be ascertained, the indebtedness of corporations and individuals to be separately taken. The objection to this method is that the records are unreliable, as very many of the mortgage debts have been paid, in part or in whole, and nothing in the records shows this.

This objection, however, has been largely overcome, and this method of taking the records as a guide has been made more valuable by a test adopted by the Superintendent of the Census. This test consists of the appointment of three skilled experts, who have gone to four remote parts of the country and taken the indebtedness as shown by the records in a county in each locality, with a list of the debtors and creditors, and then by visiting the debtors and creditors ascertained the actual amount remaining unpaid on each mortgage of record. Or, in other words, the Superintendent of the Census has done already in four counties, selected in different States and in different parts of the country, just what this law requires to be done in all the counties of all the States in the Union.

In this way the ratio between the recorded indebtedness and the actual indebtedness is ascertained. This was done in order to show, as nearly as possible, the actual indebtedness of the whole country under the law now in force; and I understand that the ratio ascertained by this method is nearly the same in each of the four counties chosen as a test. It was supposed by the Superintendent of the Census that this estimate would give to the country all the information necessary, and I do not know why this plan is not satisfactory.

It seems, however, that the people, or many of them, insist on a house-to-house canvass, which will extend to all of the thirteen million farms and homes in the United States, where it is to be ascertained whether the occupant is the real owner or a tenant, whether the premises are mortgaged or not, and, if mortgaged, for how much and for what purpose, the rate of interest paid, etc. This is an immense inquiry. It involves an inquiry into the financial condition of every home in this country.

How much these inquiries may infringe upon the personal liberty of the American people I shall not attempt to discuss. There will probably be some objection to these inquiries by the very people who now ask for the passage of this act. Some men will not care to make public their private affairs or impair their credit by what they may regard as unnecessary disclosures. Be this as it may, the determination to pass this bill seems to be a foregone conclusion, and I do not feel like opposing a measure which the people so urgently demand, even if my judgment should be against it.

All I propose to do is to explain somewhat this measure. Having been the chairman of a subcommittee to whom were referred all of these bills on this subject, as well as the petitions, memorials, resolutions, etc., I am familiar with the facts which surround this proposed bill, which only lacks the consent of this House to become a law.

I will call the attention of the House to the following letter from the Superintendent of the Census, showing the impropriety and impossibility of obtaining this information from the enumerators of the census while taking the enumeration and gathering certain facts under the present law, and also his estimate of the expense of this method in case it were adopted:

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE,
Washington, January 22, 1890.

MY DEAR SIR: In estimating the cost of ascertaining the mortgage debt on farms through the census enumerator, as requested by you yesterday, I presume it would be fair to assume that there will be returned in June next something like 7,000,000 farms. There were in 1880 a trifle more than 4,000,000 farms, representing an increase in number, as compared with 1870, of 50 per cent. Applying the same percentage of increase to the number returned in 1880, there would be, on this basis, something more than 6,000,000 farms in 1890. The immigration during the decade has been very large, however, and it is reasonable to suppose that there will be actually returned very close to 7,000,000 farms.

If the enumerator was allowed additional compensation at the rate of 5 cents for each farm, for obtaining the data concerning mortgage debt, the cost would be at least $350,000.

It is not a question of cost, however, nor, indeed, of providing extra compensation for the enumerator, but rather as to the effect that such a line of inquiry would have on the general work of enumeration. The inquiries to be made would relate to the fact of mortgage, the amount of mortgage debt at present, the reason for making the mortgage, and the rates of interest paid. These questions would be asked in connection with the ownership or rentals of farms, and naturally would be among the first inquiries made by the enumerator. The antagonism and opposition which would be thus created in the mind of the farmer interrogated would operate seriously against securing by this means accurate information.

Another reason why the farmer would object, if not refuse absolutely, to supply this data is contained in the fact that he would be called upon to expose his financial condition to the enumerator, who is a local man and presumably known to every farmer in his enumeration district.

Furthermore, of the whole number of farms in the United States returned in 1880, fully one-fourth were rented, while in some of the States, notably South Carolina, Georgia, Alabama, and Mississippi, almost one-half of the farms were rented. So that the visit of the enumerator to the tenant farmer would not reveal the true condition of affairs so far as one-fourth of the farms in the United States are concerned. In very many cases the owners of the farms would be non-residents, and the statement could not be secured from him by the enumerator. If we assume that of the remainder, that is, those owning farms, at least one-third would refuse to give the information, it will be seen that any statement concerning farm mortgages gathered by the census enumerator would represent scarcely 50 per cent of the total farms in the country.

Very respectfully,

ROBERT P. PORTER,
Superintendent of Census.

Hon. JOSEPH D. TAYLOR,
House of Representatives.

The question, and the only question, which seems to influence some of the members of the Senate and House in supporting this measure is the urgent demand for it. Most of the members of both Houses have received resolutions, memorials, and requests from individuals, organizations, and societies of different kinds. Aside from the importunities and requests sent to the Senate and aside from those coming to members, I will present the following list of those referred to our committee:

Petitions and resolutions asking that the next census show percentage of farms clear of incumbrance, and mortgaged, and occupied by owners.

Alabama: Resolution of Calvary Alliance, No. 12; petition of 21 citizens of DeKalb County.

Illinois: Memorial of Knights of Labor, 852, Chicago; memorial of Board of Trade, Chicago; memorial of York Lodge, No. 953, F. M. B. A.; memorial of Amity Lodge, No. 257, F. M. B. A.
Indiana: Twenty citizens of Indiana.
Kansas: Resolution of Alliance No. 25, Cowley County; resolution of Alliance No. 7, Kansas City.
Kentucky: Petition of 125 citizens of Louisville, Ky.; petition of 44 citizens, Knights of Labor; resolution of Logan County Wheel, 1,800 members.
Louisiana: Petition of 206 citizens of East Baton Rouge, La.; resolution of Crescent Local Assembly 2049.
Maine: Petition of assembly of Knights of Labor, Bath.
Massachusetts: Resolution of Assembly No. 7189, Knights of Labor, North Leominster.
Missouri: Resolution of Excelsior Wheel, No. 1048; resolution of Agricultural Wheel, No. 1611, Cedar County; petition of 42 citizens, State of Missouri; Resolution of Doylsport Farmers' Alliance.
Michigan: Resolution of Marathon Association of Patrons of Industry.
New Jersey: Resolution of Local Assembly Knights of Labor, No. 5578; petition of 44 names, Williamstown; petition and resolution of Farmers and Laborers' Union; committee Labor Association, No. 1281, Vineland.
New York: Resolution of Lodge No. 5660, Knights of Labor, Fort Edward; petition of 52 members of Local Assembly, No. 5945, Knights of Labor; petition of Waverly Assembly, No. 4966, Knights of Labor, Waverly; petition of Barnett Grange, No. 577; petition of 38 different assemblies Knights of Labor, New York; memorial of Northern New York Protective Association; petition of Coleville Grange, No. 518; petition of Knights of Labor of Oswego District Assembly, No 44.
North Carolina: Petition of Rich Fork Alliance, No. 1127.
North Dakota: Resolution of mass-meeting of farmers of Walsh County.
Ohio: Memorial Local Assemblies No. 120 and No. 6172, Knights of Labor; memorial Local Assembly No. 5143, Knights of Labor, Galion; resolution of Local Assembly No. 5853, Knights of Labor, Napoleon; petition of River City Assembly, Knights of Labor, Madeira.
Pennsylvania: Resolution of Local Assembly, Division No. 27, Knights of Labor.
South Dakota: Petition of Highland Alliance, South Dakota.
Tennessee: Resolution of Georgetown Farmers' and Laborers' Union; resolution of McMorin County Farmers' and Laborers' Union; resolution of Riverside Farmers' and Laborers' Union; resolution of New Warren County Farmers' and Laborers' Union; petition of 13 farmers and laborers of subdivision No. 168, Benton County; petition of 45 farmers of Talbott, Tenn.; resolution of Farmers' and Laborers' Union, Howardsville; petition of Agricultural Wheel, Madison County; petition of Farmers' and Laborers' Union No. 466, McNairy County; resolution of Farmers' and Laborers' Union No. 387, Gibson County; resolution of Farmers' and Laborers' Union No. 276, Obin County; resolution of Farmers' and Laborers' Union No. 1178, Obion County; resolutions of Farmers' and Laborers' Union of Haywood County; resolution of Farmers' and Laborers Union, Double Bridges; resolution of Farmers' and Laborers' Union, Loudon County; resolution of Farmers' and Laborers' Union, Double Springs, No. 740.
Texas: Resolution of Llano County Alliance, Texas; resolution of Kendal County Farmers' Alliance, Texas; resolution of McCulloch County Farmers' Alliance, Texas; petition of 73 citizens of Palo Pinto County, Texas; petition of Assembly 2969, Knights of Labor, of Gainesville, Tex.
Virginia: Petition of Farmers' Alliance, Fauquier County, Virginia.
Wisconsin: Petition of farmers and laborers of Oconto County, Wisconsin; resolution of Dells Assembly, Knights of Labor, Eau Claire, Wis.
Minnesota: Petitions of 119 citizens, 63 citizens, and 101 citizens of Rochester and vicinity.

These memorials, coming as they do from the farmers all over the country, and from Knights of Labor, and from Farmers' Alliances and farmers' clubs, and from labor organizations, can not be denied favorable consideration, and if the law of March 1, 1889, the law passed by the last Congress, is not satisfactory to them, this law ought to pass; but I do not see, I must confess, what good its passage will do.

Agriculture is everywhere depressed, and farms and farmers are suffering the consequences of a great wrong not to be found, in my judgment, by this inquiry. The reduction of the duties on wool and woolen goods made of American wool in 1883 is the principal cause of the present depression in agriculture. From that time to this agriculture has gone down and down, pasture land has been turned into plow land, the wool industry has given way to corn and wheat and cattle, and prices have grown less and less, until we are now realizing the depth of our folly in importing wool that we ought to grow and woolen goods that we ought to make. Scarcity of money in the rural districts can only be accounted for by the fact that we are now sending out of the country annually $240,000,000 of money for wool, woolen goods, glass, iron, steel, and other articles which ought to be furnished by our own country and our own people.

Mortgage Indebtedness.

SPEECH
OF
HON. JOHN A. PICKLER,
OF SOUTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 15, 1890,

On the bill (S. 1181) to require the Superintendent of Census to ascertain the number of people who own farms and homes, and the amount of mortgage indebtedness thereon.

Mr. PICKLER said:

Mr. SPEAKER: I am in favor of this bill. It is asked for by the farmers and by the farmers' organizations, by laborers and by the mechanics of this country, and I know no reason why this request should not be heeded. There is a growing feeling in this country to squarely meet this question of the mortgages and incumbrances upon the homes of the people.

There is a very strong feeling of dissatisfaction and unrest among the producing classes, a feeling that the agricultural and producing classes of this country are not deriving the legitimate results of their labor. They behold the corporations and trusts of the country prosperous and growing rich with fabulous rapidity, while the producer is unable to hold his own, and is compelled to mortgage his home and encumber the roof over the heads of his wife and children to meet his present necessity.

He desires to know the weight of this incubus, the danger of this indebtedness that hovers over his land and his home and that threatens with its high rate of interest to ruin him and his family and pass title to his possessions into the hands of the money loaner and leave him penniless. He desires to ascertain the grasp of this debt, that he may if possible devise means of discharging it, as well as to trace the general features of its cause and origin.

It is claimed on this floor that this is useless; that the men who are demanding it do not know what they are asking or what they want. I deny this proposition, Mr. Speaker.

I have the honor to represent a constituency very largely agricultural, men who have dared to brave the hardships and privations of a new country, who have had the courage to forego the comforts and advantages of the older countries, to acquire homes for themselves and children in the great West. No more industrious, intelligent, and progressive people are found anywhere. They are fully competent to determine what they want, and they are a thinking people, and are determined to ascertain, if possible, the cause of the great depression of the producing interests of the country, that they may devise some means of relief.

They believe the millions of indebtedness, with its great drain of yearly interest, is intimately connected with the future welfare of themselves and families, and realizing that they must face the situation they desire to do so in an intelligent manner. They believe that the transportation companies, the money-loaners, the combinations and trusts of this country, are amassing fortunes at their expense, and they are organizing and determined, as American citizens and freemen, that they will not quietly longer submit to such injustice.

And further, Mr. Speaker, they believe that the information that will be obtained by the provisions of this bill will tend in the direction of their inquiry as to their surrounding conditions and will be thus beneficial.

In this, Mr. Speaker, I believe they are right. I am for the bill.

Code of Rules.

SPEECH
OF
HON. WM. C. P. BRECKINRIDGE,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1890,

On the report (No. 23) of the Committee on Rules.

Mr. BRECKINRIDGE said:

Mr. SPEAKER: Under the peculiar circumstances which surround this discussion, by which the introduction of this code of rules was preceded, and which have marked the entire proceedings of the House up to this point, I feel that it is proper to put on record some of the reasons I have for my earnest opposition to those parts of this code which are entirely revolutionary, which I am firmly convinced are unconstitutional, and which reverse the practice of the House during its entire history.

The tendency for many years has been to render this House less and less a deliberative body, to diminish constantly the importance of the individual Representative, to make the debates on this floor less important, and to turn over the real power of legislation to the respective committees to which are assigned the different branches of legislative duty. This is an unfortunate tendency and necessarily lowers both the dignity and influence of the House. It makes the House the mere follower, and not the leader, of public opinion. It transfers the true responsibility of action from the publicity of the floor to the privacy of the committee-room, and gives advantage to every form of doubtful approach possible to the individual member.

This proposed code greatly intensifies this tendency. In almost every change reported by the Committee on Rules, the publicity of the House, the value of debate, the action of the individual Representative, give way to the power of the Speaker in his room and to the committees on the floor. For example, an individual Representative, under clause 3, Rule XXII, must obtain unanimous consent to correct the erroneous reference of a bill, while a committee claiming jurisdiction can do it by a simple majority on motion; by clause 1 of Rule XXVIII,

it requires only a majority to suspend the rules to fix a day for the consideration of a bill or resolution favorably reported by a committee; and by clause 5 of Rule XXIV, it is only when authorized by a committee that it is in order to move to go into the Committee of the Whole to consider a particular bill.

These are merely illustrations of the carefulness with which this proposed code has been constructed to give to the Speaker and the committees the power of legislation, and to deprive the individual member, so far as it may be possible, of the power to interpose and affect the order or current of legislation. This is still more forcibly illustrated in the change which gives to the Committee of the Whole the power to limit debate, and to limit it with a rule so narrow as practically to prevent debate when the committee so desires. I think it unwise to intensify this tendency. It lowers the dignity of this House and gives to the Senate increased power and dignity.

For the last quarter of a century, except on great occasions when there have been great debates, there has been a sensible decay of the esteem in which the lower House has been held by the people, and an increase of the esteem in which the Senate is held, until to-day it is considered a most decided promotion to be transferred from this Chamber to the other wing of the Capitol. It is not the longer term of service, nor the greater ability, nor the larger experience, but it is that the Senate is really a deliberative body, where debate is encouraged, where popular opinion is created, where time is given for the consideration of public measures, and where the individual Senator is really superior to the committees of which he is a member.

Another preliminary and general observation I desire to submit is, that the proposed code is based upon the conception that it is the duty of the House to "facilitate business," and to "facilitate business" is considered to be solely the passage of measures, when in truth an important function of a great representative body is to refuse to affirmatively act upon proposed measures. It has been found, after a hundred years of experience, that to reject rather than to pass proposed legislation is the part of wisdom. In the Fiftieth Congress somewhere near fifteen thousand bills were introduced; of these somewhat over eighteen hundred became laws. The rejection of 88 per cent. of these proposed bills, taken as one act, was much wiser than the passage of one-fifth of them would have been.

Deliberation, caution in consideration, slowness in reaching a consummation, are among the very highest qualities of a representative legislature; and the rules which permit this to be done are necessary to the wise transaction of business; and all rules which prevent it must work harm. Of course, with the power of appropriation, and with the higher power of levying taxes, there must be such rules as will enable Congress to pass the necessary appropriations for the proper maintenance of the machinery of government; and all the codes which have been adopted by this House since its inauguration a century ago have facilitated the introduction, preparation, and passage of revenue and appropriation bills. There never has been a code under which a majority of the House did not have full power to do this.

As to all other business, except in rare emergencies, there is no necessity for haste, but there is often great occasion for caution and delay. These rules, as far as it is possible, prevent that caution and delay whenever the Speaker and a bare majority desire hasty action.

Now, rules are never imposed for the purpose of giving the majority power. It has that power inherently and necessarily, and a code of rules must be a limitation upon its exercise. Rules are for the protection of minorities, not solely because the individual Representative may have rights which ought to be protected, but because he represents directly constituencies, and, indirectly, all the States, which have rights, and which constituencies are entitled to be heard through him, and by his action influence the legislation which is to affect their prosperity and happiness. We do not speak nor act for ourselves on this floor. The rights which we claim are not personal to us. They are official, belonging to us in our representative capacity, and are for the benefit of our respective constituencies, and therefore necessarily in part for the entire body of the people. This code is based upon the idea that the minority has no parliamentary rights, and that the rules have for their object no other purpose than to enable the majority to do as it pleases, when it pleases, and as rapidly as it pleases.

If the majority were always the same, composed always of the same Representatives, and therefore each always responsible for his part of every vote, this might be tolerable, because the country could then ascertain with certainty the identical Representatives who have passed the measures under which it must live; but the majority and minority are constantly fluctuating, very rarely, except on partisan questions, composed of the same Representatives. The line of division is more often horizontal in this Chamber than down the main aisle; and this code therefore constantly renders obscure the identity of that particular majority who may be responsible for any particular measure.

But there are three alterations in the proposed code which are radical, and upon each of which I desire to comment.

CONSTITUTIONAL QUORUM.

The controversy which for the past few weeks has attracted the attention of the country, between the Speaker of the House and the Democratic Representatives, grew out of his claim that he, by virtue of his office as Speaker, and without any rule of the House, had the constitutional power to have noted upon the Journal of the House the names of enough silent members on a yea-and-nay vote to make with those who voted on that roll-call 166 Representatives, and thereby create "a quorum to do business."

This is not a question of parliamentary law, but it is a contest over the proper construction of the provisions of the Constitution, and it necessarily is twofold—first, as to the power of the Speaker as Speaker to count a quorum, even if the Constitution would permit a quorum to be counted, on the call of the yeas and nays except by the roll; and, secondly, whether the number as shown by that roll-call was not under the Constitution exclusive and conclusive of the presence of "a quorum to do business." The report of the committee proposing by clause 3 of Rule XV to confer this power upon the Speaker, in common with any member, may be construed into an admission by the majority that the exercise of that power by the Speaker was without warrant, for otherwise it need not to have been granted by the House.

When the Constitution was adopted its framers were entirely familiar with the constitution and proceedings of Parliament, and with the constitution and proceedings of various legislative bodies in this country; and they put into the Constitution certain provisions, irrepealable save by a change in the Constitution, to govern the House. These provisions must be construed in the light of the evils which were to be remedied, as well as in the light of the objects for which they were inserted. A number smaller than a majority of the members of Parliament was a quorum sufficient to do business. There was a mode by which the Speaker of the House of Commons could ascertain whether a quorum was present, and there were parliamentary modes of taking a vote.

Now, the Constitution, in the light of these facts, requires:

1. * * * A majority of each [House of Congress] shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

* * * * * * *

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of that House it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively.

As the duty to keep a Journal is devolved upon each House, and as the Clerk is the officer of the House in the performance of that duty, it seemed perfectly clear that the Speaker, who is the servant of the House, had no right to have entered upon that Journal any fact of any nature, nor to give to the Clerk any order for him to make such entry, except by the order of the House, and that any attempt of any Speaker to do this was an usurpation of authority. I believe it is wholly unprecedented.

The Speaker, in the presence of the House, acting by the implied consent of the House, with the recognized power of the House to prevent his action, has no doubt from the very beginning of Congressional practice given directions to the Clerk to make entries upon the Journal, but this was always done under the rules of the House, with the implied consent of the House, and with the recognized power of the House to stop it at its will. It was never assumed that the Speaker, by mere virtue of his office, could put any entry onto the Journal; and in this entire discussion no precedent in either House of Congress has been found to give even a color of justification to such an assumption.

The verity of the Journal is assumed by all the courts. It, and it alone, is evidence of what occurs on this floor. It, and it alone, is evidence of what this House does. Its narration is conclusive after it has been approved, and therefore to preserve its verity and to maintain its purity is of the very highest importance to the certainty of our legislation and to the stability of our proceedings. It has not been an idle controversy over mere words. It goes to the very nature of the evidence upon which the rights established by our legislation are based.

"To do business" requires that "a majority of the House" shall "constitute" the body acting, which the Constitution calls "a quorum." The mode in which that business is done when that quorum comes to act is by voting. When it votes by voice or by tellers the presumption is that the silent acquiesce with the voting majority, and that in their seats are the elected Representatives of the people, for it is their duty to be present, and the presumption is that each is performing his duty; and therefore all business done by a vote by mere sound or by tellers is conclusively presumed to be with the consent and acquiescence of all who have not voted in the negative.

Under this rule any member can enter a motion to reconsider, because he is presumed to have voted with the majority. But it was given to

one-fifth of those present to require that that business should be done; that is, that the solemn act of enacting a bill or adopting a motion by voting, which is the only mode in which this can be done, should be done by having those votes recorded in the Journal, and having the fact that a quorum was actually "doing business" made manifest by a roll-call, and whenever this one-fifth present made this demand, instantly it became the duty of the House to "do business" by that roll-call, and by the most familiar rule that evidence became exclusive and conclusive. Whatever that roll-call showed, and only what that roll-call showed, could become part of either the act of doing business or of the Journal which narrated the transaction.

There can be no rule more firmly established than that when the Constitution or statute requires a certain fact to be proven in a certain mode, it can be shown only in that mode and by that evidence. It would be an insult to the intelligence of this House to quote authorities. The Journal alone testifies as to our transactions here; the mandatory roll-call alone reveals who is present to "do" that precise "business."

To it no one can add, nor from it subtract; it speaks by order of the Constitution, and when it demonstrates that a quorum is present doing "business," that "business" is done; if it demonstrates that a quorum did not "do business"—that precise, identical "business"—then the vote is a nullity, and the House has full power to continue its sessions and compel "the majority" to attend. This is the constitutional limit to the power granted, and wisely, for a measure which can not receive the voluntary and concurrent vote of a majority of the Representatives ought not to pass.

This construction is conclusive on the face of the Constitution itself; and if it were an entirely new proposition I would feel no hesitancy as to the proper construction of these provisions. No power is given by these provisions to ascertain who is present save by that roll-call. And the duty of ascertaining by the roll-call the presence of a "quorum to do business," at the desire of one-fifth of those present, under section 5 of Article I, is as absolutely mandatory as the ascertainment under clause 2 of section 7, that two-thirds of each House have voted by the ayes and noes before the veto of the President can be overruled.

But this construction was put upon these provisions of the Constitution by those who made it. The rules which have governed this House upon this matter during fifty Congresses were in substance those adopted by the first Congress, composed largely of members of the constitutional convention. Mr. Alexander H. Stephens, on January 28, 1880, when this same general matter was under discussion, said: "The rule as reported by the committee is as it was made by the founders of our Government." That rule upon which Mr. Stephens was commenting is substantially the rule that was in the code of the last Congress, and is diametrically hostile to that reported by the committee of the present Congress. He adds:

> The Constitution has been in existence for over three-quarters of a century, and the Government carried on all the time under this rule as reported, and without the proposed amendment. * * * That rule has been the rule of this House, I think, since the first Congress. There have been divers attempts to amend it to make members vote whether they will or not. * * * I think we had better leave it just as we find it.

This is undoubtedly stated with historical accuracy. The proposition of law that the contemporaneous construction of a constitutional provision and afterwards long acquiesced in will be held to be the proper construction, is familiar and undoubted. There is no better established principle than that the courts will follow that construction which was placed upon a constitutional provision by those who made it and who had to perform official duties under it. And under these provisions both Houses of Congress acted. The First Congress, in the Senate and the House, united in what was meant, and fifty subsequent Congresses in both Houses have concurred in that construction.

It can not, therefore, be complained of with any sense of justice when we who adhere to that construction contend that its sudden and absolutely unprecedented repudiation is revolutionary. If our contention is well founded, this House by rule has no greater power to have a quorum counted by the Speaker or Clerk or the House itself than the Speaker had without rules. The rule can not confer the power upon anybody if the Constitution prohibits the exercise of it.

It is no answer to respond that there have been in some houses of the State Legislatures an occasional revolt against these constitutional restraints. These few and generally violent exceptions to an almost universal observance for a century demonstrate the power, universality, and general acceptance of the rule we contend for. Nor does a dictum in an occasional decision on the construction of some statute of a State conferring powers and imposing duties on municipal councils or village trustees palliate the sudden repudiation in Congress of the unbroken action of both Houses of Congress.

These particular provisions affect these Houses alone; primarily they and they alone can practically construe them; they and they alone can act under them. Their construction for a century is final, conclusive, and obligatory on us and these bodies. And if eminent names, illustrious services and great learning can add strength to the conclusiveness of this argument, surely the Vice-Presidents and Speakers who have presided over these Houses, and the Senators and Representatives who have deliberated in these Houses, give sanctity to the rule, and they who lightly discard their united consensus of opinion on so grave a matter must expect comparisons to be made between these predecessors and themselves.

These constitutional provisions cast upon the elected majority of each House the responsibility of "doing business." It changed the mere presumption of law, that those present and silent acquiesced with the majority, and compelled each member of the House present at the time the roll was called to elect to vote on the measure or to testify by his silence that he was not willing to aid its passage even by voting against it. It was under this provision, the province of the individual member as it might indeed be his highest duty to resist the passage of an iniquitous bill by putting upon the majority the duty of being present in the Chamber and accepting the responsibility of the act.

DISTINCTION BETWEEN DILATORY MOTIONS AND REFUSAL TO VOTE.

There is a generic and radical difference between the exercise of the constitutional right to be silent and compel the majority to act and take the responsibility therefor, and the parliamentary right under a code of rules to affirmatively act and thereby prevent the majority from acting. "Filibustering" by virtue of dilatory motions is an affirmative and aggressive act by which obstacles are put in the way of the majority and that majority prevented from acting. This may be or may not be a proper proceeding. It may or may not have been carried to excess; but this is not like unto the constitutional right of the minority to be silent, by which no obstacle is thrown in the path of the majority; but, on the contrary, that majority instead of being prevented from acting, is compelled to act.

This distinction has been carefully covered up and ingeniously obscured here, that the public sentiment might not distinguish between the parliamentary filibustering under a code of rules, and the constitutional silence permitted by the provisions which I have quoted. Under the Constitution a bill can be passed by a majority, and it may be within the power of a certain minority to require all the majority to assume responsibility for the measure. This is a most valuable right, valuable to the Government, safe to its Treasury, and profitable to the people.

When the majority consists of 169 Representatives belonging to one party, and the caucus of that majority, being therefore only 85, determines that a measrue shall be adopted, there may be Representatives belonging to the majority whose character is such that they are not willing to jeopard it by voting for such measure, and yet from ambitious or other motives they are not willing to openly revolt against the caucus decree.

Now, under the Constitution it is in the power of the minority, if it consists of 160 or 161, to compel 166 of those Representatives to take the responsibility, each man for himself, of affirmatively indorsing by his solemn and recorded vote that measure, or of preventing its passage by refusing to obey the party decree in caucus. The construction contended for by the Republican majority of this House enables a number of such Republican Representatives to preserve their party standing, and yet also keep within them a fairly good conscience, by merely absenting themselves when the vote comes on; and then gives the power to the Speaker to compel a certain number of Democratic Representatives to consummate the devious and possibly iniquitous work which these absented Republicans can not find it in their consciences to do for themselves, by merely counting them as present, declaring that a constitutional quorum to "do business" is in the Hall, and declaring that the measure for which these absent Republicans will not vote has been enacted.

It will not do to say that the majority can not be presumed to pass that which is improper or iniquitous, for in times of party excitement measures of more than doubtful character have been passed in the Congresses of the past, and measures of doubtful character have been prevented from being passed by dilatory proceedings or by the refusal of a minority to vote. And during this very controversy we have witnessed the remarkable spectacle of the leading Republicans, men of conspicuous position and of national reputation, suddenly proclaiming that the constitutional views which they have held until past middle life and the Congressional acts which have marked their career during protracted and brilliant Congressional life have been erroneous, improper, unworthy, and when this is done in the face of the nation surely it is not overstepping the limits of the strictest parliamentary courtesy to deplore the removal of that barrier which the Constitution interposed to prevent the enactment of measures which could not receive the recorded votes of a majority of the Representatives elected to this House.

There can arise no harm of a permanent nature from this construction of the Constitution. All that can result is a comparatively short delay or the failure to pass a bill because it can not receive the votes of a majority of the House. This was so well stated by General HAWLEY that I quote from the debate in the Forty-sixth Congress:

> Now, the evil, if there be one, in the existing system, that of which gentlemen complain, is simply this, that we of the minority claim a right by sitting silent to prevent less than a majority of the members elected from passing a bill. The worst that can be done by a factious minority, if that be the term applied to it, is to fight until the actual majority of the members elected shall pass the bill.
>
> When they are present, that friendly majority constitute a quorum of themselves. They do not require the assistance of the minority. They run the House themselves, and pass their bills. In case of what you call factious resistance, we drive them only to that. * * * Now, we are causing no hardship

whatever in taking the ground we do against this new rule, and I think we do no serious wrong to the country at any time when we sit in our seats and decline to vote. If the majority desires to have a bill passed in opposition to our wishes, then let the majority come here and pass it over our heads. At any rate, I decline to be answerable to anybody but my constituents if I sit in my seat and decline to vote. I hold myself responsible to them and to the Constitution alone.

And this has been made the rule by the constitutions of a majority of the States of this Union, if I am correctly informed, among them the great States of Pennsylvania and Illinois, together with other States in every part of the country. It is the prevailing tendency of the popular thought that no legislation ought to be accomplished which can not receive and which does not receive the recorded approval of a majority of the law-makers. It is a wise provision, and its destruction can not be in the interest of good government.

COMMITTEE OF THE WHOLE HOUSE.

The proposed rule which makes a quorum of the Committee of the Whole House consist of a hundred members is, if possible, even more dangerous, and is equally unconstitutional. This view has been so well presented by the gentleman from Georgia [Mr. BLOUNT] that it is unnecessary to make a further argument upon it, but it will not be improper to say that the contention that the whole House, which by the Constitution can not "do business" unless a majority of its members participate therein, can by a simple rule adopted by itself change itself from the House to a committee, and by that mere change of name and some change in the mere rules of procedure become enabled to transact business with a hundred members.

It is mere splitting at straws and haggling over words to say that what is done in the Committee of the Whole is not "to do business," in the constitutional sense of those words. The business done is of the very highest importance. The amendments passed upon, accepted, or rejected, practically commit the House to the gravest and most important legislation. Vast sums of money are taken from the public Treasury by the action of that committee. The rights of the citizen, the duties of public officers, the course of public business are settled in that committee. That committee is the House; the House is that committee. When the House is in session, that committee can not sit; the House may give permission to all other committees to sit during its sittings, but in the very nature of the case it is impossible for the House to give to the Committee of the Whole House permission to sit while it is in session. If the House adjourns, the committee can not sit. If the House is in recess, the committee can not sit.

By the action of a quorum of the House, that House then present resolves itself into the Committee of the Whole. It does not cease to be the House; it does not adjourn; it does not take recess; it does not dissolve. It simply, for parliamentary purposes, under parliamentary rules which by the Constitution the House has the power to adopt—it passes from the forms of procedure adopted for the government of the House, sitting as the House, to those adopted for the House sitting as a Committee of the Whole. This committee when it rises necessarily resolves itself into the House without any other action; without any action of any sort, *co instanti*, by the very act of the committee rising, the House as a House is in session.

Now, it does seem to a plain man that it is absurd to say that it is mandatory upon the House to have 166 Representatives to resolve itself into the Committtee of the Whole, that it takes 166 Representatives to constitute the House into which the Committee of the Whole resolves itself by virtue of its rising, but that in the interim the same House by merely calling itself the "Committee of the Whole" can "do business" with less than one-third of the elected Representatives of the people. This Committee of the Whole House, in the English House of Commons, and in our country, has been the great protection of the tax-payers of the country.

In these committees, constituted of the members elected to the different bodies, have been discussed and settled what shall be the revenues which the Empire of Great Britain and the imperial Republic of the United States may have, what taxes shall be levied upon the labor of the respective countries, and what functions shall be granted to those to whom these revenues are given. Here the representatives of the people were given the very widest latitude of debate and the wider latitude of amendment. The forms of procedure by which this latitude was guarantied did not make this committee a different body from the House whose members composed it, but simply took from them some of those trammels of parliamentary law which it has been supposed were necessary for the transaction of the more formal and agreed-upon motions passed upon by the House.

In this committee are perfected the bills; here the real work of economy, of frugality, of impartial distribution of burdens, is done; here jobs are throttled or exposed; schemes skillfully concealed in the midst of sections are brought to light, and in that light die. All this is changed by this rule, and changed not towards greater caution, more careful deliberation, wider debate, more anxious scrutiny, but to ill-considered haste, to the easy accomplishment of precedent arrangements, to the more pliant adoption of doubtful measures, to the curtailment of troublesome debate and annoying interrogatory by which well-devised schemes might be defeated.

With the power to substantially stifle debate, to render possible log-rolling by combination between various schemes, the ease of preserving so small a quorum under such a combination, this new creature misnamed the Committee of the Whole House will become the most potent and, I respectfully predict, the most dangerous factor in legislation. With such a Committee of the Whole and the power to count a quorum this House enters upon a new era of legislation. The experiment begins with the new century of Congressional government. The practice of a hundred years, adhered to by fifty Congresses, gives place to these two new rules; and I content myself with leaving to the future to write the history of the experiment upon which we are entering.

DILATORY MOTIONS.

As to that part of the proposed code which is parliamentary rather than constitutional, I have but a single additional suggestion to make. The power granted to the Speaker to decide what motions are dilatory and to refuse to entertain them, is a most dangerous and ungracious power. He must be a singularly pure, passionless, and impartial character who can occupy the Speaker's chair in this House and so conduct himself in that great office, with this added and unprecedented power, as to preserve the confidence and esteem of the House. No man who is at all conscious of the difficulties which confront a Speaker armed with this power would willingly accept an office burdened with such a duty.

It will be almost impossible that his motives will not be misconstrued; that his actions will not be criticised; that his conduct will not be condemned. Impartiality in a Speaker has been well compared to chastity in a woman, and it is almost as essential that the Speaker should have the reputation for impartiality as that the woman should have the reputation for chastity. To have his proper influence upon the House, to maintain his proper standing in the country, he must be believed to be impartial as well as be impartial; and if a large minority of the Representatives on the floor believe that he does not deal with them fairly, that he does not exercise this great power impartially, it obstructs the pleasant and proper transaction of business.

I doubt whether there is a living man who can exercise the power granted by that rule during one term of this Congress without disastrous consequences to his reputation, and without the danger of frequent anger and perhaps permanent estrangements between Representatives on the floor. It necessarily tends to bad temper, to crimination and recrimination, to the creation of a feeling of injustice, to the belief that the rights of the Representative have been trampled upon, that the courtesies due have not been granted, and out of all this will necessarily grow that state of mind which prevents the orderly, prompt, and pleasant transaction of the public business.

In a House like this, constituted as this is, most of its business must be done by consent based upon mutual respect and confidence. We grow to be specialists. On a great number of important matters we vote on faith. We are not able to examine the questions for ourselves; they are too numerous. We are not able to investigate the facts bearing upon these matters; they are too voluminous; time and opportunity are not given. When that mutual confidence and esteem give way to distrust; when on one side there is a feeling that arrogance is displayed, and on the other that unnecessary and angry obstruction is interposed, it will be found that not merely will our sessions be unpleasant, but they will grow to be unprofitable.

I will append to this the paper drawn by my colleague [Mr. CARLISLE], which presents the views of the minority on the contested questions between the Speaker and the Democratic Representatives. I have felt, however, that my duty to my own constituents and to myself required that I should put upon record some of the reasons which have controlled me during these controversies. I will not trespass upon the courtesy which the House has shown by permitting the printing in the RECORD of such speeches as were not delivered on the floor, by making any comments upon the motives, objects, or purposes of those by whom these changes have been made, nor even by making predictions as to what will be the results of the changes. I leave all that to the development of the future.

It is not, however, improper to add that the rules in this code and the rulings which have preceded their introduction, and the principles upon which those rulings and this code are based have given widespread alarm to a very large section of the country, and anxiety and apprehension to other sections of the country. When the possibilities of legislation under this new code and under this new construction of the Constitution are considered, it is not strange that the alarm in one section and the anxiety in other sections should be created.

For myself I have such a profound confidence in the general wisdom of the great body of the American people, in the general sense of right and justice by which these people are controlled, in the power of that spirit of freedom which pervades our institutions and by which they were created, and in the marvelous resources of our young country, that I do not fear permanent disaster from the acts of any party in possession of any branch of the Government. We are young enough and rich enough and at heart free enough to temporarily bear misrule and to emancipate ourselves from it.

THE VIEWS OF THE DEMOCRATIC REPRESENTATIVES ON THE RULING OF THE SPEAKER.

The present situation in the House of Representatives is so anomalous and

the unprecedented decisions of the Speaker are so full of danger to the integrity of future legislation that we consider it our duty to submit a brief statement of the facts in order that the propriety of the course we have taken may be fairly determined.

The House met on the 2d day of December, 1889, and immediately organized by the election of a Speaker and other officers. On the same day, by a resolution of the House, the Speaker was authorized to appoint a Committee on Rules, and the rules of the last preceding House were referred to that committee. The committee, consisting of the Speaker himself and four other members, was appointed on the 5th day of December, and on the 9th it made a report authorizing the Speaker to appoint all the other committees and defining their jurisdiction. The Committee on Elections, to which were referred all cases involving the rights of members to their seats, was appointed on the 9th day of December.

Although nearly two months have elapsed since the Committee on Rules was appointed it has made no report upon the matters referred to it except the partial one made on the 9th of December, and consequently the House has been compelled to conduct its business without any rules except the general parliamentary law as construed by the Speaker. There have been no Calendars, no order of business, no fixed time to receive reports from committees, or for the consideration of bills or resolutions, and in fact no regular methods whatever in the proceedings of the House.

The American House of Representatives has been during all this time, and still is, so far as rules for its government are concerned, in precisely the same condition as a popular meeting or a political convention in which the chairman and his partisans absolutely control all the proceedings. No measure can get before the House for consideration unless the Speaker chooses to allow it to be presented, and members have no means of knowing in advance what they are to be called upon to discuss or decide.

This is the first time in our history that a legislative assembly, or even a public meeting, has attempted to transact business for any considerable period without a regular code of rules prescribing the order of its proceedings, and the inconvenience and injustice resulting from such an attempt have been forcibly illustrated in the present instance. The Speaker has repeatedly during these extraordinary proceedings refused to entertain parliamentary motions that have been recognized as legitimate ever since the Government was established, and when attempts have been made to appeal from his decisions he has refused to submit the question to the House. By his arbitrary rulings, sustained in some instances by less than a quorum, he has subverted nearly every principle of constitutional and parliamentary law heretofore recognized in the House.

This personal and partisan domination of the House was submitted to—though not without repeated protests—until we became convinced that it was the deliberate purpose of the Speaker and his supporters to proceed without rules to oust the Democratic members whose seats are contested and admit their Republican opponents, whether elected or not.

On Wednesday, January 29, the Committee on Elections called up a contested-election case, and the Democratic members determined that, in the absence of rules, it should not be considered if they could prevent it by any proper parliamentary proceedings. Accordingly they raised the question of consideration, demanded the yeas and nays, and on the call of the roll refrained from voting.

The result was that less than a constitutional quorum voted; but the Speaker, in violation of the uniform practice of the House for more than a century, proceeded to count members who were present but not voting, and declared that the House had decided to take the case up. From this decision an appeal was taken, and on a motion to lay this appeal on the table the yeas and nays were taken, and less than a quorum voted, but the Speaker again counted members not voting, and decided that the motion was agreed to, and his ruling thereby sustained.

The Constitution of the United States provides that a majority of each House "shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide." Another clause of the Constitution requires each House to keep a Journal of its proceedings, and provides that when one-fifth of the members present desire it the yeas and nays shall be taken upon any question, and entered in the Journal.

Since the beginning of the Government under the Constitution, more than a hundred years ago, the House of Representatives and the Senate have uniformly construed the first clause of the Constitution quoted above to mean that a majority of all the members elect must be present and actually participate in the transaction of business, and that whenever, upon a call of the yeas and nays, it appeared from the Journal, which is the only official record, that less than the constitutional quorum has voted on any proposition the vote was a nullity, and no further business could be done until the requisite number appeared and voted.

Every presiding officer in the Senate, and every Speaker of the House, except the present one, has held that when less than a quorum voted on a call of the yeas and nays, no matter how many might be actually present, it was his duty to take notice of the fact and declare that the pending bill or motion had not passed. When the vote is not taken by yeas and nays it is not entered upon Journal, but if any member makes the point that no quorum has voted, the proceeding is a nullity, and the vote must be taken over. The presumption of the law is that when nothing appears to the contrary, the proceedings of a legislative body are regular and valid, and therefore when the official record does not show that less than a quorum voted, or attention is not called to the fact in such a way as to furnish legal evidence of it, the question can not be made afterward.

Many bills have been passed when there was no quorum voting, and it is equally true that many have passed when there was no quorum actually present, but this does not prove that the proceeding would have been valid in either case if the official record had shown the fact.

In order to secure certainty and stability in the administration of the law it is a rule in our jurisprudence that when a particular construction of a constitution or a statute has been for a long time acquiesced in, not only by those whose duty it is to execute it, but also by those whose personal and property rights are affected by it, the courts will recognize it as the true construction and enforce it accordingly.

Even if this were an original question it would not be difficult to show that the practical construction of the Constitution which has prevailed in the House and Senate for over one hundred years is the correct one. Speaker REED himself, when in the minority on the floor of the House, stated the true meaning and the true philosophy of the Constitution when he said: "The constitutional idea of a quorum is not the presence of a majority of all the members of the House, but a majority of the members present and participating in the business of the House. It is not the visible presence, but their judgement and votes, which the Constitution calls for."

PRECEDENTS VIOLATED.

General Garfield, Mr. Blaine, Mr. HAWLEY, Mr. Conger, Mr. Robeson, and other eminent Republicans have taken the same position, and their arguments have never been answered. If any legal or political question can be settled in this country by the long acquiescence of jurists and statesmen of all parties, certainly this question has passed beyond the domain of discussion.

When, therefore, the present Speaker repudiated this settled construction of the Constitution, and decided that when the official record which the Constitution requires the House to keep shows on a call of the yeas and nays that a quorum has not voted, he can count members present and not voting, and thus by his own act, outside of the recorded vote, determine that a measure has passed, we considered it our duty, as a part of the representatives of the people, to enter our protests in every form available to us under the circumstances. We are not contending for the right of the minority to govern, as the supporters of the Speaker have endeavored to make the country believe.

On the contrary, we are denying the right of a minority to eject members from their seats or to pass laws for the government of the people. Under the Constitution a majority of the members of the House constitute a quorum to do business, and we are simply insisting that less than a majority shall not do business. We are contending that the majority shall take the responsibility which properly belongs to them, and shall come to the House of Representatives and vote if they desire to control its proceedings; and we are protesting against their right to carry their measures by counting us when we do not vote.

The claim of the majority that they have a right to govern the House without attending its sessions and taking part in the conduct of its business is too preposterous to require refutation. It must be evident to any one who understands the position taken by the Democratic minority in the House that it can not possibly result in any injury to the country or any injustice to the majority. Its only effect will be to compel the Republican majority, elected by the people, to assume the responsibility imposed upon them. On the other hand, no one can foresee the evils that may result from the inauguration of the practice of counting votes not cast in order to make a quorum.

Under it a minority of the members elect to the House and Senate may pass the most tyrannical laws for the oppression of the people, and the most corrupt laws for the spoliation of the public Treasury. Whether so intended or not, its direct tendency is to break down the barriers hereto ore existing for the protection of the citizen against the encroachments of power and the spoliation of the Treasury by destroying the limitations which the Constitution has wisely imposed upon the legislative department. Constitutions are made to restrain majorities and protect minorities. A majority ruling without limitations or restraints upon its power is a pure despotism, and is inconsistent with our system of government.

The Farmers and the Tariff---Mortgage Indebtedness.

SPEECH

OF

HON. EDWARD LANE,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 15, 1890,

On the bill (S. 1181) to require the Superintendent of Census to ascertain the number of people who own farms and homes and the amount of mortgage indebtedness thereon.

Mr. LANE said:

Mr. SPEAKER: I am heartily in favor of this bill. Nearly all the farmer organizations of my district have written me in regard to this measure, and urged me to use my influence to secure its passage; and I am glad that immediately after the adoption of the rules of this House this measure is brought forward. The farmers are organizing in the great Northwest, and it is time that some recognition should be given them by this House.

If they are true to themselves and to their organization laws will be passed recognizing their rights and to some extent lightening the burdens that now oppress them. They have been inactive too long, and this to a great extent accounts for the disregard that has been paid to their interests in this House.

The object of this bill is to ascertain to what extent the homes and farms of the people are mortgaged, and to ascertain the number of persons who live on and cultivate their own farms and who live in their own homes, and the number who hire their farms and homes.

It is evident that farmers, as a class, are not prosperous. Their crops in many States do not sell for enough to pay the cost of production. The information furnished by this bill will open the eyes of the people to their true condition and enable them to intelligently comprehend the source of the evil that threatens their very existence. It may not be absolutely reliable, but it will show them to what extent their homes are mortgaged, where these mortgages are held, and why one section of the country has prospered in preference to another. The bill should pass, as well as the amendment offered by the gentleman from Missouri [Mr. DOCKERY].

Mr. Speaker, under the courtesy extended by the House to members, I wish to investigate the condition of agriculture and its decline in this country, although such discussion may be a little foreign to the measure under consideration. But representing as I do a great agricultural constituency, I hope the House will indulge me in submitting my views on this important question.

Mr. Speaker, industrial depression has laid its withering hand on the agricultural interests of America, and farming will soon be among the lost arts in this country if something is not speedily done to resuscitate and give it new life.

A large majority of our people are engaged in the time-honored pursuits of agriculture, and of right they are entitled to consideration from the law-making department of the Government, and while for the last twenty years every other interest has been watched and guarded this interest has been rendered contributory and subordinate to all others. I view with feelings of profound sorrow and gloom the farming interest of the great Northwest to-day.

Sir, I propose to examine some of the causes that have led to this

condition of things, and to show that even amidst abundant harvests the farming interest of the West is nearly paralyzed. The price of everything that the farmer has to sell has so declined and the price of everything he has to purchase has so advanced that the farm that he once held in fee-simple is now mortgaged to make the ends meet, and in many cases the mortgages are being foreclosed and the farmer with his wife and children are driven from their homes.

It has been the standard maxim in all ages that the cultivation of the soil lies at the very base of all industry. If the farmers of the country are suffering from the effect of unwise legislation, all the other interests of labor in this country suffer in consequence. No nation can long prosper unless the arts of agriculture are in the ascendency. The decadence of agriculture was the decadence of Rome. The farmer is the strength and shield of every government. During the Revolutionary war our greatest generals came from the fields and returned to the plow when the war was over, and certainly during the late civil war the farm contributed its full quota both to the rank and file of the Army.

In no calling in life in this country to-day can nobler or grander men be found than on our farms, and yet by an unjust law their condition is reduced to that of serfs. They bear all the burdens of government and receive none of its benefits, but simply the right to exist. I wish to speak to-day in their interest, being personally acquainted with their condition and wants. I do not claim that the farmers of the country are paupers and are now starving, but what I insist upon and what I expect to show is that the farmers are not sharing in the increased wealth of the country and are not receiving their just proportion of it. I deem it necessary first, however, to state some general propositions which are now received as axiomatic truths.

First, taxes in any and every form are oppressive and burdensome to the people. It is said they are as merciless as death and as certain to overtake us as eternity. But, notwithstanding this, every good citizen should be and I think is willing to pay his just proportion of the taxes necessary to support and defray the expenses of the Government that protects him, and, while such taxes are a burden, it is the duty of the Government to make them as light on the citizen as possible.

Taxes are absolutely necessary for the life of the nation, and the needed revenue must be supplied by the people—it can not come from anywhere else. There are two modes of taxation, direct and indirect. A direct tax is a pro-rata levy by the state on all the property of its citizens, as is the practice in most of the several States for raising a State revenue. An indirect tax is an assessment on the business or consumption of a people. This system is exercised in various ways by the Government, as a tax on manufactures of tobacco, spirits, etc., and a tax on goods imported into this country, which latter tax is an assessment on the consumption of the people.

I do not deem it necessary to define these various systems of indirect taxes further, as I propose to deal with none of them but the tax on imported goods, which is now universally called a tariff.

A tariff is therefore a tax, and any person who denies it is simply a fit subject for an insane asylum, be he President, Senator, Representative, or other person. The Government levies a tariff or duty on imported goods, which the importer pays and adds it to the cost of the article, with freight, interest, commissions, and other costs, and the consumer in the end pays the tariff with all the other costs.

This proposition will not be denied by any one. The result of a tariff on our imported articles in nearly all cases is to increase the price of the article to the consumer. Take sugar for example; the tariff on imported sugar causes a rise on that article to the consumer to the exact amount of the tariff. Sugar that is sold here for, say, 10 cents per pound, upon which there might be a tariff tax of 5 cents per pound, if not for the tariff could be purchased by the consumer for 5 cents per per pound. This is nearly true of all other importations.

A tariff may be levied for two purposes, namely, for revenue or protection; or, as it is stated sometimes, a tariff for revenue with incidental protection, or a tariff for protection with incidental revenue. But a tariff for either purpose has the effect to raise the price of imported articles to the consumer just the extent of the tariff. When a tariff is paid on an imported article at the port of entry the Government gets the tariff or tax and the consumer pays it. From this source the Government collected over $217,286,890 last year.

But the tariff has another effect; it raises the price of imported goods to the extent of the tariff, and that of necessity increases the value of all like domestic manufactured goods in this country. That is, because of the tariff tax the domestic manufacturer is protected to the extent of the tariff tax and he is able to sell his goods for that much more than he would be if there was no tariff. There was manufactured in this country last year over $6,000,000,000 worth of goods, and there being an average tax of 47 per cent., but say 40 per cent. for convenience, because of this tariff the manufacturer of domestic goods in this country was a recipient, as a gift from the consumers, of the snug sum of over $2,400,000,000. In other words, because of this vicious tariff system the farmers and laborers, who are the greatest consumers, were compelled to pay this enormous sum to the merchant princes and manufacturers as a gratuity. And still the protectionists are demanding an increase of the tax on many imported articles.

But in what I have to say at this time I do not care to discuss schedule rates of 40 or 47 per cent., but the principle that underlies the system itself. It being admitted that a tariff is a tax, it is a tax for some person to pay. I have shown that the consumers last year paid the Government over $217,286,890, and to the domestic manufacturers $2,400,000,000. Now, who is benefited by this system? Clearly, the manufacturers. The tariff raises the price of goods. If not, why do the manufacturers desire to keep the tariff up? Aside from the fact that it is not warranted by our Constitution, as I think is fully explained by the Supreme Court of the United States in the case of The Loan Association *vs.* Topeka, 20 Wallace, where it is held by the court that taxes can only be levied under our Constitution for public purposes—I could add to this as further authority the names of eminent statesmen, both living and dead, who sustained this view of the question, but I deem it unnecessary—I think it is manifest to every fair-minded person that taxes should only be levied for public purposes and not to create private fortunes; any other system is manifestly unjust.

A government that taxes the mass of its citizens to enrich a class does not deserve to exist, and can not long exist, unless the laboring classes and farmers consent to become slaves, and in this country we are fast tending to that result. What right has the Government to take by law one-third of the poor man's wages and give it to the rich? And yet this is done every day. There is not a laboring man in the country who has a family to support who is not compelled to pay one-third of his annual earnings to support the tariff system.

If it were not for this tariff system the necessaries of life that he is compelled to purchase for the support of himself and family he could purchase for one-third less. He is now compelled to pay fifteen or twenty dollars for a suit of clothes; if it were not for the tariff tax he could buy a similar suit for $10. He is compelled to work twenty day when ten days' work would be sufficient, and thus he is robbed of his labor and to that extent is a slave. But to make him content with his lot he is told that his condition is better than that of the pauper laborer of Europe.

This argument, if it may be called such, is a very poor one; this argument was used to the slave in the South fifty years ago. He was told that his condition was infinitely better than in savagery in his native land, and, in fact, that his condition was infinitely better than his brethren in the wilds of Africa. In fact, many able lectures were delivered and learned essays written to prove the point, and the pulpit argued his better condition and the divine right to hold him in his chains. But where are these arguments now? Repudiated by their authors as unworthy of the enlightenment of the nineteenth century. The master, in those days, claimed the wages of the slave and by law they were given to him.

The present high protective system is simply a huge, complicated, far-reaching instrumentality put in motion by unjust laws to take the hard-earned money out of the pockets of the farmers and laborers and place it in the pockets of the wealthy. It dishonestly takes the wages of labor, and thereby enslaves the laborer. This system should not and will not long endure, for if it does it would be a mockery to call this country free.

I wish briefly in the time allowed me to-day to examine how the farmer is benefited by a protective tariff. Mr. CULLOM, the senior Senator from Illinois, during last fall published an article in the Forum in which he states "That the interest of the farmer is in favor of a protective tariff." Is this true? The farmers of Illinois are intensly interested in this question and they know better than any one else their true condition. What is that condition? Do the farmers of Illinois feel that their wives, children, and others, depending on them for shelter, bread, and fuel may not come to want if the present system is continued? Do they feel that there is no incentive to toil for that nothing will come of it but one monotonous repetition of work and that others will reap the reward of such labor until existence itself becomes a mockery? Is the condition of the farmer all that he desires it should be? I submit the following figures comparing the past with the present, which I think will show that the farmers' condition is not what it should be:

The increase in the value of our farms between 1850 and 1860 was as follows:

	Value of farms.
1860	$6,645,045,007
1850	3,271,575,421
Total increase, ten years	3,373,469,586
Average yearly increase	337,346,958

This was the free-trade era, the ten years of a Democratic low tariff. Contrast these with the past twenty years of high tariff:

1880	$10,197,096,776
1860	6,645,045,007
Total increase, twenty years	3,552,051,769
Average yearly increase	177,602,588

In other words, farming was 90 per cent. more prosperous under a Democratic low tariff than it has been under a Republican high tariff. In exact figures the increase was:

1850 to 1860 (ten years)	$3,373,469,586
1861 to 1880 (nineteen years)	3,374,449,181

When we consider that the population more than doubled and the wealth of the country increased more than fivefold between 1850 and 1880, the significance of these figures can not be overestimated.

FARMING VERSUS MANUFACTURING.

That farming paid under a low tariff is shown by the capital invested in it:

1850	$3,271,575,421
1860	6,645,045,007

Yearly increase, 10½ per cent.

That it has not paid under protection needs but a glance at the census figures:

1860	$6,645,045,007
1880	10,197,096,776

Yearly increase, 2½ per cent.

In ten years of low tariff our farms doubled in value. In twenty years of protection they have only increased 54 per cent. No other explanation is needed why farming no longer pays, why the farm lands of Vermont are for sale at $2 per acre, and why industry is seeking other fields.

During the "free-trade era" 123,029 firms were engaged in manufacture, and the census shows the following capital invested:

1850	$533,245,351
1860	1,009,855,715

Yearly increase, 9 per cent.

The farmer and the mill-owner were then on equal terms, and both prospered. Manufacturing was confined to what would pay. In 1861 the cotton-mill owners of New England, the woolen-mill owners of New York, and the ironmongers of Pennsylvania, about 3,000 in number, obtained control of the legislation of the United States, and this is how they protected themselves:

1860	$1,009,855,715
1880	2,790,272,606

Yearly increase, 8¼ per cent.

These figures are the totals of all manufactures, protected and non-protected. Some industries, like our ship-yards, have been "protected" out of existence, others have been crippled, and these bring down the average, for only a small proportion of our manufactures are protected, and they have prospered not only at the expense of the former but at the expense of the unprotected manufacturer.

In 1850-1860 the American farmer had the whole world for a market. He could sell anywhere and bring his payment in foreign goods into the country. If his payment was taxed, it was only properly taxed to bear its fair share of the expenses of Government. He was then and is to-day the importer of 80 per cent. of the foreign goods coming into the country. He was then the only competitor of the unprotected, as he is to-day the only competitor of the protected mill-owners.

These figures absolutely show that the high protective tariff has not benefited the farmer in the way of advancing the price of his lands. Let us now see if a high protective tariff increases the price of farm products. The report of the Bureau of Statistics of March, 1884, contains a table showing the average price of farm products in New York from 1846 to 1883. According to this the average price of wheat was $1.50 under the Walker tariff and $1.48 under the Morrill tariff; corn was 77 cents under the former and 66 cents under the latter; flour was $5.83 as against $4.69; wool under the Walker tariff was 32 cents and under the Morrill tariff it was only 28 cents; timothy seed was $3.12 as against $2.62 in the latter period; and this same depression of prices will be found true of all other farm products.

Now, remember that the Morrill tariff was much higher than the Walker tariff, and according to the theory of the Senator a tariff is benefiting the farmer, and therefore the farmer should be better off under the high tariff than the low one, but just the reverse is shown to be the fact; or, in other words, the Senator would make the farmer believe that the more taxes he pays and the less he gets for his farm products the better is his condition.

We will look at it in another light. According to the census of 1880 the number of persons engaged in farming was 7,670,493. Of course this did not include their wives and children, although they do a great deal of the farm work; so it is safe to say that there is over one-half of our entire population engaged in agriculture. The whole number of farms in 1879 was 4,008,907, and the value of the farms was $10,197,096,776. The value of farming implements and machinery was $406,520,055. The value of live-stock on the farms was $28,586,397, and this makes the total capital interested in farming in the year 1879 $12,132,667,837.

The estimated gross value of all farm productions for that year was $2,213,402,564. This includes all that was sold and all that was consumed as well as all that was on hand. The gross product for the labor of each person engaged on the farm was $288.56 for the year. This was the gross earning and did not include board, clothing, cost of seed, or interest on the capital. But the interest on the invested capital in farming at 6 per cent. apportioned to each person would amount to $94.90, and this taken from $288.56 leaves $193.66 as the gross product of the labor of each person engaged in farming, and this would amount to not quite 62 cents a day, and now out of this is to come the board and clothing of the farmer; and is it any wonder that farming does not pay? And yet the Senator from Illinois says that the farmer is greatly benefited by protection. The Lord save the farmer from such protection.

Now let us look at the other side of the picture. The number of persons engaged in manufactures in this country in 1880, as you will see by the census, was—males over sixteen years, 2,025,335; females over fifteen years, 531,639; children and youths, 181,921; this makes a total of 2,738,895. The capital invested was $2,790,272,606; the gross product of the manufactures was $5,369,579,191; from this deduct the value of the material used, $3,396,823,549; this gives a net product of the manufactures of $1,972,755,642 for one year. This gives each man, woman, and child engaged in manufacturing the sum of $721.93 as the product of his or her labor per annum. Deduct the interest on the capital invested, which amounts for each person to $61.20, and the labor for each person engaged in manufacturing for that year amounts to the sum of $660.67, or $2.11 per day. This is nearly three and one-half times more than a person gets who is engaged in farming. There can be no mistake about these figures, taken from official sources and presumably compiled by protectionists at that, and any child of school age can figure out the result, and yet the Senator insists that protection benefits the farmer.

From 1850 to 1860 there was very little protection, and at that time farming paid. The value of farms increased 10½ per cent. yearly, or more than double the rate of increase of population. From 1860 to 1880 we had a high protective tariff against the farmer, and farming did not pay. The value of farms increased only 2½ per cent., or less than the rate of increase of population. In 1850 our farms represented 46 per cent. of our national wealth, and in 1880 they represented only 23 per cent., a decline of one-half.

Year.	Value of farms.	Total wealth.	Per cent.
1850	$3,271,575,421	$7,135,780,228	46
1860	6,645,045,007	16,159,616,068	41
1880	10,197,096,776	43,642,000,000	23

In the face of these facts the Senator expects the farmer to vote for protection, and this some of them continue to do, solidly and blindly, against their own interests.

The capital invested in manufactures pays nearly four times as much as the capital invested in farming. Why should this be? A high tariff protects the manufacturer and enables him to sell his products at from 20 to 75 per cent. above what otherwise would be the cost, and the farmer, through the blessings of this protection that the Senator spoke about, has to pay this advance.

The estimate of the United States Commissioner of Agriculture for 1880 shows the agricultural products of the United States marketed that year was $3,726,331,422, and that there was exported of agricultural products for that year, $685,961,091.

The most careful estimate, then, that can be made would show that 1,412,137 persons engaged in agriculture were depending for their living on the sale of their products in foreign markets and who are not and can not be protected by any tariff, and are only injured by it.

Tho highest estimate made by any person is that there are not over 800,000 persons engaged in all the protected industries who are in any manner protected by a tariff. If a foreign market could not be found for our supplies it would not be raised or would rot on the ground, and the 1,412,137 persons engaged in raising this surplus would have to seek some other employment, thus increasing competition and reducing the rate of wages. Why should 800,000 persons be protected when it is impossible to protect the 1,412,137 persons? Is this the greatest good to the greatest number? There is no protection to the farmer.

Let us see again how the Senator's theory holds good in Illinois, our own State. What are the figures? In 1880 it will be found that Illinois had $1,175,772,293 invested in farming and that 436,371 persons were engaged in the business. Her entire farm products were $203,980,137, or each person was supposed to invest $2,694 in capital, and with the capital his labor produced $468 per annum; deducting the interest would leave $307. In the same State for the same year there was invested in manufacturing $140,652,066 and 144,727 persons employed. The product, after deducting costs of material, was $125,020,766 and the wages paid was $57,429,085; each person employed used $972 worth of capital, produced $864 in value of manufactured articles after deducting price of material, they pay as wages $397.

Now, take $397 from $864, which leaves $467, the amount the manufacturer puts in his pocket for each man employed by him. To state it in other words, the farmer in Illinois gets for his year's work $307, the laborer engaged in manufacturing produces $864, of which sum he receives as his wages $397 per annum; and the mill-owner robs both the farmer and laborer of $467 per annum as clear profits on his $972 invested in manufacturing. Any farmer on some rainy day can take his pencil and figure out this problem and satisfy himself of the correctness of these figures, and then he can answer for himself why is this discrimination against the farmer?

These are the facts, as the figures show, and yet the Senator says that protection benefits the farmer.

Again, the Senator says in his article in regard to the benefit of protection to the farmer:

His food, his clothing, his household goods and furniture, his horse, his barn, his tools and fences, are all cheaper, while everything he produces sells for more, and his land has trebled or quadrupled in value.

Is this statement true? I will answer the last part of the statement first. I think I have shown that farm property, instead of increasing in value in this country, is actually decreasing. The following advertisement appears in the Springfield (Mass.) Republican of October 25:

DO NOT GO WEST

when you can get a fine 150-acre farm right at home on a good road near neighbors, for $950. Excellent land; hay cut by machine; plenty of fruit: no end to the wood. Cottage-house in good shape, good barn, sheds, etc. The farm is

well located, only one-half mile to school, only 5½ miles to Orange, as good a market as there is in the State.

This farm, be it observed, is situated in a thickly settled portion of Massachusetts, where numerous manufactories have made a "home market," which, according to the protectionists, should have enchanced the value of farming lands far above that in the agricultural States of the West, where the manufactories are comparatively few and the home market consequently restricted.

In the Herald, of Windsor County, Vermont, of a late date, it is said that in a single township in that county 4,000 acres of land in farms of from 70 to 100 acres are for sale, with all improvements, at from $3 to $4 an acre. In Vershire Township, in the same county, thirty-five farms lying in a body are abandoned and unoccupied, in easy reach of home markets the Republican party has been promising the farmers.

The New York Tribune has the following:

The farmers of South Jersey are completely discouraged. Many of the best and oldest say they can not make both ends meet, and that the outlook is not encouraging; many farmers have made assignments and others are in the hands of the sheriff.

Ten fine farms in Berks County, Pennsylvania, averaging 100 acres each, were sold by the sheriff last week for what they would bring, and twenty other farms in the same county have been sold in the same way previously, all the owners having failed.

The Labor Report of Michigan for 1888 shows that out of the 90,803 farms in that State reported, 43,079 were mortgaged. That the annual tribute paid as interest amounted to $2,701,669. By estimating the balance of the State not reported by the ratio of what was reported, Michigan is in debt $64,392,580 on farms alone, with an annual interest of $4,636,265. In one county there were 366 mortgage foreclosures in one year.

A correspondent of the Post recently called attention to the fact that in a drive on the main road from Lowell, Mass., to Windham, N. H., a distance of 12 miles, he counted six deserted sets of farm buildings, besides several that had already gone to ruin, while fields and pastures were growing up in woods. And much more of this same kind of matter might be produced, but every well-informed person knows that lands are not as high as they were fifteen years ago.

In Illinois I know of my own personal knowledge that farms that sold from $35 to $40 per acre fifteen years ago can not be sold now for $25 an acre. There may be exceptions, but this is the general rule. Protection certainly does not protect the Illinois farmer nor other farmers in the West. If so, why should the Western farms be mortgaged as they are?

The Bankers' Monthly of last year, after making a thorough investigation of this question, gives as the mortgage indebtedness of Kansas, Illinois, Indiana, Iowa, Michigan, Wisconsin, and Ohio, the sum of $3,837,000,000.

The report of the Illinois Bureau of Labor Statistics for 1888, a Republican authority which Republicans must believe, gives the mortgage indebtedness of Illinois at $416,000,000, and on page 36 it appears that there were filed in the single year of 1887 a total of 125,923 new mortgages, for the immense sum of $117,152,857, covering 2,178,532 acres of land and 65,066 lots, as well as miscellaneous property or chattels to the value of $17,000,000.

The population of Illinois by the census of 1880 was 3,077,871. Say that it is now 4,000,000, and divide that amount by five to arrive at the number of heads of families. We have thus 800,000, which is close to the real number, as the total Illinois vote of 1888, was 748,000. Averaging among these the total mortgage indebtedness it makes a debt of $520 for every head of family in the State, while the new debt contracted in 1887 alone makes $146.25 for each head of family. How do the figures contrast with the statement of Mr. Blaine that "the savings banks of Massachusetts alone have deposits of over $375,000,000?"

But the condition of Kansas is still worse than that of Illinois. I have a statement by counties from the State of Kansas showing the total public and private indebtedness of that State, except the school, is $259,712,323, and that the total assessed value of all her lands in 1888 was $295,150,077. Now, when you take from this the total assessed value of all railway property in the State which was that year $52,829,394, the State is verging on bankruptcy. These figures are of vital importance to the farmer, and they can not be denied or ignored.

The farmer does not make a dollar a day by hard work, while the pet of protection makes a dollar a minute without working at all. Away with a protective system that robs labor and enriches idleness; that creates millionaries and tramps, both a curse to society; that mortgages the farm and increases the capital of the banks; that fills poor-houses and creates palaces; that dresses one man's children in silk and satin and another man's children in rags; that makes the rich richer and the poor poorer. This is the inevitable tendency of the protective system. It protects the moneyed kings, but is a positive injury to the farmer as it lowers the price of his land and the products thereof.

I submit some further facts on this proposition. In 1850 the total value of farms in this country was $3,271,575,400. During the next ten years of a very low tariff the value increased to $6,645,043,000, a gain of 103 per cent. In the next ten years the tariff was raised more than 100 per cent., and yet they had only increased to $9,262,803,800, or a gain of only 39 per cent., an absolute arrest of progress. During the next ten years, with a still upward tendency in the tariff, the value of farm property only increased to $10,179,096,700, in a sum less than 10 per cent., not so much as 1 per cent. per annum. This is not true of other callings; during all this period the wealth of the country increased wonderfully, but not in farm property.

The following table, compiled from the census reports by the Statistician, shows the exact percentage of increase between 1850 and 1860 in the first column, and the percentage of increase for each of the ten years between 1860 and 1880.

Lines or progress.	1850–1860.	Average each ten years, 1860–1880.
Population	35.5	26.2
Wealth	126.6	61.0
Foreign commerce, aggregate	131.0	45.6
Railroads, aggregate	240.0	69.0
Railroads, per capita	150.0	34.0
Capital in manufacturing	90.0	66.0
Wages in manufacturing, per hand	17.3	9.4
Value of farms	103.0	23.6
Farm tools and machinery	62.0	27.7
Live-stock on the farm	100.0	17.3

It will be readily seen by this table that under the low tariff farm values increased about 100 per cent., while under a high tariff it only increased about 20 per cent., while the wealth of the country increased 61 per cent. It will be seen also by this table that wages increased 17 per cent. during the low tariff, while they only increased 9 per cent. under the high tariff. This should speak volumes to the laboring man. But, again, in 1850 the total wealth of the country was $7,000,000,000, and of this the farms owned $4,000,000,000, or more than one-half. In 1860 the total wealth of the country was $16,000,000,000, and the farmers' share was $8,000,000,000, or one-half.

During the next twenty years, under a high protective tariff, in 1880 the census shows the wealth of the country was $43,600,000,000, of which the farmers' share was but $12,000,000,000, or a little more than one-fourth, and yet the Illinois Senator says that protection benefits the farmer and that "his land has trebled or quadrupled in value." The Senator's statements can not be verified by the facts of the case. Mr. Thomas Shearman, the statistician, gives the names of seventy persons in the United States who represent an aggregate wealth of $2,700,000,000, or an average of more than $37,500,000 each.

Mr. Shearman finds that he can do in the United States what he can do in no other country in the world—make a list of ten persons whose wealth averages $100,000,000 each, and a list of one hundred persons whose wealth averages $25,000,000 each. He supports with an array of such facts his conclusion that 25,000 persons own one-half the wealth of the entire country. This is supposed to be true, and yet forty years ago there was but one man in the United States who was supposed to be worth $5,000,000, and that was John Jacob Astor.

Now, see what is the condition of things—25,000 persons owning one-half of the wealth of the United States, or over $2,000,000 each. If, then, 25,000 persons own one-half the wealth of the country, it means that in one form or another they receive tribute from the public at large as the use-price of it.

If the conditions responsible for such vast accumulations continued this use-price of itself would be sufficient to make the permanent ownership of property impossible for 75 per cent. of the people. At least that proportion would be obliged to rent their wealth from the owners and pay usury as rent. This is the present condition to a very large extent, and it must continue until the causes producing it can be removed.

The statistics of the country show that in 1880 five-eighths of the people owned their homes, and only three-eighths were the prey of landlordism. In 1886 only three-eighths owned their own homes, and five-eighths were reduced to the rank of tenants.

By the census of 1880, 24 per cent. of the farmers in Illinois were tenants, and it is claimed now by those best informed that 15 per cent. of the Illinois farmers do not own their farms in fee and free from debt.

In the last twenty years this condition of things has been brought about. During these twenty years the grip of plutocracy has been tightening around the throat of the laborer and farmer. During this time more than any other the vampire bats of high-tariff taxes have been increasing their power of suction and their capacity for gorging themselves. During all these years more than any other the rich men have been growing richer and the poor man poorer. During all these years the Government has been favoring the lords of protection, until we are led to question whether the interest of the people or the interest of Wall street is the most potent here at the national capital. It is no wonder that the farmers of the West and Northwest are organizing and entering the domain of practical politics.

It is time that the magnates of all political parties should know of the wrongs of the wheat-growers and learn of their unrequited toil. They have organized into lodges, granges, and alliances, and armed with a free ballot, the most formidable weapon of free men, they will demand equal consideration with the kings of protection. It is high time that the people who pay the taxes, the people who plow the fields, the people who sustain the armies, and the people who bear the burdens of civil government, should receive some attention from those

in power. Every well-informed person knows that amid apparent general abundance, amid the vast actual increase of general wealth, the farmer is not so prosperous or so contented or hopeful as he was prior to the war.

Since the war in this Republic the farmer has been vainly striving to increase the amount of dollars for his labor, and the manufacturer has been plotting, through a cunningly devised tariff, to rob the farmer of the rewards of his labor.

For the last twenty years the market value of farm products and the price of labor have constantly decreased, while the wealth of the manufacturers has piled mountain high, until the wage-worker and farmer in their bitterness and their wrath sometimes ask which is the greater evil, the black slavery that is gone or the white slavery that has come? Before the war we had chattel slavery, and the master had to provide for the slave when sick or disabled and also in his old age. And now the new phase of it is the mortgage slavery which is going on in the West and is greatly increasing the power and arrogance of capital.

Is it any wonder, then, when we note what strides capital has made in so short a time toward the complete destruction of liberty, that thoughtful men are concerned as to the future and anxiously question what the next step will be?

Actual empire would be no greater innovation than the last, and if introduced so insidiously it might be achieved—an empire of Plutocracy.

Andrew Johnson said:

Slavocracy was destroyed and a bondocracy was established in its stead.

The tendency of every protective tariff is to enslave.

Trade is the exchange of the products of labor. Every laborer who is not free to trade in the products of his labor is a slave. The essential condition of slavery is that the laborer has no control over what he produces. The negro slave produced cotton. Had he been free to trade in it it would have been his own and he would not have been a slave. The essential condition of servitude would have been lacking. The slave is only valuable for his product.

The laborer is bond or free as this product is another's or his own. Wherever labor is denied the right of controlling its own products there slavery exists. Freedom of trade between individuals is the liberty to exchange the products of labor. It is based on the liberty of the laborer to dispose of the products of his labor or to exchange them for the products of the labor of another. Freedom of trade between nations is the liberty of all their citizens to exchange with each other the products of their labor.

Wherever labor is denied freedom of trade it is slave labor. The right of one man to trade with another man is a natural right. In as far as this is denied, liberty is taken away and slavery is established. If the laborer is not allowed to trade at all in what he produces, and is controlled in person as well as in product, he is a chattel slave; but he is none the less a slave if his person is controlled through his product, as under the Republican system which taxes away from labor the freedom to trade in its own products.

There are two operations in trade, giving something and getting something. To control either of these is to control trade. Since the abolition of chattel slavery the negro who has produced a bale of cotton is in a small measure free. He can trade in it in the United States or he can give it away. But he has no more master of the product of his labor now in principle than in 1856. If he lives on the Texas line he is not allowed to take it over to Mexico and exchange it. He is free to give something as the first operation in the trade, but the Government stops the trade in the second operation by taxing what he gets 47 per cent. of its value when he brings it to the custom-house line on his way home. Thus in our relation to the outside world every American farmer is 47 per cent. a slave. The tariff law denies him 47 per cent. of his liberty to control the products of his farm, or exchange it for foreign goods.

The slavery of a high protective tariff has done and is doing more to devastate the farmers of the West than all other causes combined. A high protective tariff exists only for and through the denial of liberty, the oppression of labor, and the suppression of right. All its theories are absurd, as absurd as pocket-picking, highway robbery, or any other plan of getting something for nothing. A high protective tariff is the power of money, and concentrated wealth makes some millionaires while the many struggle for bread. The present leaders of the Republican party have demonstrated by their every action that they are the most servile tools in the hands of a greedy, soulless money power that is as devoid of mercy and justice as is the infernal region of angels of light. The money power has crept into the ballot-box, and its leprous taint is rapidly spreading through every branch of the public service.

When the largest contributors to corruption funds get the highest official positions, and when men who advocate and urge the purchase of votes in "blocks of five" lose no caste in the councils of their party, we may be sure that the money canker-worm is at the very core of our Government, and unless the antidote is speedily applied the fruit brought forth by the wisdom and bravery of our fathers will soon perish. With money without limit in the hands of monopolists, corporations, trusts, and under the control of that class who do not believe that the common people are capable of self-government, a crisis is reached in American history that will destroy the Republic from turret to foundation-stone.

For the past twenty years we have had abundant prosperity in this country, but at the end of it we find that the wealth is centered in a few hands. What has the farmer to show for his twenty years' toil? Where can you find a farmer who is a millionaire? The farmer can boast that the aggregated wealth of the country has increased; he can boast of the factories established, cities erected, mountains tunneled, rivers bridged. He can call the roll of millionaires to-day and thousands will respond, when before the war there were very few.

Yes, the farmer can wipe the sweat from his weary brow and reflect that among the six thousand millionaires may be mentioned the names of twenty American citizens who have gathered $1,500,000,000 from the toil and tears of 60,000,000. And still more, he can reflect that these twenty men have it in their power to combine their efforts and fix the price of every bushel of wheat, every ton of coal, and every day's wages of labor between New York and California. These twenty men have it in their power to name and do name the majority of Senators, Congressmen, governors, and Legislatures in at least one-half of the States of the Union.

The farmer can behold the silken garments which his toil has made on the backs of others, but his family must wear the coarsest shoddy. He can behold the palaces that have been erected from margins on his wheat, but he can not enter. He can behold the palace and buffet car which was constructed by an unlawful tariff extorted from him in carrying his farm products to market, but he and his family can not ride therein; they must occupy the emigrant car or the smoker and see others enjoy the fruits of their labor. To-day all over the Northwest the farmer views with dismay the narrow margin between the cost and the income of his wheat-field and wonders why it is that the prices of those things that he has to sell continues to fall in value so much faster than the price of those things which he is compelled to buy.

In Illinois to-day the farmer reads the market reports with a sigh, and wonders why it is that with an increased production of wheat there can not be an increase of price sufficient to free him from the fears of bankruptcy. The Illinois farmer during the last summer was compelled to sell his wheat at from 65 to 70 cents per bushel, and he paid 10 cents per pound for his sugar. On the same day the Liverpool farmer sold his wheat for $1.05 per bushel and paid 4 cents a pound for the same grade of sugar. In other words, the American farmer exchanged his bushel of wheat for 6½ pounds of sugar, while the English farmer received for his bushel of wheat 20½ pounds, a difference of nearly 20 pounds, or, at the price in this country, $2. That is to say, that by our cunningly devised tariff system the American farmer was robbed out of two days of hard labor in the exchan e of a single bushel of wheat.

How much longer will our farmers consent that Senators and Representatives at Washington shall continue to legislate in the interest of the tariff barons? If the farmers wish to protect their cottages and firesides they must now stand together as one man, and must appeal to the honest men of all parties to liberate the country from the gold bugs of Wall street and the merciless grasp of the monopolists who plunder the homes, the farms, and the workshops of the people, and are thus enabled to contribute liberally of their ill-gotten wealth to the corruption of the ballot-box and the success of the Republican party.

All these burdens fall on the farmer, for in the end the farmer pays for all. It is like the celebrated toasts given by a king, a bishop, and a farmer in Spain; the king gave "I rule all," the bishop responds "I pray for all," and the farmer added "I pay for all."

And the trouble with the monopolists is that they are not satisfied with one payment, but the farmer must pay several times. Thus, in 1865, the national debt was nearly $2,800,000,000, on the principle of which the farmer has been paying about $50,000,000 a year, besides the annual interest, which in the aggregate has amounted to more than 75 per cent. of the original sum. Still, with all that has been paid, which amounts to nearly two-thirds of the original sum, the farmer has nearly as much to pay now as he had at the commencement. Thus, in 1865, 1,600,000,000 bushels of wheat would pay the debt at the price of wheat at that time, but at the present price, say 70 cents per bushel, it would require over 1,300,000,000 bushels to still pay the debt, and this is true of days of labor as well as bushels of wheat.

At this rate of paying the public debt it is sa e to say that it will not be paid for many generations, but in the end the farmer will have to pay it, as every farm in the United States is mortgaged so to speak to secure the payment of this debt. How can the farmer pay it under the present law? is the question that is now being discussed in the various farmers' meetings in the Northwest. Estimates based on census reports show that in the last thirty-eight years the railroad interest has increased 1,580 per cent. and the banking interest 918 per cent., while the farming interest only reached 252 per cent.

The farmer is hedged in on the one hand by an infamous high tariff and on the other hand by a railroad monopoly that is sucking his very life-blood. Whenever there is a good crop of wheat it is at once determined by the railroad association to advance the freight on wheat, say 10 per cent. from Chicago to New York; and say the wheat and oat crops in Illinois were worth about $50,000,000 per annum, there would be a gigantic robbery of $5,000,000 from men who labored hard and suffered untold hardships to grow this wheat. Can language de-

scribe the enormity of this outrage? Is it any wonder that the farmers are organizing into powerful bodies to resist this infamy?

Nor is this all. The grain gambler is at work in the various boards of trade; they give notice that there will be a rise in freights and immediately great quantities of wheat will be hurried to market to save the rise and the market will be glutted, prices will drop to a nominal figure, and the farmer will be robbed. The railroad president will get his princely salary of $50,000 a year and the other officers in proportion, and the stockholder his 12 per cent., and other swindlers will grow fat and the farmer will be expected to toil on to feed and support the world.

At Streator and other points in Illinois, as well as at Treverton, Pa., last summer men, women, and children were suffering for food, and would have starved to death had not the farmers of the country, in the name of charity, furnished them with food. The men were willing to work, but could not get the work to do. The rich men who own and have control of the monopoly in coal mines decided that it would pay them better to suspend operations for a few months than to continue the work.

It has actually come to pass in this country that the wealthy suppose they own the farmers and laborers of the country body and soul, and they are now forging iron chains to bind them forever, and a high protective tariff is the forge where such chains are manufactured.

But, sir, as I said before, I am not speaking to-day so much of schedule rates of 47 or 75 per cent. as I am of the principle. What I complain of is a law that gives to one set of men the labor of another set without anything in return. A law that renders such a thing possible should not remain on our statute-books. It is a disgrace to our civilization. Our fathers taught us that the only way to produce wealth was by labor, but a new order of things exists now. When a railroad syndicate desires to enrich themselves they issue a million dollars of watered stock on their road and in an instant of time and without labor they have added to their wealth $1,000,000.

You may say that this is not wealth, but it is. Every farm in the country is mortgaged to pay the interest on this watered stock. The railroad syndicate insists on and receives from the farmers for carrying their products to market the additional freight to pay interest on this watered stock, and under the law they get it. If any person forges a twenty-dollar bill or other Government security he is at once arrested and sentenced to the State prison for a term of years. And why is this? Simply because the property of the people is pledged to pay the national debt. But when the railroad magnate forges—that is, issues millions of watered stock, which the farmers are compelled to pay in advanced freights—nothing is said, and the parties go unwhipped of justice. The effect on the public is just the same; and the government that permits or suffers these robberies of the people, either by a protective tariff, speculation in Government stocks in Wall street, or watering railroad stock, is not discharging its public duty.

No fault should be found with a man because he makes money. It is the duty of every man to make all he can honestly, by brain or muscle, but every candid man will admit that in a lifetime no man could become a millionaire without entering these unlawful monopolies, combinations, or trusts, and a high protective tariff is the parent of them all. It is the life of Mammon and plutocracy, and the death of agriculture. In the name of 200,000 noble men and women engaged in agriculture in the great State of Illinois, whom I have the honor to represent on this floor, I protest against this policy of protection and the rule of Mammon.

In conclusion, I wish to say to the farmers of the country, arise, organize, and fight for right and justice, your homes, and your firesides! The welfare of yourselves and your families, the cause of civilization and freedom are at stake. Press the battle in the name of tariff reform and liberty of trade, and victory at the ballot-box—the greatest of all victories to freemen—will be yours.

Code of Rules.

SPEECH

OF

HON. BENTON McMILLIN,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1890.

The House having under consideration the report (No. 23) of the Committee on Rules—

Mr. McMILLIN said:

Mr. SPEAKER: I shall ask the indulgence of the House for a brief period in the discussion of what I conceive to be one of the most important questions that ever arose in Congress. It is not simply a question of rules, but of the Constitution itself. From that sacred instrument we can not depart without ruin. Sir, gentlemen on the other side of this Chamber have said this is an effort to enable the minority to rule, and to prevent the majority from ruling. I deny it.

It is an effort to prevent the majority elected and sent here to do business from sending part of their members fishing, part hunting, and part off to attend to their own business, and then doing it with a minority. It is an effort to prevent the Speaker, with the aid of a pencil and paper, from counting a quorum which they have not in the city, and from doing business with a less number than the Constitution requires. That is the effort that was made without rule last week, and is attempted to be embodied permanently into the rules this week.

The party on the opposite side of this Chamber at first determined to have no rules, in violation of the custom of the House. They went week after week, and month after month without attempting to have any. The programme seems to have been to go under general parliamentary law—that elastic something of which so much is said and so little known—until the contested-election cases were tried, the Democrats turned out and Republicans put in their place, so there would be a full working majority who could do as they pleased, and who should be restrained by no law.

But against that we raised our protest. We denounced in terms not to be misunderstood such a proceeding. The press of the country rushed to the rescue of the rights of the House, which were being trampled under foot, and even you, Mr. Speaker, and the bold men who stand back of you had to reverse your action, revise your decision, and bring forward a code of rules for the government of the House. You have brought such a code as was never seen before in the history of this country, and it is to be hoped in the interest of decorous proceeding and constitutional government nothing like them will ever be seen again.

Mr. Speaker, one hundred and fourteen years ago a declaration was made in Philadelphia which has revolutionized and is revolutionizing the Governments of the world. Before that declaration of the rights of man crowns have crumbled and despotisms have departed. The king was dethroned and the free citizen, crowned with constitutional rights and guarded by constitutional guaranties, was proclaimed chief monarch of the earth. One-man power and one-man government were trodden under foot. In order that there might be no disregard of these rights and no destruction of them, the authority of those who were chosen temporarily to rule had constitutional limitations placed upon it. Even this House, chosen by the people themselves, was not permitted to transact business without the presence of a majority of those elected.

Sir, Article I, section 5, of the Constitution provides:

> Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.
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> * * * * * * *
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> Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

Those who framed the Constitution and were its first expounders never claimed that they could take one step in legislation without the presence and active participation by voting of a majority of those who constituted the legislative body. Mr. Jefferson, the great author of the Declaration of Independence and defender of individual rights, was chosen Vice-President of the young Republic, and was *ex officio* President of the Senate. He wrote the first and greatest manual of parliamentary law ever written for the guidance of Congress. Is it not strange, if the right of less than a quorum to pass a law existed, that he neither discovered it while Vice-President or President, nor hinted at it in his manual?

Sir, many of the signers of the Declaration of Independence and framers of the Constitution were members of one or the other branch of Congress. Is it not passing strange that no word escaped from any of them claiming such a right to exist?

Mr. Speaker, when the young Republic was but twenty-five years old war was declared against it by its ancient enemy, the Kingdom of Great Britain. Armies had to be mustered and marshaled on the field. Navies had to be equipped and turned loose on the ocean. Every energy and constitutional right of the young Government had to be exercised. The Capitol itself was beleaguered and the President's mansion burned.

Vast sums of money had to be expended and extraordinary legislative force exerted, yet in all these troublesome times no advocate of temporary expedients, no parliamentary usurper was found bold enough to claim that less than a quorum of those elected and sent here by the people could impose taxes to collect one dollar or muster one man to be sent into the field. Sir, General Jackson, who took so glorious a part in that great struggle, was himself at one time in Congress, but he seems never to have supposed that this authority existed. Later on we had war with Mexico, when other armies and other treasures had to be gathered together, yet no wise man from East or West, North or South, ever laid such a claim, no Speaker ever exercised such authority.

Sir, if there ever was a period when constitutional authority was strained and legislative expediencies brought into full play, it was the period of our recent unfortunate civil war. Millions of men had to be raised and equipped; billions of money had to be collected and expended,

and yet during that period the authority exercised by the Speaker of this House and now attempted to be embodied into rules was never once exercised or claimed.

It is a well-settled rule in construing both statutes and constitutions that "the enumeration of one thing is the exclusion of another." Therefore, when the Constitution, in the article I have quoted, enumerates certain things that may be done by less than a majority, it is an irresistible conclusion that nothing else may be done without a quorum. The language is:

> A majority * * * shall constitute a quorum to do business. But a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members. * * *

Is not a distinction clearly drawn between "adjournment" or "securing the attendance of absent members," and "doing business?" What lawyer would conclude from this that less than a quorum could "do business?" Could do anything but adjourn or compel attendance?

Mr. Speaker, fifty-one Congresses have assembled. More than fifty Speakers have been elected to preside over them. Twenty-five Vice-Presidents have been chosen by the people and sent to preside over the deliberations of that august body the Senate. First and last, more than a thousand men have probably occupied the chair in which you now sit or the chair occupied by the Vice-President of the United States. At the feet of many of them any man of this generation might count it an exalted privilege to set and learn constitutional law, legislative wisdom, and principles of human government. Yet, sir, has it occurred to you that you are the first presiding officer ever found in Congress, small or great, who had so much avarice of power as to desire the authority conferred by these rules or such ideas of the Constitution of our country as to lead to the rulings you made last week?

Sir, to-day we are assembled as the representatives of more than sixty millions of people, a people who have boasted of freedom for more than a hundred years. No foreign war exhausts our resources. No threatened invasion disturbs our peace. It is a period of unusual quiet; a period when there is as little excuse for the adoption of questionable methods as ever existed. Our Army is small and need not be larger. Our work is done by civil rather than military power. The courts are open and free to the access of all. More money is being collected even under existing laws than is necessary for the purposes of government.

Yet, in this time of profound peace, on the assembling of Congress the majority in this House, overriding all of the precedents of a hundred years, and breaking down all the barriers erected between the people and ill-advised, hasty legislation, propose to clothe the Speaker with extraordinary and unheard-of authority and tie the Representatives of the people and deliver them over bodily to a presiding officer who has already refused to entertain motions to adjourn, to entertain motions raising the question of consideration against measures, to entertain demand for tellers to verify his count, and who has gone to the unheard-of lengths of time and again refusing to allow appeals from his decisions.

Sir, what does all this mean? Why this disregard of precedents, practices, and principles as old as the Constitution itself? What is the necessity for it? What emergency has arisen? What exigency is now upon us?

> Upon what meat doth this our Cæsar feed,
> That he is grown so great?

Why, sir, are we who are sent here to perpetuate a republic required to thus bow down ignobly to a despotism? For, sir, I assert, and fair-minded men will agree with me, that when this code of rules is adopted the House of Representatives will have been converted into the worst despotism on this continent and one of the worst on the earth.

I come not here simply advocating the rights of the minority as a minority party. I come not to rail against the rule of the majority. To the action of the majority ruling by constitutional methods we bow down unprotestingly. My objection to this system of rules, sir, is that it utterly destroys the power and the authority of the individual, whether he be of the majority or minority party, and places the government of the House almost exclusively in the hands of the Speaker, aided in a small measure only by the chairmen of committees.

Mr. Speaker, a part of the questions involved here are not new. Your predecessors in office have time and again decided that when a roll-call was ordered and the yeas and nays taken on any proposition, if the roll-call showed that less than a quorum had voted the action was a nullity and the vote must be taken over again before the measure could be considered as constitutionally passed. In no instance, in either branch of the Congress of the United States, has a contrary doctrine been held. The question has been decided thousands of times, and was never seriously doubted by any Speaker.

When the force bill was up, fifteen years ago, General Butler, then a Representative from Massachusetts, made the point, when the RECORD showed that less than a quorum had voted, that the Speaker had the right, and should exercise it, to supplement the vote by counting those as present who had not voted and making a quorum in that way. Mr. Speaker, the distinguished Secretary of State, Mr. Blaine, then Speaker, ruled that it could not be done. The following is his language:

> The SPEAKER. The Chair never heard of that being done. He begs to remind the House, whereas that might and doubtless would be true, that there is a quorum in the Hall, the very principle enunciated by the gentleman from Indiana has been the foundation probably for the greatest legislative frauds ever committed. Where a quorum, in the judgment of the chair, has been declared to be present in the house against the result of a roll-call, these proceedings in the different Legislatures have brought scandal on their names.
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> Mr. CONGER. It would be a record made by the House.
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> The SPEAKER. There can be no record like the call of the yeas and nays; and from that there is no appeal. The moment you clothe your Speaker with power to go behind your roll-call and assume that there is a quorum in the Hall, why, gentlemen, you stand on the very brink of a volcano.

Sir, in the first Congress of which I was a member, the Forty-sixth, the proposition was made by one of the members to establish a rule somewhat similar to the one now under consideration. Against it General Garfield, then a Representative from Ohio, raised his voice in his usual forcible style in the following language:

> I ask my friend from Virginia, without any regard to its partisan bearing, to see in what a strange and vague condition this House would be left if this were adopted. Whenever the question arises whether there is a quorum or not present, it is to be determined according to what he calls "ocular demonstration." The chairman of the Committee of the Whole or the Speaker of the House is to see with his own eyes that there is a quorum present. Who is to control his seeing? How do we know but that he may see forty members more for his own purposes than there are here in the House? And what protection have gentlemen, if the Speaker says he sees a quorum, if he can convert that seeing into a list of names on the call of the roll by the Clerk? I think my friend from Virginia will see that he lets in the one-man power in a far more dangerous way than ever has occurred before in any legislative assembly of which he and I have any knowledge.

Again he said:

> Aside from the insuperable objection that I have raised to this proposition, as a thing that ought not to be tried because of its vagueness, its uncertainty, and the danger that members of the House may be imposed upon by an unscrupulous Speaker that may come hereafter, I say that aside from all that, and beyond all that, I ask members to consider one fact: This has been a House of Representatives since 1789. This House has been the theater of all sorts of political storms and tempests. We have lived through the times of great wars, of a great civil war, when there were excitements hardly paralleled in the history of parliamentary annals. Yet, during all these years, no man before, so far as I know, no party before, has ever thought it necessary to introduce a rule that gives the power of declaring the presence of members by the single voice of one person; a power that will enable him to bring from his sick-bed a dying man and put him down in this Hall, so that the Speaker shall count him, and make his presence against his will, and perhaps in his delirium, count in order to make a quorum, so that some partisan measure may be carried out over the body of that dying man.
>
> Sir, the moment you get over the line, the moment you cross the boundary of names, the moment you leap over the iron fence of the roll, that moment you are out in the vague, and all sorts of disorders may come in.

Sir, in this memorable discussion Mr. Conger, of Michigan, took part. He has since served a term in the Senate, after a long service in the House. He said:

> Sir, I, in common with every member of this House, demand that there shall be a public exhibition of presence—a public record of votes; that there shall be tellers; that there shall be yeas and nays; that the yeas and nays shall determine how you and I and every other member of this House may have voted and would vote.
>
> The point made by my friend from Ohio [Mr. Garfield] is a good one—that we are committing to the Speaker of this House or the Chairman of the Committee of the Whole the right first to determine who are present and to determine when there is a quorum. It is useless to say that there may not be times when in such an emergency as would require the exercise of this power the presiding officer would not be partisan. Shakspeare foretold this when in one of his plays he said:
>
> "Get thee glass eyes,
> And, like a scurvey politician, seem
> To see the things thou dost not."
>
> Such politicians will come here on either or any side. The force of circumstances, the impetuous passions of members which would produce such an occasion, will influence men to see that which they see not, with or without "glass eyes."
>
> I have no fear that this amendment will be adopted in this House, because it would be wrong in itself; it would be unconstitutional; it would be violently partisan. I have no fear that the fair-minded men of this House on either side will adopt so violent and partisan a measure.

Mr. Speaker, one of the most distinguished and experienced Representatives then on this floor from the South was Alexander H. Stephens, of Georgia. If I remember correctly, he was, with General Garfield, a member of the committee reporting the rules. Concerning this extraordinary proposition to let the Speaker count a quorum whether one voted or not, he said:

> I think we had better leave it just as we find it. I know of no way unless we attempt to punish a member for absenting himself or not voting when present. Suppose we bring an absent member into the House, as we have a right to do. But when he is brought in and he refuses to vote, what then? The gentleman from Illinois has just now stated that they could be counted to make a quorum. But what of that? A quorum—a majority of the House—must not only be present, but must join in the business of the House either for or against a measure, to make the action valid. If they are in, and do not vote upon the passage of the bill or measure in the House, they do not make a quorum in the transaction of business. You can not pass the bill or measure unless a quorum votes! You can not count those voting for the bill, and say of all others, constructively, that they voted against it, and thus pronounce the measure carried! Your Journals must show the votes—the yeas and nays of a quorum for and against the measure. But under this amendment there could be no such record. You could count the votes of those present and not answering to their names only by construction. This could not rightfully be done. You must have the votes before you can rightfully count them.
>
> I state to the House, after mature reflection and after studying this question carefully for many years, that in my opinion you can not improve upon the language adopted by the founders of the Republic as set forth in the rule reported by the committee. They made the rule as it now stands. You can not secure votes by compulsion, and you can not create them by construction.
>
> The rule says any member shall vote except he be interested or excused. If any member or number of members refuse to vote you can not provide a rule that will meet the difficulty.
>
> A member not voting in his seat or going out, so long as he is not disorderly,

so long as he commits no improper act, is responsible only to his constituents. If they send a member here who will not vote when in his seat, or will leave the House on roll-call, it is a matter that concerns him and them, and not this House. I say in conclusion I think we had better let the rule stand as it is.

The present Senator from Connecticut, General HAWLEY, opposed the proposition. I send to the Clerk's desk to be read a part of the speech from him:

Now, the evil, if there be one, in the existing system, that of which gentlemen complain, is simply this: That we of the minority claim a right, by sitting silent, to prevent less than a majority of the members elected from passing a bill. The worst that can be done by a factious minority, if that be the term applied to it, is to fight until the actual majority of the members elected shall pass the bill. When they are present, that friendly majority constitute a quorum in themselves; they do not require the assistance of the minority; they run the House themselves, and pass their bills. In case of what you call factious resistance, we drive them only to that.

The modern State constitutions are all tending in that direction. I have not looked at them with this in view, but I know from a casual inquiry of gentlemen near me that the new constitutions of California, Minnesota, Pennsylvania, and New Jersey require that a bill shall not be regarded as passed unless an actual majority of the members elected shall vote for it.

Now, we are causing no hardship whatever in taking the ground we do against this new rule, and I think we do no serious wrong to the country at any time when we sit in our seats and decline to vote. If the majority desires to have a bill passed in opposition to our wishes, then let the majority come here and pass it over our heads. At any rate, I decline to be answerable to anybody but my constituents if I sit in my seat and decline to vote. I hold myself responsible to them and to the Constitution alone. I take my position with that horse which is brought to the water but can not be made to drink, and I am afraid if the proposed rule should be adopted I should say that no Speaker and no House could compel me to answer yes or no on a roll-call.

I think it very decidedly wrong, in the first place, that a Speaker should be at liberty to recognize or declare a quorum without a formal count, and, in the next place, that by any sort of combination of rules there should be a law put on the statute-book and declared in force which can show perhaps only a quarter or 10 per cent. of the members in favor of it.

Nor, Mr. Speaker, are we confined in our researches to these eminent authorities in sustaining our position. There was another gentleman who denounced the proposed innovation with a vigor and clearness which justice to this question will not allow me to overlook. That statesman was the distinguished gentleman who now presides over this House, and who is grasping at the authority which we hesitate to give. Among other things, Mr. Speaker, you then said:

Mr. REED. Mr. Chairman, if it was my purpose to reply to the gentleman who has just taken his seat [Mr. Phister], it seems me that it would be a suitable and proper reply to say to him that the constitutional idea of a quorum is not the presence of a majority of the members of the House, but a majority of the members present and participating in the business of the House. It is not the visible presence of members, but their judgments and their votes, that the Constitution calls for.

I prefer, however, in the short time which I have, to discuss this question upon a different basis. This privilege, which the minority of this House at the last session availed itself of, is a privilege which every minority has availed itself of since the foundation of this Government. By pure accident, in looking over an index of the RECORD this morning, I found the account of a resolution which was drawn up by a distinguished member of this House from Massachusetts [Mr. Butler], to cause the arrest of a distinguished member from Pennsylvania [Mr. RANDALL] for not voting. I believe, however, nothing ever came of that resolution.

Now, what is the practical upshot of the present practice? It is that the members of the minority of this House upon great occasions demand that every bill which is passed shall receive the absolute vote of the majority of the members elected. They do this in the face and eyes of the country. If they demand upon any frivolous occasion that there shall be such an extraordinary vote as that, they do it subject to the censure of the people of this land. This practice has hitherto kept this House in proper condition upon this subject, so that there has been no improper impeding of the public business.

It is a valuable privilege for the country that the minority shall have the right by this extraordinary mode of proceeding to call the attention of the country to measures which a party in a moment of madness and of party feeling is endeavoring to enforce upon the citizens of this land. And it works equally well with regard to all parties, for all parties have their times when they need to be checked, so that they may receive the opinions of the people who are their constituents and who are interested in the results of their legislation.

I say that as a practical matter the results hitherto throughout all our history have justified the construction which those upon this side of the House have put upon this matter, and which has been put equally by members of the other side in times past. I must say that I am glad to see that this question is being discussed not by divisions of party, but that gentlemen are taking views upon it with reference to its whole bearing, past and future, as well as present.

These, Mr. Speaker, were your utterances when it was sought to clothe another man than yourself with this extraordinary power. This was your just criticism on what was an innovation then, is an innovation now; what was inexpedient then is inexpedient now; what was reprehensible then and is reprehensible now. What scales have fallen from your eyes since then? What light has dawned upon you to show you that you were then in darkness? What emergency is on the country now that was not on it then? There had been filibustering then. The question of no quorum voting had been made then; important measures had been delayed then. What change has come over the spirit of your dream?

Sir, why do you stand ready to destroy what you then denominated "a valuable privilege for the country?" Have you in the full tide of power no regard for "valuable privileges?"

Again, sir, I wish to ask you if you are reckless enough to destroy "the constitutional idea of a quorum" and set up one of your own making outside of the Constitution? You are running counter to the practices of your predecessors. You are putting your judgment against that of the commentators on the Constitution, and doing that which you have said was wrong.

Judge Cooley, in his Commentary on Constitutional Limitations, says:

It is also provided in some of the States that on the final passage of every bill the yeas and nays shall be entered on the journal. Such a provision is designed to serve an important purpose in compelling each member present to assume, as well as to feel, his share of responsibility in legislation, and also in furnishing conclusive evidence as to whether the bill has been passed by the requisite majority or not. The Constitution prescribes that as the test to determine whether the requisite number of members vote in the affirmative. The office of the Journal is to record the proceedings of the House and authenticate and preserve the same. It must appear on the face of the journal that the bill passed on a constitutional majority. These directions are all clearly imperative. They are expressly enjoined by the fundamental law and can not be dispensed with by legislation.

Mr. Speaker, James Madison has been called the Father of the Constitution. Surely one so gifted and patriotic should have some weight in these days of legislative expedients. He used this language:

Can it be of less consequence that the meaning of a constitution should be fixed and known than that the meaning of a law should be so? Can, indeed, a law be fixed in its meaning and operation unless the constitution be so? On the contrary, if a particular legislature, differing in the construction of the constitution from a series of preceding constructions, proceed to act on that difference, they not only introduce uncertainty and instability in the constitution but in the laws themselves, inasmuch as all laws preceding the new construction and inconsistent with it are not only annulled for the future but virtually pronounced nullities from the beginning. * * * Has the wisest and most conscientious judge ever scrupled to acquiesce in decisions in which he has been overruled by the matured opinions of the majority of his colleagues, and subsequently to conform himself thereto as to authoritative expositions of the law? And is it not reasonable that the same view of the official oath should be taken by a legislator acting under the Constitution, which is his guide, as is taken by a judge acting under the law, which is his?

There is in fact and common understanding a necessity of regarding a course of practice as above characterized in the light of a legal rule of interpreting a law; and there is a like necessity of considering it a constitutional rule of interpreting a constitution. * * * Let it then be left to the decision of every intelligent and candid judge, which, on the whole, is most to be relied on for the true and safe construction of the Constitution, that which has the uniform sanction of successive legislative bodies through a period of years, and under the varied ascendancy of parties; not that which depends upon the opinions of every new legislature, heated as it may be by the spirit of party, eager in the pursuit of some favorite object, or led away by the eloquence and address of popular statesmen, themselves perhaps under the influence of the same misleading causes. It was in conformity with the view here taken of the respect due to deliberate and reiterated precedent that the Bank of the United States, though on the original question held to be unconstitutional, received the Executive signature in the year 1817.

Mr. Speaker, the following collation of authorities, collated by my friend from Arkansas [Mr. ROGERS], is so complete that I shall not attempt to improve it, but have the Clerk read.

The Clerk read:

In Dwarris on the Construction of Statutes a similar principle is laid down. He says:

"And it is also held that contemporary history and contemporary interpretation may be called in to aid in arriving at a just conclusion."

The Supreme Court of the United States in the early history of our country, in which there sat William Cushing, William Patterson, Samuel Chase, and Bushrod Washington, used these words, which I commend to gentlemen upon the other side. The court said:

"A contemporary exposition of the Constitution, practiced and acquiesced under for a period of years, fixes the construction, and the court will not shape or control it."

Fixes the construction, Mr. Speaker. That is a synopsis of the opinion.

Time will not admit of reading the opinion in full, but the court says further:

"Another reason for reversal is that the judges of the Supreme Court have no right to sit as circuit judges, not being appointed as such; or, in other words, that they ought to have distinct commissions for that purpose.

"To this objection, which is of recent date, it is sufficient to observe that practice, and acquiescence under it for a period of several years, commencing with the organization of the judicial system, afford an irrefutable answer, and is, indeed, a fixed construction. It is contemporary interpretation of the most forcible nature. This practical exposition is too strong and obstinate to be shaken or controlled.

"The safest rule of interpretation after all will be found to be to look to the nature and object of the particular powers, duties, and rights, with all the lights and aids of contemporary history, and to give to the words of each just such operation and force, consistent with their legitimate meaning, as may fairly secure and attain the ends proposed."

In Martin vs. Hunter's Lessees, Chief-Justice Marshall said:

"This weight of contemporaneous exposition by all parties, that acquiescence by enlightened State courts, and these judicial decisions by the Supreme Court through so long a period, do, as we think, place the doctrine upon a foundation and authority which can not be shaken without delivering over the subject to perpetual and irremediable doubts."

I can multiply these decisions indefinitely, from the same court and from the State courts throughout the Union.

So again, in Cohen vs. The State of Virginia, in the opinion delivered by Chief-Justice Marshall himself many years ago, he makes use of this language:

"Great weight has always been attached, and very rightly attached, to contemporaneous exposition."

Mr. MCMILLIN. The absurdity of the proposition contained in this rule is made manifest by the declaration of the gentleman from Ohio [Mr. MCKINLEY], who in his speech last week said:

The gentleman from Kentucky declared in his remarks on yesterday that under the ruling of the Speaker one Representative could carry a bill if 167 gentlemen sat in their seats in silence. Well, so he could, and so he ought to, if 167 men sit in silence in their seats and refuse to vote when their votes would defeat the proposition; then the vote of a single member ought to carry a bill.

Mr. Speaker, the Constitution requires that when a bill is sent back to Congress with the President's objections to its passage, or, in other words, vetoed, the yeas and nays shall be taken on its passage. If the position assumed by the gentleman from Ohio [Mr. MCKINLEY] be correct, then 2 men voting to override the veto and 165 not voting would carry the bill over the veto. Both the gentlemen from Ohio [Mr. MCKINLEY and Mr. BUTTERWORTH] boldly announced these doctrines. Such were never avowed here before. What would Madison and Jefferson have thought if told that in this year three statesmen would be here proclaiming that on a yea-and-nay vote 1 man could pass a bill by his single vote if 165 others were present who did not vote, and that the Speaker and two stalwart statesmen could override the veto of a President?

To show still further the absurdity of this position I need only recount that during the consideration of the contested-election case last week, when the majority of this House were trying to keep a quorum, the gentleman from Missouri [Mr. NIEDRINGHAUS] left the city, and it was said on private business. The Speaker thereupon took his pencil and paper and straightway counted somebody else who had not voted to take his place.

Sir, autocratic powers are, by the proposed rules, given to the Speaker in various ways. He can refuse to entertain a motion to adjourn. It has been supposed until now that when a body of intelligent representatives of either church or state, town council or public meeting, assembled for the transaction of business they might separate whenever a majority of them desired to do so; but under these rules the Speaker might refuse to entertain a motion to adjourn for twenty-four consecutive hours if he saw fit to do so. Any motion, however parliamentary or however appropriate, he may declare out of order and give only as a reason that he considers it a dilatory motion. As a matter of fact he has entertained motions to adjourn at 2 o'clock in the day, and has refused to entertain them at 6. Sir, the changes in the rules are not only radical but revolutionary. I will not take time to enumerate all the changes, nor to follow them to all their evil results.

I will illustrate with a few. The members make a humiliating surrender of their rights in the matter of the introduction and reference of bills. Under the former rules all public bills had to be introduced in the House publicly. The members were thereby notified of their presentation, the reporters wired them across the continent, and a free press began to discuss them the day of their presentation. Everybody interested was warned of their existence, if vicious, and opposition could begin at once. Any member could have the bill read when introduced, and the question of its reference was with the House and it could refer it to any committee desired.

When it came back to the House, if it made an appropriation, or was a draft on the Treasury, it had to receive its first consideration in Committee of the Whole House, where only a majority of all the members of the House could act on it. The greatest publicity possible was given to it, that the people might know what was being done by their Representatives in matters affecting their interests.

Mr. Speaker, how is it in this code of rules presented for our adoption? The bills are secretly introduced by handing them to the Clerk. They are secretly referred by the Speaker to any committee he desires. The House has no voice in their reference. That is surrendered to the Speaker. If an improper reference is made by the Speaker it can only be changed by unanimous consent, and the Speaker may refuse to recognize the member to ask unanimous consent for a change. The House, as such, has no power over it. None.

When reported back, if considered in Committee of the Whole, one hundred members, under these rules, constitute a quorum to do business. Fifty-one is a majority of that number. The result is that fifty-one members may pass a bill through the Committee of the Whole, although that is less than one-sixth of the House.

Sir, the bills not being read when introduced are passed through the House with only one reading. The inevitable result of this is to vastly increase the power of the Speaker, to decrease the power of individual members, to rush measures through without due deliberation, and to curse the country with hasty and ill-advised legislation.

The Speaker, under these rules, without consulting the House, says who shall compose the committees and what measures shall go to them? He is made such an autocrat as is not found in the legislature of any other free country in the world. Sir, I have been astonished at the silent composure with which members on the other side of the Chamber stand here and surrender one by one the prerogatives so dear to their predecessors. What excuse can we give those who are to come after us for this unmanly surrender?

The right to have reports made openly is surrendered. That, too, is taken away.

Sir, the individuality of members is surrendered in motions to suspend the rules and fix days for the consideration of measures. If a committee makes the motion a majority can do it; but if an individual makes it, it requires two-thirds to do it. Why should it require more votes to carry a proposition made by a single member than by a committee? Is the House less to be trusted when called upon by an individual than when called on by a committee? Is it not the same House all the time? Is a proposition less meritorious when advocated by a member than the same proposition would be when advocated by a committee? Yet this is but another sample of the cringing sycophancy with which individual right is to be transferred to the Speaker, and individual strength taken away from the members.

The Constitution, Article I, and the last clause of section 5, provides:

> Neither House during the session of Congress shall without the consent of the other adjourn for more than three days nor to any other place than that in which the two Houses shall be sitting.

This clearly implies that either House may adjourn for a less period than three days, and carries with it the right for the House itself to fix the time to which it shall adjourn. Yet this code of rules takes that authority away; makes it out of order to make the motion.

Why this disregard of all constitutional authority? Why this destruction of individual right? Why this ruthless breaking down of precedent and senseless establishment of new practices? I suspect that there is method in all this madness. Four years of frugal Democratic legislation and administration after making unprecedented inroads in the public debt still left an overflowing Treasury. In yonder vaults, but little more than a mile away from where we sit, there are millions on millions of money.

But one result can flow from the breaking in of these ancient bulwarks of the Treasury. Measures calling for money and hundreds of schemes and jobs are crowding on Congress for consideration. Adopt these rules and you may expect ever plunderer who has a stale claim, every schemer who has a malodorous job to wend his way to Washington. And the Goth and the Vandal never poured in on Rome in her decline with more avaricious greed than will come the different advocates of various schemes for emptying the Treasury.

The Pacific Mail Line, which was once subsidized by Congress and which in turn subsidized Congress, is thundering at your doors again for a new largess out of the Treasury. A Congressional investigation showed that it paid $700,000 to corrupt Congress once. Not only will it, but other lines will be subsidized, amounting in ten years to a quarter of a billion.

Subsidies are demanded for carrying the ocean mail.

The bill to return the direct tax, involving about seventeen millions, is here ready to get under the influence of the new rules by which questionable jobs are to be accelerated through.

The bill to pay thirty millions of French spoliation claims is here or will be here. These claims, now nearly a century old, which have already been vetoed by one President, will have to be paid.

The Blair educational bill is here, carrying in ten years seventy-seven millions.

Coast defenses and a splendid navy ask three hundred millions.

Indian depredation claims for fifteen millions are here ready to mount this "toboggan slide" which is being constructed to the Treasury.

Bills confirming unearned land grants and taking from the masses what is worth more than one hundred million dollars are taken out of the hands of the members and placed in committees by the Speaker without consulting the House.

The gentleman from Ohio has given us to understand that one object sought is to make the passage of the coming tariff bill more easy. Well may you fear, gentlemen, the wrath of an outraged people on such an increase of taxes as that bill bids fair to be. Well may you begin to tire their representatives in advance. For they are not ready to submit uncomplainingly to an increase of their burdens. They are not ready to take your admonition to "lie quiet and die easy."

Schemes for spending millions of dollars on irrigation projects will feel the quickening impulse of this system of rules. Schemes for building canals by the Government, demanding many millions, are here and ready to be "promoted."

And these are only the beginning of what might be mentioned.

Sir, under this system of rules an era of extravagance will be inaugurated the like of which has not been seen in twenty years. The result will be that when the record of this Congress shall have been finished it will have put the prodigal son in his most prodigal day down as parsimonious, for I believe he squandered only his own inheritance. He did not put felonious fingers into somebody else's pocket, take out somebody else's money, and spend it as you are proposing to do. The result of it all will be an outraged and enraged people, who will rise in their might and hurl from power the unfaithful servants who break down their precedents, squander their Treasury, and override their Constitution.

The Rules.

There is no revolution so injurious to a republican government as revolution of the minority. The majority is responsible and can be punished. The minority has no responsibility, no legislative responsibility, no responsibility that can be traced to them, and therefore they become more dangerous in that they are not responsible to the source of power that constantly holds the majority to the discharge of its duties on the floor of Congress and everywhere else.

SPEECH

OF

HON. CHARLES H. GROSVENOR,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 11, 1890.

The question being the adoption of the code of rules reported from the Committee on Rules—

Mr. GROSVENOR said:

Mr. SPEAKER: I fully recognize that the question now presented by the report of the Committee on Rules of the House is one of vast importance. The settlement of this question will affect the interests of the country at this time, and will be of far-reaching import to the whole country in the coming years of our legislative history. We have

reached a crisis in parliamentary history in this country when a radical change in our system of rules is imperatively demanded, and it is wise and proper and eminently fitting that the Republican party, which has been found equal to all the great emergencies that the country has encountered, should be in a position to meet the popular demand for reform in this connection.

Mr. Speaker, I may turn aside at this point for an instant to say that it is possible I may insist on a vested right in more than thirty minutes of the time allotted to this debate, inasmuch as the division into thirty minutes for each speech was agreed upon after I had been accorded the floor under the hour rule. But this question will arise later.

It is said by gentlemen on the other side of the House that the change of rules provided for by the report of the committee amounts to revolution. No one of the able gentlemen who have spoken on that side has pointed out wherein this revolution, if it be one, will imperil or unfavorably affect the business of the country, or any other of the great interests of the country, and so, I suppose, if narrowed down to a complete analysis of the statement, they would be compelled to say that because a certain end is reached by a different mode of parliamentary procedure than we have heretofore pursued in this country, therefore, while the result is the same, while all the material rights of everybody are preserved, the mere fact that a different process has been invoked, a different system of rules has been constructed under which action is taken, they are justified in the statement that the majority on this floor are attempting revolution.

There are conspicuous leaders here, Mr. Speaker, shouting in the ears of the House and of the country a theory of revolution. Somebody has revolted against something, and I trust that during the long debate which is to follow they will point out wherein consists this revolution. Do they mean to be understood before the country as saying and claiming that a change in a rule that deprives nobody of a particular right is revolution? Are all the changes in our modes of procedure revolutionary? If so, Mr. Speaker, we have been guilty of a good many revolutions in this country. Our code of rules as it existed in the Fiftieth Congress was a body of revolution, was the outgrowth of a series of revolutions, if this logic be good.

When I first had the honor to enter Congress—in the Forty-ninth Congress—private bills were introduced in the House exactly as public bills are now introduced, but afterwards by a change in the rules private bills were deposited in what is called the petition-box and entered upon the record of Congress by the Clerk in pursuance of the rules of the House. That was a complete change in the mode of procedure. Bills made their appearance upon the records before any one knew that they had an existence anywhere. But I never heard that change called a revolution. It was a new and different mode to reach a similar result. It was a mode adopted by the mode-adopting power of the House, and was recognized as legitimate and proper.

What is there proposed in this code of rules that under this criticism and this definition amounts to revolution? May it not be just possible that our friends on the other side have invoked a word or term offensive in its popular use in this connection, offensive in its general meaning, and without any particular signification or meaning when thus applied to the subject-matter about which they are talking? The word revolution in a government like ours is an odious word. We had a revolution once; we are not proud of it any one of us, and we ought not to use the term revolution in a trivial or non-serious manner.

It is said that this code of rules under which we have so long proceeded is the product of a hundred years of legislative experience and legislative wisdom. It is true that it is the growth of opinion, and as I will show hereafter, the growth of the tendency to self-preservation that has taken one hundred years to reach this unfortunate development. During that hundred years there have been a great many changes in this country in the modes and methods of business. He would be a very poor merchant or wonderfully ineffective manufacturer, an utter failure as a business man in any walk of life, who should at this time attempt to do business while adhering to the systems of business practiced in this country a hundred years ago. Antiquity in this country does not always signify perfection. Antiquity in the modes of procedure in this regard signifies a complete abrogation of the rights of the majority, and a complete, undeniable, and indefensible enthronement of the powers of the minority.

A merchant doing business west of the Alleghany Mountains in this year of grace would make poor competition against the merchant carrying goods from the Eastern market of purchase to the Western market of sale, if antiquity is to be the rule. The merchant of to-day must not ignore the telegraph and telephone and lightning express, and deal in the old time ways of business and communication. We have progressed, and in this rapid age we assimilate the best and discard the poorest. It is a great demonstration on a scale of magnitude almost incomprehensible of the survival of the fittest.

It was well said in the early part of the debate this winter that the men who made the Constitution never dreamed that the processes to evade the control of the majority and subjugate the majority to the will of the minority, which you have seen in this Hall, would ever be resorted to. They looked forward with prophetic vision to the future. By that vision they saw the growth of the country, the growth of intelligence, the growth of wisdom, patriotism, wealth, and power, but they never saw in any vision of theirs the presence of a Democratic party in this country. Evils were anticipated; misfortunes they understood to be the lot of man, but with all of their disabilities which they understood that Providence would place upon the human race in America, they never looked for the cumulative process of personal punishment in the presence of the Democratic party.

Filibustering was an idea that never penetrated the minds of the makers of the Constitution of the United States. They understood that the minority might make struggles to defend itself against the aggressions of the majority. They discussed the question of the withdrawal of the minority from the House of Congress, and they discussed all the other methods known or dreamed of by them; but they little suspected that the time would come within the first hundred years of legislative experience in this country that a minority consisting of sixty-odd members out of 325 members would seize the legislative department of this great Government by the throat and compel the people of the country to yield a right which they demanded and which the legislative power of the country was quite willing to give them. A procedure like this is a growth in legislative experience. It is an accretion of legislative methods that the makers of the Constitution never understood it was possible could be the outgrowth of free government in this country.

I have in my hand, Mr. Speaker, a volume of the debates on this subject in the convention that framed the United States Constitution. It was kindly furnished to me by the gentleman from Connecticut [Mr. SIMONDS], who has made valuable research in the domain of the early history of these questions, and I desire to incorporate at some length portions of this record in my remarks. I refer to Elliot's Debates, or Madison's Papers, beginning on page 405, and without objection I will incorporate at this point some remarks made by the distinguished gentlemen who were engaged in the discussions upon this question of quorum and the methods by which the House or a minority of the House might possibly hinder and delay legislation. I do it now for the double purpose of showing what their understanding was of the effect of the presence in the House of a quorum; I mean the physical presence of the number requisite, and to show that in their judgment a quorum did not imply the participation of anybody in the particular matter under consideration.

[Extracts from the Debates on the Constitution, by Elliot.]

Mr. Gorham contended that less than a majority in each House should be made a quorum; otherwise great delay might happen in business, and great inconvenience from the future increase in numbers.

Mr. Mercer was also for less than a majority. So great a number will put it in the power of a few, by seceding at a critical moment, to introduce convulsions and endanger the Government. Examples of secession have already happened in some of the States. He was for leaving it to the Legislature to fix the quorum, as in Great Britain, where the requisite number is small, and no inconvenience has been experienced.

Colonel MASON. This is a valuable and necessary part of the plan. In this expanded country, embracing so great a diversity of interests, it would be dangerous to the distant parts to allow a small number of members of the two Houses to make laws. The central States could always take care to be on the spot, and by arriving earlier than the distant ones, or wearying their patience and outstaying them, could carry such measures as they pleased. He had admitted that inconveniences might spring from the secession of a small number; but he had also known good produced by an apprehension of it. He had known a paper emission prevented by that cause in Virginia. He thought the Constitution as now molded was founded on sound principles, and was disposed to put into it extensive powers. At the same time he wished to guard against abuses as much as possible.

If the legislature should be able to reduce the number at all, it might reduce it as low as it pleased, and the United States might be governed by a junto. A majority of the number which had been agreed on was so few that he feared it would be made an objection against the plan.

Mr. King admitted there might be some danger of giving an advantage to the central States, but was of opinion that the public inconvenience, on the other side, was more to be dreaded.

Mr. Gouverneur Morris moved to fix the quorum at thirty-three members in the House of Represenatives and fourteen in the Senate. This is a majority of the present number, and will be a bar to the legislature. Fix the number low, and they will generally attend, knowing that advantage may be taken of their absence. The secession of a small number ought not to be suffered to break a quorum. Such events in the States may have been of little consequence. In the national councils they may be fatal. Besides other mischiefs, if a few can break up a quorum they may seize a moment when a particular part of the continent may be in need of immediate aid to extort, by threatening a secession, some unjust and selfish measure.

Mr. Mercer seconded the motion.

Mr. King said he had just prepared a motion which, instead of fixing the numbers proposed by Mr. Gouverneur Morris as quorums, made those the lowest numbers, leaving the Legislature at liberty to increase them or not. He thought the future increase of members would render a majority of the whole extremely cumbersome.

Mr. Mercer agreed to substitute Mr. King's motion in place of Mr. Morris's.

Mr. Ellsworth was opposed to it. It would be a pleasing ground of confidence to the people, that no law or burden could be imposed on them by a few men. He reminded the movers that the Constitution proposed to give such a discretion, with regard to the number of Representatives, that a very inconvenient number was not to be apprehended. The inconvenience of secessions may be guarded against by giving to each House an authority to require the attendance of absent members.

Mr. Wilson concurred in the sentiments of Mr. Ellsworth.

Mr. Gerry seemed to think that some further precautions than merely fixing the quorum might be necessary. He observed that as 17 would be a majority of a quorum of 33, and 8 of 14, questions might by possibility be carried in the House of Representatives by two large States, and in the Senate by the same States, with the aid of two small ones. He proposed that the number for a quorum in the House of Representatives should not exceed 50 nor be less than 33, leaving the intermediate discretion to the Legislature.

Mr. KING. As the quorum could not be altered without the concurrence of

the President, by less than two-thirds of each House, he thought there could be no danger in trusting the Legislature.

Mr. CARROLL. This would be no security against the continuance of the quorums at 33 and 14, when they ought to be increased.

On the question of Mr. King's motion, that not less than 33 in the House of Representatives, nor less than 14 in the Senate, should constitute a quorum, which may be increased by a law, on additions to the members in either House—

Massachusetts, Delaware, ay, 2; New Hampshire, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, no, 9.

Mr. Randolph and Mr. Madison moved to add to the end of Article VI, section 3, "and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide." Agreed to by all except Pennsylvania, which was divided.

And following this debate and the adoption of this section of the present Constitution, and that there might be no mistake about it, Mr. Randolph and Mr. Madison proposed the amendment which was adopted and which has been so powerful in producing a quorum of the House during all of the past hundred years. They proposed the following words:

And may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide.

This provision was placed at the end of a section, which clearly indicates that it is the presence and not the co-operation of a majority which is required by the Constitution, and this is the familiar power which Congress possesses under the Constitution, and which has been so often enforced. It was put into the Constitution by the framers of that instrument to give efficiency and power to the provision that required a quorum to be present, and defined that quorum to be a majority of the House. How idle it was—if so it was—that men possessed of the wisdom of Madison and his coadjutors should have placed a vain provision in the solemn instrument then under consideration.

How vain would it have been for the framers of the Constitution at the very point of time where they were discussing the whole subject of a quorum to have placed in the Constitution a nugatory provision. The proposition of Mr. Morris, of New York, was that the quorum should be thirty or forty of the members of the House of Representatives, a proposition which proposed a number far below the quorum which was afterwards adopted. How vain it was that they should have gone on and provided a mode and manner of process by which the members of this body could be brought into the House when by the silence of the members so brought in they could render nugatory the effect of their presence here. Thus it was understood by the framers of the Constitution, nor will it be seriously challenged on this floor, that when a majority of the House of Representatives is present within the body of the House, there is a quorum present, and a majority of that quorum may proceed to enact legislation.

Subsequently we find that the Constitutional Convention adopted a provision that under certain contingencies the House might elect a President of the United States, and there it is provided that not only there shall be a certain number of States represented, but it is provided that a certain number of the States shall vote in the affirmative for the election of the President, showing by the very utterance of the one thing in one section of the Constitution that the omission from the other section was done significantly and on purpose; done because the convention understood that in the one case a number less than a majority may proceed to act if the others were present; and in the other case requiring that a given number of States should participate in the election of President. There can be no stronger argument in the nature of inference than this one, and this provision having been adopted, a long period of time elapsed before it was ever deemed possible in this country that the presence of a silent member could affect the quorum.

I have been present, Mr. Speaker, in this House when, upon a warrant issued by the Speaker when it had been ascertained that no quorum was present, members have been brought into the House and arraigned before the bar of the House. They were brought here because there was no quorum; because under the Constitution the House could not act, could not legislate, could not do business; was paralyzed, was helpless; had but one power, and that was the power given them by the Constitution to send for absent members. And I have seen these members arraigned before the bar of the House, and I have heard them answer to their names upon a call of the roll, and then instantly upon the House attempting to proceed with business refuse to answer to their names upon a call of the roll, and the House became again paralyzed. It was vain work, vain endeavor, absurdity sublimated, the play of children, the amusement of idiots, an insult to the intelligence of the American people.

Mr. Speaker, I represent an intelligent district. My constituents are men of character and intelligence. They will compare very favorably with the other Congressional districts of the country. But they can not understand and they will not understand that it is right and proper for members of Congress to be present in this House for one purpose and absent for the purpose of the discharge of their duty. They can not be made to understand that a representative of the people, sworn to obey the rules of the House, may be permitted to sit here for the purpose of objecting and raising the point of no quorum, while that member himself refuses to vote upon a call of the roll.

The American people have advanced beyond this puerile stage. They are not idiots nor children, and they will submit no longer to this trifling with their rights and the dignity of this body. But, Mr. Speaker, from the adoption of the Constitution down to a late day we went along without any of this disorganization, and this political revolution grew up at a time when other revolutions were ripe in the country. It was unheard of back of the war, and I think unheard of until about the period of the Forty-fifth Congress. I am told by a number of gentlemen who still survive the Congresses before the war—and I wish, sir, that more of them were surviving, and that there was more of the patriotism that was in the House of the Congress of the United States when the war was coming on—I am told by those who are yet living that during those hottest debates in the height of the terrible fever-heat of that period of Congressional contests and bitter personal crimination and recrimination no member of this House refused or hesitated to vote when his name was called.

The great senior Senator from Ohio, JOHN SHERMAN, who was a member of the Thirty-fourth Congress, told me recently that he and Mr. Fessenden, of Maine, sat in that Congress when the most revolutionary proceedings were offered, and in the Congresses of that period, and never once under any set of circumstances attempted to break the power of the majority by silence or by failing to vote their opinions when their names were called.

It is not worth while for us here to charge each other with wrongdoing in this behalf. We can not charge that the Democratic side in this House has been exclusively guilty of this crime against good government.

Or those eighteen, upon whom the tower in Siloam fell, and slew them, think ye that they were sinners above all men that dwelt in Jerusalem?
I tell you, Nay: but, except ye repent, ye shall all likewise perish.

We have all been guilty of it. It was brought to the highest degree of development in the Fiftieth Congress. I confess that I joined with others upon this side of the House in that procedure. I did it on many occasions, and I stand here to-day to confess in this public manner exactly what my distinguished colleague from Ohio, Mr. MCKINLEY, did the other day, that I never did that and broke a quorum and prevented action by the majority of this House that I did not feel that I had resorted to an unjustifiable and almost unpardonable breach of my duty as the representative of my constituents.

I need not speak here any great length, Mr. Speaker, about the enormous evil to which this whole system has grown. Nine days of the time of the House of Representatives in the long session of the Fiftieth Congress was occupied here by the ceaseless and brutal disregard of the demands of this country.

Mr. PAYSON. On what occasion was that?

Mr. GROSVENOR. I make no criticism upon any gentleman who participated in that filibustering scheme. They availed themselves of the operation of a set of rules that have grown up here and become an abuse and took advantage of a bad habit to which the House had become addicted. But I say, and I say what I think I am justified by the echoes that are coming from every portion of this Union, that the people have condemned that consumption of nine days of the valuable time of the House and punished the men to a very large extent who acquiesced in and led in that policy.

I do not stop here to discuss the merits of the bill to refund the direct tax. It is enough for my present purpose and for my present illustration to say that more than a two-third majority of this House was in favor of the passage of the bill. It had been passed in the Senate by an almost unanimous vote, and yet the minority, with no rights in that behalf, stood here and for nine days throttled the House, held the majority by the throat and demanded and ultimately wrested from the House the abandonment of its purpose to pass the bill. It was an act of overt revolution against law and the Constitution, no better in its spirit and no less a violation of the Constitution than any other revolutionary act with which this country has been acquainted.

Gentlemen say that it is revolution when we prevent a member of the House from making dilatory motions for the simple purpose of obstructing public business. I answer that if it is so, it is minor, defensible, harmless revolution as compared with the system that permits the minority of a legislative body to prevent absolutely the action of the majority.

What are the rights of a minority of a legislative body? We hear a great deal about them, and there is a great deal more that we are to hear. There is a great deal more in this claim of minority rights in stump speeches and in lyceum lectures than in a practical argument in Congress.

This is a Government of the majority, and the rights of the minority end, in my humble judgment, when the minority are afforded ample opportunity to present their opposition to a pending measure by debate and make themselves heard and understood by the country, record their votes in opposition, see to it that the men who pass the measure record their votes in the affirmative, and then protest in their own language to the country; then, in my judgment, Mr. Speaker, the right of the minority is ended, and all else that the minority does, whether by the delay of legislation, the prevention of legislative enactment, or the annoyance and obstruction of public business, is disorderly, revolutionary, and against public morals.

It is a usurpation of power nowhere guarantied in the Constitution,

nowhere contemplated in our form of government, subversive of the very principles upon which our Government rests, and it is unfortunate that the Democratic party of to-day places itself in the attitude towards this great public question that it does. It has not a record, Mr. Speaker, that justifies it in raising doubtful questions of loyalty to established principles of government.

I have enumerated what I understand to be the rights of the minority.

I know of no other God-given or constitutionally-guarantied right of the minority anywhere; there is no revolution so injurious to a republican government as a revolution of the minority. The majority is responsible and can be punished. The minority has no responsibility; no legislative responsibility; no responsibility that can be traced to them; and therefore they become more dangerous in that they are not responsible to the source of power that constantly holds to the discharge of its duty the majority on the floor of Congress and everywhere else.

While on this subject, Mr. Speaker, I desire to interpolate into my remarks the same chapter that was furnished with so much effect by the distinguished gentleman from Pennsylvania [Mr. BAYNE] yesterday. I want it to go everywhere in this country and be understood by the humblest citizen that the fight of the minority here to-day, their contention, the thing which they want to work out and achieve, is to continue in the House of Representatives a system that will enable the minority upon the floor of this House to perpetuate the sort of proceeding there described as having taken place in the Fiftieth Congress. Without objection I desire to incorporate that familiar scene from the report of the Fiftieth Congress.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Wednesday, January 9, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D.D.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will read the Journal.
Mr. WEAVER. I rise to a question of order.
The SPEAKER. The gentleman will state it.
Mr. WEAVER. Clause I of Rule I provides that—

"The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and on the appearance of a quorum, cause the Journal of the proceeding of the last day's sitting to be read, having previously examined and approved the same."

I make the point of order that the Journal can not be read until it is ascertained that a quorum is present.

The SPEAKER. That point of order was made during the last session of Congress, and the Chair sustained it. It is not only a rule of the House, but the Constitution itself provides that it shall require a majority of the members-elect to transact business; and the reading and approval of the Journal is the transaction of business, because the Journal is nothing more than memoranda made by an officer of the House, until it is approved by the House.

The Clerk will call the roll.

The roll was called, and the following members answered to their names:

Abbott,	Dingley,	Kean,	Rice,
Allen, Mass.	Dockery,	Kelley,	Richardson,
Anderson, Iowa	Dunn,	Kerr,	Rockwell,
Anderson, Miss.	Elliott,	Ketcham,	Rogers,
Anderson, Ill.	Enloe,	Kilgore,	Romeis,
Atkinson,	Ermentrout,	Laffoon,	Rowell,
Baker, N. Y.	Farquhar,	Laidlaw,	Rowland,
Baker, Ill.	Felton,	Lane,	Sawyer,
Bankhead,	Finley,	Lanham,	Sayers,
Barnes,	Fisher,	Latham,	Scull,
Biggs,	Flood,	Lawler,	Seymour,
Bingham,	Foran,	Lind,	Shaw,
Blanchard,	Forney,	Lodge,	Shively,
Bland,	French,	Long,	Smith,
Blount,	Fuller,	Lynch,	Sowden,
Bound,	Funston,	Macdonald,	Spooner,
Bowden,	Gaines,	Maish,	Springer,
Brewer,	Gallinger,	Mansur,	Stewart, Tex.
Brower,	Gest,	Martin,	Stewart, Ga.
Brown, Ohio,	Gibson,	Mason,	Stockdale,
Brown, J. R., Va.	Glass,	Matson,	Stone, Ky.
Brumm,	Goff,	McClammy,	Stone, Mo.
Bryce,	Granger,	McCreary,	Struble,
Bunnell,	Grimes,	McKenna,	Symes,
Burnes,	Grosvenor,	McKinley	Taulbee,
Burnett,	Grout,	McKinney,	Taylor, E. B., Ohio
Burrows,	Hall,	McMillin,	Thomas, Wis.
Campbell, F., N. Y.	Hare,	McRae,	Thompson, Cal.
Campbell, T. J., N. Y.	Harmer,	McShane,	Tracey,
Candler,	Hatch,	Mills,	Townsend,
Cannon,	Haugen,	Moffitt,	Turner, Kans.
Catchings,	Hemphill,	Moore,	Turner, Ga.
Cheadle,	Henderson, Iowa.	Morgan,	Vandever,
Chipman,	Henderson, N. C.	Morrill,	Walker,
Clardy,	Hiestand,	Morrow,	Warner,
Clark,	Hires,	Newton,	Washington,
Conger,	Hitt,	Nichols,	Weaver,
Cothran,	Holmes,	Oates,	Weber,
Cox,	Hooker,	O'Donnell,	Wheeler,
Crain,	Hopkins, Ill.	O'Ferrall,	White, Ind.
Crisp,	Hopkins, Va.	O'Neill, Pa.	Whiting, Mich.
Crouse,	Hopkins, N. Y.	Osborne,	Wilkinson,
Culberson,	Houk,	Outhwaite,	Williams,
Cummings,	Hovey,	Patton,	Wilson, Minn.
Cutcheon,	Howard,	Payson,	Wilson, W. Va.
Dalzell,	Hudd,	Peel,	Wise,
Davenport,	Hunter,	Perry,	Woodburn,
Davidson, Ala.	Hutton,	Peters,	Yardley,
Davidson, Fla.	Jackson,	Pugsley,	Yoder,
Davis,	Johnston, Ind.	Randall,	Yost.
Dibble,	Johnston, N. C.	Reed,	

The SPEAKER. Two hundred and three gentlemen are present, and there is a quorum.

Mr. WEAVER. I move the House adjourn; and pending that motion, I move that when the House adjourn to-day it be until Friday next.

Mr. RANDALL. I suggest that the roll-call, as directed by the Speaker, was for the purpose of knowing whether there was a quorum present, and when the Speaker found a quorum present the next requirement is that the Journal be read.

The SPEAKER. The requirement is the Speaker shall direct that the Journal be read. The Chair thinks the House may adjourn to prevent the reading of the Journal at any time it thinks proper. Such motions have been made before, and the House has adjourned without the reading of the Journal.

The question was taken on adjournment until Friday; and the Speaker announced that the "noes" seemed to have it.

Mr. WEAVER. Division.
The House divided; and there were—ayes 3, noes 139.
Mr. WEAVER. No quorum
The Chair appointed Mr. Weaver and Mr. CRISP as tellers.
Mr. JACKSON. I demand the yeas and nays.
Mr. CRISP (to Mr. Jackson). Do not do that; we will get a quorum presently.
Mr. JACKSON. I will withdraw the demand for the yeas and nays.
After some time spent in counting, the tellers reported—ayes none, noes 139.
The SPEAKER. No quorum has yet voted.
The tellers continued the count, and finally reported—ayes none, noes 163.
So the motion that when the House adjourn to-day it adjourn to meet on Friday next was disagreed to.

Mr. WEAVER. I move that when the House adjourn to-day it be to meet on Saturday next.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WEAVER. Division.
The House divided; and there were—ayes none, noes 115.
Mr. WEAVER. No quorum.
Mr. Weaver and Mr. CRISP were appointed tellers.
The House again divided; and the tellers reported—ayes none, noes 166.
The SPEAKER. No quorum has yet voted.
Mr. GROSVENOR. Mr. Speaker, I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. GROSVENOR. I want to know whether during the attempt to obtain a quorum it would be in order for Mr. CRISP to address the House on the rights of a minority being protected under our form of Government. [Laughter.]
The SPEAKER. It would not.
The tellers again reported—ay 1, noes 163. So the motion to adjourn till Saturday was not agreed to.

Mr. WEAVER. I move that when the House adjourn to-day it be to meet on Monday next.

Mr. CRISP. I make the point of order that that is more than three days.
The SPEAKER. It is four days.

Mr. WEAVER. Then I move that the House take a recess until half past 2 o'clock.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WEAVER. Division.
The House divided; and there were—ayes 3, noes 153.
Mr. WEAVER. No quorum.
Mr. Weaver and Mr. CRISP were appointed tellers.
The House divided; and the tellers reported—ayes none, noes 90.
The SPEAKER. No quorum has yet voted.

Mr. REED. Mr. Speaker, I would like to inquire of the gentleman from Georgia [Mr. CRISP] whether there is anything else that can be done to protect the rights of the minority. [Laughter.]

Mr. CRISP. Mr. Speaker, the gentleman from Georgia has said nothing to indicate that he was at all objecting to this.

Mr. PAYSON. How does the minority feel about it?
Mr. ROGERS. There is no minority.
Mr. WEAVER. This is a fight for the rights of the majority.

Mr. PAYSON. I think we ought to be advised as to how "the minority" himself [Mr. Weaver] feels as to his own situation. [Laughter.]

The SPEAKER. Upon the pending question the tellers report—ayes 2, noes 161. The noes have it, and the motion is not agreed to.

Mr. WEAVER. I move that the House take a recess until half past 1 o'clock.

The question was taken; and the Speaker declared that the noes seemed to have it.

Mr. WEAVER. I ask for a division.
The House divided; and there were—ayes none, noes 81.
Mr. WEAVER. No quorum.
The SPEAKER. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Georgia [Mr. CRISP] and the gentleman from Iowa [Mr. Weaver].
The House divided; and the tellers reported—ayes none, nays 117.
The SPEAKER *pro tempore* (Mr. HATCH). No quorum has voted. There is evidently a quorum present in the House, and the Chair hopes members will come forward and vote.

Mr. STEELE (at half past 1 o'clock p. m). Mr. Speaker, I make the point of order that the time named in the pending motion to take a recess has arrived, and that the motion therefore falls, and I now call up the bill (S. 944) to increase the pension to Mrs. Elizabeth Scott.

Mr. WEAVER. Regular order.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Indiana [Mr. Steele] that the House is dividing, and no quorum has voted.

Mr. STEELE. But the time during which it was proposed that the House should take a recess has expired.

The SPEAKER *pro tempore*. The question is under consideration, and it is for the House to determine. The Chair will again remind members that no quorum has voted. There is obviously a quorum present, and the Chair hopes that gentlemen will come forward and vote and make a quorum.

Mr. STEELE. But the hour to which the gentleman from Iowa [Mr. Weaver] moved to take a recess having expired, is it not in order to make that point?

The SPEAKER *pro tempore*. That is a matter for the House to determine. The Chair will state to the gentleman [Mr. Steele] further that even if that question were determined his motion would not be in order, because the Journal of yesterday's proceedings has not yet been read. No motion is in order until after the Journal has been read.

Mr. STEELE. I wish to discuss the point of order, but I yield now to my friend from Michigan [Mr. BREWER].

The SPEAKER *pro tempore*. The gentleman is not in order.

Mr. WHITE, of New York. Mr. Speaker, would it be in order to inquire if protection to the rights of the minority is the palladium of our liberties to-day? [Laughter.]

The SPEAKER *pro tempore*. The Chair does not think that is a parliamentary inquiry. If members who are present desire that the business of the House shall proceed they will come forward and vote and make a quorum. It is for them to determine whether the business of the House shall be blocked in this way or not.

The tellers reported—ayes none, noes 152.
Mr. WEAVER. No quorum.
Mr. MCCREARY. I move a call of the House.

Mr. McCULLOCH. I rise to a point of order.
The SPEAKER *pro tempore*. The gentleman will state it.
Mr. McCULLOCH. When a motion is made and, upon a vote, the ayes are none, does not the motion fail?
The SPEAKER *pro tempore*. Not unless there is a quorum. The gentleman from Iowa [Mr. Weaver] insists upon the point that no quorum has voted. The question is on the motion of the gentleman from Kentucky [Mr. McCREARY] that a call of the House be ordered.
A call of the House was ordered—ayes 73, noes 5.
The SPEAKER *pro tempore* (Mr. HATCH). The roll-call discloses the presence of 232 members, being more than a quorum.
Mr. McCREARY. As a quorum is present, I move to dispense with further proceedings under the call.
The motion of Mr. McCREARY was agreed to.
Mr. WEAVER. I move that the House take a recess until forty minutes past 2 o'clock.
The SPEAKER *pro tempore*. There is already a motion pending, which must be determined. The tellers will resume their places. The question is on the motion submitted by the gentleman from Iowa [Mr. Weaver] that the House take a recess until half past 1 o'clock to-day.
Mr. WASHINGTON. I make a point of order——
The SPEAKER *pro tempore*. The point of order which the Chair understands the gentleman desires to make has already been overruled. This is a question which must be determined by the House.
Mr. WASHINGTON. I call the attention of the Chair to the fact that it is now 2 o'clock.
The SPEAKER *pro tempore*. That is a matter for the House. The motion having been made must be voted on. The House is dividing on the question.
Mr. WEAVER. I make the point that the vote must now be taken *de novo*.
The SPEAKER *pro tempore*. The Chair so holds.
Mr. BUCHANAN. I rise to a parliamentary inquiry. I understand the pending motion is that the House take a recess until half past 1 o'clock.
The SPEAKER *pro tempore*. It is.
Mr. BUCHANAN. It now being half an hour past that time, what would be the effect of this motion if adopted?
The SPEAKER *pro tempore*. The Chair will determine that when the House votes upon the proposition.
Mr. BUCHANAN. But my point is this: If the motion were adopted, would it not throw us over until half past 1 o'clock to-morrow? I ask the question in good faith.
The SPEAKER *pro tempore*. The Chair will state to the gentleman from New Jersey that such would not be the effect.
The House again divided; and after some time the tellers reported—ayes 1, noes 162.
So the motion of Mr. Weaver was not agreed to.
Mr. WEAVER. I move that the House take a recess until fifteen minutes past 3 o'clock.
The SPEAKER (having put the question). The noes seem to have it.
Mr. WEAVER. I call for a division.
The question being again taken; there were—ayes 3, noes 34.
Mr. WEAVER. No quorum.
Mr. CRISP. I call for the yeas and nays.
The yeas and nays were ordered, 48 voting therefor.
So the question was taken; and it was decided in the negative—yeas 3, nays 184, not voting 136; as follows:

YEAS—3.

* * * * * * *

NAYS—184.

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So the House refused to take a recess.

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The vote was then announced as above recorded.
Mr. WEAVER. I have no objection to the Journal being read.
The SPEAKER. The Clerk will read the Journal.
The Journal of yesterday's proceedings was read and approved.

This is the spectacle to which the country has been invited under Democratic administrations, and this the God-given right of the minority, which our friends on the other side insist upon having.

The outbreak of this character of revolution in the national House of Representatives, like every other wrong and evil, spread among the parliamentary bodies of the country, and so it has come about that legislative and judicial decisions bearing upon this question have made their appearance all over the Union.

The Speaker of the House, in the early days of this controversy, quoted Governor Hill, of New York, when presiding officer of the senate of New York, and quoted other legislative authorities. Since then we are furnished with reports from all over the country, showing that in cases of emergency and necessity the presiding officers of parliamentary bodies in more than half the States have not hesitated to count the members present and not voting, and thereby declare a quorum present for business, but the identical question has reached the supreme court of a number of the States, and gentlemen who have preceded me in this debate have furnished a number of cases, which I will reproduce, and there are some which I myself have found in the various law-books of the country, and the aggregate result of the whole of it is that the courts have uniformly and always and everywhere cut through the fiction asserted by our Democratic friends here, and held under all circumstances that a member present and refusing to vote might be counted to make a quorum.

A notable case is reported in the 37th Ohio State Reports, and which decides the identical question, and that, too, under a statute that must be interpreted quite as strongly for the views held on the other side as the Constitution of the United States. I copy an extract from the debate upon this question during the great speech of my eloquent colleague, Mr. BUTTERWORTH. He said:

Upon this question of the effect of sitting in silence when the roll is called, I desire to read from a decision of the supreme court of the State of Ohio. I read from the case of The State *ex rel. vs.* Green, 37 Ohio State Reports, 234:

"In holding, as we do, that the relator was duly elected, we do not contravene the well-settled rule that in all deliberative bodies the majority must govern. We simply hold that the law cast upon each member of council the duty of voting for some one—that by being present and keeping silent when called on to vote they are presumed to acquiesce in the vote given. This acquiescence creates the presumption that the choice of their voting is the choice of a majority of all present and not voting."

A DECISION DIRECTLY IN POINT.

And this decision of the supreme court of Ohio is in the line of well-established precedent; and I beg to quote briefly from one more authority as to the fact of members being present as a part of a quorum and remaining silent during the roll-call—that is, abstaining from voting. I read from 1 McCord, page 63. The title of the case is The State *vs.* Francis de Lieselline. The opinion of the supreme court of South Carolina in this case was delivered by Justice Nott. I read only the portion of the decision which bears immediately on the question under consideration. The court says:

"The constitutions of this State and of the United States declare that a majority shall be a quorum to do business; but a majority of that quorum are sufficient to decide the most important question. It has already been stated that eleven constitute a quorum of the board of trustees of the college, which is composed of twenty-nine members. Six constitute a majority of that quorum, and the concurrence of that number, when only eleven are present, has always been held conclusive on the whole body. In the case of Rex *vs.* Foxcroft (2 Burr., 1017), the whole number of electors was twenty-five; out of that number twenty-one assembled pursuant to summons. A particular person was nominated, for whom nine voted, eleven refused to vote at all. The person who received the nine votes was held duly elected. Lord Mansfield said: 'Whenever electors are present and do not vote at all, they virtually acquiesce in the election made by those who do;' and Justice Wilmot, in the same case, mentioned the case of Rex *vs.* Withers, where, out of eleven voters, five voted and six refused, the court held that the six virtually consented. See also the case of Sir Robert Salisbury Cotton *vs.* Davis, (1 Strange 53), where it was held that a majority of the number present was sufficient. It appears, therefore, that whether we consider the case upon principle or authority, we are led to the same result."

Mr. BUTTERWORTH was interrupted at one point by a gentleman who bore testimony as follows:

Mr. WILSON, of Kentucky. In 1886 I had the honor to be a member of the Kentucky senate, and it is always an honor to be a member of the Kentucky senate. On the last day of the session there came up for consideration in that body a bill, which had passed the lower house, providing for the disposition and employment of convicts. It came before the senate for its consideration. A quorum refused to vote, and the lieutenant-governor designated members who occupied their seats without voting and had their names entered upon the journal in order to make a quorum. [Applause on the Republican side.]
Mr. McCREARY. What year was that?
Mr. WILSON, of Kentucky. The lieutenant-governor was Hon. J. R. Hindman, who is well known to every Kentuckian on this floor.
A MEMBER. A Democrat?

A KENTUCKY LIEUTENANT-GOVERNOR COINCIDES.

Mr. WILSON, of Kentucky. A Democrat, and one who intends, I hear, to try to break into Congress from the Eleventh district. [Laughter.] Furthermore, Mr. Speaker, there was a member then upon the floor of that senate from Covington, the Hon. J. W. Bryan, who was officious and active in pointing out members and having them designated, and he has been since elected lieutenant-governor of Kentucky and will try to break into the governor's chair at the next election. [Laughter and applause on the Republican side.]

In his speech here yesterday the gentleman from Pennsylvania [Mr. BAYNE] offered the following strong authorities:

But, Mr. Speaker, I do not know of a single one of the legislative bodies in this country nor of a single corporation in the country where the members have been sustained in sitting silent and refusing to vote; while, on the other hand, from the courts of justice in nearly every State in the Union have come decisions which recognize the duty to vote and the right to count the membership present to make a quorum.

I wish to call attention to a few of these cases. One case is that of the Commonwealth *vs.* Green, reported in 4 Wharton, a decision of the supreme court of Pennsylvania. The decision was rendered by Chief-Justice Gibson, one of the ablest lawyers that ever presided over any court in this country. The question was raised from the proceedings of the general assembly of the Presbyterian Church. The assembly was presided over by a moderator, and a number of those who were present refused to vote. The moderator counted them.

In the opinion Judge Gibson says:

"When a question is put by the established organ, silence is acquiescence with the majority, because each member is supposed to have assented beforehand to the process pre-established to ascertain the general will.

"But this rule of implied assent is inapplicable to a measure which is essentially revolutionary and based upon no pre-established process of ascertainment whatever."

There he held that in that body a corporation, having no fixed rules, ruled by general parliamentary law, the presiding officer had the right to count as present, in order to make a quorum, those who sat silently in their seats. My friend from Ohio [Mr. BUTTERWORTH] cited a case from South Carolina where the same ruling was made by Justice Nott, of the supreme court of that State. I shall not read it, but shall print it with my remarks. It is the case of the State *vs.* Francis de Lisselline, 1 McCord, page 63, and in giving his opinion Justice Nott says:

The constitutions of this State and of the United States declare that a majority shall be a quorum to do business; but a majority of that quorum are sufficient to decide the most important question. It has already been stated that eleven constitute a quorum of the board of trustees of the college, which is composed of twenty-nine members. Six constitute a majority of that quorum, and the concurrence of that number, when only eleven are present, has always been held conclusive on the whole body. In the case of Rex *vs.* Foxcroft (2 Burr, 1017) the whole number of electors was twenty-five; out of that number twenty-one assembled pursuant to summons. A particular person was nominated, for whom nine voted, eleven refused to vote at all. The person who received the nine votes was held duly elected. Lord Mansfield said, "Whenever electors are present and do not vote at all, they virtually acquiesce in the election made by those who do;" and Justice Wilmot, in the same case, mentioned the case of Rex *vs.* Withers, where, out of eleven voters, five voted and six refused, the court held that the six virtually consented. See also the case of Sir Robert Salisbury Cotton *vs.* Davis, 1 Strange, 53, where it was held that a majority of the number present was sufficient. It appears, therefore, that whether we consider the case upon principle, or authority, we are led to the same result.

And in a case recently decided in the State of Indiana, which to my mind is one of the strongest that could be adduced in support of the proposition that those present may be counted to constitute a quorum, the supreme court gave an opinion from which I shall ask the Clerk to read the portion marked.

The Clerk read as follows:

"The mayor of the city of Rushville appointed a committee, composed of the members of the common council, to investigate and report upon the question of the expediency of buying an electric-light plant and machinery. The committee in due time reported to the common council in favor of making the purchase. On the 3d day of April, 1889, action was taken on the report, at a regular meeting, at which all of the members of the common council were present, and the following resolution was introduced:

"'*Resolved*, That the report of the special committee relating to the lighting of the city be adopted, and that the officers therein named be instructed to sign the contract named therein.'

"Three of the six members composing the common council voted in favor of the resolution, but the other three members, although present, declined to vote, and the mayor declared that it was adopted. By virtue of this resolution the city is about to enter into a contract with the companies named in the report for the purchase of an electric-light plant and the power to run it, for which the city is to pay the sum of $10,150. Acting under the resolution, the Edison Manufacturing Company has put up poles, strung wires on them, and placed in operation a system of electric lights, and the city will buy the plant and machinery, unless enjoined. The city has contracted with the Buckeye Engine Company for a steam-engine and appliances to be used in operating the machinery of the Edison company plant at a cost of $2,200. Unless enjoined, the city will issue bonds to pay for the plant, machinery, engine, and appliances.

"The meeting at which the resolution was adopted was a regular one, attended by all the members of the common council, and all who voted at all voted in favor of the resolution. The question, therefore, is, Does the fact that three of the members present declined to vote authorize the conclusion that the resolution was not legally adopted? In our judgment it does not. The rule is that if there is a quorum present and a majority of the quorum vote in favor of a measure it will prevail, although an equal number should refrain from voting. It is not the majority of the whole number of members present that is reqired. All that is requisite is a majority of the number of members required to constitute a quorum.

"If there had been four members of the common council present, and three had voted for the resolution and one had voted against it, or had not voted at all, no one would hesitate to affirm that the resolution was duly passed, and it can make no difference whether four or six members were present, since it is always the vote of the majority of the quorum that is effective. The mere presence of inactive members does not impair the right of the majority of the quorum to proceed with the business of the body. If members present desire to defeat a measure they must vote against it, for inaction will not accomplish their purpose. Their silence is acquiescence rather than opposition. Their refusal to vote is, in effect, a declaration that they consent that the majority of the quorum may act for the body of which they are members.

"The rule we have asserted is a very old one. The doctrine is thus stated by one of the earliest writers on municipal corporations: 'After an election has been properly proposed whoever has a majority of those who vote, the assembly being sufficient, is elected, although a majority of the entire assembly altogether abstain from voting, because their presence suffices to constitute the elective body, and if they neglect to vote it is their own fault and shall not be deemed to invalidate the act of the others, but be construed an assent to the determination of the majority of those who do vote.'—*Willcock Municipal Corp.*, section 546.

"In a recent American work it is said: 'Those who are present and who help to make up the quorum are expected to vote on every question, and their presence alone is enough to make the vote decisive and binding, whether they actually vote or not. The objects of legislation can not be defeated by the refusal of any one to vote when present. If eighteen are present, and nine vote, all in the affirmative, the measure is carried, the refusal of the other nine to vote being construed as a vote in the affirmative so far as any construction is necessary.' (*How & Bemis Municipal Police Ordinances*, 42.) The principle involved is asserted in many cases. (State *vs.* Green, 37 Ohio Stat., 227; Lountz *vs.* People, 113 Ill., 137; County *vs.* Johnson, —— 569; St. Joseph Tp. *vs.* Rogers, 16 Wall., 644; State *vs.* Mayor, 37 Mo., 270; Everett *vs.* Smith, 22 Minn., 53; Olaknon *vs.* Wainright, 2 Burr., 1017; King *vs.* Belbringer, 4 Tem. Rep., 810; Inhabitants *vs.* Stearns, 21 Hick., 148.)"

The authorities produced by the able gentlemen are conclusive of the proposition I have stated. But New Hampshire, with its strong supreme court, has met the question: Said the gentleman from New Hampshire [Mr. MOORE]:

The development of the principle here in dispute is easily traceable. The first case, Beck *vs.* Hanscom, 29 N. H., 213, decided forty years ago, settled the doctrine that the absence of a quorum in one branch of a city government, in a convention duly called, did not invalidate an election of a marshal.

In the second case, Kimball *vs.* Marshal, 44 N. H., it was held that a clerk was legally elected though only a minority of one branch were present, no convention having been agreed to, because the law required an election on that day. Here we have the doctrine of official and individual responsibility broadened out. But it was left to the court in Attorney-General *vs.* Shepard *et al.*, 44 N. H., 393, to meet the question here at issue face to face and settle the doctrine that a proposition is carried by a majority of the votes cast, though a quorum, being present, should not vote. The opinion in this case was delivered by Chief-Justice Doe, whose name will be recognized by the able lawyers on both sides of this Chamber as that of one of the ablest jurists in this country. All the justices, three Republicans and three Democrats, concurred.

I quote:

"There were seven aldermen; four were a quorum; six were present; three voted for the adoption of the amendment, and the refusal of the other three to vote was inoperative. In the absence of express regulation a proposition is carried in a town meeting or other legislative assembly by a majority of the votes cast. (St. Joseph Township *vs.* Rogers, 16 Wall., 644, 664; Dill. Mun. Cor., s. 44, p. 63, n. 2; Richardson *vs.* Society, 59 N. H., 167, 168.) The exercise of law-making power is not stopped, by the mere silence and inaction of some of the law-makers who were present. An arbitrary, technical, and exclusive method of ascertaining whether a quorum is present, operating to prevent the performance of official duty and obstruct business of government, is no part of our common law. The statute requiring the presence of four aldermen does not mean that in the presence of four a majority of the votes cast may not be enough. The journal properly shows how many members were there when the vote was taken by yeas and nays; there was no difficulty in ascertaining and recording the fact, and the requirement of a quorum at that time was not intended to furnish a means of suspending the legislative power and duty of a quorum."

But I will not multiply authorities. No great court of the country has ever held the opposite doctrine, and it is in the highest degree satisfactory that the courts have not been carried away by partisan zeal to tolerate a doctrine so opposed to common sense and common honesty.

Mr. Speaker, one claim of our opponents, and which has been asserted here so often that I assume our friends making it begin to really believe their statement, is that from the beginning of the Government down we have an "unbroken line" of recognition of the idea and practice that members of Congress not voting do not count to make a quorum. Those making this assertion are mistaken.

In the first session of the Thirty-fourth Congress, in a heated contest upon the Dakota contested-election case, the Speaker, Mr. Colfax, counted members present and not voting, ascertained and declared a quorum, and proceeded with the public business.

The record will be found in the Congressional Globe for first session of that Congress, volume 52, pages 2892, 2898.

In that case a series of filibustering motions had been made, and finally a call of the roll showed present and voting less than a quorum. And then follows:

The SPEAKER. The previous question having been ordered, and no quorum having voted, under the one hundred and thirty-second rule the Chair will count the House to ascertain whether a quorum is present.

The Speaker proceeded to count the House, and announced that 118 members (a quorum) were present; and the motion that there be a call of the House was therefore not in order.

Mr. MALLORY. Is it in order when the Speaker is counting the House for members to withdraw into the coat-room to prevent being counted?

The CHAIR. It is not in order, but the Chair has no power to prevent it.

Further discussion shows that under the one hundred and thirty-second rule as it then stood a roll of members not voting was kept and entered upon the Journal and Globe.

Here was a rule authorizing this "despotic" act. Nobody cried out "revolution" then. No one felt his rights slipping from him. Nobody said that rule was creating a despotism.

The minority, not then grown so wicked as has the present, did not understand that one of their "God-given" rights had been wrested from them.

I trust it will not be considered that I am reflecting in any way upon anybody when I say that there grew up another abuse in this House that is wiped out by these rules, for I am not going to discuss these rules in detail. One of the instances of this filibustering, one of the instances of the power asserted by the minority over members of Congress, was the right to introduce bills on every Monday and have them read in the hearing of the clerks and pages of this House.

You have seen the House of Representatives, with a clear working majority, standing ready to enter upon the serious business of the country, about which I shall speak directly; you have seen the House in that position, and a single member, from Iowa, it may be, from Ohio possibly, from some other State perhaps, introduce the Revised Statutes of the United States, and coolly defy the 324 members present to proceed to any other subject in the discharge of their duties, and one-sixth of that time, fully one-sixth part of more than four months of that Congress, was used up absolutely by that sort of process. And, Mr. Speaker, I understand that our opponents on the other side are willing to put themselves on record as maintaining that sort of procedure for the purpose of "protecting the rights of the minority" and that minority may be one man. It takes only one man to do that, and if there were not present here some very good men and very distinguished men who have indulged in proceedings of that character in the past, I might say, in the language of a distinguished Democrat of the last Congress, "any fool could do that."

What was the effect upon the country? The legislation which ought to have been distributed over a period of six years is here pending in Congress to-day, at the door of the Democratic majority, and, because of their rules, the offensive rules against which this report inveighs, because of their rules and their action, the legislation which the country has demanded is piled up, accumulated, and placed upon us as a part of our duty in this Fifty-first Congress. And in this connection I will discuss this question of one-man power, this question which has brought out some utterances upon this floor in the smooth and parliamentary language of the distinguished gentleman from Kentucky [Mr. CARLISLE], the leader of the Democratic side of the House, and in the beautiful and ornate and eloquent language of his distinguished colleague [Mr. BRECKINRIDGE, of Kentucky], in the sarcastic and eloquent language of the gentleman from West Virginia [Mr. WILSON], and in some other utterances which I would not denominate either eloquent, parliamentary, or even gentlemanly, that have been made upon this floor.

The Speaker of this House has been denounced because it is said that he has done something that is the act of a tyrant. Now, I want some gentleman who is to take part in this long debate, some gentleman who has insisted, perhaps, upon two days of general debate, to use a part of his time to tell the people of this country what act of the Speaker of this House has been tyrannical. He may answer that when the House was proceeding to the discharge of its duty under the Constitution some member who wanted to stop the transaction of business stood up in the House and wanted to make a motion to adjourn and the Speaker would not allow him to do it, and that that refusal on the part of the Speaker was an act of tyranny. That is "tyranny" that rescued 329 men from the incendiarism, the stupidity, and the obstinacy of one man.

I think, Mr. Speaker, the time will never come again in this country when it will be tolerated that the American Congress, convened for the dispatch of the public business, with vast interests involved in its action, will be compelled to turn aside and call the roll of the yeas and nays because some one man is anxious to obstruct the public business. What did we have in the Forty-ninth and Fiftieth Congresses? We had a demand coming up from the people of the South and the Southwest, almost as the voice of one man, asking that certain burdens of taxation resting upon them should be taken off by act of Congress. I refer to the tobacco tax and the fruit brandy tax.

I am not here now to discuss the merits or the demerits of either one of those propositions. I simply say that the people were here demanding that those taxes should be removed, and who prevented it?

How does it happen that to-day the records of Congress show that at the end of almost six years of unceasing demand there has been no vote of Congress upon that subject? I will tell you, and in telling you I will borrow a phrase from my Democratic friends; I will claim no authorship in it and give no indorsement of it, but I will borrow that phrase and say that the failure of Congress to respond to the demand of the people was due to "the tyrannical act of a single man," the then Speaker of the House of Representatives.

Tell me when it was that the distinguished gentleman now occupying the Speaker's chair refused to permit the Representatives of the people of this country to pass a bill that three-fourths of Congress were in favor of having passed? Yet, under your system of rules, the distinguished gentleman from North Carolina [Mr. COWLES] and a large number of other gentlemen from your side of the House, in season and out of season, on their knees and erect, before the personification of the one-man power, asked on behalf of their constituents the poor privilege of having a vote of Congress upon a proposition which three-fourths of the Representatives in Congress approved.

The SPEAKER. The time of the gentleman has expired.

Mr. GROSVENOR. Mr. Speaker, I gave notice that, having obtained the floor under the hour rule, I should insist upon the extension of my time. I do not understand that I should be cut off by a change of the rule.

The SPEAKER. The Chair understands that the gentleman must be cut off under the resolution adopted by the House this morning.

Mr. KERR, of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to finish his remarks.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the gentleman from Ohio be allowed to proceed. Is there objection?

Mr. ROGERS. Before that question is put I wish to make a parliamentary inquiry. Do I understand that under the resolution the time for this debate is to be equally divided between the two sides of the House?

The SPEAKER. The Chair does not know that there was anything in the resolution to that effect, but the custom of the House has been somewhat that way.

Mr. ROGERS. Well, if the gentleman is to have additional time, it should not be taken from us. It should be taken out of the time of his own side.

Mr. GROSVENOR. That is right.

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR] thinks that he had an understanding with the House that he should be allowed an hour, but the Chair is unable to make any ruling on that point.

Mr. ROGERS. If there was any such understanding as that, of course I shall not object.

Mr. McMILLIN. Mr. Speaker, I suppose that there will be no objection to allowing the gentleman from Ohio to proceed now, letting the additional time which he consumes come out of the time allotted to his side of the House.

Several MEMBERS. That is right.

The SPEAKER. If there be no objection, the gentleman from Ohio will continue with that understanding.

There was no objection, and it was so ordered.

Mr. GROSVENOR. Now, Mr. Speaker, there are many other matters to which I might refer, but I will do so only to a limited extent.

There was pressing here upon the Forty-ninth and Fiftieth Congresses a demand from a million of soldiers—a million of men who had borne arms to rescue this Government from the hands of traitors. They came here in the Forty-ninth Congress; they came again in the Fiftieth Congress. The appropriate committees of both those Congresses reported innumerable bills for their relief. Yet no man in the Fiftieth Congress, so far as I recollect (and if I am wrong I desire to be corrected), was ever recognized by the Speaker to move a suspension of the rules in order to pass a general pension bill.

So it was with the Blair educational bill. I have no desire to discuss the merits of that provision; I do not here commit myself for it or against it; but I do know that in the Forty-ninth Congress, with a report in favor of it from a majority of the Committee on Education, with the distinguished chairman of that committee earnestly pressing for a hearing, over and over again appealing to the Speaker to be recognized to ask the question of the House whether by a two-thirds vote they would pass the bill, one man refused to allow the Representatives of the people of this country to express their voice upon the passage of that bill.

So it is, Mr. Speaker, that the records of those two Congresses are records of failure all along the line. I have yet to witness in all the history of American legislation a spectacle that so established and made all potential and invincible the power of a single man as did the rules of the Fiftieth Congress. And it was because of that and because the people of this country were groaning under it that this demand went up away back of the elections of 1888.

This Congress was elected on an issue that had been presented to the country not only in the public press but upon the stump and everywhere, in opposition to a system of control in the House of Representatives that destroyed the representative character of the House. And so it was that the Republican majority came here naturally and inevitably to do exactly what we are proposing to do.

And the Speaker of this House has by no means transcended his proper representative capacity in anything which he has done. It may as well be said now as at any other time that there has never been a moment when every man on this side of the House has not heartily stood by and sustained the Speaker in every ruling and decision that he has made. And we were able, gentlemen on the other side, to bring here, out of a possible 168 votes, 166 to vote upon these questions in this House, a condition of things which I undertake to say has never existed before in the history of the House of Representatives.

But, Mr. Speaker, the Democratic attitude on this question is an attitude which has grown up with the growth of the Democratic party in this country and is as naturally assumed by them as any other wrongdoing of which they have ever been guilty as a political organization. They are here to-day as obstructionists; they are here to-day to obstruct legislation. The whole object and purpose of the attitude of the Democratic party on this floor is to obstruct and impede the representatives of the people so as to prevent their going forward in the discharge of the duty to which they had been ordered by the vote of the people.

How came this Democratic party to become efficient as obstructionists and never efficient as leaders of public opinion? How does it happen that when this great sentiment has grown up in this country until it threatens revolution in the procedure in Congress—how does it happen that the Republican party stands upon the one side, the side of progress, the side of something new, in favor of destroying these obstructionary processes of the Democratic party? How does it happen that the Democratic party stands here, obstructionists and nothing else? What do you propose? Let me show you how you came to be efficient in obstructing the onward progress of political reformation and civilization in this country, and how you have demonstrated your incompetency to lead public opinion when the position of leadership has been assigned to you.

Here are these great questions which were submitted to you in those two Congresses about which I have spoken. You have shown yourselves inefficient—incompetent even to express an opinion to the people of the country. How stands the Democratic party of this country, given power by the people—how stands it upon these great questions to which I have referred and the numberless others that throng this record of your failure? How does it happen?

When the great revolution upon the subject of slavery came and the people of this country decreed with no uncertain sound, away back in 1856 and again in 1860, that slavery should be circumscribed to the limits of the States where it existed, should never again be nationalized upon the free soil of this country, where stood the Democratic party then? It offered no solution of the problem; it came forward agreeing to nothing. It could not do it; for in the North there were Democratic Free-soilers.

In my own State the Democratic party in 1858 and again 1860 declared that they would use all the power given to them by the terms of the national compact "to mitigate and finally eradicate the evil" of slavery. So you did not dare to utter to the people of this country a proposition of settlement of the great vexed question of the introduction of slavery into the Territories. You were obstructionists.

And when war came, when secession came, you stood here, those of you who remained in Congress, obstructionists to the acts of Congress in that behalf. "Not a man nor a dollar," said the Northern Democracy "to put down the rebellion." "Every man and every dollar," said the Democracy of the South "to carry it on." And when the war was over and the question of the habilitation of your slaves and the colored men of the country as citizens came up, you offered no proposition of settlement. You were again obstructionists. You came back into Congress to obstruct the processes of legislation. And it was then and afterward that this whole scheme of filibustering engrafted itself upon the legislative department of this country.

Again, when the great questions of reconstruction came, you stood in Congress here to defeat the measures of the Republican party, but never to lead. Obstruction was your attitude. When the great country was moving forward to take its position upon the higher plane of political liberty and political independence, you stood holding on to the coat tails of the world and crying out "Whoa!" as the only sentiment of the Democratic party. You were obstructionists then as you are obstructionists now.

We moved forward and the great questions of commercial interest came thronging upon the people of this country—the question of whether or not we should continue to maintain an irredeemable paper currency or whether we would attempt the great feat which was achieved in 1879, the restoration of the currency of the country to a specie basis—you never offered a proposition in advance; you never tried to settle the question. You can not find upon the whole records of your party in the famous Congresses back of the resumption period a proposition looking to the restoration of specie resumption or in any other way looking to getting the commercial interests of the country out of the terrible dilemma into which they had been cast.

You were obstructionists of the Republican policy. You stood here in Congress, and on the stump, and in the press, obstructing the great measures of the Republican party looking to the restoration of specie resumption. And finally, when the great question of tariff came, you were driven, for the want of any other issue, to take an affirmative po-

sition on that point, and the moment you did so, you broke your party to pieces; you were driven out of power.

It was the first attempt at propagation of leadership. It was the first effort—weak, feeble, and puerile as it was—it was your first effort at leadership in American politics. You stood idly by and saw proposition after proposition to save the country acted upon by the Republican party and obstructed by you. Then you came forward by stress of necessity and succeeded in holding in this House together a sufficient number to pass the Mills bill, but you did not succeed in holding enough people together to give you back power, and you found your first attempt at national leadership and your first attempt to promulgate a great political idea in this country was a flat failure, and recoiled on you. [Laughter and applause.]

That is how it happens, Mr. Speaker, the Democratic party in this country is always the party of obstruction.

Mr. BARNES. Will the gentleman yeld to me for a question?

Mr. GROSVENOR. Certainly.

Mr. BARNES. How did you become an obstructionist in the last Congress in the Sullivan-Felton contested-election case?

Mr. GROSVENOR. Evil communications corrupt good manners. [Laughter.] I had seen my distinguished and good-natured friend from Georgia [Mr. BARNES] during nine long days of that Congress coming down the aisle bearing the burden of his representative capacity and passing between the tellers until I confess I became very much the sort of a man he is. [Renewed laughter.] I have recovered from it, Mr. Speaker. The difference between my friend from Georgia and myself is, I have repented and am trying to do works meet for repentance [renewed laughter], and my friend from Georgia still holds out with the sinners. [Laughter.] I shall only appeal to him saying:

While the lamp holds out to burn
Even my friend from Georgia may return.

[Renewed laughter and applause.]

It has been incumbent upon the Republican party thus far in this country to inaugurate every great political reform since 1856. There is not a question which has been definitely settled, put into the Constitution of the United States or upon the statute-books of this country, that the people of this country are not clamoring to change, that was not put there by the Republican party during that whole time. It is hopeless, it is vain to look to the Democratic party even to recognize the existence of a reform until it has been forced upon them by the adoption by the people and its popularity thereafter.

But, sir, they come our way in the end. To-day they do not controvert the propriety of the great political reforms the Republican party has adopted in this country. They follow us, and they come sometimes with wonderfully conspicuous alacrity along the pathway where we have traveled. As was once said by a Republican Senator, "They follow us, foot-sore and weary, camping to-night where we camped last night," hunting for some of the strayed or lost provisions of our commissary department, getting up again in the morning and going on, and when the Republican party assail a political evil, intrench upon a mountain, it may be of antiquity, and we dislodge and overthrow it, the Democratic party comes marching up the hill, waving our flag and claiming they were always of that way of thinking. [Laughter and applause.]

I make the prediction, Mr. Speaker—I may no tbe here to verify it. Some gentlemen have said on the other side, "Be careful of what you do; sometime the Democratic party may be in power on this floor, and we learn lessons with great aptness; we learn a great deal from the Republican party." If you will only take all your lessons from the Republican party you will be a great deal better than you are now. [Laughter.] I make the prediction, though I may not be here to receive my punishment for trying to rescue the representative power of this Government from the hands of a faction, but let me say to you, Mr. Speaker, should I have the honor to be a member of the Fifty-second Congress, I predict these rules will not be changed. I shall claim, if in the minority, for myself and those of my party, just what I claim to be the constitutional limits of the right of the minority.

I do not believe there is danger that this Republican majority in this House will pass bad legislation.

I heard the stentorian tones of the gentleman from Georgia and I heard the very eloquent and witty utterances of the gentleman from West Virginia telling us what dire calamities we were about to work out by means of this code of rules. I have two suggestions to make, Mr. Speaker. In the first place, I have confidence in the patriotism and wisdom of the Republican majority on this floor; and, in the second place, if I am to look about me somewhere for an adviser—somebody to warn me of impending and coming danger, somebody to point out to me where political evils lie and political dangers are to come from, with all kindness to the Democratic minority on this floor—I will look somewhere else; I will look anywhere else before I will ask advice of you. Your patriotism may be equal to mine; your love of country may be just as great as mine (I do not deny it), but your experience, your training, your history, your whole career as a political party forbid the inference that you are wise counselors in a crisis like this.

Mr. Speaker, what is the pending proposition? It is a very simple one. It is to take possession of the responsibility placed upon the majority of this House by the votes of the people of this country. I know of no plans to rob the public Treasury. If there be such I am not a party to it, and if such an attempt is made I shall fight it, whether it comes from the Republican majority, which I do not expect, or whether it comes from the Democratic side, which is just possible. [Laughter.]

I know of no plan to turn men out of Congress because they are Democrats and put in their stead men because they are Republicans. The gentleman from Georgia said something about the Felton case. If he will come to me in the privacy of my room or meet me in the corridor of the House, I will give him some information in regard to that case which may change his condemnation, in part, at least, from the Republican minority of the Fiftieth Congress and saddle a little more of it on the advisers in that party who sit on the other side of the House. Many of you were not anxious to seat Sullivan, and I honor you for it.

But, sir, the people of this country have called upon the Republican party to legislate—not "legislate" in the language of the eloquent gentleman from West Virginia, but to legislate along certain lines of public demand. They have called upon the Republican party to pass a tariff bill in keeping with the verdict of the American people in the great election of 1888, a verdict that proclaimed that the sentiment of the American people was in favor of protection to American industry. We are here to do it, and we are going to do it; and in order to do so we will remove all of the obstructions out of the way, whether they present themselves in the shape of rules of procedure which check the power of the majority to act, or from any other source.

The American people have sent us here to do justice at last to the soldier of the country, who has appealed in vain to the Democratic majority, and we have come here to get rid of the rules that impede justice and gag the sentiment of the House, which prevented the accomplishment of the will of the people in that direction, and there will be no obstruction by cunningly-devised schemes of parliamentary procedure to deter the majority from the execution of its duties in that behalf. There are many other things that we are here to do.

Now, my Democratic friends, let me appeal to you to shake off the ghost of "tyrannical power" that seems still to be haunting you; get rid of the idea that some one man in this House is greater than the whole House; get into your mind the idea that the Speaker of the House is but the servant of the House, created by the House, powerless without its authority; powerless unless supported by the House, and let us go forward in the discharge of our public duties, simply bearing in mind that this is a government of majorities, by majorities, and for the whole country.

The Republican party has ever been the party of constitutional government. It believes in the Constitution of the United States. It believes in the rights of the people thereunder. It fosters, upholds, and guaranties liberty of the citizen in matters of conscience, in matters of religion, in matters of politics, and in matters of national faith. It has laid its hand to the plow of reform in this regard. It will not look back. It has counted and estimated the opposition that stands across in its pathway. It recognizes the same old enemy of free government, of good government, of majority government. It recognizes as standing in its pathway the remnants of a political organization that denied the right of a majority in this country to elect a President and hold the nation as a unit.

It estimates that all over great value, the courage, the pluck, the determination of its enemy, but with the flag of constitutional government in its hands, the rights of the people ever cherished and held sacred, it will plant the banner of this great reform upon the sure ramparts of victory, and the people of the country will say, "Well done, good and faithful servants." [Great applause on the Republican side.]

Mortgage Indebtedness.

SPEECH

OF

HON. JAMES D. RICHARDSON,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 15, 1890,

On the bill (S. 1181) to require the Superintendent of Census to ascertain the number of people who own farms and homes and the amount of mortgage indebtedness thereon—

Mr RICHARDSON said:

Mr. SPEAKER: I am glad that I have the opportunity of saying a word in favor of the passage of the pending measure. It is not exactly in words, though it is the same in substance as the measure I had the honor to introduce into the House on December 18, 1889, the first day it was in order to present bills and resolutions during the present ses-

sion of Congress. The joint resolution so introduced by me was in the following words:

Joint resolution to authorize the Superintendent of the Census to ascertain and show what percentage of the people own farms and homes and what percentage are tenants, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Superintendent of the Census, in taking the forthcoming census, to ascertain and show what percentage of the people in this country occupy their own farms and homes and what percentage are tenants; and, of those occupying their own farms and homes, what proportion have their property free from debt; and, of the farms and homes under mortgage, what percentage of the value is so mortgaged.

SEC. 2. That there be appropriated out of any money in the Treasury not otherwise appropriated whatever sum may be necessary for the purposes of this resolution.

This joint resolution was passed on its first and second reading and regularly referred to the Select Committee on the Eleventh Census. I have endeavored to have that committee report this measure in the form in which it was introduced by me. The Senate bill under consideration having passed that body and being now before us for consideration, though differing somewhat from the measure I introduced, yet being substantially the same, I am willing that my measure be laid aside and the Senate bill be considered and passed, lest there be no legislation on this important subject.

The Senate bill provides that it shall be the duty of the Superintendent of the Census, in addition to the duties now required of him by law, to ascertain the number of persons who live on and cultivate their own farms and who live in their own homes and the number who hire their farms and homes, and the number of farms and homes which are under mortgage, the amount of mortgage debt, and the value of the property mortgaged; and, further, to ascertain whether such farms and homes have been mortgaged for the whole or part of the purchase-money for the same, or for other purposes, and the rates of interest paid upon the mortgage loans; and appropriates $1,000,000 for the purposes of the act.

The demand for this legislation on the part of the farmers and laborers of this country is widespread. Petitions and memorials in very large numbers from farmers all over the country, from farmers' and laborers' unions everywhere, have been poured in upon us all, more particularly upon those of us who represent agricultural communities, earnestly demanding the enactment of this or a similar measure. I have received a large number of resolutions and petitions from my immediate constituents asking this relief. I will not encumber the RECORD and make my speech too long by inserting all of the resolutions on the subject, received by me, but I will here insert a resolution from one of the organizations in my district. It is similar to many others sent me.

BEASLEY, *Marshall County, Tennessee.*

Whereas there is a growing belief that the farmers and other producers of the country do not obtain an equitable share of the wealth which they create, and that the farms and homes of the country are largely under mortgage; and

Whereas exact knowledge on this subject is of great importance in the study of the social and economic questions of the day: Therefore,

Be it resolved by District Wheel No. 10, That it is our judgment that the next United States census should show what percentage of the people occupy their own farms and homes and what percentage are tenants; and, of those occupying their own farms and homes, what proportion have their property free from debt; and, of the farms and homes under mortgage, what percentage of the value is so mortgaged.

These demands are reasonable, and in my judgment Congress should comply with them. It is demanded that the agricultural interests of the country shall receive more attention in taking the forthcoming census than has heretofore been given them.

Mr. Speaker, the working classes in our land to-day, those who labor in the mines and manufactories, but particularly all in the country districts who compose the farming population, are suffering and are in misery in many places. They are restless, unhappy, unprosperous, and uncertain as to what they shall do in the future. This, too, when they are surrounded and blessed by bountiful crops. I do not speak particularly of the complaints of the laboring classes in the cities, who are without work and are discontented and full of mutterings, but I speak of those in the country districts, who for nearly a hundred years, under the opportunities given them by a benign Government, have been prosperous and happy.

Those who till the soil now for a living and who have no other income or means of living realize that their condition is year by year growing worse, and that if there is not a change in their condition it will only be a matter of time when their homes will be lost to them.

The great masses of our people belong to the farming class—the producing class—and when they are in distress all other classes must suffer. The grievances which we hear from the farmers are not based on imaginary troubles, but those that are real. They have no protection under the law. The laboring men and farmers of the country need it most, but they go without protection in order that immense fortunes may be amassed by the few who are favored by partial laws.

Mr. Speaker, you must agree with me that there is something radically wrong with the laws of our country when I call your attention to a fact which can not be successfully disputed. It is this: When the late war between the States closed, there was a debt hanging over the Union, the like of which had never been known by its people before. This debt threatened by its magnitude to paralyze and finally destroy the vital interests of the country.

The ablest financiers, the most sagacious statesmen, the cool-headed conservative patriots of that day stood aghast as they reflected upon the immensity of this vast debt burden and in their wisdom wondered how it was to be met and discharged. They well knew it was resting and was to continue to rest like a mortgage upon the producers and the laboring class in our land, and that when paid it must be paid by them. The debt then amounted in round numbers to about $2,600,000,000.

Since that time the producers, the farmers and the laborers, have paid of this debt about $1,500,000,000; yet the strange and astounding fact exists and stares us in the face that, notwithstanding all interest has been kept down, we owe as much to-day as we did then. I do not mean to say we owe as many dollars in money, but what is worse, far worse, we owe as much of exacting labor and hard toil as we did then.

How do we pay debts in this country? It is by selling our productions. It will take as many bales of cotton to-day to pay the remaining portion of this debt upon us as it would have taken to pay the whole sum on us in 1866. It will take as many barrels of corn as it would then. It will take as many pounds of pork as it would then. It requires as much labor to produce cotton and corn now as it did at that date.

Then, I ask, do we not owe as much? We certainly do, notwithstanding the enormous sum of fifteen hundred millions of dollars has been paid on this debt, representing as it does the sweat, the cares, the labor, the life, and death of the toiling millions of the land for these long twenty-four years; it remains that the burden upon us is the same in weight and in its grinding exactions and hardships that it was in 1866, so far as the means of payment, the circulating medium in which it is to be paid, is concerned. Year by year, as the number of dollars we owed has been reduced, so correspondingly has been reduced the means of payment, the ability to pay.

Is this state of affairs to continue on and on indefinitely? Are times to be made harder and still harder each year, that the few who have money may be made thereby the richer, while those who are poor shall be made the poorer? These are questions the farmers are asking themselves. By and through their organizations they are pressing these questions upon us as law-makers. Millionaires are multiplying, while the people, the masses are becoming poorer? If the fault is upon us, us who make the laws, then it is a crime if we do not apply the remedy.

The farmers complain that the lands and farms of the West are being bought up at prices ruinously low, by reason of the hard times and great depression on the country, by large land syndicates, by the barons of the East, by foreign capitalists who have nothing in sympathy with us and our institutions. They think there is a partial remedy at least for some of these evils in the measure under consideration. It is very sure no remedy can be intelligently applied without the information upon which to act.

The proposed legislation is a step in the direction of obtaining this information. Let it, then, be adopted. I heartily favor the amendment of Mr. DOCKERY, of Missouri, just offered to the Senate bill, which provides penalties for the malfeasance of officers in connection with this work of taking the census, and also penalties for individuals and corporations who refuse to respond to proper inquiries. This is right, for otherwise the act when passed would be without force. Its provisions could all be dodged and evaded with impunity.

The gentleman from Georgia [Mr. BLOUNT] insists that this legislation is inquisitorial in its nature. So it is in some respects, as are all or nearly all the investigations for the census reports. He seems to fear this inquisitorial system, as he terms it, will give offense to the country.

Mr. BLOUNT. I believe we ought to pass this bill now. We ought to pass it instantly. If it is meritorious it ought to be done at once, and I trust we are not to delay this question by acting on this amendment and sending it back to the Senate. It is not likely that the Senate will consent to this inquisitorial proposition. Not at all. So when it goes back to the Senate it is likely to be rejected. We do not know when we get into this controversy how long it will last. Every day but adds to the unfortunate delay. And while I dislike to oppose the amendment offered by my friend from Missouri, I think if we insert this amendment into the bill it will never be agreed to.

Mr. BLAND. Are not mortgages public matters?

Mr. BLOUNT. I thank my friend for his question. They are matters of record.

Mr. BLAND. Are not these mortgages in the States matters of public record?

Mr. BLOUNT. You may say you are not content with this record.

Mr. BLAND. There may be matters outside of the record as to the value of the property.

Mr. BLOUNT. The object is to get any information that you may desire. But a mortgage may not express accurately the status of the indebtedness.

Mr. BLAND. But, as far as the objection of the gentleman from Georgia is concerned, the whole census is inquisitorial.

Mr. BLOUNT. Oh, no; not to that extent.

Mr. BLAND. Undoubtedly; to a certain extent, at least.

Mr. RICHARDSON. Besides that, let me say to the gentleman from

Georgia that the mortgage may be partly paid. In that event the record would not show it.

Mr. BLOUNT. That may be very true; but I doubt whether in a matter of private relations the Government has the right to extort or can extort the information that is sought to be obtained by this amendment.

Mr. RICHARDSON. A man would be only too glad to communicate the information if he had partly paid off his mortgage. Suppose, for instance, that the record disclosed the fact that there is an incumbrance on his place for $1,000; he would be very glad to be able to show that $500 had been paid.

Mr. BLOUNT. That may be very true; but why do you put a penalty in to compel it?

Mr. RICHARDSON. We want the penalty on the enumerators to compel them to perform their duties.

Mr. BLOUNT. That may be all very well; but this goes a great deal further than that.

Mr. RICHARDSON. It is only the penalty of the general law; nothing added to it.

Mr. BLOUNT. I think the gentleman will find on an examination that this goes much further than that.

Mr. RICHARDSON. The penalties provided in the Dockery amendment are identical with those in the general law for taking the census; no more and no less. This amendment will tend to insure accuracy in the report obtained. The appropriation in the bill of $1,000,000 is insignificant if the end sought is reached and an intelligent remedy found for the evils of which complaint is made. As legislators our duty will have been discharged when this measure is enacted as a law. When the information is obtained which is sought for it will become the duty of those who then fill the seats we now occupy to seek and apply the remedy by the enactment of such laws as in their wisdom will restore happiness and prosperity to the country.

Code of Rules.

SPEECH

OF

HON. JOSEPH D. TAYLOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1890.

The House having under consideration the report (No. 23) of the Committee on Rules—

Mr. JOSEPH D. TAYLOR said:

Mr. SPEAKER: I desire first to refute the charge made so often and so persistently on the floor of this House and in the Democratic press of the country that we are attempting to do business when we have no authority to do so without rules. The most important and the most difficult business of any legislative body is always done before any rules whatever are adopted. The organization of the body, the election of officers, and the appointment of committees always precede the formulation and adoption of rules.

It has always been decided by Speakers of the House of Representatives that this body is governed by general parliamentary law, both before and after rules are adopted. Rules are adopted simply for the convenience of the members of the House, and for no other reason. They give no authority to the House or to its members. On the other hand, the House gives the authority to a committee to formulate rules. The House authorizes the appointment of the committee and adopts or rejects or modifies the rules when they are reported by the committee, as we are doing now.

This House had just as much power and just as much authority before the Committee on Rules was appointed as it has now or will have after a system of rules is adopted. There is no particular time when rules should be adopted. This body has always transacted a great deal of important business before it adopted rules. As I have already said, rules are a matter of convenience, not a matter of necessity or a source of authority, and general parliamentary law governs assemblies of this kind as completely and as thoroughly as the common law governs courts of justice, and the one is just as well known as the other.

The directors of a bank, the members of a school board, the town council, the trustees of a college, the directors of a railroad, the New England town meetings, transact their business under general parliamentary law, as we have been doing in this House, and in most cases they do it without rules. They meet, select their officers, make motions, adopt resolutions, debate questions, enforce order, take the yeas and nays, take a recess, adjourn, and in this way the business of the country is transacted. And the courts never hesitate to enforce what these meetings do, although they involve the great bulk of the business of the country.

It is claimed that we should not consider an election case until we have first adopted rules, and the other side has filibustered and wasted a great deal of time trying to prevent the consideration of an election case, and they give this reason and no other for so doing. I think, Mr. Speaker, that this is just what we should do. I wish we could consider and determine every one of the seventeen election cases before we adopt a code of rules. What right have seventeen members whose seats are contested to vote to adopt certain rules, or upon any other question, until we first ascertain whether they are entitled to their seats? What right have they to help make rules to govern this body for the next two years if they are not entitled to their seats? What right have they, by their votes, to fasten upon this body a system of rules which shall govern this House after they have been unseated?

The first thing in every political body, in every convention, in every public meeting, in every board of incorporation of any kind, is to hear from the committee on credentials and ascertain the membership of the body. When this is done business can be transacted in a business-like way, and not till then. We did not need rules to consider this election case. No one has complained that the consideration of the election case was prejudiced in any way because we did not have rules. No one pretends that the hearing, discussion, or the result of this election case was influenced by the fact that we had no rules. We do not need rules to govern the hearing of an election case. No one pretends this.

They only claim that the adoption of rules ought to precede the consideration of election cases. The other election cases are not ready. If they were, they ought to be considered one after another, until we know who are and who are not members of this House. Each election case is considered in this House in its own way, in the manner determined upon by an agreement, or by a vote when the case is called up, and one case is no precedent for another.

It is said that the preparation of rules for the present Congress was delayed for the purpose of unseating Democratic members. If this be true, we have been very moderate, for we have only unseated one member, and he certainly never should have been seated. It is now admitted that he never should have received his certificate of election.

The report of the Committee on Rules has been delayed for several reasons. One member [Mr. RANDALL] has been ill and has not been able to take his seat during this session of Congress.

Another member [Mr. CANNON] was called to his home in Illinois on account of the death of his wife. The Speaker, who is also a member of the Committee on Rules, has had over fifty committees to appoint, and a hundred other duties to discharge, and as there are only five members of this committee, delay was unavoidable. And we should also take into account the importance and the difficulty of preparing a code of rules which will help, and not hinder, the transaction of public business. Besides, no interest has suffered because of this delay. The only loss of time which has been sustained is attributable to the other side of the Chamber, which has exhausted itself and trifled with the expectations of the people by a persistent effort to prevent the transaction of business. And now when the rules are reported, and when we are ready to consider and adopt them, the same disposition to filibuster and consume time is manifested.

Having said this much, I desire to come to the consideration of the rules themselves. It is said that we are proposing a very radical change in the rules, and that the changes we propose are revolutionary, unconstitutional, and without precedent. The Speaker has been called a usurper and a tyrant, a czar and a Cæsar, and the vilest epithets have been hurled at him from the Democratic side.

It is true that the changes we propose are radical and that we are proposing rules which are entirely new in this House. What are we proposing? We are proposing two important changes, and only two. All the other changes are auxiliary to these. We propose the following changes:

1. That no dilatory motion shall be entertained by the Speaker.
2. That the Speaker, in ascertaining whether there is a quorum, shall count all of the members present.

The other changes simply conform the rules to these two propositions. Hence these are the changes that are pronounced revolutionary and unconstitutional by the Democratic members of the House, and they seem ready to "die in the last ditch" in defense of the old rules which we propose to change by the adoption of these two new rules.

Let us examine these changes and ascertain whether they will overturn the Republic and destroy the liberties of the people, as some of our friends on the other side seem to apprehend. This House never witnessed such turbulent scenes before, and the scenes have been as disgraceful as they have been stormy.

DILATORY MOTIONS.

It is well enough to remember that the power and authority to entertain or to refuse to entertain dilatory motions is inherent in this body before the adoption of any rule, as is also the authority of the Speaker to count as present all of the members who are actually present in their seats, in ascertaining whether there is a quorum present to do business. Rules do not add to the powers of the Speaker or increase the authority of the House. On the contrary, they are intended to limit, qualify, and make specific the general parliamentary law which controls every legislative body.

If these powers do not belong to this body under general parliamentary law, we have no authority to make such rules. In other words, this House can not increase its authority or augment its powers by providing a code of rules which will give this body greater powers than it had before it adopted the rules. The trouble in this House has heretofore been that it tied its own hands and defeated the chief end of its organization by incorporating in its rules certain methods of obstruction. For instance, we had a rule that a motion to adjourn, a motion to adjourn to a day certain, and a motion to take a recess were always in order except on suspension days.

The result of this was that some obstinate member would stand on the floor of the House and make one of these motions, and when it was voted down he would make another, and when the second one was voted down he would make the third, and when the third was voted down he would make the first again, and because these motions were "always in order" we would spend a day or a week in marching round and round in this circle. And when this method grew somewhat monotonous he would move to take a recess to 3 o'clock or some other hour, and when this motion was voted down he would move to take a recess to 3 o'clock and 10 minutes, and when this was voted down he would move to take a recess to 3 o'clock and 20 minutes, and in this way he could travel around the dial of the clock all the hours of the day and all the days of the week.

In the last Congress, in an attempt to pass the direct-tax bill, a measure known to have the support of a large majority of this House, the bill was defeated by this kind of tactics after we had spent eight or nine days and nights in constant session. I have come through a number of sieges of this kind, one occupying four days and nights, at the very close of the last session of the last Congress, when every hour and moment of time was needed for the transaction of important public business.

In this way a few men could block the wheels of legislation for days and weeks. One man could do so, if he had the physical strength. Clause 10, Rule XVI, of the old rules, reads as follows:

No dilatory motion shall be entertained by the Speaker.

This is also the exact language of the new rules, but we have omitted the provision that certain motions shall always be in order, under any and all circumstances, except on one or two days in a month. The occupation of the filibuster is gone, but the rights of the members are carefully preserved.

Under these new rules the rights of every member and the rights which the American people have in this House are alike religiously cared for, and no obstructionist shall do in the future as he has done in the past, thwart all efforts at legislation and consume the time which belongs to the country in such absurdities as we have heretofore had to encounter. These demoralizing and disgraceful scenes may live in history, but it is to be hoped that no such shadow shall ever again fall across the national Capital.

The old rules and the new rules are precisely alike in providing that "no dilatory motion shall be entertained by the Speaker," and yet the other side of the House insist that the provision in the old rules which made dilatory motions possible shall be retained in the new rules. What is to be gained by providing in a rule in this House that a motion to adjourn, or a motion to adjourn to a day certain, or a motion to take a recess is "always in order," except on suspension days, two days in a month, unless the object be to make it impossible to do business in this House at the whim of a single member? The House can adjourn when it wants to or do anything else it wants to, if it is done in a proper manner. And if we have authority to prevent this filibustering on suspension days, we certainly have on other days.

If one member or a few members have a right to make endless dilatory motions, they have a right to defeat all legislation and destroy the object of all legislative bodies. If they have a right to defeat the consideration of one measure, they have a right to defeat the consideration of all measures, and could defeat the appropriation bills, stop the mails, disband the Army, destroy the Navy, overturn the Government. If a few members of Congress have this right, the men who vacated their seats in Congress in 1861 would have been wiser to remain in their seats and made dilatory motions until the Confederate army had taken possession of every town and city in the North, as in this way they could have prevented our making any preparations for war.

If a member of a town meeting in New England could make dilatory motions in this way under general parliamentary law, he could prevent the levying of the school tax, the poor tax, the bridge tax, and all of the other business done in such meetings, and the people would have to go without roads, without bridges, without schools, and the poor without support. If this right to make dilatory motions belongs to a member of any body or board or association, our whole system of government by majorities would prove a failure, and all forms of republican government would come to an end.

THE SPEAKER'S COUNT.

The other provision which so startles our Democratic friends is the decision of the Speaker, and the adoption of the rule, that members who are present in their seats can be counted to make a quorum. The practice has always been in this House that the fact of the existence of a quorum was ascertained by calling the yeas and nays, and if members sat in their seats and refused to vote or answer to their names, they were not counted as making any part of a quorum. This has been the practice in this House for a hundred years, but it has not been the practice in the English Parliament, nor in many of the State Legislatures, nor in many other bodies. The question is not one of precedent, but a question of principle, a question of constitutional law, a question involving the life or death of the Government we are sworn to protect and defend.

How, then, is the existence of a quorum to be ascertained under the Constitution? This is the whole question. The Constitution tells us what a quorum is, but it does not tell us how it is to be ascertained. The Constitution says that a majority of each House shall constitute a quorum to do business. And again it says that the yeas and nays shall be entered upon the Journal at the desire of one-fifth of the members present.

Beyond this the Constitution is silent. Members are presumed to be present when not excused by a vote of the House. They are paid for being present, and are privileged from arrest during the sessions of Congress and while going to and returning from Congress. When the Constitution was being adopted it never entered into the minds of the framers that it was necessary to do more than to provide that any number less than a quorum could compel the attendance of absent members. This they put in the Constitution, and men are often dragged out of the sick-chamber, and out of bed at night, and brought here to make a quorum.

How foolish to put this in the Constitution and to force men to come here from any part of the country, if they can, after they are brought in the House, sit in their seats and refuse to vote, and in this way avoid being counted in order to defeat the very object the Constitution has in view in authorizing their compulsory attendance! What is to be gained by compelling the attendance of members if they can refuse to vote when they get here, and in that way escape being counted? If they can do this our Constitution is a failure, because it contains no provision by which we can secure a quorum to do business.

It has been said that we have a quorum of Republicans and that we ought to have them here. So we have, but some of them are sick, the families of others are sick, and it is impossible, when we have such a small majority, to have a quorum of Republicans present. The Constitution does not contemplate that the party in the majority shall always have a quorum present; it only provides that there shall be a quorum present at all times, no matter whether they belong to the majority or the minority.

This is a republican Government, and a majority, no matter how small or how large, has a right to control. This is the foundation stone upon which our Republic is built, and if the majority does not govern wisely and well it should be turned out of power, and it will be turned out of power if it is forgetful of its duty. A majority in county and town and State and nation has the right to control, and must answer to the people for its record.

The Constitution contemplated that members of Congress would do their duty, that the only danger was in the absence of members, and it provided a remedy for this, and it never occured to the fathers that a hundred and fifty members would sit here from day to day and vote half the time and refuse to vote the other half, and insist on being counted as present half the time and refuse to be counted the other half. This they have done. They stand up and ask the Speaker to count them in order to make a sufficient number to require the yeas and nays, and then when the yeas and nays are ordered they refuse to answer to their names and insist that they should not be counted. This is too absurd to receive serious consideration.

The necessity for this change in the conduct of this House has come, and if there is no precedent it is time, and high time, to make a precedent. This is a progressive age and the American people are a progressive people. We are here to legislate for 65,000,000 people and to protect the interests of a great and growing country. We have made too many precedents already in the present century and startled the world too often to hesitate a moment on so plain a proposition as this.

To say that a Speaker can not be trusted to count the members present is simply to say that Congress can do nothing. The Speaker is the executive officer of the House, and when tellers are demanded he counts the number making the demand. When the yeas and nays are demanded he makes the count. When a division is demanded he makes the count. And in all cases he makes the count and he announces the result. This "one-man power," of which we have heard so much is a necessity, and without it we could have no Congress. We had "one-man power" under the old system, and, as between "one-man power" on the floor of the House and "one-man power" in the chair, I prefer the latter. We must leave this power somewhere, and I prefer to leave it to the Speaker who has been elected by the House, rather than to some crank on the floor.

The Speaker of the English Parliament, whence we derive our parliamentary law, does precisely what Speaker REED has done: he counts every member in the House in ascertaining whether there is a quorum present or not, no matter whether the members vote or not. Speakers of the State Legislatures have done this almost without exception,

and in all cases where legislative or business transactions have resulted in litigation the courts have held that all who are present should be counted as making a part of the quorum. This is common sense, and any other view is absurd and ridiculous. But they tell us that these new holdings and new rules will go into oblivion when the Democrats get control of the next Congress. I shall venture the prediction that these new rules will stand for a hundred years to come, as unshaken as the old rules which unfortunately took root and prevailed in this House for the last hundred, and the world will wonder why this old practice was permitted to remain so long.

This change is a necessity. The deplorable condition of the country is owing to the defeat of important legislation by these very methods. We need new pension legislation. We need a revision of the tariff and an increase of the duty on wool. We need an election law which will give us everywhere, North and South, a free ballot and a fair count, and under the new rules it will be possible to consider these and other important questions. Over two hundred million dollars go out of this country every year for articles which we ought to grow and manufacture ourselves, and we complain of the scarcity of money and the depression of prices, and yet we have been unable to legislate on these questions.

I have seen one man consume several weeks of the time of this House in his determination to defeat a river and harbor bill, and subsequently I have seen that same bill taken up and passed on suspension day, when it could not be amended, a bill that ought never to pass under such circumstances, as it contained many millions of dollars that ought to have been stricken out and might have been stricken out if the bill could have been considered on any other day.

Members who refuse to vote complain that they have a personal grievance against the Speaker on account of his naming them as present and refusing to vote. It is the duty of every member to vote, and if they do not vote they are wrong-doers, and it is an old maxim that a man can not take advantage of his own wrong. They should vote, and if they do not vote they should be counted. The only way they can break a quorum is to remain absent. This is the way the Ohio senators did a few years since, and it is the only way our brethren on the other side can break a quorum, but I presume they are afraid they will be sent for. They seem to have respect for that constitutional provision which compels the attendance of absent members.

During the second session of the Forty-ninth Congress Mr. RANDALL, who had formerly been Speaker of the House, and other members of Congress who are now present, asked Speaker CARLISLE to recognize one of them to consider a bill that was supported by a majority of the House, and he refused to recognize any Democrat for this purpose, and continued to refuse them till the end of the session. This correspondence can be seen on page 2688 of the RECORD of the second session of that Congress, and shows how arbitrarily this power of recognition was exercised by ex-Speaker CARLISLE whom the other side have extolled and whom we have all honored as a fair Speaker. This correspondence, extending from January to March, shows clearly that the charges of tyranny and despotism lie as much against CARLISLE as against REED, and more, because the rulings of Speaker REED express the will of the majority and facilitate the transaction of business, while the position taken by CARLISLE obstructed business and defeated the will of the majority.

Before closing I want to say a word in regard to the claim made on the other side that the Democratic party is now and always has been the keeper and defender of the Constitution. The gentleman from Arkansas who has just taken his seat [Mr. ROGERS] makes this claim very broadly.

In reply to Mr. GROSVENOR, who had claimed that the Democrats had been following the Republicans, occupying one night the same camp that the Republicans had occupied the night before, he said that there was one thing the Democratic party had never done, and that was it had never camped outside of the Constitution of the United States. When he makes this broad statement he forgets that it was a Democratic United States Supreme Court that rendered the decision that a colored man had no rights which a white man was bound to respect. He forgets that the Democratic members of the Southern States vacated these seats that we now occupy, in 1861, to destroy the Constitution and the flag of their country. He forgets that the most of those who remained here sat in their seats for four long years refusing to vote men or money to put down the rebellion. He forgets that Democratic leaders sat here in these same seats and voted to divide this Union and obliterate the Constitution. And the Democratic party in my own State made the leader of this movement their candidate for governor, and voted for him while he was over in Canada.

Does the gentleman not remember that it was a national Democratic convention, held in Chicago in 1864, that declared the war a failure and insisted on calling our soldiers home? Does he not remember that it was a national Democratic convention, held in New York in 1868, that declared the constitutional amendments unconstitutional, revolutionary, and void? If these amendments were unconstitutional, revolutionary, and void in 1868, as then declared by the Democratic party, what are they now? This talk about the Democratic party being the keepers and defenders of the Constitution is very much like the talk about the Cæsarism and the czarism of the Speaker: it must be taken with many grains of allowance.

The gentleman on the other side [Mr. ROGERS] also said that he had been here long enough to discover the fact that the Republican side of this House had no regard for the laws or the Constitution. To this I shall make no reply, but I regret that a question like the one now before the House, which is not in fact a political question, but a great constitutional question, can not be considered in an orderly and statesmanlike way. The Republican party has simply done its duty. If a wrong like the rulings in this House has grown up and become hoary with age, the sooner a remedy is provided the better for all. If the Republican party is in the majority by the votes of the people it should govern. If the Democratic party is in the majority it should govern. This is republicanism and this is right. Let us have a system of rules and rulings under which we can do business.

The minority has ample opportunity to go on record, by speech and by vote, against a measure, and when it has done this it has done its duty, and the responsibility rests with the majority. In the campaign of 1888 the country put the Republican party in power and has a right to expect that it will redeem its pledges and make good its promises. Long before Congress convened the air was full of Democratic threats foretelling how they proposed to keep Democratic members in their seats and prevent Republican legislation.

This was the situation, and as a few members in the last two Democratic Congresses prevented the consideration of many bills which two-thirds of the members favored how could we, under the old rules and rulings, expect to accomplish anything that had bitter opposition in the House? If dilatory motions were allowed to prevail, if every Monday could be consumed in reading the Revised Statutes, simply because a member called the book a bill, if members could stand up and demand the yeas and nays and then refuse to vote when their names are called and demand a quorum and escape being counted as a part of the quorum because they sit in silence at that particular roll-call, the result of the election in 1888 would avail nothing to the Republican party or to the country.

Seeing this situation and believing that a majority has a right to rule, the Republicans have undertaken to revise the rules of this House and provide against the abuse of its privileges.

These filibustering methods are of modern invention and are inconsistent with the dignity of the American House of Representatives, and owing to the extent to which they have been carried the time has come when a remedy must be provided; and the American people owe a debt of gratitude and admiration to the Speaker who has thus bravely led the way.

The letters to which I have referred are as follows, and I want the other side to remember in this connection the high compliments they have paid ex-Speaker CARLISLE:

HOUSE OF REPRESENTATIVES, *Washington, February* 5, 1887.

DEAR SIR: At the instance of many Democratic members of the House, we appeal to you most earnestly to recognize, on Monday next, some Democrat who will move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue taxes on tobacco. Many Republican members, we have reason to believe, are anxious to make such a motion. We believe the country is ready for the repeal of these taxes and that a large majority of the House will so vote when an opportunity occurs.

For a Republican to make the motion would give the Republican party all the credit accruing therefrom and would almost certainly cause the loss to the Democracy of not less than two Southern States at the general election in the year 1888. This is an isolated proposition, and we believe will command more votes than any other measure pending before the House looking toward a reduction in taxation; and favorable action on this proposition will not interfere with other efforts that are being made to reduce the burden of the people.

Yours, respectfully,

GEORGE D. WISE.
JOHN S. HENDERSON.
SAMUEL J. RANDALL.

Hon. JOHN G. CARLISLE,
House of Representatives.

MR. CARLISLE'S REPLY.

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, February 7, 1887.

GENTLEMEN: Your favor of the 5th instant, requesting me to recognize some Democrat "who will move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue tax on tobacco," was duly received and has been carefully considered.

A week ago, in compliance with the request made by you and other gentlemen, I consulted fully with the Democratic members of the Committee on Ways and Means for the purpose of endeavoring to formulate some measure for the reduction of taxation which would meet with the approval of our political friends and enable us to accomplish something practical in that direction during the present session of Congress. The bill which you then submitted for their consideration proposed legislation upon both branches of our revenue laws, and on the 3d instant it was returned to you with such modifications and changes as were necessary in order to make it acceptable to the gentlemen to whom it had been submitted.

In order, however, that our efforts to secure reduction of taxation might not fail on account of our inability to agree upon a measure in advance, we at the same time submitted certain alternative propositions, some one or more of which we hoped might be acceptable to you. Among other things we proposed to submit the entire subject to a caucus of our political friends, with the understanding that all parties would abide by the result of its action; and in case that course was not satisfactory to you we informed you that we would at any time, upon a reasonable notice, support a motion to go into Committee of the Whole on the state of the Union for the purpose of considering House bill 9702, introduced by Mr. RANDALL at the last session. That bill relates to internal-revenue tax on manufactured tobacco, snuff, and cigars.

We have received no response to that communication, and I consider that it would not be proper under the circumstances for me to agree to a course of action which would present for the consideration of the House a simple proposition for the repeal of the internal-revenue tax on tobacco, snuff, and cigars, to the exclusion of all other measures for the reduction of taxation.

Sincerely hoping that some plan may yet be devised which will enable the House to consider the whole subject of revenue reduction,

I am, very truly, yours,

J. G. CARLISLE.

Hon. GEORGE D. WISE,
Hon. JOHN S. HENDERSON,
Hon. SAMUEL J. RANDALL.

Oklahoma.

SPEECH

OF

HON. JOHN A. PICKLER,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 18, 1890.

On the bill (S. 895) to provide a temporary government for the Territory of Oklahoma and the bill (H. R. 6786) to organize the Territory of Oklahoma, to establish courts in the Indian Territory, and for other purposes.

Mr. PICKLER said:

Mr. SPEAKER: Much has been said in this Hall in praise of the people who settled Oklahoma Territory. Much more might be truthfully said of them.

Admitted as were this people into this much-advertised country that had been made famous by the many raids of the historical Captain Payne, the John the Baptist of this great army of occupation, they furnish a history exciting and interesting.

A country of prairie and woodland, with genial clime and sunny skies, watered by numerous creeks and rivers, a land of much promise, it had attracted the attention of the home seeker as well as the speculator.

No Territory of the West had been so much talked of before settlement. For a decade men had gone into this land, sought to make settlements and build towns, only to be removed by the order of the Government, and again and again returning were again and again marched out of this forbidden land by United States soldiers. Each recurring crusade gathered new strength, drew more friends, until at the close of the last Congress, and in the dying hours of that memorable session, a law was passed providing that this land of promise should upon proclamation of the President be opened to settlement. The law, however, only provided for settlement upon public land. No provision was made for a Territorial government; no officers were provided for, neither township, county, nor municipal.

On the 23d day of March, 1889, the President issued his proclamation declaring that Oklahoma Territory would be open to settlement on the 22d day of April, 1889, at 12 o'clock m., and forbidding all persons from entering said Territory and occupying said land before 12 o'clock on said 22d day of April.

During these thirty days from the date of the proclamation to the day of entry men gathered on the confines of this land of promise, gathered by thousands, but, restrained from entering by Government troops, they as a rule waited patiently for the coming day.

Kansas, on the north, separated from this territory by the Indian country known as the Cherokee Strip, 56 miles in width, was the rendezvous of far the greater number of these assembling thousands. At Purcell, a handsome town of 1,500 inhabitants, on the south bank of the Canadian River, in the Chickasaw Nation, the comers from the South gathered. So along the Indian country of the Iowas and Kickapoos, on the east, and likewise along the Indian country of the Cheyennes and Arapahoes, on the west, were camped large numbers waiting the hour of occupancy. At high noon April 22 the military officers stationed along the borders of Oklahoma Territory discharged their revolvers in air, the signal that the hour of entry had arrived.

The race began. One train after another, each with ten laden coaches, at intervals of from fifteen to thirty minutes, chased each other southward along the Santa Fé road until evening. These trains were met by others from the south at Oklahoma City, Edmond, and Guthrie. By wagon, carriage, horseback, and afoot likewise came the people to Oklahoma.

At nightfall there were fifty thousand people within this new land where six hours before there were scarcely a thousand souls. A large majority were men, a few boys, very few women.

From the excited reports in the newspapers, collision and bloodshed were expected, and as a consequence nearly every man wore a revolver, which was supplemented by a Winchester rifle to about every fourth man.

Fifteen thousand people at Guthrie, 8,000 at Oklahoma City, 4,000 at Kingfisher, 200 at Edmond, half as many at Alfred, and the remainder distributed at other villages, and settled upon nearly every quarter-section of this beautiful country. Strangers, competitors, opponents in choice of lots and lands, without a Territorial government, without a governor, without a sheriff, constable, judge, justice of the peace, or any other officer. What will be the outcome of this unprecedented assemblage of people? Will there be anarchy or order; will there be government or disorder; will there be peace or bloodshed?

Sir, when we know that these men were largely of the best citizenship from every State of this great nation, much may be expected of them. How proudly they have sustained the honor of the American Nation you have already heard eloquently protrayed by the distinguished gentlemen of this House, who so wisely visited that people to inform themselves of their needs and who are held in the highest esteem by this people, as I personally know from subsequent intercourse with the residents of that Territory.

How nobly these people demeaned themselves through all the conflicts and controversies concerning valuable lots and lands is known to the nation. In a week after arrival they laid aside their revolvers and hid their Winchesters, ashamed that they had ever supposed they would need them among such a people.

The history of Guthrie is much the history of the other towns and settlements. A pure democracy without laws, a large town meeting was held on the confines of the Government acre on the evening of the first day, April 22.

A gentleman from Ohio was chosen chairman, a secretary was selected, and, on motion, the roll of States and Territories was called and the representatives from the various States each selected one delegate to represent them in this council of States. Twenty-seven were thus selected and these became a provisional city council. A mayor was selected by a committee of seven prominent men, and under general instructions of the town meeting this mayor and council surveyed the town, laid off streets, alleys, and lots. They passed city ordinances, created city police, and appointed a police judge with more extensive jurisdiction and greater powers than any United States district judge ever dreamed of exercising. The ordinances were radically searching and covered all questions, civil and criminal. And these ordinances were respected and enforced.

Under this provisional city government, in a few weeks a permanent city council and mayor were elected by the people. Delegates to a charter convention were elected at the same time; this convention framed a charter, and this was adopted by a vote of the people, and under this charter the government of the city of Guthrie has been well administered, peace preserved, and life and property protected. Such, in the main, is the history of the other towns.

Mr. Speaker, with such a proud record as these people have made, under such peculiar and trying circumstances, an honor to themselves and an honor to the American people, I submit that it is due these people that they should now have the help and advantage of liberal laws by this Congress to aid them in the future development of this country.

I am in favor of the passage of this bill in the main, and that right speedily; for nearly a year this people have lived in doubt and suspense, and they are our brethren and deserve immediate assistance. I am in favor of extending a Territorial government over the Oklahoma strip, and while I admire the earnestness with which gentlemen here have opposed this measure and contended it is for the interest of the Cherokee Indians to withhold a government, I believe it is a mistake.

It is a beautiful country, 56 miles in width and 150 in length. There is no Indian there, and only the white men who watch the great herds of cattle, and it is the cattle-men much more than the Indian that are opposed to a government over this country.

I further hope that the future negotiations of the present commission to confer with the Cherokees as to this strip may be speedily successful, and that this land may be opened to settlers. The Cherokees do not need this land; the money will be far better for them than this territory; they already have an abundance where they live, and are the richest people per capita upon the earth.

But, Mr. Speaker, this bill, in my opinion, to do justice to the people, the white people of Oklahoma—and I am interested in seeing justice done them as well as the Indian—should be amended. The laws as to homesteads should not entail greater burdens on the settlers of Oklahoma than are imposed upon this class in any other Territory.

And I am opposed to the provisions of section 13 of the House bill which requires of the Oklahoma homesteader what is not required elsewhere. By the provisions of this section, if I understand it, the men who made settlement when this Territory was thrown open and who went away for six months to prepare to move their families to these new homes, as they had a right to do under the existing homestead laws, will be deprived of their land, for commencing in line twenty of said section we find this provision:

And no right of an alleged settler as such shall attach to any land in the Territory until date of his actual, bona fide continuous residence upon the tract he proposes to enter.

Section 13 is a bundle of restrictions and burdens placed upon Oklahoma people that are unnecessary and are unfair, and, as reported, in my opinion should be stricken out.

I find no provision in this bill protecting the honest settler against

the man who entered the Territory before the time fixed by the President's proclamation and in violation of law, and no bill should pass this House that does not provide such protection, whether the bill relates to lands, town lots, or both.

In line with the discussion of the extraordinary good order and exemplary conduct of this people, I desire to refer to section 7 of this bill. The good order of this people may be attributed to two reasons:

First, that they are American citizens who love order and self-government and have a pride in maintaining good citizenship.

Second. The other great and potent reason, however, Mr. Speaker, insuring the peace of that people, is that the Government of the United States has refused to allow the sale of intoxicating liquors in the Territory of Oklahoma. And wisely, Mr. Speaker, did the Government refuse to allow the shipment of intoxicating liquors into this Territory. In my judgment, had liquor been allowed to be sold in that Territory during the settlement, no such record of order and bloodless history of occupancy would have been known as has become the history of Oklahoma.

It seems to me, Mr. Speaker, that during the coming contests concerning the organization of counties, the locations of county seats, the selection of the capital of the Territory, the election of officers, and, more than all, the exciting contests concerning the ownership of the lands and town lots of this Territory, wherein one man will be dispossessed and the title declared in another, and in the many other exciting scenes and contests that must ensue in the organization of this Territory, it would be far better that the Congress of the United States should continue the policy heretofore pursued by the General Government of preventing the sale of intoxicating liquors in this Territory until they are organized and have themselves legislated upon this question.

As I understand it, under the laws of Nebraska, which under this bill govern this people and to which I object, upon the petition of 30 freeholders a license is granted for the sale of intoxicating liquors. Under this law from three to five hundred saloons will be opened in Oklahoma in a remarkably short time after the passage of this act.

Mr. Speaker, in the interest of a peaceable organization of that Territory, in the interest, the harmony, and good name of this people, who are a grand people, and for whom, after months of intimate intercourse with them, I have the highest respect and regard, I do not believe Congress should permit this great promoter of discord to be brought among them.

Why not substitute the laws of Kansas instead of Nebraska? I believe one-fourth of the people in that Territory were former residents of Kansas; they are acquainted with the laws of Kansas and the administration of Kansas laws and the procedure in Kansas courts. Mr. Speaker, they have acted largely under Kansas laws in their proceedings so far in this Territory. The city of Oklahoma adopted the laws of Kansas in its organization.

This Territory is in the jurisdiction of the courts of Kansas, the United States marshals ordered to that Territory to preserve the peace are Kansas officers, and they are the officers who now are in this Territory preserving order. Prisoners arrested therein are sent to Kansas for trial, and from every standpoint, it seems to me, Kansas laws should be the ones for the present government of this people, and under these laws the sale of intoxicating liquors would be prohibited. And I know it is the desire of the people of that Territory that Congress should protect them in this regard as the Government has in the past.

Now, Mr. Speaker, I regret that this bill could not have been perfected in Committee of the Whole, that these and other amendments might have been made; but as this action of the committee brings the bill on for consideration, without any opportunity of amendment, I shall still, anxious as I know the people are for a Territorial government in Oklahoma, vote for the bill, with the hope that the amendments suggested may be made in the committee of conference. And I predict, Mr. Speaker, that, with a government and laws, that people will speedily erect a Commonwealth, the State of Oklahoma, which the sisterhood will be proud to welcome into the Union.

The Code of Rules.

REMARKS
OF
HON. MARK H. DUNNELL,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1890.

The House having under consideration the report (No. 23) of the Committee on Rules—

Mr. DUNNELL said:

Mr. SPEAKER: While listening to the mournful picture presented in the language of the gentleman from Illinois [Mr. SPRINGER], I confess that I was very much relieved when I came to reflect upon the character of our political institutions. It is only next November before we are to have a general election, to elect a new House of Representatives. In so short a time these terrible evils which the gentleman so graphically pictures, may be wholly wiped out. The Republic will live under these rules for this short time, and then if the people of the country desire to restore Democratic power in this House, they will have the opportunity to do so.

I look with a good deal of pleasure at the character and genius of our Government. I am not disposed to take so gloomy a view of the future as the gentleman. Some gentlemen on the other side seem to think we are on the brink of ruin because, perchance, the political majority here proposes to adopt some new rules for the government of the House. The Republic will not suffer very much because this majority have the privilege of changing the present order of things, if they see fit so to do.

I have become reconciled to the new code, Mr. Speaker, because I think the majority in the House has a right to be heard and a right to legislate. Not everything in this new code pleases me. Some things I do not like; but I do accept the code as a whole because its object is to allow the majority of the House to control it and to legislate.

What is the significance of a popular election? After an election, to illustrate, it goes out that the Democrats have carried the House. What is expected by the country? What has it the right to expect? It has a right to expect that the known principles of the Democratic party are to be advocated and enacted into law. If the report goes out that the Republican party has carried the country, what may the country expect? They may expect and have a right to expect legislation in harmony with the principles and views of that party.

Now, a revolution may take place here every two years. I am glad of it. We are safe, Mr. Speaker, under this provision of the government. I am not alarmed, for if the American people desire to return the Democratic party to power next November, it is their privilege to do so. The Republic will still live. We may not be ruined if it does come into power. I never can feel any distrust of the Republic when the people shall intelligently pass upon the issues. I insist that it is their duty to punish a party in power if it does wrong.

A great deal has been said here about "Cæsarism" and "czarism." Well, I dislike these words. They are mean, miserable words in the American Congress. There is no czarism in America; there is no Cæsarism in America; and I am firm in the belief that there never can or will be. Does anybody suppose that Mr. REED in the chair is to inaugurate in this House a reign that can be denominated a reign of tyranny or Cæsarism? No. Mr. REED is a representative Republican, and his party will hold him responsible for a just, fair, and honest administration of his high office.

The House of Representatives is the body in our Government which represents the people and displays therein the genius of the Government, and the House may come into power or go out of power at the will of the people. The popular expression in the Presidential election of last year resulted for the Republican party. A Republican President was elected and a Republican House of Representatives came into power. What should that Republican House of Representatives do? It should respond to the Republican sentiment of the country. It should legislate in harmony with the platform of that party. It should have the power to do so. Now, we will assume that it has the power. I believe, Mr. Speaker, as I have said, in the genius of our Government as seen in this popular branch. What is it? It is that the majority shall rule.

Mr. LANE. According to law.

Mr. DUNNELL. Let it rule badly if it will, but let it have the power; and if I were to give any advice to the Democratic side of this House I should say let the Republicans have the power and let them exercise it. Let them then be held responsible to the country. It is democracy to let the majority rule. A minority may resist. A minority has its rights, but the genius of the Government is that the majority shall rule.

I favor this code because it recognizes a great characteristic principle of our Government, the majesty, the dignity, and the supreme right of the majority. I ran through Elliott's Debates the other day. I read over the motions that were made in that body of great men. Was there any filibustering there? A vote of 5 and 6 and 6 and 5, a quiet acquiescence in the will of the majority, is seen at every stage. The outcome was the Federal Constitution.

That Constitution so clearly recognizes this great principle that I have marveled that the determination to abide by it here in this House is so stoutly resisted. If the new rules shall be the death-knell to filibustering, the country will applaud the party that shall bring it about, and the country will also applaud the distinguished Speaker who has with so much dignity and forbearance taken the assault and the abuse of the minority.

Filibustering has been a crime. The country has tired of it. The time for its overthrow has come. It dies hard, but its death will be acceptable by all the people.

It will not be claimed that these rules are perfect or need no amendment. Their practical use will disclose defects, and the majority will be held responsible if it does not amend them in the interest of good legislation.

In advance of their adoption I can find fault with some of them. They do not secure sufficient time for the transaction of private business. The Friday which is nominally given to this kind of business in not less than half of the weeks will be taken up with other business, and two or three cases on the Calendar will consume half of the Fridays that remain. There are many private bills, not claims, which must be lost each session, and lost because not reached.

There are many just claims against the Government brought here year after year which fail from lack of time. Our Government is cruelly unjust to thousands of its people. Many men and women die in this city here asking the Government to be just to them. It is a shame that their claims are not met and paid. Congress should provide a court for their full examination.

Again, too much time under this proposed code is given to the District of Columbia. Two days each month constitute too much time. One day each month is enough for all the legitimate and needed legislation. This extra time only invites here schemes and measures for gain to their projectors.

Acts of incorporation are brought into one House, put through one House, only to be sold out to those interested in franchises which are thus put in peril.

There are too many calendars provided for in these rules. They become the sepulchers to the great mass of the business prepared with great labor by the various committees. The committees should be allowed to report any business upon which they have taken final action, and not be confined to the business which shall go to the House Calendar.

I am not inclined to say much more than to express the profound hope that this new code will be found adapted to use in this House in the transaction of the vast volume of business which the multiplied interests of the people of this great nation call for.

Our developed and developing industries call for much legislation. Congress is called upon each year to regulate these industries, foster some of them, or restrain them when so used as to infringe upon the rights of the people.

No patriot should wish to see this popular branch of the Government hampered by rules which will not allow it to give a quick response to any and every call upon it made by the people or any portion of them. It should be the popular branch in fact as well as in name. If these new rules shall tend to make it easier for the people to be heard and have their prayers answered, there should be no objection to them. They must be vastly better than the rules which we have had here for the last ten years. In the belief that they will prove such, I shall cheerfully vote for them.

Contested Election—Featherston vs. Cate.

SPEECH

OF

HON. CHARLES A. HILL,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 5, 1890,

On the contested-election case of Featherston vs. Cate, from the First Congressional district of Arkansas.

Mr. HILL said:

Mr. SPEAKER: This case comes to us from the First Congressional district of Arkansas. That Congressional district comprises seventeen counties and extends from the Mississippi River across the State to Louisiana. It is said to have a voting population of over 40,000. The contest now before us is between Democrats. Mr. Cate was the regular Democratic nominee; Mr. Featherston was the nominee of a secret organization, composed largely of farmers, known as the Wheel, an organization similar in character to that known in the West as Patrons of Husbandry or the Grange. Both contestant and contestee have been life-long Democrats. About ten days before the election of November 6, 1888, Mr. Featherston received the indorsement, it is claimed, of the Republican party, and the contest was fought out to a conclusion mainly between these two contestants.

There was, however, as appears from the record in this case, an independent Republican candidate in the field, a Mr. Barrett, who received some votes in several of the voting precincts, and the returns show that in one of those precincts Mr. Barrett received 169 votes. It thus appears that the voters of both the great parties, Republican and Democratic, were under the influence of a divided allegiance. The organization known as the Wheel was composed mainly of Democrats, and they were called upon to forsake the old Democratic party and vote for the candidate of that organization. The Republicans, on the other hand, by their indorsement of the Wheel candidate, were called upon to forsake the party of their choice and cast their votes for a life-long Democrat. Under such circumstances all experience shows that neither Republicans nor Wheelmen could be relied upon to forsake their party and vote for a candidate at the expense of their own party organization; and this consideration, to my mind, explains in part the result of the election.

According to the returns to the secretary of state, Cate received 15,576 votes, Featherston 14,228, making a majority in favor of Cate of 1,348, and accordingly Mr. Cate was declared elected and received the certificate of election; and we are now called upon to determine which of the two candidates was in reality elected. By the Constitution of the United States the House of Representatives is made the judge of the "election, returns, and qualifications of its members." By the very terms of that instrument the members of this House are now called upon to act in a judicial capacity as judges, under their oaths, in determining this contest. To my mind it should be determined only by the record containing the pleadings and evidence in the case; it is not, and should not be made, a political question. The simple and only inquiry should be, which of the two opposing candidates received a majority of the votes cast?

I have listened, Mr. Speaker, with the deepest interest to the discussions on the floor of this House, extending over a period of more than two days. I have also examined with great care the printed record of the pleadings and evidence, containing nearly 300 pages, and the majority and minority reports of the Committee on Elections, and have devoted more time to the consideration of this matter than of any other which I have been called upon to act during my brief term of service as a member of this House; and, Mr. Speaker, my deliberate conclusion is, after such examination, that the sitting member, Mr. Cate, was elected by over 500 majority.

With me it is a matter of deep conviction; and however I may differ from the majority of the House, I feel that there is but one thing left for me to do, and that is to vote according to my convictions. In doing so, however, I do not wish to have it understood that I am in any way impeaching either the honesty or good faith of the majority. They have the same right to a free and unrestrained exercise of their own judgment as I claim for myself; and if I had not taken the pains to examine the record and to compare that record with the conclusions reached by the majority of the committee I might perhaps have been found voting with the majority to-day.

Now, Mr. Speaker and gentlemen of the House, after these preliminary remarks, I ask your attention to the case as made by the record. The statute law of the United States requires the contestant in an election case to give the opposite party, the contestee, notice of the proposed contest, particularly specifying the grounds on which the contest is to be made. Acting under that law, the contestant, on the 17th day of December, 1888, served upon the contestee, Mr. Cate, a notice in writing, the first clause of which is as follows:

Hon. W. H. CATE, *Jonesborough, Ark.:*

SIR: On the 21st day of November, 1888, the governor of the State of Arkansas, in pursuance of section 2708, Mansfield's Digest, made proclamation wherein it is declared that you received 1,342 more votes for Representative in Congress from the First Congressional district than I did. You are hereby notified that I shall contest your right to occupy a seat in the House of Representatives in the United States of and from the First Congressional district of Arkansas in the Fifty-first Congress on the following grounds.

And then follows a long list of specifications of the grounds upon which the contest was made, sixty in number, and covering fourteen pages of the printed record. On page 228 of that record will be found a certificate from Samuel Keel, clerk of the circuit court of Crittenden County, Arkansas, from which I read as follows:

Abstract of poll-books of election held on the 6th day of November, 1888, for Representative in Congress for the First Congressional district of the State of Arkansas, in Crittenden County, at the following precincts or voting places, and not certified to the secretary of state on account of irregularities of poll-books, appearing therein that the judges and clerks of said election were not sworn as the law directs:

	Total vote.	W. H. Cate.	L. P. Featherston.
Mound City	147	14	133
Walnut Grove	189	49	137
Hoadley	208	4	195
Edmondston	90	15	75
Riceville	45		45
Gilmore	45	7	35
Scanlan	64	61	2

By the simple process of addition and subtraction it will be found that the six voting precincts embraced in this table, not including Scanlan, net an aggregate majority to Featherston of 531. It is manifest that this majority of 531 should be counted in favor of Featherston. Cate's majority in the district was 1,348; deducting, leaves a majority of 817 in favor of Mr. Cate. The precinct of Scanlan, which, according to this same certificate, gave Mr. Cate 61 votes and Featherston 2, remains to be considered. And over this precinct the contest has raged for more than two days in this House, one side claiming that 59 majority shown by the certificate should be counted in favor of Mr. Cate, and the other side insisting that the returns as to that precinct have been overcome by oral evidence establishing a majority of 73 votes in

that precinct in favor of Featherston. Let us look at the facts. And, first, as to the pleadings. I read from page 6 of the record as follows:

That at the township of Scanlan, in the county of Crittenden, in said precinct, by fraudulent and unlawful conduct of the judges of said election of said township, who were partisans of yours, 163 legal voters of said township went to the voting place in said precinct between the hours prescribed by law for holding elections, on said 6th day of November, 1888, aforesaid, for the purpose and with the intention of voting for me for Representative, and were prevented from doing so by the unlawful and illegal conduct of said judges of election and by intimidation of your partisans. I shall therefore claim on contest that I be allowed the votes of 163 persons aforesaid, who would have voted for me but for the unlawful and illegal conduct of said judges of election and the intimidation of your partisans.

This was contestant's only claim as to the precinct of Scanlan, and, as will be seen, he makes no claim whatever that that precinct did not give, as shown by the evidence, 61 votes in favor of Mr. Cate, his claim simply being that 163 voters went to the polling place in that precinct, "with the intention of voting for me for Representative, and were prevented from so doing." This specification, Mr. Speaker, is in the nature of a declaration in an action at law. It states the claim made by the contestant; by that claim in this contest, by all rules of law and evidence, he is bound. The returns show, under this stipulation, introduced by contestant himself, upon their face that 61 votes were cast for Mr. Cate and 2 for Featherston.

There is not a word of proof in this record that they were not so cast. No witness testifies that the returns in that respect were not correctly made. The majority of the committee, however, in the face of those returns and acting upon *ex parte* testimony of three witnesses, whose evidence appears in the record, have ignored the returns in favor of Mr. Cate, and upon that *ex parte* testimony found a majority of 73 at that precinct in favor of Featherston. And that, Mr. Speaker, brings us to one of the most important inquiries in this case. Turning to page 185 of the record I find that on the 25th, 26th, and 27th days of February and on the 2d and 4th days of March, 1889, the evidence of twenty-seven witnesses was taken before E. M. Avery, a notary public, at Memphis, in the State of Tennessee. The evidence of these twenty-seven witnesses, if evidence it could be called, covers more than forty pages of the printed record.

By the statute of the United States it is provided that a party desiring to take depositions in contested-election cases shall give the opposite party notice in writing of the time and place when and where the same will be taken, of the names of the witnesses whose depositions are to be taken and their places of residence, and the name of the officer before whom the depositions will be taken. This provision of the statute was entirely ignored in taking the testimony of these twenty-seven witnesses. One of these witnesses was W. B. Eldridge, one of the attorneys for contestant, who says (I read from page 227 of the record):

I notified Mr. L. P. Berry, the attorney of Mr. Cate, that Mr. Featherston would take proof in Memphis, Tenn., at my office, on the Congressional contest; and on February 24 Mr. Henry Walsh and myself both notified Mr. Berry that we would begin taking proof at 59 Madison street, Memphis, Tenn., at 9 o'clock, February 25, 1889.

This was the only notice given, or claimed to have been given, and clearly it was insufficient. It was not in writing; it did not give the names of the witnesses or their places of residence or the name of the officer before whom the depositions were to be taken; and Mr. L. P. Berry swears in an affidavit filed in this case that no notice, verbal or written, was ever given him, and he never knew of such evidence until he saw it printed in the record in this case.

No opportunity for cross-examination was given. Neither the contestee nor his attorney was present. It was, to my mind, a clear, palpable, and open violation of the express provisions of the statute requiring notice in writing of the time and place, names and residences of the witnesses, and name of the officer; and testimony taken under such circumstances ought not, in my judgment, to be considered by this House. And what excuse is here made for this open violation of the statute? It appears from the evidence of Mr. Eldridge, the attorney for contestant, that he went to Crittenden County to take proof in this contest, and here is what he says:

Q. Mr. Eldridge, what sort of a reception did you meet with over there?
A. I was not received at all.
Q. What do you mean by saying you were not received at all? And please state fully how you were treated by the people over there.
A. The people seemed displeased at my presence there, as also Mr. Featherston; and I was not invited in their places of business or residences, or in any way was I shown that common politeness that citizens of a town are supposed to extend to strangers who were there for legitimate business.
Q. What town was this?
A. Crawfordsville, Crittenden County, Arkansas.
Q. You say you were not invited into any place of business or in any house. What was the condition of the weather at this time, and did you suffer any inconvenience on account of this inhospitality?
A. My associate counsel, Mr. Henry F. Walsh, and myself were together and remained about two days and a half. The first day was bitter cold, which we spent in a saloon with the doors open and no place to sit. The second day was spent under the cover of the porches of the stores. We did this because we had nowhere else to go, and no one invited us in out of the cold and weather. We had some difficulty in getting anything to eat, which we finally secured from negroes, who allowed us to eat it in an open room adjoining where it was cooked. We came very near freezing there. This was a negro eating-house. Such a place I never was in before. The night coming on we looked in vain for a place to rest, and I thought we would have to pass it in the open street. We finally induced a negro by the name of Logan to allow myself and Mr. Walsh to pass the night on a lounge in a room of his house, which was about half a mile from town. We received the only courtesy from this negro and his wife that we had there at all.

This was the reason or excuse, call it what you will, for taking the testimony at Memphis. But surely it affords no excuse whatever for not giving such a notice as the law requires. Such a notice could and should have been given.

Now, Mr. Speaker, it was on testimony so taken, on a mere verbal notice, denied on oath by the party to whom it is claimed it was given, that the majority of the committee have acted in this case, not only as to the township of Scanlan, but as to other voting precincts, to which I shall call the attention of the House. And here for the first time, brought out by this *ex parte* testimony, we hear of the fraudulent tin ballot-box with a double slot, of which we have heard so much in this case. It makes its first appearance in the hands of contestant's attorney. But where it came from the evidence does not disclose.

Willis McGee, whose *ex parte* evidence was taken on March 2 at Memphis, was asked these questions:

Q. This tin box, made Exhibit "A" to your deposition, that I now have in my hand here, did you ever see a box like that in the State of Arkansas?
A. I did, sir.
Q. When?
A. The time the election was going on.
Q. For what purpose, if any, was the box then used?
A. To put votes in.
Q. What election is that you refer to?
A. The Presidential election. It was used at both elections, at the Presidential election and State and county election.
Q. Are you absolutely certain it was a box of this precise description that you saw at those two elections?
A. Yes, sir.

Thus by a leading and direct question this witness is made to testify to the use of the ballot-box at the elections in Arkansas, precisely like the one in the hands of contestant's attorney, without its even appearing anywhere in his evidence, if evidence it could be called, that he had ever particularly examined either of the ballot-boxes used in the election or the one then before him. Without a careful examination he could not determine whether it had a double slot or not.

Another witness, John Johnson, whose *ex parte* testimony was also taken at Memphis, testifies as follows:

Q. Were you there at the last general election?
A. Yes, sir.
Q. What is about the usual vote of the precinct?
A. Well, from 100 to 123 or 4.
Q. How many of those are Republican?
A. Well, about 110 or 112.
Q. How many are Democratic?
A. About 8 or 9.
Q. You say you were at the Presidential election?
A. Yes, sir; I am at all of them, but then I was there anyhow, at that one expressly.
Q. What time did the polls open?
A. Well, they said they was to open in the morning at 9 o'clock, and close at 4. I could not tell you the real hour they did open They may have opened before 9 or after 9. That was the time they were said to open, at 9 o'clock.
Q. Was there some people come out to the polls that day that did not vote?
A. They wanted to vote, but was afraid.
Q. How many people voted there?
A. I counted up 73, and they was voting on; I did not go away, but then I went off down the river a little piece and sat around; but everybody that talked to me after I come up said they was voting Republican. There was not but two colored men that voted the Democratic ticket, and one of them would not have done it if they had not made him do it; he was a kind of ignorant sort of person, and they gave him the ticket and he went on and voted it.
Q. You say they voted a Republican ticket?
A. Yes, sir.

And on this testimony, Mr. Speaker, the majority of the committee say "the contestant shows that he received 73 and perhaps more votes, and these, we think, should be allowed him," and they were allowed him; and more than that, Mr. Speaker, not only do the majority of the committee on this purely *ex parte* testimony of one witness, almost wholly without corroboration, override the official returns from that precinct, showing a majority of 59 in favor of contestee, but count 73 majority in favor of contestant. To my mind this is wholly unwarranted by the evidence. I do not believe that testimony so taken, in open violation of law, should be made the basis of such action. Those official returns were made under oath by the judges and clerks of election, five in number, and surely are entitled to greater weight and more respect at the hands of the committee.

Adding, then, the 59 majority in favor of Cate at Scanlan precinct, as shown by the official returns, and we have 876 majority in favor of Cate.

CAT ISLAND.

Much has been said, Mr. Speaker, in this contest about the election at Cat Island precinct. I shall not detain the House with a long examination of the evidence as to the vote at that place. I ask the attention of the House, however, to pages 6 and 16 of the record, where the claims and counter-claims of the contestant and contestee as to this precinct will be found. I read from page 6 as follows:

That at the precinct of Cat Island, in the county of Crittenden, in said district, at the election held on the 6th day of November, 1888, I received for Representative 183 votes, and you received 15. That the election officers of said township, who were partisans of yours, through fraud or mistake returned that I received 120 votes, and that you received 88. That the votes as thus returned by the election officers of said township were by the county clerk of said county certified to the secretary of state, and by him laid before the governor, and by him counted in determining which of us received the greater

number of votes in said district. I shall therefore claim, on contest, that I be allowed 63 more votes that were returned and certified for me in said township, and that 73 votes which you did not receive in said township, but which were returned and certified for you, be stricken from your vote in said township.

To this, on page 16 of the record, contestee makes answer:

That as to the precinct of Cat Island, in said county of Crittenden, I received 48 votes, while you received 120 votes, and that said votes were correctly counted, returned, and certified. I deny that you received 183 votes, or that the election officers were partisans of mine, or that there was any fraud or mistake in the returns.

This, then, was the issue to be tried, so far as Cat Island was concerned. Contestant claimed 183 votes. The majority report gives him 193, ten more than he claimed. And on the testimony of one witness, George Hendly, taken at Memphis, without legal notice to contestee and in violation of law, the majority of the committee have added 73 votes to the 120 returned for the contestant. He was asked this question (I read from page 88 of the record):

Q. Did the Republicans all vote the Republican ticket in the last election?
A. They did, so far as I know; in fact, I saw most of them all vote; they all voted it; they all told me they would vote the Republican ticket; I saw a great many of them vote and the majority of them told me afterwards that they had voted the Republican ticket.

On this and like uncertain evidence the committee act. But two witnesses were examined as to the vote at this precinct. Neither of them testifies definitely to any certain number of votes voted, except Robert Abernethy, who says he voted the Republican ticket. To my mind the evidence is clearly insufficient to override the returns as to this precinct.

PHILLIPS COUNTY.

Turning now, Mr. Speaker, to Phillips County, I find on page 184 of the record a stipulation from which it appears that in two precincts of that county, Hicksville and Lake, Featherston is entitled to a credit of 132 votes. I read from the stipulation:

First. In Hicksville precinct, of Hickory Ridge Township, Phillips County, 48 legal votes were cast, of which said votes L. P. Featherston, the contestant, received 33 votes and W. H. Cate, the contestee, 15 votes. That the judges of said election, in making their returns of said election, so certified the result; but that they inclosed the said returns with the ballots, and sealed them all up, by reason whereof the board of canvassers, who by the law are prohibited from opening the package containing the ballots, did not count the votes thus cast in said voting precinct, and made no return thereof to the secretary of state; and that in said precinct the contestant had a majority of 18 votes over the contestee, of which he was, by reason of the error aforesaid, deprived.

Second. That in Lake Township, Phillips County, 137 legal votes were cast for Representative in Congress from the First district of Arkansas, of which L. P. Featherston, the contestant, received 127 votes, and the contestee, W. H. Cate, 10 votes; but that in making the returns of said election to the county clerk of said Phillips County the judges of said election, by mistake, certified that L. P. Featherston received for said office 70 votes, and the contestee, W. H. Cate, 67 votes; and that the board of canvassers so certified to the secretary of state of Arkansas, who, in counting up the returns for said office, followed the returns thus made; and that in truth and in fact the contestant, L. P. Featherston, had in said Lake Township a majority of 117 legal votes over the contestee, W. H. Cate, for the office of Representative to the Fifty-first Congress of the United States from the First district of Arkansas, instead of a majority of 3 votes, as certified to and allowed to him as aforesaid.

As thus stipulated, the net majority in those two precincts in favor of Featherston is 132 votes, and deducting these votes from the 876 leaves 744 majority for Cate still remaining.

CROSS COUNTY.

As to the township of Smith, in Cross County, I find the following as contestant's claim. I read from page 12 of the record:

That at the township of Smith, in the county of Cross, in said district, at an election held on the 6th day of November, 1888, I received for Representative 115 votes, and you received 84. That the election officers of said township, who were partisans of yours, through fraud or mistake, returned that you received 84 votes and that I received 15 votes. That the votes as thus returned were by the county clerk certified to the secretary of state, and by him laid before the governor and by him counted in determining the number of votes cast for each of us in said district. I shall therefore claim on contest 100 more votes in said township than were returned for me.

To this claim contestee makes answer as follows. I read from page 20 of the record:

As to the election of the township of Smith, in Cross County, I deny all the charges of fraud and mistake, and say that the votes were correctly counted, returned, and certified. I deny that you received 115, but say that you received 15 votes, while I received 84 votes. The election officers were not all partisans of mine.

Here, then, is a plain, unmistakable statement by contestant, confirmed by the reply that contestee received 84 votes in that precinct. By that admission contestant, by all rules of pleading in evidence, should be bound. They are not allowed him in the majority report. I read from that report (page 42), as follows:

In the township of Smith, in Cross County, Featherston is returned as receiving 15 votes, and he proves up 29 votes. This overthrows the return and leaves the parties to prove up their votes. The result is, Featherston gets 14 more votes, and Cate, not having proved any votes, loses 84, making a difference in favor of Featherston of 98.

And Featherston is then credited with the 98 votes. Clearly this is a mistake as against Mr. Cate of 84 votes. Contestant having conceded that contestee had received 84 votes the contestee was not called upon to make any proof as to the number of votes he received. Parties in a contested-election case, the same as in an action at law or a suit in equity, should be bound by their pleadings and their admissions in those pleadings. Not a word of proof is in the record showing, or tending to show, that Cate did not receive those 84 votes. All that the contestant did was to prove that he (contestant) received 29 votes instead of 15 returned for him. Having already been credited in the returns with 15 votes the contestant should receive a further credit of the difference between the 15 returned and the 29 proved up. Deducting these 14 votes from the 744 previously found for contestee, leaves a majority for contestee of 730 still remaining.

ST. FRANCIS COUNTY.

Turning to the township of Franks, in St. Francis County, I find about the same condition of things. I read from page 12 of the printed record, in which the contestant, in specifying his grounds of contest, says:

That at the township of Franks, in the county of St. Francis, in said district, at an election held on the 6th day of November, 1888, I received 271 and you received 129. That the election officers of said township, who are partisans of yours, through mistake or fraud returned that you received 269 votes, and that I received 131. That the votes as thus returned were by the county clerk of said county certified to the secretary of state, and by him laid before the governor of said State, and by him counted in determining the number of votes cast for each of us in said district. I shall therefore claim on contest that I shall be allowed 140 more votes than were returned for me in said township; and that 140 votes which you did not receive, but which were returned and certified for you, be stricken from your vote in said township.

To this claim contestee makes reply (I read from page 20 of the record):

As to the election in the township of Franks, in said county of St. Francis, I deny the charges of fraud and mistake and say that the votes were correctly counted, returned, and certified. I deny that you received 271 votes, but say that you received only 131 votes, while I received 269 votes. The election officers were not all partisans of mine.

Here, then, is a plain admission by contestant that contestee received 129 votes. The returns show that contestee received 269 votes, and 129 were conceded by contestant. He should be bound by that admission. And as the returns were shown incorrect and contestee failed to prove that more than 129 votes were cast for him, that number, 129, should be deducted from the 269 returned for him, leaving 140 votes to be taken from contestee's majority. Deducting the 140 from the 730 previously found, leaves 590 majority still remaining in favor of contestee.

Contestant, however, proved that he received 195 votes in that precinct instead of 131, and he should be credited with that difference. Deducting that difference, 64, from the 590 previously found, leaves 526 in favor of contestee. Here, then, in the majority report is a plain mistake in this precinct against contestee of the 129 votes conceded by contestant as having been polled for contestee. My statement corrects that mistake.

LEE COUNTY.

As to Lee County the claim of contestant is as follows (I read from page 7 of the record):

That at the precinct of Independence, in the county of Lee, in said district, at an election held on the 6th day of November, 1888, I received 397 votes and you received 224 votes. That the election officers of said township, who are all partisans of yours, through fraud or mistake, returned that I received 89 votes and that you received 224. That the votes as thus returned by the election officers of said township were by the county clerk of said county certified to the secretary of state, and by him laid before the governor of said State, and by him counted in determining the number of votes cast for each of us for Representative in said district. I shall therefore claim on contest that I be allowed 308 more votes than were returned and certified for me from said township.

To this claim contestee makes reply as follows. I read from page 17 of the record:

As to the precinct of Independence, in the county of Lee, I deny all the charge of fraud and mistake, and say that the votes were correctly counted, returned, and certified. I deny that you received 397 votes, but you received 89 votes, and I received 244 votes in said precinct or township.

Here then is a plain admission by contestant that contestee received 224 votes in that precinct. Notwithstanding this concession the majority report gives contestee no credit for those votes. Not a word of proof was introduced on either side showing, or to my mind tending to show, that contestee did not receive that number of votes. Upon this point the majority report says. I read from page 46 of that report:

What is claimed as a concession by contestant that the contestee received 224 in this township is contained in the notice of contest on page 7, as follows.

Then, after quoting that part of contestant's claim as to Independence township, which I have just read, the majority report proceeds:

This is not a concession that contestee received 224 legal votes, but is in the nature of a recital of the state of facts which he would be able to establish by proof.

But, Mr. Speaker, upon whom devolved the burden of showing or proving that those votes were not legal? They were received and returned as such, and counted as such. In his notice of contest contestant made no claim that these 224 were not legal votes. His contention was that he, contestant, received more votes than were returned for him. I quote:

I shall therefore claim on contest that I be allowed 308 more votes than were returned and certified for me from said township.

The majority report further says:

The contestee did not treat this statement as a concession that he received 224 votes, but on the contrary he filed the following answer.

They then quote contestee's answer as above given on page 17 of the record, in which he claims that he received 244 votes in said precinct or township. And then the report further says:

Instead of the record making a stipulation or concession that contestee had received 224 legal votes, the number of legal votes was not admitted by contestant,

nor was the alleged concession accepted as such by the contestee in lieu of evidence, but he set up a claim to 244, instead of 224, which he now claims as having been conceded. The parties having failed to agree upon the matter, the question stands upon the proof, which shows that a fraudulent return was made by the election officers.

And the majority report then proceeds, upon the testimony of one witness only, to overthrow this entire return, and to credit contestant with 227 more votes than were returned for him by the officers of election, entirely disallowing the 224 votes conceded by contestee.

Mr. Speaker, I had always supposed that the greater included the less, and that when contestant admitted of record that contestee received 224 votes, and contestee, in reply, claims that he received 244, the 244 included the 224, and that contestee should be credited with that 224 votes. It was not, as claimed by the majority of the committee, a matter of agreement, but an admission of record by contestant, and by that, I think, he should be bound, especially in the absence of any proof in the record that contestee did not receive those 224 votes.

In this contest as to Independence Township, contestant proved by one witness that he received 92 votes. The returns show 89 for him, a difference of only 3 votes. I do not believe that these returns should be upset or overturned on the testimony of one witness only. Those returns were made and sworn to by officers of the law acting under oath, five in number, three judges and two clerks, and it ought to take more than the testimony of one witness to overcome them. That witness was Milton Powell. I read from his testimony, page 26 of the record:

Q. 9. What voters voted that ticket that day?
A. The Republicans voted that ticket; it is a Republican ticket.
Q. 10. What was the result of your work?
A. I kept count of 92 of those Republican tickets that went out of my hands.
Q. 11. What was done with those tickets—92?
A. They were voted.
Q. 12. How do you know they were voted?
A. I went with them to the ballot-box and saw them put in.
Q. 13. How many votes were polled here that day?
A. Something over 600.
Q. 14. What is the political complexion of this district; which has the majority?
A. The Republicans have a large majority.
Q. 15. Can the majority of the colored people read and write?
A. The majority can not read and write.

And again, on page 27, I read from his testimony as follows:

Q. 36. Did they all vote for Mr. Featherston?
A. They all voted the red ticket, like the one filed; I saw them put it in.
Q. 37. From the time you gave them the ticket to the time they voted did any one have an opportunity to change the name on the ticket?
A. No, sir.
Q. 38. Then you positively swear that those 92 persons voted for Mr. Featherston?
A. Yes, sir; that is my belief.
Q. 39. Are you positive or not that said 92 men voted for Featherston?
A. I am positive they voted for his name on the red ticket.
Q. 40. Are you positive that Mr. Featherston's name was not scratched on a single one of those tickets you gave out?
A. I am positive.

On this evidence of one witness only, who testifies that he saw 92 votes cast for Featherston, the majority report, as I have before stated, proceeds to set aside the entire election returns and count a majority in that precinct in favor of Featherston of 227 in addition to the 89 shown by the returns. I read from the majority report, page 45; after quoting from Mr. Powell's testimony they say:

There is under the proof circumstances and facts sufficient to impeach the returns and to put the parties to proof. It is satisfactorily proven that the township is largely Republican; that 632 votes were cast, showing a full turnout, and the contestant is only returned 89 votes. The vote for Presidential electors was as follows:

Harrison	435
Cleveland	196
The Republican majority	239

Here, then, is a case where we have 239 votes not counted for any one for Congress. And this, too, in the face of testimony of witnesses showing that the Republicans turned out well and were in the majority and voted the party ticket.

I have only to say, Mr. Speaker, that to my mind the report upon that point is not satisfactory, much less conclusive, and in any view that can be taken of this matter the 224 votes admitted to have been cast for contestee should be counted for him. This was not done. The returns show 89 votes for contestant. The evidence of Milton Powell, if deemed sufficient to overcome the returns on that point, would give him but 3 more. Deducting those 3 from the 526 previously found for contestee leaves a majority of 523 in his favor.

Now, Mr. Speaker, I have gone over this entire ground as carefully and fully as my limited time would permit. My conclusion is that contestee was elected by over 500 majority and is entitled to his seat. A few words more as to the general aspects of this case and I have done.

Much has been said on this floor concerning certain outrages that were committed in this Congressional district, both before and after the election in November, 1888.

It appears that in July, 1888, a band of about one hundred men, armed with Winchester rifles, waited upon several of the leading Republicans of Crittenden County, at Marion, the county seat, and forcibly drove them from the State. It also appears, not from the record in this case, but from letters and communications read on this floor, that in May, 1889, over six months after the close of the election now in controversy, and even after the proofs in this case had been taken, a riot occurred in another part of the district, in which several men, all Republicans, were killed. Mr. Speaker, I am no apologist for crimes. The perpetrators of them should be punished, and that speedily and to the full extent of the law; but, so far as I can discover, these crimes had no connection whatever with the election now in controversy. That election was held peaceably and quietly, without riot, violence, or intimidation, so far as I can discover or this record discloses.

In Crittenden County, to which I have referred, and where the acts of violence were perpetrated, 2,120 votes were cast, of which contestant received 1,660 and contestee 460, a majority in favor of contestant in that county alone of 1,200 votes. These facts speak for themselves, and show to my mind that the election was held without intimidation or violence. I believe, Mr. Speaker, in a "free ballot and a fair count," and will go as far as any man on this floor in preventing fraud or intimidation at the polls. Therein lies the only safety for free institutions or a republican form of government; and I will go as far as any man on this floor in preserving the sacred rights of the ballot to the voter North and South, East and West.

But, Mr. Speaker, in this contest I can not shut my eyes to the fact that after allowing contestant every claim in his favor which can be reasonably made there still remains a majority of over 500 in favor of the sitting member. In cases of this kind I know of but one safe rule of action, and that is, for each member to be guided by his own judgment and sense of justice, upon the facts as they appear in the record. At the other end of this Capitol we have heard the gospel of justice to all men, white and black alike, preached by the silver-tongued orator from Kansas, Mr. INGALLS. I believe in that gospel of justice, not merely for the black man, but for the white as well, for all men; and, believing that contestee has been fairly elected I shall vote to retain him in his seat.

Election Contest—Atkinson vs. Pendleton.

SPEECH

OF

HON. R. P. C. WILSON,

OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 27, 1890.

The House having under consideration the following resolution:

"*Resolved*, That George W. Atkinson was duly elected a Representative to the Fifty-first Congress from the First Congressional district of West Virginia at the election held November 6, 1888, instead of John O. Pendleton, and that said George W. Atkinson is entitled to his seat as such Representative"—

Mr. WILSON, of Missouri, said:

Mr. SPEAKER: If nothing else worthy of interest has transpired during this debate, it has developed the fact that there are more idiots, lunatics, persons of unsound mind generally, and paupers in West Virginia than any other State in the Union. [Laughter.] We are indebted for this information to the majority of the Committee on Privileges and Elections, to the minority of which I have the honor to belong.

Go and come from and to this Hall whenever you may, when a case from that State is under discussion and some member of the majority is upon the floor, the last thing you hear when you leave and the first when you come in is the same sad refrain: "Fool, idiot, lunatic, and pauper." [Renewed laughter.]

According to the statements of our Republican friends of the committee, verily this State must be the paradise of fools. If the people of West Virginia do not embrace the first opportunity presented to resent the insults thus visited upon them by the majority and the obloquy thus heaped upon them, I will conclude that my friends of the majority of the committee are about right, and that that State is indeed populated with cravens as well as fools. They owe it to themselves to drive with scorpion lash from this floor those who by the authority of the majority here have usurped some of the seats of their legally chosen Representatives; for I fear the fiat has already gone forth that Pendleton is to follow Jackson, and the seat now so ably occupied by him is to be filled by one of their own appointment.

Permit me to remark in this connection that however low may be the intellectual standard of the people of the First district of West Virginia, according to the gospel of the other side, it will certainly compare favorably with that of the thousands and tens of thousands of voters in the Southern States upon whose discriminating intelligence they rest their hopes of political domination in that part of the country.

And now, Mr. Speaker, I will proceed to address myself more directly to the merits of the case, and in so doing will endeavor to confine myself within the record as nearly as the nature of the case will admit.

On the face of the returns the contestee, Mr. Pendleton, was elected by a majority of 19 votes. In order to overcome the *prima facie* right of the sitting member, the contestant, Atkinson, alleges that in the

county of Wetzel fraud was committed in the recount of the ballots by the county court of that county at two precincts therein—Martin's School-house and Archer's Fork—by which he lost 14 votes at the one and 10 votes at the other, and Pendleton gained 2 votes. He also claims that contestee received 256 illegal votes.

The contestee specifically denies each and every allegation made by contestant, and counter-charges that a large number of legal votes were rejected which rightfully should have been counted for him, and many illegal votes were cast for contestant. The issues are thus sharply defined. I will not consume the time of the House and weary both you and myself, Mr. Speaker, by entering upon an analysis of the large number of votes charged to be illegal on both sides, for this duty has been performed with signal ability in the exhaustive argument already submitted to you by my colleague on the committee [Mr. O'FERRALL]. Indeed, so thorough and conclusive has been his argument on this branch of the case that, in my judgment, no one who attentively listened to him can reach any other conclusion than, admitting everything claimed by the contestant as to Martin's School-house and Archer's Fork precincts in Wetzel County, still, Pendleton is elected by a clear majority; and, feeling that it would be a work of supererogation in me to reargue this branch of the subject, I will pass to a consideration of the charge that there was fraud practiced by the scratching of the ballots at the two precincts alluded to, and which seems to be the main point on which this contest is based.

Mr. Speaker, I am not accustomed to speaking to juries that have made up their minds, and if this be the case here, I might as well pitch straws against the wind as to attempt it with the hope of any favorable result; but with the hope, however small that may be, that this is not altogether the case, I will proceed.

I am at a loss to understand how any man with an unbiased and unprejudiced mind can deliberately go through the testimony touching the scratched votes and reach any other conclusion than that the scratches on those ballots were overlooked by the election officers during the original count, and first discovered by the county court of Wetzel during the recount. It seems to me the conclusions arrived at on this point by the majority of the committee are bottomed on a wrong conception of the facts and circumstances attending the matter.

The majority appear to have proceeded upon the hypothesis that the county court of that county in its two or three weeks' session was principally engaged in the recount for Congressman; that that was the principal business of its session and absorbed the attention of everybody in that part of West Virginia. As a matter of fact, Mr. Speaker, the recount for Congress was of minor consideration in Wetzel. When the fact is recalled that the court was engaged during the weary weeks of its session in a recount for governor in the memorable contest between Fleming and Goff in that State, as well as some of the other State officers engaged in the recount for State senator, for sheriff, and, above all, in a recount of the ballots for the removal of the county seat of the county, which, it is well known, usually dwarfs every other consideration during an election—I say, when these facts are considered, you will be prepared to look with distrust upon the wild, groundless charge of "conspiracy" upon the part of the county court of Wetzel, and more especially of its presiding judge, Earnshaw, the officers of his court, including the deputy (Snodgrass), with two prominent citizens of Marion County, Wells and Arnett, General St. Clair, and others to defraud the contestant of his seat upon this floor.

Now, in the report of the committee, which seems to have been made up mainly from the brief of the lawyer hired to come here by the contestant to "make the worse appear the better reason," great stress is laid upon the visit of Wells and Arnett to the county seat of Wetzel during the recount, and also upon a telegram directed to them, signed McG., and dated November 24, 1888, which is as follows:

CHARLESTON, W. VA., *November* 24, 1888.

To C. E. WELLS or W. N. ARNETT,
New Martinsville, W. Va.:

St. Clair says he can go to Wetzel on Monday if necessary. Have the court adjourn until counsel can be heard.

McG.

Now, when it is considered that Wells and Arnett are not citizens of the First West Virginia Congressional district, but live nearly 70 miles away in another district; that they are the near neighbors, notably Arnett, and confidential friends of Judge Fleming, the Democratic candidate for governor, who was then contesting before the Legislature of West Virginia the governorship with the Republican candidate Goff, and that at the time of the visit alluded to by the committee the recount in Wetzel for governor as well as Congressman was going on, and that St. Clair had no more to do with Pendleton's case than any man in Europe, but that he was Judge Fleming's counsel, as were Wells and Arnett, his close neighbors and friends; that at that time Pendleton had personal acquaintance with few if any of the parties, had no special counsel or friend there at all, but had through his local counsel there reposed the whole matter of the recount, so far as he was concerned, where the law placed it, in the honest hands of the county court; that Charleston, whence the telegram asking the proceedings of the county court in the recount to be staid was sent, is 400 miles away from Wheeling, where Pendleton then was; that the telegram was not even received by Wells and Arnett, who, as I have shown, had no connection with Pendleton whatever, and that, finally, the Republican minority of the committee appointed by the Legislature of West Virginia, because of their eminent fitness, to investigate the title to the governorship of that State, as between Fleming and Goff, after a careful investigation of months (not hours or days of consideration) could find nothing whatever to complain of in the county of Wetzel, except an objection to two names, which they say "should be stricken from the sum of Fleming's vote, to wit, those of Reuben Hedges and Bode Davis"—I say in view of all these things it is amazing how any fair-minded man could reach the conclusion stated by the majority of the committee that there was a conspiracy by these men to defraud in Pendleton's interest.

The evidence discloses the presence of the attorney of Judge Fleming, the Democratic candidate for governor, at the time of the recount of the scratched ballots, and I think of a representative of Goff, the Republican candidate, the chief interest in all the political counts in the various counties of West Virginia centering upon that of governor, and not that of Congressman, as I have before stated; and I will read his testimony in a few minutes.

It is a well known rule in interpreting the actions of men to examine into the motives that impel them. Certainly no man ever committed an act, good or bad, without some motive.

Now, in this matter permit me to appeal to the unprejudiced upon this floor and ask what motive impelled Judge Earnshaw and his fellow-judges of the Wetzel County court, what object could they have had in view, in conspiring with anybody to swindle this contestant out of his seat by conniving at ballot-scratching in the recount for Congressman, when as a matter of fact they took more interest in the recount for any and all the other offices, and especially more in the county-seat question, I have no doubt, than in that of President of the United States?

Mr. KERR, of Iowa. Will my friend permit me to ask him a question there? Is there any evidence that any other names were scratched between the count made by the election judges and the count made by the court except the name of the member of Congress?

Mr. WILSON, of Missouri. Well, sir, I do not know that I altogether comprehend the drift of the gentleman's question, but the evidence only discloses 24 scratched ballots.

Mr. KERR, of Iowa. According to the statement——

Mr. WILSON, of Missouri. As returned by the election board.

Mr. KERR, of Iowa. Well, the election board—that is, the county election board.

Mr. WILSON, of Missouri. Yes, sir. The county election board found that there were only these 24 ballots scratched.

Mr. KERR, of Iowa. But they were not scratched at the time the votes were counted by the election officers.

Mr. WILSON, of Missouri. They were scratched.

Mr. KERR, of Iowa. Oh, no.

Mr. WILSON, of Missouri. Oh, yes; that is the controversy.

Mr. KERR, of Iowa. They say they were not.

Mr. WILSON, of Missouri. I say the weight of evidence is they were scratched and were overlooked. I am just coming to that.

The election in Wetzel County was one of unusual excitement. In addition to the fact that it was a Presidential election and also a general election for State and county officers, a special election was held at the same time on the question of moving the county seat in that county. The judges of the election for Martin's School-House and Archer's Fork were farmers, and mostly old men, unaccustomed to labor of that kind and to being confined in a room crowded about as would naturally be the case there during election day and for the two days and nights nearly while the count was going on.

Mr. LACEY. Will the gentleman permit a question?

Mr. WILSON, of Missouri. Certainly.

Mr. LACEY. Is it not true that Judge Brookshire was only about twenty-seven or twenty-eight years old—one of the judges that made this count?

Mr. WILSON, of Missouri. I do not say they were all old men, but I do say that most of them were and that there is a limit to human endurance, even in young, stalwart men. I do not know whether in his young days my friend from Iowa has ever been a judge or clerk at a Presidential and general election; but, if he has, "he knows how it is himself," as I do, and can readily understand how mistakes of this kind can easily be made under the trying circumstances which by day and night environed those old farmer judges of election, and which almost tortured the life out of them.

Streight, the Republican judge at Martin's School-house, says "they commenced counting immediately after the polls closed, and counted until about 2 o'clock next morning, then quit and got something to eat and went to sleep, etc., and commenced next morning again and counted until they got through."

The other judges and the clerks of the election substantially agree with Streight, saying in addition that they continued the count until far into the night of the next day. The judge who took the ballots from the box at that poll was between sixty and seventy years old, and a Republican. The judge who read them off used glasses, and does not say how he voted, though he says "he usually votes the Democratic ticket."

When the county court recounted the ballots from this poll, it was found that 14 Republican tickets were scratched, and 2 had the name of Pendleton inserted and had the name of J. W. Yeatee substituted. At Archer's Fork things went pretty much the same way.

At both places after the most fatiguing and confining labors, and when nearly worn out by the events and labors of the day, these old men, unaccustomed to having their rest broken, were compelled under the law of West Virginia to proceed at once to the count, which they did under the most trying circumstances.

By the uncertain light of flickering lamps and lanterns these old men and their clerks staggered painfully along through the weary hours of the day, and part of two nights, with the usual noise around them; every now and then making a mistake which either they would discover and rectify themselves or some bystander would for them, all of which was perfectly natural, even with trained men, and absolutely inevitable with men like those having charge of things at these two precincts.

Occasionally some one would halloo out, "Here's a straight Harrison ticket, all wool and a yard wide," and then the counter-yell, "Here's a Cleveland ticket, all wool and a yard wide," with other like confusion, kept up off and on, made it simply impossible, I say, for those old, spectacled, worn-out judges, by those dim lights and in those smoky rooms, to see and detect dim pencil marks on the long, long ballots—ballots doubtless as long as this paper I hold in my hand [illustrating], running from President to constable, including the vote on the county-seat removal.

Why, sir, the evidence is that at Archer's Fork two of the old fellows dropped off to sleep and left the other sleepy judge and the no less sleepy clerks to keep up the count and the struggle of human endurance.

The great wonder with me is how they got through without making more mistakes than they did. The erasures of the 24 names at those two precincts were made with pencil, as is usual about the polls; they were not uniform in appearance; some were scratched one way and some another, some manifestly made with hard pencil and some with soft; some marked with crosses running all along the name, and some by straight and some by crooked marks, and all bearing upon their faces indubitable evidence that the scratching had been done by as many hands as there were scratched ballots, and in as many ways; and when it is further remembered that these abraded, pocket-rubbed tickets were crowded up together and handled over and over again by the men who voted them and by the judges in receiving, how could the pencil marks be otherwise than dim? I say that men with lynx eyes, young men, would be liable under such circumstances to overlook these dim pencil marks in the day time, much more at night, especially when situated as those old judges were.

It is in evidence also that the judges looked at the top of the tickets in many instances, as is often the case at a general election and during a party contest, especially when the tickets are as long as these were, and supposing the names heading them characterized the politics of every one upon the ballots, would call out "straight ticket," when in fact the pencil-mark, though dimmed for reasons given, had done its deadly work on contestant's name.

It must be remembered also that the race for Congress in West Virginia, in that county especially, was overshadowed by other elections of more absorbing interest to the masses: by those of sheriff, and the removal of the county seat, and State senator, and member of the Legislature, the two latter involving the election for United States Senator then pending in that State.

In my judgment, then, Mr. Speaker, the conclusion is inevitable that the ballots in controversy were scratched by the voters themselves. If they were not so scratched, when and by whom were they scratched? The committee says the scratching was done by virtue of a conspiracy to elect Pendleton, corruptly entered into by the county court of Wetzel County, and more especially by Presiding Judge Earnshaw, and the deputy clerk, Snodgrass, with Messrs. Arnett and Wells, of Marion County, outside the First Congressional district, with General St. Clair and other parties.

As I have stated before in the course of these remarks, the recount was going on at the same time for both governor and member of Congress; that the chief interest in the recount centered in that of governor; that both Governor Fleming and Mr. Goff were there represented; that Wells and Arnett, while strangers to Pendleton, were the neighbors and friends of Fleming; that both the court and everybody connected with the so-called conspiracy were, for the most part, strangers personally to him, having no interest in him whatever beyond that of well-wishers as members of the same party, and that General St. Clair, who is alluded to in the committee's report in the telegram signed McG. and dated at Charleston, W. Va., and whose name has helped furnish the mole-hill which the committee has magnified into a mountain, was Judge Fleming's leading counsel.

The mere statement of the plain truth in this matter destroys the poor pretense of a "conspiracy" gotten up to defeat the will of the people in the district. Does the evidence disclose any motive in these people to do that which is charged against them? None whatever; on the contrary it discloses an utter absence of motive for wrongdoing, and that none was done.

Now, it may be well to go a little further and take the testimony of the ballots themselves. In this connection I direct your attention to the testimony of Mr. Umstead, a gentleman of very high character in that State, who was present the most of the time during the recount as one of Judge Fleming's counsel and who had every reason to scrutinize and did scrutinize these ballots. His evidence on this point is as follows:

George H. Umstead, a witness for contestee, of lawful age, being by me first duly sworn and examined, on oath deposes and says:

Q. 1. State if you were present during the special session of the county court of Wetzel County in November, 1888, when the said court was engaged in recounting the vote cast at the several voting places in this county on the 6th of November, 1888; and, if so, state in what capacity and what vote was being recounted while you were present. I mean the vote for what officers.

A. 1. I was present most of the time during the recount of the vote for governor and for member of Congress of the First Congressional district, as one of counsel for Judge A. B. Fleming, candidate for governor.

Q. 2. State whether or not you were present when the vote cast at Martin's School-House, a voting place in Green district, Wetzel County, was being recounted by the county court; and, if so, state whether or not you inspected the tickets or any of them upon which the names of G. W. Atkinson or John O. Pendleton or Nathan Goff or A. B. Fleming were scratched or erased.

A. 2. I was present and inspected all of the tickets, I think, on which the names of either A. B. Fleming or Nathan Goff was scratched, and nearly all of those upon which the names of Atkinson or Pendleton was scratched.

Q. 3. State from your recollection how this scratching was done.

A. 3. It was done by pencil evidently, different pencils, as some marks were darker in color than others; some of the marks were heavy and distinct; on other tickets marks were made lighter and some were hard to distinguish as a pencil mark at all without pretty careful inspection. The marks on the different tickets were not uniform.

Q. 4. State, from your inspection of the tickets, whether the scratch you observed seemed to have been made by one person or by a number of persons.

A. 4. As I have stated, the marks were not uniform, but presented the appearance of having been made by different persons.

Q. 5. State whether you were present in said court when the ballots cast at Archer's Fork, a voting place in Grant district, Wetzel County, were being recounted by said court for the offices you have named and for the same candidates; and, if so, state whether you inspected the tickets upon which the names of the said candidates had been scratched.

A. 5. I was present, and looked at all the tickets on which the name of Goff or Fleming was scratched, and nearly, if not all, the others upon which either name was scratched.

Q. 6. State from your recollection how this scratching was done.

A. 6. My recollection is the scratching presented the same general appearance as that upon the tickets to which I have before referred.

Q. 7. Do you mean that the scratching on the tickets at Archer's Fork appeared to have been executed by the same persons that had done the scratching at Martin School-House? Or, if not, state what you mean by saying the same "general appearance."

A. 7. There was nothing in the scratching on these tickets to indicate that it had been done by the same persons who had done the scratching at Martin School-House, and I mean by what I said that the tickets presented the appearance of having been scratched by different hands with different pencils of different colored lead, and different degree of sharpness as to point, and did not present that uniformity that would probably have been in appearance if made by the same person, at the same time, and with the same pencil.

And further this deponent saith not.

GEO. H. UMSTEAD.

It will be observed that Mr. Umstead swears that there was nothing whatever in the appearance of the ballots to indicate that they had not been scratched by different persons at different times and with different pencils, as would naturally be the case on election day around and about the polls at any hotly contested precinct in the United States on election day, and that it required careful inspection in some cases to detect the pencil-marks even in the daytime when under inspection to learn the facts.

I invoke your attention also to a portion of the evidence of Mr. McEldowny, who, like Mr. Umstead, is also a gentleman of excellent professional and moral standing, and, like my old friend, Judge Earnshaw, is incapable of steeping his soul in fraud and perjury—especially in the absence of all motive to do so—but who, unlike the judge, has been so fortunate as to escape the "conspiracy" net thrown out by the majority of the committee in the interest of the contestant. He swears:

I was present during the session of the county court when the ballots cast at Martin's School-House, a voting place in Green district, were recounted by said court. Said ballots seemed to me in good condition. They were strung as ballots usually are strung, and rolled up into the shape of a wheel, forming a compact package, and were bound together by a strong cord or piece of twine tied around the outside or circumference of the package. I saw these ballots once before they were taken up for recount upon the offices of Congressman and governor, which was when the county court was considering the motion of E. H. Snodgrass to recount the ballots upon the question of the removal of the county seat.

At that time the county clerk was, as it appeared to me, endeavoring to untie the cord or piece of twine which bound the ballots together, from which he stopped at the request of some member of the county court, who indicated to the clerk that they had about concluded not to recount the ballots upon that question. When I next saw these ballots the clerk was again endeavoring to untie the knot, preparatory to presenting the ballots to the county court for recount upon the offices of Congressman and governor, and they seemed to be in the same condition they were when I saw them the first time, as before stated. The clerk failed to untie the knot, and at his request Charles Howell, a reporter for the Pittsburgh Times, who was present, cut the cord with a penknife.

I did not keep any memorandum of how the ballots at Martin's School-House were scratched, that is, as to the form or character of the scratches, but I remember distinctly one or two ballots upon which the name of G. W. Atkinson was scratched or erased by small crosses, thus (x x x x), made with a pencil. There were also two or three erasures of the name G. W. Atkinson by heavy pencil marks, that were somewhat similar in appearance, and these were all that I noticed particularly. All the erasures were made with pencil, I think, and for some reason, when considering the erasures upon the ballots, the county court held them up to the light as if unable to decide whether the ballots were scratched at all, but when the ballots were exhibited to counsel for contestant and contestee there was no disagreement as to the fact of the ballots being scratched, as I remember.

The only scratches of which any note was taken or which were considered by the court were scratches of the names of G. W. Atkinson and John O. Pendleton, candidates for Representative in Congress for the First West Virginia Congressional district, and of the names of Nathan Goff and A. B. Fleming, candidates for the office of governor of West Virginia, and the recount on both these offices was made at the same time; I did not then, after inspecting the ballots, nor do I now, believe that the scratching of the name of G. W. Atkinson was the work of one person, although all the scratches that I remember were made apparently with a lead pencil or were lead-pencil marks, and the same may be taken as my statement of the scratching upon the other candidates.

And now, Mr. Speaker, I invoke your attention and that of the House to another feature of the evidence in this case that should convince any gentleman upon this floor, even against his own will, when taken in connection with the other facts I have alluded to, that these ballots were scratched when they were voted, but overlooked by the weary, almost prostrate judges during the nights in question, when, by the uncertain, treacherous light of the lamp and dimly burning lanterns, they attempted to decipher the almost interminable tickets of that year, not only in West Virginia, but in all the States where the Presidential and general State, Congressional, district, and county elections come on at the same time, to say nothing of the additional exciting local contest involving the removal of a county seat.

The Legislature of West Virginia appointed a committee to investigate the contest for governor between Fleming, the Democratic candidate, and Goff, the Republican candidate.

I hold now in my hand the minority report of that committee, composed of gentlemen of high standing in the Republican party in that State and of unquestionable professional ability. These gentlemen, after not days, but months of unremitting labor, during which time they scrutinized and carefully analyzed all the evidence now before you in this voluminous record, including this contention over the scratched ballots, failed to make any allusion whatever to it in this report, though a partisan press teemed with the same wolf cry we have been listening to here concerning them.

Though silent, yet it furnishes negative testimony so strong that it should of itself overwhelm the miserable pretense of a conspiracy to defraud the Republicans of the First district of West Virginia.

Mr. KERR, of Iowa. Now will my friend answer?

Mr. WILSON, of Missouri. If members of the committee desire to interrupt me, I prefer they should do so directly, and not through others. I decline to give way to the gentleman, but I may have some time left which I will give him with pleasure if he desires to take part in this debate.

Permit me, Mr. Speaker, to direct your attention to another matter in connection with the recount in that district, as appears in this report. In the county of Ohio, the judges and clerks of a certain precinct all swore that there had been no mistake made; that they were certain of it; yet on the recount by the county court it was discovered they were mistaken, and the mistakes cost John O. Pendleton 8 votes.

Did the honest mistake of those election officers in Ohio County—mistakes discovered after they had sworn that there had been none made, nor could there be any mistakes in their work, as in this case claimed by the officers at Martin's School-House and Archer's Fork—I say, did these mistakes cause the wolf cry of fraud! fraud! conspiracy! conspiracy! to go up from the Democrats? Do you suppose for a moment a Democratic Congress would have tolerated the pretensions of Mr. Pendleton, had the circumstances of this case been reversed, founded upon such a pitiable plea as put forth by the contestant?

In taking leave of this miserable charge of conspiracy permit me to ask if there be one unprejudiced or one fair-minded man, notwithstanding his political prejudice, upon this floor who, now, for a moment believes that there was any conspiracy to defraud the contestant in this case, even on the part of poor Snodgrass, the deputy county clerk, whose great sin seems to be, in the eyes of our friends of the majority, that he tried to sell something he didn't have in order to relieve the chairman of the Republican State committee of West Virginia of some of its "surplus fat," and he came very near being successful. And it occurs to me that there is very little, if any, difference between the moral status of one who gives or proposes to give a bribe and one who entertains the proposition, and that Snodgrass stands upon a plane equally as high, if not higher, than the man who tried to bribe him.

The testimony is that Snodgrass never thought of such a thing until it was suggested to him by a conversation he held with one Grall after the recount was over. Grall swears he first approached Snodgrass and told him McIntyre, the friend of contestant, was trying to bribe him to tell something he didn't know, and Snodgrass replied, "Tell him you will tell him all you know for $1,000," and, when Grall declined, Snodgrass said he would himself enter into the speculation and sell something he never possessed, and for Grall to send McIntyre to him, which Grall proceeded to do.

The memorable political contest of 1888 will not soon be forgotten. Great issues were at stake, and both the two great political parties endeavored to put forth their strongest men as standard-bearers. Especially was this the case in most of the closest Congressional districts throughout the country.

West Virginia certainly furnished no exception. In the first district, the standard of his party was placed in the hands of John O. Pendleton, the contestee. The sequel proved it made no mistake in so doing. The very name he bore was in itself a tower of strength to him in the campaign. He had received it stainless from a long line of ancestry who had been distinguished in Virginia in camp and council for generations. The grandson of Alexander Campbell, the founder of one of the most powerful religious denominations on the continent, he united in his veins a double tide which made him very, very close indeed to the hearts of hundreds in the mountains of West Virginia, who had walked the earth with that grand man, while yet in the flesh, and had caught inspiration from his lips before he left for the other shore to commune with the teachers and disciples of old, who were with Christ on this earth, and whose footsteps he has endeavored to follow and to influence hundreds of thousands of others to follow.

Human nature is the same the world over. It is in testimony that a Republican stated he would not vote for Atkinson because he was a Methodist, and that another very active Republican in Wetzel County was a relative of Mr. Pendleton, and said that he intended to and did support him. Blood is thicker than water, and my observation and experience teach me that nothing will make men cross political lines sooner than church and kindred.

When you add to these things as incentives to the support of the people of that district, without reference to party, the superior ability of Mr. Pendleton, his unselfish devotion to principle, and the scars of honorable political warfare received in many a hard-fought contest in West Virginia it will not appear at all wonderful that he outran the field in his district (including Grover Cleveland), and now holds his seat by as clear a title as any member on the floor.

The character of the man and the memory of those from whom he sprang forbid the idea of his being a usurper, and I am authorized by him to say that if there was the least stain upon his title here he would not wait to be driven out by a majority as remorseless as death, but would voluntarily pass out of this marble Hall never to cross its threshold again. But, sir, should the party decree be obeyed in this case, and the people of the First district of West Virginia be deprived of their chosen Representative by the majority of this body, its action will but place a stain upon the records of this House which shall endure as long as they are preserved, both a menace to the right of the people to govern through their chosen Representatives and a painful reminder of one of the most reckless acts of a decaying, dangerous, and desperate party seeking to perpetuate its power without scruples as to the means employed. [Applause.]

The Powers of the Speaker and of the House.

SPEECH
OF
HON. WILLIAM J. STONE,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 12, 1890.

The House having under consideration the report (No. 23) of the Committee on Rules—

Mr. STONE, of Missouri, said:

Who is the Speaker of the House? I do not refer to his personality, but to his official character. Perhaps I should change the pronoun and let the question rather be: What is the Speaker of the House? THOMAS B. REED came here simply as a Representative from the State of Maine, as I came here a Representative from the State of Missouri. Our constitutional and legal rights as members of the House are identical. Three hundred and thirty members came here with equal rights, powers, and privileges. That membership in the aggregate constitutes the House of Representatives. Whatever powers are conferred upon it by the Constitution and laws of the country are conferred upon it, and must be exercised by its authority, as a body, as a political entity, as the House of Representatives. The very first section of the first article of the Constitution provides:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The second section of the same article provides that—

The House of Representatives shall be composed of members chosen every second year by the people of the several States etc.

I repeat, whatever power has been conferred upon the House belongs to it as a body. Whatever power is constitutionally exercised by this House, must be exercised by it as a body, or by its authority as a body. The House itself is not omnipotent. The Congress, composed of both Houses, is not omnipotent.

Each House, or both Houses combined, constituting the Congress of the United States, is surrounded by restraints imposed by the limitations of the Constitution. "All legislative powers herein granted shall be vested in a Congress of the United States," etc., is the language of

the Constitution. You can not lawfully create or enlarge your powers; you can only exercise such as are granted to you. The House of Representatives—the Congress of the United States—can not create its powers; it simply receives its powers.

I deem it of the first importance that this fundamental proposition should be kept in mind: that the House as a body is the recipent of whatever powers the Constitution has conferred upon it. It has absolutely no powers except such as have been conferred upon it by the express or necessarily implied grants of the Constitution; and those powers, and each of them, whatever they may be, must be exercised, if exercised at all, by the House as a body or by its authority as a body. No one member of the House has any greater authority or power than any other member of the House. No one member of the House, on his own motion, can do a thing, or direct anything to be done, and make it the act of the House. Mr. REED, a Representative from Maine, can not exercise any authority in this House which Mr. CRISP, a Representative from Georgia, has not the right to exercise, unless it be that Mr. REED has been specially authorized and empowered by the House as a body, acting within the limits of its constitutional powers, to do some particular thing as the organ of the House.

I know the pretension is now advanced that what he has done and what we are protesting against was done by him as the organ of the House. But he can not lawfully do a thing as the organ or representative of the House which the House, by its own act as a body, has not previously authorized and empowered him to do or unless the power to do it attaches to his position by virtue of some grant in the Constitution or by the force of existing law. This House has not authorized the Speaker to do this remarkable thing by any rule which it has adopted or by any action it has taken. Then, if the Speaker has this power, he has it by reason of some provision of the Constitution, or of some statute passed by authority of the Constitution, vesting it in him as the presiding officer of this body. There is no existing statute upon the question. There is no rule of the House. The only constitutional provision which mentions the Speaker at all is this:

> The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

The office of Speaker is simply created; no powers are conferred upon the incumbent. The House makes the Speaker—creates him. The House has great powers conferred upon it; it holds great powers in the grasp of its hands; but the House does not transfer those powers, or any of them, to one of its members by the mere act of choosing him to preside over its deliberations.

The act of the Speaker, therefore, is without the sanction of the Constitution, without the sanction of any statute, without any sanction of any rule of the House, without the sanction of any precedent of the House. It is an effort to exercise a great and dangerous power which has not been conferred upon him by the Constitution, by the statutes of the country, or by any rule of the House; and it can not be justified by, because it is opposed to, the established usages of the House.

What is the Speaker? He is one of the members of the House, selected by a majority of the other members of the House to preside over the deliberations of the House. He is simply the presiding officer of the House. He is not the House. He can not take the place of the House in the exercise of powers conferred upon the House. He is the servant of the House, not its master. He holds his office of Speaker at the will of the House. At page 121 of Jefferson's Manual, I find this:

> A Speaker may be removed at the will of the House, and a Speaker *pro tempore* appointed.

What are his duties—his powers? As the presiding officer it is his duty to aid the House in the preservation of order and decorum, to enforce its rules, to execute its orders, and to perform such other duties and execute such powers as may be imposed upon him by the affirmative action of the House or as may be specially required by existing law. But always he acts merely as the agent or servant of the House, and can act lawfully only when he acts within the limits of his authority. When he goes beyond that limit or attempts to go beyond it, he does an unlawful act. When he persists in it with his eyes open, merely to obtain a temporary party advantage, his conduct is more than usurpation, it is monstrous; his act is more than arbitrary, it is a crime.

I am not now discussing, and have not discussed, the powers of the House. If it be conceded for the sake of argument that the House has the constitutional right to make a rule, as was attempted in the Forty-third Congress, to authorize the Speaker, as one of its officers, to count members as present, against their will and protest, whether they participate in the business of the House or not, that is a power conferred upon the House as a body. If it exists at all, and that I deny, it exists as a power conferred by constitutional implication upon the House itself in common with all other powers granted to it as a legislative body. And there is no more reason for saying that the Speaker can assume arbitrarily to exercise that power on his own motion and without express authority from the House than there would be in saying he can in the same manner exercise any other power belonging to this House as a body. Whatever may be said as to the power of the House to authorize the Speaker to do this thing it is perfectly clear that the Speaker can not lawfully do it until such authority is previously given.

As to whether the House itself has the constitutional power to do what the Speaker has assumed on his own motion to do is a question which perhaps might be more appropriately discussed when the House itself shall undertake to assert that power by some regular method of procedure. Still, I will submit one or two observations on that head in addition to what has been already said.

What is the question at issue? It is this: When a yea-and-nay vote is taken by the House on any question pending before the House, and it appears that less than a quorum has voted, can the House itself, by rule or otherwise, direct the Speaker, as its presiding officer, to count as present members who did not vote, who intentionally refrained from voting, and have their names entered on the record as present, against their will and direction, in order to show a quorum present in the House, and thereupon declare the question carried, although, I say, less than a quorum actually voted? That is the question. I answer, No. Let me call the attention of the House to the seventh section of the first article of the Constitution:

> Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively.

Now, in order to pass a measure over an Executive veto it requires that two-thirds of the members present and voting shall agree thereto. I examined to-day the vote in the Senate on the question of passing the direct-tax bill over the veto of President Cleveland in the last Congress. On that question 45 Senators voted yea, 9 voted nay, and 22 did not vote. The President *pro tempore* in announcing the vote, said:

> Two-thirds of the Senators present having voted in the affirmative, the bill is passed notwithstanding the objections of the Executive.

Less than two-thirds of all the Senators voted in the affirmative, though more than a quorum voted.

I repeat, then, it requires the affirmative vote of two-thirds of the members present and voting, and a quorum must be present, to pass a bill over the Executive veto. The Constitution requires that in all such cases the vote "shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of the House."

Now, Mr. Speaker and gentlemen, suppose the question before the House to-day was whether a bill should be passed notwithstanding the veto of the President. Suppose 162 members should vote yea and 2 should vote nay and a question of no quorum should be raised. What would you do? Have it entered on the record that such and such members were present, but did not vote? Suppose you did. Would that meet the requirements of the Constitution, which says that—

> In all such cases the votes of both Houses shall be determined—

That is the word—

> shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal, etc.

What does that mean—necessarily mean? It means that the result of the vote shall be determined by those who actually vote yea or nay. That is exactly what the Constitution says in so many words. Shall be determined by the yeas and nays as entered upon the Journal—not by those who do not vote at all, whether actually present or absent.

Now, is this rule peculiar to Presidential vetoes? Why should not the same rule apply when the yeas and nays are called on the passage of the bill in the first instance. In the first instance, the yeas and nays are not ordered as a matter of course, but upon the demand of one-fifth of those present. In the first instance, again, the bill is passed by a majority, vote instead of two-thirds. But that is the sum of the difference. In each case the Constitution requires the yeas and nays to be entered on the Journal. In the case of Presidential vetoes the Constitution expressly declares that the result shall be determined by the yeas and nays. Upon what reasoning can it be said that the result shall not likewise be determined by the yeas and nays, as entered upon the Journal, in cases where the bill is put upon its passage in the first instance?

It seems to me this is sufficient to demonstrate the meaning and intention of the Constitution. And the very fact that that view has been acquiesced in and sustained whenever questioned for more than a hundred years ought in all conscience to put the matter beyond cavil or doubt.

Mr. Speaker, has "conscience fled to brutish beasts, and have men lost their reason?" Shall party exigency rise above all law and right? Shall constitutional restraints be set aside by the mere force of numbers? To what absurdities will this course lead you? Let me suppose a case. Let me suppose the House, brought to a vote upon some important question, finds itself without a quorum—finds that only 165 members, or one less than a quorum, has voted—and the point of no quorum is made. Let me suppose that all the other members have intentionally absented and concealed themselves—all but one. That one may be sick, temporarily insane, incapable of acting with intelligence.

You send your officer and bring him by force to the bar of the House. He may be dying; he may be raving with the wild hallucinations of fever and disease, wholly unable to think or act as a man. Shall you count him present and thereby make your quorum? The case is extreme, but it illustrates the folly of your contention.

I had hoped, Mr. Speaker, that some gentleman on that side would rise above the pressure of party and speak for the Constitution, as others from that side, in similar emergencies, have done in the past. But Blaine and Garfield have no champions here. They are without honor. A new master has arisen of a different type. He puts the Constitution under his feet; he tramples upon rights guaranteed for a century to the minority, and laughs and laughs as Nero or Caligula might have laughed, and not one of all of you have the courage even to protest. You sit like dumb, driven cattle in your seats, or you stand applauding while this great crime, now being attempted, approaches its culmination.

The World's Fair.

SPEECH
OF
HON. SILAS HARE,
OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 20, 1890,

On the bill (H. R. 6883) to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea, in the city of , in the year 1892; and the bill (H. R. 6881) to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, and sea at the national capital in the year 1892.

Mr HARE said:

Mr. SPEAKER: There are two propositions under consideration:

First. Shall we have a world's fair in 1892?

Second. Where shall we have it?

So far as I have heard, the first proposition is already decided in the affirmative, and all that remains is to choose the place and appropriate the necessary sum to make it a success.

Mr. Chairman, would it not be well for us to give some attention to the first proposition. That is, shall we have a world's fair? Because that involves, what shall we have it for, and who is to be benefited by it? If it is clear that our people, considered as a community, are to receive aid material to their welfare, then our Constitution authorizes it. If not then our Constitution in its welfare clause forbids it. Let us see. We determine to have the fair and to make it a success. We appropriate a certain sum of money. That money comes from the people through the means of indirect taxation, and is taken out of circulation and placed in the Treasury. From the Treasury it is paid into the hands of those who are to manage this fair. So far we see no benefit to the people as a community, but on the contrary, the earnings of the masses are taken from them and paid to a class.

But it is said there will be an ultimate benefit. Well, how? Why, there is to be a show, and all the people can go and see it. Can they? I venture that not one in a hundred of those who, by taxation contribute, have the ability or disposition to attend this grand display. And the hundredth man who does attend, and for whom a show has been provided by those who do not attend, will pay dearly for his whistle. He pays his own expenses, and the very fact that he does this, and expends so much money in the city selected, is the primary cause of all the contention and clamor on this floor between cities as the proper place. Is the public benefited by any of these facts? Is it not patent that so far the money of the people is taken and turned over to speculators to enable them to further rob the people?

But then it is said the world will come and gaze in wonder and admiration and spend vast sums of money while they are doing it. This is the merest clap-trap, and I pity any one that could be deceived by it. More money will be paid to foreigners in prizes and the like than they will expend. But what do we, as a people, care whether foreigners gaze or not? What profit is it to us to tickle our vanity by foreigners admiring? Is there any portion of the habitable globe that does not now know where and what the Government of the United States is? This bosh, let the nations of the earth see. I am perfectly willing for them to see if they will do it at their own expense, or at the expense of voluntary contributions, but when it comes to taking my money by force and giving it to somebody else, and with a view of enabling that other person to further rob me, I enter my objection.

This whole business looks to me like a swindling scheme. I see no benefit the people as a community can derive, and, therefore, I shall vote against appropriating one dollar for any such purpose. The zeal manifested here by the advocates of the different cities, and who have so eloquently portrayed the beauty, grandeur, and glory of each, is wholly inspired by a longing desire to reach into the people's Treasury and draw from it the very essence that is to make the music lively. Let us not be deceived. This is one more grand scheme of robbery under the guise of "our glorious country."

Oklahoma.

SPEECH
OF
HON. MARCUS A. SMITH,
OF ARIZONA.

IN THE SENATE OF THE UNITED STATES,

Tuesday, February 18, 1890.

On the bill (S. 895) to provide a temporary government for the Territory of Oklahoma and the bill (H. R. 6788) to organize the Territory of Oklahoma, to establish courts in the Indian Territory, and for other purposes.

Mr. SMITH, of Arizona, said:

Mr. SPEAKER: I have paid as much attention to the debate on the present bill as could well be expected from one who has no right to a vote on that or any other measure before the House. But strange as it may seem the denial to us of our constitutional rights by Congress does not allay our interest in public affairs or chill our warm devotion to our country, from which we have the right to expect so much, but from which we have received so little.

So it seems to me not inappropriate now to call brief attention of the House of Representatives to the great and inexcusable injustice to which we of the Territories are constantly subjected, and you will pardon the protest which the love of liberty in the American heart here makes against the disgraceful servitude which you continue to impose upon my people. It is not only a great patriotic longing in my heart to see my people free, but in the calcium light of the late Silcott defalcation, where I without my fault stood voiceless by and saw my money voted away—saw all I had passing from me—with no right to do other than protest vainly against that peculiar exhibition of patriotism on the part of those uninjured, it became to me a very close personal matter and probably illustrated still more strongly to the House, as well as to me, the injustice of denying to any taxed citizens the right to real representation on this floor.

But, seriously (if that loss does not seem serious enough), I wish your attention directed to this Territorial anomaly in a boasted Republic. Taxed without representation; imposed upon by carpet-bag office-holders; in a condition as deplorable as the admitted condition of rebel States during reconstruction; in a condition worse by far, and suffering indignities more degrading than those which called as one man our patriot fathers from the field of labor to the fight for liberty.

Think of it! One hundred thousand citizens of the United States, touched as much by adverse legislation as the citizens of any State; having as deep an interest in public affairs; educated far beyond the average citizenship of any State in the Union; having as much material wealth per capita as any political division of this great country; maintaining a school system superior in its liberality and equal in advantages to any in our land; treasuring in an extreme degree that patriotic devotion to flag and country which has signalized the life and adorned the history of our Republic; remembering with reverence every struggle of man for liberty; holding sacred the matchless institutions of our representative Government; yet we are denied any voice in its affairs and are relegated to the poor right of petition for the redress of grievances—a poor right once unheeded by the English throne and one to which Congress is now equally deaf.

This is not all; would that it were. You will not let us administer our own estates. We are not permitted to spend our own money as we please. We are refused the right to elect our own officers. We are prevented from passing on the ability, honesty, or integrity of our judges. Sirs, such an outrage is a dark, disgraceful blot on the otherwise fair page of our political history. It is a denial of justice. It is a denial of decent recognition to those who bear with you the burdens of our common country. The insult to our manhood is more grievous and enduring, with far less extenuating features, than that which led our fathers to break the ties of love and reverence which bound them to the mother country and ended in the Independence of the colonies. Is it not strange that while we extol on our natal day the glorious achievement of liberty for America, over one hundred years afterwards we still have within our borders a political status more servile in its nature, carrying within it less of right, less of justice, less of liberty than England in her tyranny ever thought of imposing on the colonies?

It is the constitutional right of representation, the constitutional right to manage locally our local affairs, the constitutional right to do as we please with our own, and the constitutional right to select our own officers for which we contend.

A few days ago the Senate had reported to it a bill from the Committee on Territories with a recommendation that it pass. This bill was introduced at the request of a man now playing the too heavy tragic part of governor of Arizona. It was a very modest bill. It only compassed the passage again, and by Congress, of obnoxious measures repealed by the local Legislature. Among its modest provisions was one giving an appointed governor power to remove every officer in the Territory whenever his excellency's judgment, caprice, desire, or personal interest might dictate.

The same bill is now before the Committee on Territories of this House. I am running between the two ends of the Capitol doing my best to preserve what little I can of local self-government for Arizona. Is it not preposterous that I should be called on to even protest against such vicious legislation? This is only a sample of what I have to contend with. Even in the light of what has thus far been submitted, I find that the Federal office-holders holding a commission either from Washington or from some one appointed at Washington are opposing statehood for Arizona on the alleged ground that she is unable to bear the burdens of statehood. My God, if she can stand the infliction of this class of revenue patriots for three years longer she would have started out before their advent fully able to bear in smiling patience and uncomplaing love one-half the national debt.

Consider, if you please, what she has already borne in this particular, and you will conclude with me that statehood ten years ago would have been a benediction, falling like the gentle dews of heaven on the heads of those overtaxed and scandalously misused people. I am referring to no particular Administration in general remarks. It is as much an outrage for a Democratic Administration in Washington to control our offices and feed its incumbents on our taxes as for a Republican or an Independent or Prohibition Administration to do it. The question is too great and the story too long for me here to particularize. It is the unrepublican, anti-democratic principle involved against which I inveigh.

How long, oh Lord, shall Thy servants suffer; how long wilt Thou turn Thy countenance from us?

Mr. Speaker, the remarks thus far submitted were prompted by opposition on this floor to the creation of Oklahoma Territory. If those people are in such a stress of tempestuous weather as to desire the haven of Territorial dependence, then I am heart and soul for the bill. But while we are making such a fuss about creating a Territory I deemed it not inappropriate to suggest the creation of a few new States, and give hurriedly some "reasons for the faith in me." But I deem further remarks on this branch unnecessary now, reserving the right to be heard more at length when the direct question presents itself.

But I can not resign the floor in justice to Arizona without calling the attention of the House and the country to the grave mistakes made here by the self-constituted champions of the Indian cause. If their sympathy and its attendant oratory were always confined to the Cherokees I would have nothing to say. It would do the orator good and me (and probably the Indian) no harm. But when that sentiment and that oratory expands so far as to embrace, as it has at times on this floor, all tribes, then I may and should be excused for recording my dissent. The misguided policy of the Government has almost hopelessly complicated and has certainly indefinitely postponed any sensible settlement of the "Indian question."

Ardent admirers of that extinct tribe of Fenimore Cooper Indians that never did exist come on this floor, and in the public press, and, with blazing indignation at fancied wrong perpetrated on "Poor Lo," dare assert that we have been the heartless aggressor and the Indian the meek victim of our cupidity, avarice, and crime. With an imagination at white heat and a temper in warm sympathy with their mistaken zeal, they have succeeded in landing themselves on the highest peak of frenzy, from the lofty battlements of which they hurl anathema after slander at the unoffending head of every man of the white race who dares go west to provide, if may be, a better home for his needy family. I, for one, am sick of this tirade. It is loaded to the muzzle with zeal, but empty of fact. There is noise and smoke in the explosion fitly reminding one of the carnage and other general results of a mock battle. I am tired of seeing your sympathetic tears for the Indian falling into the river of blood which his murderous hand has drawn from the hearts of your innocent kindred.

It would be more interesting than profitable here to inquire into the history of those States from which the zealous defenders of Indian rights hail and review the treatment of the Indian there, and speculate on the probable share of the stolen plunder actually enjoyed by the advocate. Oh, it is so sweet to repent where no retribution is required! The argument reduced to its lowest terms leads simply to this: "In days of old the Indian was robbed. To be just we must pay him. We will take what thou hast and give it to him. The Indian as a class will be repaid and we of the East will lose nothing." It reminds me of a prayer of a modern Dives, "Lord, prosper the rich; the poor can work for a living." Instead of giving Indians a monopoly of your sympathy, why not weep a little over the mound-builder and the Aztec whom he robbed of land, love, and home.

Mr. Speaker, we of the West are not brutal or even unjust to the Indian, but we sympathize more with civilization than with savagery. We much desire to see the Indian improved and the white man protected. We wish to see a human being made out of an Apache Indian. "How vain the delusion," until very different measures are adopted in his management. Mark my words, gentlemen, the Indian of Apache blood will remain a bloody Indian as long as he is left on reservations and fed by taxes wrung from the scant earnings of our overburdened poor. The Apache is demeaned, if not utterly disgraced, by labor, and you encourage this in him by forgiving his murderous diversions, by protecting him from the civil law, and by feeding him from the public crib, which he had no hand in filling. He sees his white neighbor bearing on bended shoulders the burden of toil, while he sits in delightful dirty idleness, doing "sweet nothing," yet sharing the fruit of labor to which he never lent a hand, and, under present conditions, never will.

All this should be changed. The reservations should be abolished. The lands should be parceled in severalty. The Indian should be made to work for his living, as the white man, the negro, and the Chinaman work for theirs. Of what peculiar stuff is he made that he alone of all mankind should escape the curse of Adam? Is it possible that he was excluded from the curse on all humanity? Estimating him by the fruits of his history we might well conclude that the general term did not include him. Let us look at the Apache as he is. Brutal, murderous, fiendish in his savagery, without one instinct of heart or one word of language indicating humanity, kindness, gratitude—delighting in torture to an extent that in absence of a human victim he mutilates his patient horse. In all the history of his race not one line of "peace and good-will to man" appears. An Ishmaelite, whose hand is against the world, and from whose hand to the world no deed of love or mercy ever came. All peaceful tribes of Indians have found in him a hereditary foe. Kindness has never touched his heart, nor friendship modified the asperity of his nature. Every blandishment which ingenuity could suggest has not availed against the brutal instinct which dominates that peculiar tribe.

Unoffending friends of mine—honest, patient, industrious men—pursuing in peace their honest avocations hundreds of miles from the reservation, have been foully murdered and brutally mutilated by these fiends on whom so much sympathy is here worse than wasted. And of all their countless victims I challenge any man, here or elsewhere, to point to one who ever did a wrong to his murderers or their tribe. I throw in the face of all your "societies for the elevation of the Indian," in the face of all your "friends of the Indian," in the face of all your sentimentalists here the challenge to show one single outrage perpetrated against the Apache in Arizona by any citizens of that Territory. Yet those citizens have been murdered, their houses burned, their property destroyed, and the Government has sheltered the murderer and refused any recompense to the wronged.

How long shall such inhumanity to the white man successfully masquerade in the garb of "justice to the Indian?" When we tell you that our property has been stolen by your wards and we want redress, by your action you answer "that your fathers stole from the Indian and the debt is squared." When we tell you that we are being murdered you answer that "the blood be on your own heads; you are the cause of the trouble."

This we deny, but deny in vain. Our protest avails nothing against the unsupported charge of officious and misguided people and of a horde of irresponsible sycophantic hypocrites who too often in God's holy temple assume to "speak forth the words of truth and soberness," but make an awful failure in the effort where an Indian is involved. We have no fight with the merciful churches of God. We only ask that those who proclaim to the world the matchless precepts of the meek and lowly One will obey Him in bearing no false witness against a neighbor. If only the simple truth were known, how easy of solution the Indian question would be.

Much that I have said may not seem pertinent to the bill opening the Territory of Oklahoma to settlement. But so much has been said in praise of the Indian; so much of sympathy has been created here in order to defeat the just claims of the white man that I thought it not inappropriate to submit the foregoing facts, as well as to take advantage of this opportunity to enlighten the House somewhat on the character of the Indians with whom my people have to deal. Why should there be objection to the "Oklahoma bill." The justice of the measure, the necessity of it, has been already fully demonstrated in the able arguments of the gentleman from Kansas [Mr. PERKINS] and the gentleman from Illinois [Mr. SPRINGER].

So ably indeed has it been done that further legal argument were an act of supererogation. But it does become me to ask: Are vast tracts of the public lands to be withheld from our homeless people in order to give the Cherokees an "outlet" to nowhere? Are valuable lands to be withheld from our poor that idle Indians, having no claim in law or equity, no right save that growing in the imagination of sympathizing orators on this floor, may roam to and fro, about, and over it, and in all this nomadic occupancy reduce not one foot of it to the uses of man or the arts of peace and civilization? Of just such sentiment as this grows the howling desire to remove Geronimo and Chatto and their braves from their present quarters in Alabama to Fort Sill, where they can in a few days revisit Arizona, New Mexico, and Sonora with

another reign of death and terror. The Senate has actually passed a joint resolution looking to such removal of these Indians.

Luckily we have met the resolution in the committee of this House and have almost, if not quite, defeated it there. Days and nights of my time have been devoted in argument and importunity against this outrage. I have brought to my aid every possible proper consideration to influence the committee. The Mexican Government has been informed of the proposed measure and joins with Arizona in an urgent protest against the proposed action. This correspondence between the two Republics has been requested by the committee, but if by any chance that resolution should ever reach the House for action I beg in advance that it be defeated.

Pardon me a further word or two in this connection, for you will all bear witness that I never trouble this body with any trivial matters. The deep interest of the people who sent me here must be my excuse for referring to this matter now. Their lives and property are involved. I can not remain silent. Geronimo and his band would not stay six months at Fort Sill. I am not alone in this opinion. The gallant General Miles, who followed these Indians over 2,000 miles of the roughest country on earth and finally brought about their unconditional surrender, shares fully my apprehension. He knows the Apache Indian. On this question the judgment of no man living is of greater value than his.

A few days ago there were sixteen outlaws (Indians) in the mountains of Arizona. I am assured by General Miles that some of that number were arrested by him three years ago and sentenced to ten or twenty years' imprisonment at Alcatraz, Cal. The same sympathy shown now for Geronimo influenced their release. One of the renegades, I am likewise assured, is an Indian who got off the cars near St. Louis when being sent east, and made his way back to Arizona, and is now on the war-path. There is at least one, if not more, among those at Mount Vernon who was with the Mescaleros in New Mexico, and has been across that plain to Fort Sill and back again, and knows well the trail. General Miles informs me that in his opinion the proposition to send these Apaches back to Fort Sill is simply madness. We are now moving one hundred of the turbulent element from San Carlos to Fort Union, N. Mex. That San Carlos reservation should be broken up. That large camp has been a disturbing element and a constant menace ever since its establishment.

In a letter bearing date February 26, 1890, directed to the chairman of the Committee on Indian Affairs of the House of Representatives, General Miles says, in relation to the proposed removal of these Apaches to Fort Sill, in proximity to the Kiowas, Cheyennes, and Comanches:

> It involves the peace and safety of the people of two Territories. These Apaches are all now east of the Mississippi, disarmed and dismounted. They can be as readily given occupation and civilized east of the Mississippi as west of it, and why put the most vicious band of savages with semi-civilized, or semi-savage, tribes there now? Mr. Chairman, when Lieutenant Kennon was a boy, two years before he entered West Point as a cadet, and that is only about fifteen years ago, I conducted a campaign against those same Kiowas, Cheyennes, and Comanches, forcing them to give up their white captives, whom they had carried over that same trail through Western Texas.
>
> It is only eleven years ago that a band of Indians, escaped from the Indian Territory, swept through Kansas, Nebraska, Wyoming, and far up in Montana before they were captured, going through two military departments, crossing railways, and leaving a black trail of desolation behind them. I think it is safe to say that during that time they killed at least one hundred and fifty people.
>
> Only four and a half years ago there was great danger of the Cheyennes and part of the Kiowas breaking out again; they can at any time do so, for they were never better armed and mounted. As to the Apaches not being desert travelers, there are no Indians that can excel them in that respect.
>
> I will notice but one other statement made by Lieutenant Kennon regarding their possible escape, which reads as follows:
>
> "They would have to pass through a line of troops, four thousand of them."
>
> Mr. Chairman, you will see by the inclosed official map that, starting from the highlands immediately west of Fort Sill, there is not a single mounted soldier in that belt of country, 200 miles wide, through which the Indians would pass before reaching the mountains in Chihuahua, Old Mexico.
>
> Of course, there are troops at Fort Sill, but they would be left behind by the Indians and could only pursue.

Every word in that communication is true. My people accord all praise to him who was a gallant defender in time of trouble and a true friend in time of peace.

Mr. Speaker, he needs no encomium at my hands, here or elsewhere. The name of General Nelson A. Miles is embalmed in Arizona's grateful heart. I invoke proper consideration of his mature judgment in this matter.

We have had enough of Geronimo. We want no more of his "ways of pleasantness" and peculiar "paths of peace." We are doing well enough now. "Let us have peace."

Sir, if my service on this floor, with all the vexing labor and perplexing trials which attend it, can be the means of aiding in the defeat of a measure like this joint resolution, I will feel that I have not labored in vain.

In conclusion, then, Mr. Speaker, the good people of Arizona want to see the Oklahoma bill pass. They want to see Geronimo no more forever. They want a survey of the public lands so that our school lands may be protected. They want to see silver restored to its former and rightful position. They want to see justice done. Therefore they desire above all to see their much-slandered yet wonderful Territory discard the swaddling clothes of dependence and assume the proud habiliments of an independent State. Such a condition is of right hers. She longs to assume it. No abnormal ambition spurs the desire; it springs responsive to the voice of justice. She desires to command a situation from which she can save herself the infliction of Federal appointment to local office, where she can do as she pleases with her own, where she can have a chance to grow and flourish, where she can, as she soon will, rise with resplendent glory and shine the brightest star in our matchless galaxy of States.

Compulsory Attendance of Witnesses before Registers and Receivers of Land Offices.

SPEECH
OF
HON. JAMES E. COBB,
OF ALABAMA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, March 8, 1890.

The House having under consideration the bill (H. R. 7216) providing for the compulsory attendance of witnesses before registers and receivers of land offices—

Mr. COBB said:

Mr. SPEAKER: At the expiration of the morning hour the day before yesterday, I was beginning to point out to the House some of the objections, as I conceive them, to many of the provisions of the pending bill. The amendment which I offered was hastily prepared, and fails to meet these objections. Since that time I have prepared another amendment which I propose to offer as a substitute to the one before the House.

Mr. PAYSON. If the gentleman from Alabama will permit me a suggestion here, I will state that the Committee on Public Lands have considered the amendment offered by the gentleman, and if he will take a vote upon it they are prepared to accept it, unless the gentleman desires to consume the time.

Mr. COBB. I have assured the gentleman from Illinois that it was not my purpose to consume this hour merely to force this bill to the Calendar. It seems to me that he might have been contented with that assurance. My amendment is offered in good faith, and the observations which I propose to make will be made in good faith, because I believe that the pending bill in many of its features is highly objectionable, and because I further believe that, if the attention of the House can be arrested, it will refuse to allow the bill in its present shape to become law. The amendment, as I remarked, that I have offered, and which the gentleman is willing to accept, was prepared hastily, and does not cover the ground of the objections which I have to the bill. It is true that on the former occasion I desired the bill to go over; not for the purpose of obstructing legislation, but purely and simply that I might have opportunity to look more carefully into its provisions and to prepare an amendment which I think ought to be adopted. The third section of the bill I will ask the Clerk to read.

The Clerk read as follows:

> SEC. 2. That any person neglecting or refusing obedience to such subpœna or neglecting or refusing to appear and testify when subpœnaed, his fees having been paid if demanded, shall be deemed guilty of a misdemeanor, for which he shall be punished by information or indictment in the district court of the United States. The punishment for such offense, upon conviction, shall be a fine of not more than $200, or imprisonment not to exceed ninety days, or both, at the discretion of the court: *Provided*, That if such witness has been prevented from obeying such subpœna without fault upon his part he shall not be punished under the provisions of this act: *Provided further*, That in case any party to a contest shall be unable to pay witness fees and shall make and file with the register or receiver an affidavit that he is unable to pay said fees and that he has a meritorious cause, and set forth in said affidavit what he can prove by said witnesses, if the register or receiver shall believe and so certify that the testimony so set forth is material to the issue, said witnesses shall be subpœnaed and attend without first having their pay, and in such case the subpœna issued shall state that the witness is required to attend without prepayment of fees or mileage, and all the provisions of this act, for the attendance of witnesses, shall apply to said witnesses, and they shall receive certificates of attendance from the officer before whom he is subpœnaed, which certificates shall be a liability of the person at whose instance they were subpœnaed.

Mr. COBB. Now, in lieu of a part of that section the amendment which I will after a while offer reads as follows:

> That any person willfully neglecting or refusing obedience to such subpœna or neglecting or refusing to appear and testify when subpœnaed, his fees having been paid if demanded, shall be proceeded against as follows: The register or receiver shall, if required so to do by the party in whose behalf the witness is summoned, return the original subpœna and affidavit of the person who executed the same, together with a statement from such register or receiver that the witness failed to obey the subpœna, to the district court of the United States, which court shall, on motion by said party who caused the subpœna to issue, cause a conditional judgment in the sum of $100 to be entered against said defaulting witness, which judgment may be made absolute, in whole or in part, if said witness fails, on notice issuing from said court and served on him at least ten days previous to final hearing, to make sufficient excuse either in person or by evidence deemed satisfactory by the court. Said conditional and final judgments shall be in the name of the United States, and the recovery had shall be disposed of as a fine collected in said court.

Now, Mr. Speaker, I do not assert that even the adoption of this

amendment will cure entirely the objections to the pending measure. There are other vital objections, as I conceive; but if this amendment is adopted it will modify to a considerable extent the evils that would otherwise result from the proposed legislation. It will be observed that in the first section of the bill the register or receiver is not only empowered to issue subpœnas for witnesses, but it is also provided that these subpœnas may be executed by any person whomsoever that the register or receiver may see proper to appoint for that purpose.

This in itself is highly objectionable and paves the way to an unlimited amount of abuse. Any man who has had experience as a legal practitioner has discovered the danger that results from committing the execution of process issued from a court to the hands of any person except an authorized and bonded officer. We have experienced difficulties at this point in our State courts, and have seen the sheriff of a county subject himself to severe reproof from the bench because he had committed process issuing from the court to the hands of an agent appointed by himself, and, assuming its execution to have been duly made, had returned it indorsed to that effect; and this, too, in civil causes. But the evil becomes greater when a criminal process, or a process the refusal to obey which may become a criminal offense, is committed for execution to an irresponsible party.

But I pass now to the third section of the bill, in which the chief objections to the whole measure are found. As I had occasion to remark when I had the floor the other day and as was remarked by other gentlemen taking part in the discussion, this third section creates a crime hitherto unknown to the law, either State or Federal. Never before, according to my recollection, has the failure of a witness to obey a subpœna been considered criminal. It is true that in every court of superior jurisdiction there is inherent power to punish witnesses, as for contempt, who willfully refuse to obey a summons issued to them; but that punishment for contempt, or that contempt, if you please, has never before been raised to the dignity of a crime. It is further true that in most States——

Mr. PAYSON. Did the gentleman ever know and can he cite an instance where a contempt of court was ever treated as of a less degree than a misdemeanor?

Mr. COBB. Yes.

Mr. PAYSON. I would be glad to hear one instance cited.

Mr. COBB. My point, Mr. Speaker, is this: that a contempt of court of this character has never heretofore been considered a crime in the strict sense.

Mr. PAYSON. What? A failure to obey a summons or subpœna?

Mr. COBB. Yes, sir.

Mr. PAYSON. It is always regarded as a criminal offense, never anything else.

Mr. COBB. The text-books treat of it as only quasi-criminal. They do not treat of it as a crime proper, as a technical misdemeanor or felony. And here a distinction should be drawn between witnesses who fail to respond to summons and witnesses who are in strict sense recalcitrant. It is against the latter that the punishing power of which I now speak is most usually called into exercise.

Inherent power to punish as for contempt the willful failure to respond to summons issuing therefrom exists in courts of general jurisdiction. That is true. I have not denied it. But I do deny that such contempt has ever, in recent years at least, been deemed worthy of criminal prosecution by indictment.

Now, I was about to say that, in most of the States, if not in all, this power of courts has been regulated by statute; and if these statutory regulations are examined it will be found that they are on the line of my amendment. They provide for civil judgment against a defaulting witness in the first instance of default, and nothing more.

If this has been the result of experience in the States and if this mode of dealing with defaulting witnesses has been found to produce the desired result, why, in this day, should we take the step which is here proposed? More than a century of our judicial history has been "added to the years beyond the flood," and through this long period it was not discovered that the harsh legislation of this bill was necessary. Nay, verily. The tendency, on the contrary, has been towards leniency in judicial methods. I would like the gentleman, if he can, to point out a single instance where one of the States in the Union has made it an indictable offense for a witness to refuse to obey summons to attend court. I wait for an answer.

Mr. PAYSON. If the gentleman desires an answer I will give it to him at once, if he will yield for that purpose.

Mr. COBB. With pleasure.

Mr. PAYSON. It is for the reason that in every judicial tribunal any one failing to obey a subpœna the court has the inherent power to inflict punishment for that failure to attend before that tribunal. The Interior Department has recommended, year after year, to give to some tribunal such power. There was no tribunal upon which it could be conferred. Of course a court of competent jurisdiction always has such power. It is always in the form of criminal proceeding: The State of Alabama against John Roe. As I have said, it is always in the nature of a criminal proceeding under the inherent power which the court has.

Mr. COBB. I will ask you a question, and you can answer.

Mr. PAYSON. With pleasure.

Mr. COBB. Where the States have undertaken to fully regulate the matter of punishing witnesses in default, does the gentleman not believe that such statutory regulation supersedes the inherent power of which he speaks?

Mr. PAYSON. That may be. The courts of competent jurisdiction of course have the right, but the power does not exist on the part of a register or receiver of the land office to punish witnesses for failure to attend their summons. Before the gentleman is through, if he thinks there ought to be some measure provided, as we are advised and believe there is, by which the attendance of witnesses can be compelled, what has he to suggest, let me inquire, in better form than is provided in this amendment? To save time, however, for myself and other members of the committee sitting about me, I will say we are willing to accept the amendment the gentleman offers, not because we think it is better, but out of a desire to get along with the public business.

Mr. HERBERT. Congress has the power under the Constitution to create from time to time such courts of inferior jurisdiction as it may see proper.

Mr. PAYSON. Undoubtedly.

Mr. HERBERT. Congress under that power could undoubtedly confer upon the register of the land office, or receiver either, the powers of a court. Congress could confer on these officers, under that provision of the Constitution, power to compel witnesses to answer for contempt in failing to obey the summons issued by them.

Mr. PAYSON. Undoubtedly this may be done in the opinion of the gentleman, but in the opinion of the Attorney-General and every lawyer upon the Public Lands Committee for a dozen years it can not be done.

Mr. HERBERT. Why?

Mr. PAYSON. Becau-e registers and receivers of the land office are not judicial officers, nor are they in any way connected with the judicial establishment of the United States. They are merely civil officers who, under the Constitution, can not be invested with judicial power in my judgment and in the judgment of other lawyers on the committee.

Mr. HERBERT. My position is that the Congress has the right to confer upon them judicial power if it seems proper to do so——

Mr. PAYSON. But it can not be done——

Mr. HERBERT. And create them an inferior tribunal.

Mr. PAYSON. The judgment of the Attorney-General and others who have given consideration to the subject is that it can not be done.

Mr. HERBERT. It is not necessary to say that that is the judgment of the Attorney-General or anybody else, because we go to a higher authority than that. Here is a Constitution which says plainly that Congress has the power to create such courts of inferior jurisdiction as it may see proper to create, and why the Congress can not confer judicial powers upon the registers and receivers I certainly can not understand.

Mr. COBB. My colleague is using my thunder as well as my time, Mr. Speaker. [Laughter.]

Mr. LACEY. Will the gentleman from Alabama yield to me a moment to allow an answer to the inquiry propounded by him as to whether this kind of proceeding had ever been attempted before? The gentleman from Alabama asks whether it has been attempted by any State. I answer that it has been attempted by Congress. That in a proceeding to take testimony in an election case, for instance, the subpœna issues from a court, it is true, but the witness appears before the commissioner, and if he refuses to testify in obedience to the authority conferred upon the commissioner his refusal is made a misdemeanor. So we have precedents in the action of Congress itself in that class of cases.

Mr. COBB. Well, if we have a precedent along that line, I can only say that it is more honored in the breach than in the observance.

But, Mr. Speaker, I was, when interrupted, attempting to impress this thought: that the experience of all of the State courts has been ample to indicate the course of legislation that ought to be pursued in this case. I say that experience has demonstrated the fact that it is not necessary to proceed against a citizen of the country, as for the commission of a crime, in order to induce him to appear and testify in a court or before any officer of the Government authorized to take testimony. Now, if that be true, it is not wise at this day to multiply statutory offenses. I deprecate, for one, the tendency to the multiplication of such offenses. I do not believe it is either desirable or necessary to pursue the citizens of the United States with the thumb-screw and the lash in order to drive them to duty. And I further believe that, the more you follow this oppressive course, the more you harass them by the multiplication of statutory crimes, the more you tend to degrade rather than to uplift the moral tone of communities. This is true in the States and with reference to State legislation. This is the Government of all governments on earth, where, as was said so eloquently and forcibly by the distinguished gentleman from Texas who sits before me [Mr. MILLS], the rights of the citizen, his personal rights and privileges and interests, should be of all things the most highly regarded.

Government is necessary, it is true; and it is also true that obedience to the law is imperative; but when you have secured that obedience without harsh and oppressive measures you will have adopted the wiser

and the better course. "That people are governed best who are governed the least."

Now, Mr. Speaker, if the observations I have thus far made with reference to the administration of the laws in the States be true, if the States have never found oppressive legislation necessary to enforce obedience to process, why should we commence the inauguration of a new departure in the Federal courts of the United States?

These tribunals were not established for the exercise of extensive jurisdiction, even of a civil character. It was intended by the framers of the Constitution that the civil jurisdiction of these courts should be limited in extent, and with greater emphasis it may be said that the purpose was that their power to punish should be restricted.

It is to be deprecated that their criminal jurisdiction has been enlarged in recent years; and it is yet more to be deplored that they have been swift to exercise the power given by statute and extended by construction, with relentless and oppressive hands.

We have felt this oppression and we want no more of it. I speak now of my section of the country.

Few there are on this floor or within sound of my voice, from that section, who would not testify from observation and experience to the cruelties visited on the humble and defenseless through their far-reaching machinery.

Their commissioners, constituted a committing magistracy, have grossly abused in many instances the authority given them. They have dragged men many miles from their homes on frivolous complaints, have thrown them in the common jails, and have held them there, finding excuse to avoid the approval of bonds offered, only to be forced to ascertain at last that there was no evidence to justify arrest.

Mr. COWLES. The fees came, all the same.

Mr. COBB. Yes; as suggested by my friend, the fees came, all the same; and that, it may be, to a large extent accounts for the milk in the cocoanut.

I could give instances, but time presses and I forbear.

My purpose is to call the attention of the House to the danger of conferring on these courts any additional powers criminal in character. They have no business with extended criminal jurisdiction. The State courts are ample to meet all of the necessities of our citizens. The State courts are competent to deal with questions of right as between the citizens, and have ample authority to coerce obedience where there is a willful refusal to obey. And, Mr. Speaker, only under a restriction of the power of the Federal courts can the best interests of the citizen be secured and our system of government preserved in its integrity. And by subserving the best interests of the individual citizen we secure most effectually the ends of good government.

Now, then, here is a new crime, never before known to the law. The gentleman from Illinois can not refute this assertion. He says that every contempt is a misdemeanor. The failure to obey summons is a contempt; *ergo*, the failure to obey summons is a misdemeanor. That is his syllogism. It is fallacious in both members. Bear in mind we are speaking of misdemeanor in its technical sense as an indictable crime, and none of the courts of the country, none of the text writers on criminal law, have ever classed it amongst such crimes, unless, indeed, my memory is grievously at fault.

Further, I press on him a fact already adverted to, that this inherent power to punish a merely defaulting witness is superseded whenever the State Legislatures provide a different remedy and do not retain the power. He admits it. Now, what have the State Legislatures done? One by one they have gone forward along the line of mitigating the severity of legal methods in this regard by making civil judgments the means and measure of punishment. If the several States are jealous of the rights and interests of the citizens as against the exercise of irresponsible power by their judiciary, how much greater should be our hesitancy to confer such power on Federal tribunals?

Mr. SMITH, of Arizona. In the Territories the courts have no power to do it, and they will be forced to go to the Federal courts.

Mr. COBB. I am talking about States. You ought not to be a Territory; you should be in better luck.

Mr. SMITH, of Arizona. You mean that we should have no Territories. I agree with you about that.

Mr. COBB. The reasoning here is obvious. It is upon the surface. It is that proceedings in State courts by legislative direction, as I have described, have been found by universal experience to be sufficient. And I repeat here, by way of emphasis, that wholesome legislation is in the direction of the lessening, rather than the increment, of criminal enactments. Let us have all the law necessary to restrain the lawless and protect the law-abiding, but I protest against the assumption of a necessity which experience has not discovered. But I want to hurry on. I will pass as rapidly as I can. I fear that my friend from Illinois [Mr. PAYSON] will be confirmed in the thought that I was insincere in my assurance to him.

Mr. PAYSON. Do not hurry. The hour is nearly gone, anyway.

Mr. COBB. Do not be uneasy; you will have time enough. I wish to show the operation of the law as you have framed it, and this is a matter of no slight importance, at least to the people I have the honor to represent. I have called attention to the fact that the first section contains an objectionable feature in allowing an unauthorized person to execute process.

Now, let us see the operation of this bill if it shall become a law. A register or receiver issues a subpœna. He may do so in good faith and only at the instance of a party litigant or he may do so of his own motion. The subpœna is committed for serving, at the discretion of the officer issuing it, to an irresponsible person.

Here are three persons, any one of whom may carelessly or designedly lay the foundation for harassing by criminal prosecution the best citizens of the country; and, if it should chance that the three desired to conspire together for evil purposes, the opportunity and invitation are in the law. The issuance of summons, its return executed, and a statement of default by the register or receiver, make a *prima facie* case of crime, for the commission of which a Federal grand jury would feel constrained to indict.

Mark you, Mr. Speaker, it is not necessary that I press the probability of wrong-doing; it is sufficient that opportunity and temptation to it exist in the terms of the law.

Let us pursue this line of thought a little further. An indictment is found against the witness supposed to be in default; a capias issues, and he is arrested, carried far away from home and friends, and lodged in the jail in default of bond; or it may be that before indictment he is arrested on warrant issued by a commissioner, for the law would certainly confer such power on commissioners. This is bad enough, but it is by no means all.

The witness now becomes a defendant in a criminal proceeding, is put on trial in a court remote from his vicinage, before strange jurors, and confronted by witnesses whose interest it is to convict him in order to sustain the regularity of their conduct, if for no baser motive.

This is the picture; it is not overdrawn; and it takes on a darker hue when we remember that the men who will thus be subjected to annoyance and punishment are the worthy poor.

But the bill has another operation, evil in tendency, which I will hastily notice.

The third section not only provides for the indictment of witnesses who fail to appear before the register or receiver, but also of those who fail or refuse to testify.

Let us test that a little. A witness is before one of these officers. He is asked a question, which as a man of intelligence he knows to be improper and which he should not be forced to answer. It may criminate him to give an answer. He refuses, and yet through ignorance of the law the register or receiver persists in his demand. If the witness is persistent in refusal to testify, he is deemed recalcitrant and is subject to indictment, with no opportunity to have his rights fairly examined until he is arraigned for trial. His acquittal in the end is no recompense for the hardship to which he has been subjected. He may be sustained by the ruling of an intelligent judge and discharged from the indictment, but he has been punished all the same.

Mr. Speaker, I will not further press these arguments. They could be greatly amplified and extended. I said in the outset to the gentleman from Illinois [Mr. PAYSON] that I was not quite sure that the amendment here proposed by me was the best. I incline to agree with my colleague [Mr. HERBERT] as to the power of Congress to give to the register or receiver the right to proceed against defaulting witnesses.

These officers are certainly invested by the bill with judicial functions. They may make an issue between contending parties, may hear evidence, and determine rights.

They are *pro hac vice* judicial officers. But the gentleman from Illinois is quite confident in his opposition to the views of my colleague. He may be right, but, if so, it is an anomaly in the law, to say the least.

But I do not care to go into investigation of this matter, for the reason that it is not expedient, if constitutional, to invest registers and receivers with power to punish. But why may not the aid of the State courts be invoked?

Mr. PAYSON. Does the gentleman desire an answer at this point?

Mr. COBB. I do.

Mr. PAYSON. I answer, first, because nearly all the public lands that are left in the Union are in the Territories and, second, because this is purely a Federal question, dealing only with public property belonging to the United States. The disposition of the public lands being entirely under acts of Congress, the questions presented are purely Federal questions. Also, for the further reason that Congress has no power whatever to confer upon a State court in such cases jurisdiction which the State court would be bound to exercise. I submit that point to the gentleman as a lawyer, and I ask him to state whether, in his opinion, Congress can confer powers upon a State court in matters involving only Federal questions, which the State court would be bound to exercise?

Mr. COBB. I think the gentleman is right about that.

Mr. PAYSON. Then how can what the gentleman suggests be done?

Mr. COBB. But Congress may invoke the aid of the State courts, and if they consent to afford that aid——

Mr. PAYSON. But they can not be compelled to do it.

Mr. COBB. Compulsion is not necessary. It is no new experiment to call on State officials to aid in enforcing Federal laws.

Every justice of the peace is now invested with the rights of a commissioner to hear and determine criminal cases and hold men to bail for the commission of criminal offenses against the United States.

Mr. PAYSON. An ordinary State justice of the peace?

Mr. COBB. Yes, sir. I ask the distinguished gentleman from Texas [Mr. CULBERSON], who has long served on the Judiciary Committee, if I am not right.

Mr. CULBERSON, of Texas. It is in the first judicial act passed, and it never has been repealed.

Mr. COBB. Every justice of the peace is invested with power to hear and determine such cases.

Mr. BRECKINRIDGE, of Kentucky. Is it so now?

Mr. COBB. Yes, sir; it is so now.

Mr. BRECKINRIDGE, of Kentucky. Has it not been limited?

Mr. COBB. No, sir; it has not been limited. The justice of the peace and the commissioner are put on the same footing and are invested with like authority to hear these cases and to hold the party to bail, if the necessity exists, to answer in the district court of the United States for the offense charged against him. Yet, in the face of this law, which has existed since the first judiciary act was passed, we find that offenders or presumed offenders against the laws of the United States are carried past these authorized State officers that they may be brought before commissioners at points distant from their homes.

I have remarked on the tendency which the Federal courts have shown, since the war particularly, to seize power. This tendency may well excite apprehension and cause resistance to further encroachments. "For if they do these things in a green tree, what shall be done in the dry?"

My friend from Tennessee [Mr. MCMILLIN] has been kind enough to hand me a criticism or two made by Mr. Jefferson many years ago. In writing to a friend this great statesman says:

> The great object of my fear is the Federal judiciary. That body, like gravity, ever acting with noiseless foot and unalarming advance, gaining ground step by step and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them. The recent recall to first principles, however, by Colonel Taylor, by yourself, and by Alexander Smith will, I hope, be heard and obeyed, and that a temporary check will be effected. Yet, be not weary of well-doing. Let the eye of vigilance never be closed.

Again he says:

> Our Government is now taking so steady a course as to show by what road it will pass to destruction; to wit, by consolidation first, and then corruption, its necessary consequence. The engine of consolidation will be the Federal judiciary; the two other branches the corrupting and corrupted instruments.

And yet again:

> I fear, dear sir, we are now in such another crisis, with this difference only, that the judiciary branch is alone and single-handed in the present assaults on the Constitution. But its assaults are more sure and deadly, as from an agent seemingly passive and unassuming. May you and your contemporaries meet them with the same determination and effect as your father and his did the alien and sedition laws, and preserve inviolate a Constitution which, cherished in all its chastity and purity, will prove in the end a blessing to all the nations of the earth.

These things were written without reference to the exercise of criminal jurisdiction by Federal courts. If they were true when Jefferson lived, how much more alarming do they become in the light of subsequent events?

The sage of Monticello was sagacious and far-seeing, but within the range of his prophetic vision there never came the scenes which have been enacted in these courts and before their subordinate officials in the last quarter of a century, scenes well calculated to remind us of Jeffreys and the bloody assize.

The SPEAKER. The time of the gentleman from Alabama has expired.

The People's Homes Taken for Florida Railroad Lands Under Grant of May 17, 1856.

SPEECH

OF

HON. WILKINSON CALL,

OF FLORIDA,

IN THE SENATE OF THE UNITED STATES,

Friday, February 28, 1890.

The Senate having under consideration the following resolution:

"Whereas the Florida Central and Peninsula Railroad Company claims the right to sell the alternate sections of land on the line of the railroad from Waldo to Tampa, Fla., under the act of Congress approved May 17, 1856; and

"Whereas the said grant was made to the State of Florida, subject to the disposal of the Legislature of the State of Florida; and

"Whereas the Legislature of the State of Florida has never disposed of said land; and

"Whereas the State of Florida in 1868, by a joint resolution of her Legislature, declared to Congress that the State had not complied with the conditions of said act of Congress, and prayed for a new grant on conditions that excluded the Florida Railroad Company, from which the said Florida Central and Peninsula Railroad Company claims the right to said land: Therefore,

"*Be it resolved*, That the Attorney-General of the United States be, and he is hereby, directed to institute such proceedings as will prevent any further sales of such lands until Congress shall provide such laws as will give patents to all actual settlers for 160 acres of land, and to all purchasers in good faith, for land not exceeding 160 acres, and to all purchasers of lots in town sites, and for opening the remainder of said land to homestead entry and settlement"—

Mr. CALL said:

Mr. PRESIDENT: The resolution which I have introduced is one which the dignity of the Senate and the proper assertion of its power require to be immediately considered and adopted. The House of Representatives for the last ten years have passed bills of forfeiture affirming the duty of the Government to carry out the pledges of the two political parties in this country that lands that had been granted, the terms of the grant of which had not been complied with, should be forfeited and restored to the public domain. In the case of this grant, if we may call it such, under the act of 1856, the last House of Representatives, by a large majority, I think more than two-thirds or much larger than that, perhaps three-fourths, I think, practically without any dissenting vote at all, passed a bill alleging it to be the duty of the Government to restore the land embraced in this reservation to entry and settlement.

PATENTS FOR ACTUAL SETTLERS AND PURCHASERS.

The Senate, by section 8 of the bill of forfeiture passed last session, provided as follows, and the committee of conference of the House agreed to it:

> SEC. 8. That all actual settlers on any of the public lands in the State of Florida, affected by the grants, who made actual settlement on any of said lands after the time limited in the granting act for the construction of certain lines of railway in said States, approved the 7th May, 1856, which lies adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited by Congress in the granting act, and which were granted to any of said companies by the Legislature of the State of Florida in accordance with said act of Congress, and are held by purchase in good faith from said companies made before the year 1866, are hereby confirmed to such purchasers: *Provided*, That a mortgage in pledge of said lands by any of said companies shall not be considered as a sale for the purpose of this act.

That provision of the act giving titles to actual settlers who had settled upon this land after the expiration of time limited in the act of Congress for the construction of the roads met the approval of both Houses of Congress. It left the remainder of the grant (if Congress had this power, which the House had repeatedly asserted and which the Senate here asserts) subject to disposal under the land laws of the United States, except in so far as a former act of Congress granted a patent to purchasers in good faith from the railroad companies claiming it. In defiance of this action of the House of Representatives and of this action of the Senate of the United States a railroad company, now known as the Florida Central and Peninsular Railroad Company designated in the resolution by this title, but which, if the proceedings in the circuit court of the United States for the northern district of Florida in the suit of I. Wailes *vs.* The Florida Railroad and Navigation Company *et al.* contain the true statement of the case, is only the agent of certain private parties, is proceeding to sell these public lands of the United States claimed to be embraced within this grant, depriving the actual settlers of their homes, frightening them into paying large sums of money, three, four, five dollars to the acre, as I am informed by letters from them, and even higher prices.

FLORIDA CENTRAL AND PENINSULAR RAILROAD COMPANY HAVE NO RIGHT OR TITLE.

They have absolutely no right, or claim of right, or pretense of right, and it is one of the extraordinary cases where men are allowed to take possession in their own individual and personal interests of millions of acres of the public domain and the homes and improvements of the people without even a shadow or pretense of a law either of Congress or of the State to justify them in it. That is the fact in regard to this matter. No man can truthfully state even a plausible ground of claim either in law or equity on the part of this railroad company, or of Mr. E. N. Dickinson, or of the Florida Railroad Company, the charter, franchise, and property of which were bought by him and his associates in 1866 as a completed road, and by him assigned on certain terms of personal advantage to him and his associates to a corporation formed under the general incorporation law of the State of Florida in, I think, the year 1880, or 1881, or 1882, and known as the Florida Railroad and Navigation Company.

A FRAUD AND CRIME TO TAKE AWAY THE PEOPLE'S HOMES.

The deprivation of these people of their homes and their improvements upon these public lands, and of their right to free homes under the land laws, is a fraud and a criminal act under the laws of the United States, for which, under an honest and proper administration of the Government, the persons concerned in it would be prosecuted; yet it is going on, and I think about 550,000 acres of the public domain, worth probably two millions of dollars, has been and is now being appropriated to their own personal use by a few individuals who are carrying on the business of selling the homes of the people for personal profit to themselves.

I ask in the name of the people protection for their homes and that titles should be given to them, and that the perpetrators of these wrongs shall be held to proper and just account under both the civil and criminal laws of the United States. It is the duty of Congress to grant a title to every actual settler on these lands to 160 acres of land, and to every purchaser in good faith of a limited quantity of land, and

to all owners of lots in town sites, thus giving repose and security to titles and to every man's home.

It is equally a duty to hold the men who have been taking the money of the people from them on these false pretenses accountable for the wrong they have done to the people. Congress has given them notice and the Secretary of the Interior and the State Legislature have given them notice that they had no title or right to this land, and that it was a part of the public domain and subject to the people's right under the land laws of the United States.

Yet they have continued to sell the land, depriving the people of their homes on it, by some action of the Interior Department, or some of its clerks, under color of a reservation made by Mr. Schurz in 1881, fifteen or sixteen years after the expiration of the ten years required in the act for the completion of the line of railroad, and thirteen years after the State, by a joint resolution, had notified Congress that she had not complied with the conditions of the act and made no claim to it, notwithstanding the fact that the State had never by any act of the Legislature made any disposition of the land under the act of 17th May, 1856.

The act of Congress (R. S. 2449) is as follows:

When lands have been, or may hereafter be, granted by any law of Congress to any of the several States and Territories, and where such law does not convey the fee-simple title of the lands or require patents to be issued therefor, the list of lands which have been, or may hereafter be, certified by the Commissioner of the General Land Office under the seal of his office, either as originals or copies of the original deeds, shall be regarded as conveying the fee-simple of all the lands embraced in such lists that are of the character contemplated by such act of Congress and intended to be granted thereby; but when lands embraced in such lists are not of the character embraced by such acts of Congress, and are not intended to be granted thereby, the lists, so far as these lands are concerned, shall be perfectly null and void, and no right, title, claim, or interest shall be conveyed thereby (10 Stats., 346; 18 *id.*, 475; R. S., 2449; House Miscellaneous Document, Forty-seventh Congress, second session, volume 16; Digest of Decisions.)

This statute is very plain, and makes any certificate by a Commissioner of land not embraced in an act of Congress and not intended to be granted thereby absolutely null and void.

LAW GIVES FLORIDA CENTRAL AND PENINSULA RAILROAD COMPANY NO RIGHT.

Let us inquire whether a grant of land to a State of alternate sections along a line of road required to be disposed of by the Legislature of the State for the construction of a line of railroad only as such railroad shall be actually built, and that the entire line of road shall be built and completed in ten years from the date of the act, where the Legislature had not disposed of the grant, where no location of the line of road was made in the lifetime of the grant, so as to fix the locality or place of the alternate sections, where the Legislature of the State not only failed to dispose of it, but by an act of Legislature declared that the State had not complied with the conditions of the grant, and asked for a new grant on new conditions—let us inquire whether a certification of lists of land twenty years after the expiration of the grant, and after its surrender by the Legislature to a company or person to whom the Legislature has not granted it, is embraced in the act and intended to be granted by the act which prescribes these conditions as necessary to the validity of the grant, and we see at once how entirely and absolutely void is the title claimed to be given by the persons representing themselves as a railroad company owning this grant, and how absolutely void is any certification of lists of land to them. We may begin, then, to form some idea of the wrong and iniquity of these persons in taking great sums of money from the people and giving them a worthless quit-claim deed to this land.

NO GRANT FROM WALDO TO TAMPA.

Mr. President, on the 17th May, 1856, an act was approved granting to the States of Florida and Alabama the alternate sections upon lines of railroad which were to be constructed in those States, the lines of railroad in Florida designated by the act being from Pensacola to Jacksonville and from Fernandina to Tampa Bay. The third section of that act provides:

SEC. 3. That the said lands hereby granted to the said State shall be subject to the disposal of the Legislature thereof for the purposes aforesaid, and no other.

(The entire act of 1856 will be found at the end of this speech.)

In 1859, on the third of November, there is a letter from the governor of the State of Florida, M. S. Perry, to be found upon the records of the office of the Commissioner of Public Lands, notifying the Department that the State of Florida had not disposed of this land, and that remains true to day. There has never been a disposal of this land by the State of Florida as required by the act, and here is the official notification of the governor, which I will print in these remarks, to the Secretary of the Interior, declaring that there could be no location, nor acceptance, nor selection by the governor of the State of the alternate sections, because the Legislature of the State had not disposed of it under the act of Congress. There could be no grant and no right vested in any one without the previous action of the Legislature of the State. But the Legislature of the State in 1863, following up this letter of the governor declaring that the State had not disposed of it, by a joint resolution in the form of law, notified the Government of the United States that the State had not complied with the granting act, and did not claim this grant of land.

FALSE CLAIMS UNDER TWENTY-FIRST SECTION INTERNAL-IMPROVEMENT ACT.

Nor is that all. The only pretense of a claim which is made to this grant was that under the twenty-first section of the internal improvement act of the State of Florida it had been declared that the railroad companies which, under the authority of that act and in pursuance of its provisions, should complete the lines of road indicated in the act, should have (the governor directing the selection of it) the right to the land. (See twenty-first section in appendix.)

This internal-improvement act served its purpose, and in 1866 and 1868 and 1869 the railroads that were constructed under it, for parts of the lines were sold as completed roads, and the remainder of the lands of the State have, by various legislative acts, been disposed of for other purposes, disconnected with and entirely different from the construction of these lines of road, so that, in effect, the object of the trust was declared by the Legislature to be ended.

So that if the trust created under the act of the State Legislature of 1855 remains in existence it is a trust without an object, and certainly without any connection with the construction of this line of railroad from Waldo to Tampa, or from Chattahoochee to Pensacola, all the land embraced in that trust and all the means created by it having been conveyed and appropriated by the Legislature to other and different objects. To the end that this may be understood, I here state that the State of Florida had granted to her by acts of Congress, as follows: In 1845, on her admission into the Union, 500,000 acres of land for internal improvements. In 1850 "the swamp and overflowed lands rendered thereby unfit for cultivation, to pay the expense of levees, ditches, and drains" to make the swamp and overflowed land dry and fit for cultivation.

Under this act of 1850 about 11,000,000 acres out of the 37,000,000 acres in the State were patented to the State under the confirmatory act of 1857; thus making 11,500,000 acres of land, or about that quantity. In 1855 the State Legislature enacted an "act to encourage a liberal system of internal improvements." The act will be found at the close of this speech. It conveyed to the trustees of internal improvement the 500,000 acres of internal-improvement land then remaining unsold and all the swamp and overflowed land granted to the State by the act of 1850.

The trustees were the governor, comptroller, treasurer, attorney-general, and register, and their successors *ex officio* trustees. The objects and powers of the trust were to sell the lands and apply the proceeds to the payment of the interest on certain and limited amounts of bonds of such companies as should accept the benefits of the act and build certain lines of railroad or parts of the lines designated in the act. These lines of railroad were "a line of railroad from Pensacola, or Escambia Bay, to Jacksonville, on the St. John's River," and a line of railroad from Fernandina to Tampa Bay, with an extension to Cedar Keys, Fla. It will be noted here that the land proposed to be granted to the State in the act of May 17, 1856, is no part of the land conveyed to the trustees by the act of January 5, 1855. At this time the act of Congress of May 17, 1856, had not been passed.

But by the twenty-first section of the act of the State Legislature of January 5, 1855, it was provided that if Congress should thereafter grant lands to the State in aid of these lines of railroad the companies building the lines of railroad under the provisions of that act should have the benefit of them, and the governor should direct the lands to be selected for them.

The Florida Railroad Company was authorized under its amended charter to build a railroad from Fernandina to Tampa and Cedar Keys, and accepted the provisions of the act from Fernandina to Cedar Keys, and afterwards claimed to accept it from Fernandina to Tampa Bay.

The Florida, Atlantic and Central Railroad Company accepted the provisions of the act from Jacksonville to Pensacola or Escambia Bay. The Pensacola and Georgia Railroad Company accepted the act from Tallahassee to Jacksonville, and from Tallahassee to Pensacola, thus covering the same line as the Florida, Atlantic and Central Railroad Company.

The Pensacola and Georgia Railroad Company constructed the road from Tallahassee and Quincy to Lake City and met the Florida, Atlantic and Central Railroad from Jacksonville at Lake City. Neither company ever built any other part of the line westward to Pensacola.

The Florida Railroad Company constructed the road from Fernandina to Cedar Keys and never built any other part of that line to Tampa.

All these parts of the lines were built before 1861.

In 1866 and 1869 all of these railroads were sold by the trustees under the powers of the act creating the trust (as they alleged) as completed roads, the act only authorizing them to sell after completion.

In 1859 the governor informed the Legislature and officially notified the Commissioner of the Land Office that the State Legislature had not disposed of the land granted in the act of May 17, 1856, to any of the railroad companies, and that no certification of selections could be made. The governor also informed the Legislature that the Florida Railroad Company had not accepted the act for the line between Waldo and Tampa; and also that the Florida Railroad Company was not building the road from Waldo to Tampa. The Legislature of 1869 char-

tered another railroad company to build the line from Waldo to Tampa, and granted to this company, namely, the Peninsular Railroad Company, the benefits of the internal-improvement act. Neither the Florida Railroad Company nor the Peninsular Railroad Company built the line or any part of it from Waldo to Tampa.

Edwin N. Dickinson and associates purchased, in 1856, at trustees' sale, the Florida Railroad franchises as a completed railroad running from Fernandina to Cedar Keys.

LEGISLATURE IN 1868 DENIES THE RIGHT.

In 1868 the Florida Legislature, by a joint resolution, declared that the State had not complied with the conditions of the act and prayed Congress to make a new grant on condition that none of the railroads chartered before the war should have any benefit from the grant.

This joint resolution has two aspects, one as a disclaimer of any right or claim to the grant; second, as a refusal to dispose of it for the benefit of the Florida Railroad Company which had then been newly organized for two years.

In 1870–'71, the railroads having all been sold as completed railroads, the Legislature passed "An act to perfect the public works of the State," granting money bonds instead of lands.

Mr. President, here is a joint resolution of the Legislature of the State of Florida of 1889, containing recitals which I will not read, but will, if there shall be no objection, print with these remarks—a joint resolution of the Legislature of Florida which did not become a law, but which received the vote of a majority of both houses of the Legislature and is an expression of opinion on the part of the people of that State and of their Legislature of the facts in regard to this matter. It recites the facts which are apparent from the records and laws of the State. This resolution alleges and sets forth that the State Legislature has never disposed of this land; that they refused to dispose of it; that they notified the Congress of the United States in 1868 that they had not complied with the conditions of the grant and that they made no claim to it, and asked Congress to dispose of it upon conditions which excluded all companies chartered previous to that time.

(See joint resolutions in appendix.)

HISTORY OF THIS WRONG ON THE PEOPLE.

Mr. President, following this story along by which to-day the homes of the people in Florida over a large area of the very best portion of the State are being appropriated, not for the construction of railroads, but, as appears by the records of the circuit court of the United States at Jacksonville, solely in the interest of the personal fortunes of two or three or four individuals who have no shadow of right, title, or claim under the terms of any law either of Congress or the State of Florida—following this narration of facts, commencing in 1855 and ending in 1869, the roads which were authorized to be built under the internal-improvements act of 1855, which were none of them constructed except in part and were all sold as completed roads, and their connection with this statute which is the only statute that ever made any mention whatever of this grant of land contained in the act of Congress of the 17th of May, 1856, ceased and the statute became inoperative and no longer had or could have any connection whatever with this railroad or with any other.

I said this was the only statute of the State which ever made any mention of this grant. There is a statute which disposes of so much of this grant as lies between Pensacola and the Alabama and Florida boundary line, in the direction of Montgomery, to the Florida and Alabama Railroad Company, but this has no relation to the subject, except that it emphasizes the failure and refusal of the Legislature to dispose of the grant from Pensacola to Jacksonville and from Fernandina to Tampa.

Nor is that all. The Florida Railroad was sold in 1866 as a completed road and was bought by Mr. E. N. Dickinson, a person of great distinction in this country, a resident of New York, as a completed road terminating at Cedar Keys, and the Legislature of the State granted the right to the new company (see the act in appendix) to build a line of road from Waldo, the present point of connection, to Tampa Bay, and limited them to a certain time for the completion of that road.

That time expired; the limit was again extended and expired, and no road was ever built. Thus for a series of years this matter stood, the lands embraced in this alleged grant never having been mentioned or disposed of in any shape, manner, or form by one word, syllable, or reference in any law of any description whatever, the joint resolution of the State passed in 1868 declaring that the State had not complied with any of the conditions of the grant and made no claim to it, and with no other legislation whatever except the acts of the Legislature which disposed of all the land of the trust created by the internal-improvement act of 1855 to other and entirely different routes and companies.

Not only the joint resolution of the Legislature declaring that the State had not complied with the conditions of the act of May 17, 1856, and asking a new grant on condition that none of the railroad companies chartered before the war should have the benefit of the new grant, but the history of the sale of all these railroads as completed roads, and the retirement of their bonds guarantied as to interest by the internal-improvement fund, which was the swamp and overflowed land grant of 1850, and 500,000 acres of internal improvement land, and the passage of the act to perfect the public works of the State, granting the money bonds of the State to the purchasers of the Pensacola and Georgia Railroad, under the name of the Jacksonville, Pensacola and Mobile Railroad Company, and to the new Florida Railroad Company, or any other company which should build a railroad to Tampa, all prove, beyond a possible doubt, that the Florida Railroad Company never had a claim or right to the grant of May 17, 1856, from Waldo to Tampa, and that the Legislature of the State never disposed of the land from that day to this to this company or to any other company.

CLAIM OF TITLE UNDER MR. E. N. DICKINSON.

The claim of title of Mr. Dickinson and associates, and of the Atlantic and West India Transit Company, and of the Florida Railway Navigation Company, and of the Florida Central and Peninsular Railroad Company, all these being the names at different times of the same company, and all claiming through Mr. Dickinson's purchase of the old Florida Railroad from Fernandina to Cedar Keys as a completed road, and by assignment from him, rests on an absolute fiction and has not a single fact to support it, but is contradicted by the laws, the records, and the public history of the State.

This road having been bought as the property of this person, this franchise of a completed road, with the right, under its charter, to build a road to Tampa, not as a part of the internal-improvement act, not as a road having any kind of aid or subsidy in land from the State, not as the beneficiary of the grant to the State under the disposal of the Legislature, but having a mere charter right to go to Tampa, in 1881, thirteen years after the Legislature of the State had declared to Congress that they made no claim whatever to this land, and had complied with none of the conditions of the act, and thirteen years after the Legislature had refused to dispose of the land to the new company, this company appeared in the Interior Department and obtained a reservation. Under Mr. Secretary Chandler this was refused, he acting in conformity with the joint resolution of the State Legislature in surrendering this grant and declaring that it made no claim to it, and asking for a new grant upon different conditions; but Mr. Secretary Schurz, without authority of law, in defiance of the action of the State of Florida declining to make claim to this grant and stating that the State had not complied with any of its conditions, made a reservation for the benefit of what he called the successor of the Florida Railroad Company. We have seen that the Florida Railroad Company had been sold as a completed road to Cedar Keys, and the internal-improvement act had at that time ceased to be operative because of the disposal of all the lands for other and different purposes, and that the only possible connection between the old Florida Railroad Company and this grant under the act of May 17, 1856, was that the twenty-first section of the internal-improvement act provided that the companies which should build the lines of road designated in that act, and under the authority of that act, should, under the direction of the governor, have the right to the land which Congress should thereafter grant; and the fact that the old Florida Railroad Company had built under that act a road from Fernandina to Cedar Keys, not to Tampa, and had claimed the right to accept the provisions of the act and build the road to Tampa in 1856, 1857, and in 1858, and had claimed to have graded a part of the line, namely, from Waldo to Ocala, 40 miles, only before the war.

FACTS WHICH PROTECT PEOPLE'S RIGHTS.

But just there came in the difficulty. The governor of the State officially informed the Legislature in 1858–'59 that the Florida Railroad Company had not accepted the provisions of the internal-improvement act of 1855, and was not building a railroad to Tampa. The Legislature of Florida, in pursuance of the governor's recommendation enacted a statute chartering another and different railroad company, and giving to this railroad company, and not to the Florida Railroad Company, the right to accept the provisions of this act and to have the benefits of the internal-improvement act from Waldo to Tampa.

Thus the Florida Railroad Company was left without the right to the benefits even of the internal-improvement act from Waldo to Tampa.

Another difficulty was that neither the Florida Railroad Company nor the Peninsular Railroad Company ever constructed any part of the railroad from Waldo to Tampa nor even located any line of railroad under the authority of a disposal by the Legislature to either of them of the grant of May 17, 1856.

The Florida Railroad Company did survey a line to Tampa under its general charter, but, as we have seen, without being recognized by the governor or the State Legislature as the beneficiary of the internal-improvement act, which the Legislature and the governor had expressly refused to allow.

Even if it had been such beneficiary of the internal-improvement act, we have seen that the granting act of 17th May, 1856, required an act of the Legislature disposing of this grant and authorizing the location of the line and building of the road, and the governor, in 1858, informs the Legislature and informs the Commissioner of Public Lands that no such disposal had been made, and the laws of the State inform us and informed the Interior Department that no such law exists or ever existed.

The laws of the State further inform us that if the internal-improvement act enacted two years before the act of 17th May, 1856, had disposed of the grant of May 17, 1856, and if the old Florida Railroad Company or the new Florida Railroad Company had acquired any rights under this act of 1855 to the line from Waldo to Tampa, none of which propositions are true, yet the fact that the internal-improvement act ceased to operate and was virtually repealed by the sale of all the roads as completed roads and by the appropriation by the Legislature of all the land conveyed to that trust for other and different lines of railroad would have prevented the purchasers of the Florida Railroad from Fernandina to Cedar Keys from acquiring any rights under the internal-improvement act of any kind whatever.

If the Florida Railroad had never been sold and was still alive under its former charter, with all its rights, it would not have even a pretense of a right to the land granted by the act of Congress of May 17, 1856: first, because the Legislature of the State not only never disposed of the land to it, but, secondly, because the Legislature expressly refused to dispose of the land by incorporating another company in 1858–'59 on the express ground that the Florida Railroad Company had no right to the benefits of the internal-improvement act of 1855, and had not accepted the same, and was not building the road, and further because if the Florida Railroad Company was alive to-day the internal-improvement act having ceased to be operative and all the objects of the trust having been abandoned, and the trustees become merely "naked trustees," without any beneficial uses, and the State, the beneficiary of the trust, having asserted its power to dispose of the internal improvement and the swamp and overflowed lands, these being all the lands conveyed in the trust, there could be nothing derived from that act by the Florida Railroad Company if it were alive to-day.

These observations all apply with equal force to the part of this grant which lies between Chattahoochee on the Apalachicola River and Pensacola in West Florida, the claims of right being equally bare-faced and fraudulent in every possible view of law or equity or common sense. There are some facts which distinguish this part of the grant from that part which lies between Waldo and Tampa, which will be the subject of separate consideration.

The message of Governor M. S. Perry in 1858–'59 and the act of the Legislature of February 1858–'59, denying the right of the Florida Railroad Company to the benefits of the internal-improvement fund and chartering the Florida Peninsular Railroad Company and granting the benefits of the act of 1855 to this company, and the acts of the Legislature appropriating the land to other objects and creating a new system of internal improvements, under the title of "An act to perfect the public works of the State," will be found at the close of this speech.

ARGUMENT VERY PLAIN.

The argument is very plain.

First. The granting act of May 17, 1856, required the Legislature to dispose of the lands before the inception even of a right could take effect.

Second. The Legislature did not dispose of the land so far as that part of the grant lying between Waldo and Tampa is concerned, and has not disposed of it even to this day.

Third. The grant was of alternate sections within 6 miles on either side of a line of railway required to be actually built before any right to the alternate sections could be acquired under this act.

Fourth. There must have been a location of a line as the beneficiary of the grant before there could be even an incipient right acquired under the act to the alternate sections of land along the line of road.

Until the Legislature disposed of the land and authorized the location of a line of road as the beneficiary of the grant, no rights could attach to any particular land, namely, to the alternate sections of land along a line of railroad not authorized to be located or built by the Legislature as the beneficiary of the grant.

This must be done during the lifetime of the grant and not after the Legislature has declared its failure to comply with the conditions of the granting act.

Fifteen years after the purchase of the Florida Railroad these persons, the purchasers of the old Florida Railroad as a completed road from Fernandina to Cedar Keys, appeared in the Interior Department under the name of the Atlantic and West India Transit Company, successor of the Florida Railroad Company, and obtained this reservation; and what then? They claim a right to complete this road as a part of their franchise, the franchise being the purchase of a completed road, and the record shows that the Legislature of the State had in 1859 declared that the Florida railroad which they bought as a completed road had no right, title, or interest in this grant. They had none of the rights, under the internal-improvement act, to the line from Waldo to Tampa, so that, even if that act had been in existence, they could have bought nothing, because the Florida Railroad Company, whose franchise they bought, had been declared by the Legislature of the State to have no right, title, interest, or claim whatever under the old internal-improvement act to the line from Waldo to Tampa; and, further, because the Legislature of the State, so far from disposing of the land to the New Florida Railroad Company, subsequently the Atlantic and West India Transit Company, two years after the purchase, by an act of the Legislature, after disclaiming any right to the grant under the act of 1850, urged Congress to make a new grant on the condition that none of the companies (Florida Railroad Company included) chartered before the war should have any right or interest in the grant.

Here is the letter of the governor of the State stating that the State had not authorized even a location, even the inception of a right. I have here the letter of Governor Perry in 1859 and the act of the Legislature of the State expressly notifying the Government of the United States and the Commissioner of the General Land Office that the State of Florida had not even commenced to vest the right in any grantee, because her Legislature had not disposed of the grant. We all know that there could be no right vested in any corporation or natural person except through the disposal of the grant by the Legislature. Those are the terms of the act. The grant expired in its lifetime without any disposal by the Legislature.

In 1868, after the ten years limited for the completion of the entire line had expired, the State again notifies the Congress of the United States and the executive department by a joint resolution that she had not complied with any of the conditions of the grant, which must be held to refer to the fact that she had not even made a disposal of it to any railroad company. And yet, with these facts of record in her laws and giving notice to all persons that under the authority of the Legislature of the State there has never been a beneficiary of this grant designated; that the grant expired without the construction of any railroad; that the road of the railroad company under which these people pretended to claim was sold as a completed road terminating at Cedar Keys; that unless it had been a completed road in the sense of the law there was no authority to sell it, because the terms of the internal-improvement act are that after the completion of the several lines of railroad mentioned in this act the trustees may seize and sell; therefore, if it had not been completed at that time, there could have been no authority to sell it.

After purchasing a completed road, which unquestionably meant a road that had no franchise to go any farther, because if it had a right to go farther it could not be a completed road—after purchasing this completed road the purchaser appeared in the Interior Department fourteen years afterwards and after Mr. Chandler had opened the land to settlement by the people of the country; after railroads had been built by private capital under other inducements furnished by the State paralleling almost and penetrating this same section of country; years after the grant had expired and after the Legislature of the State had notified the Commissioner of Public Lands, in 1859, that the Legislature of the State had failed to make any disposal of it; after the Legislature, in 1868, had by law enacted that none of the conditions had been complied with, and therefore asked Congress to make a new grant upon a condition which excluded the Florida Railroad Company from having any right or interest whatever in it; with these facts of record here, of record in the laws of the State which I will print, of record in the declaration of a majority of the members of both houses of the Legislature, in 1889, of record in the fact that the statute of the State to-day contains no word, no syllable, no reference to a grant of the benefits of the act of the 17th of May, 1856, to the Florida Railroad Company, the alleged predecessor in the grant of this Atlantic and West India Transit Company, with the fact that the Florida Railroad was sold as a completed road by the authority of the trustees of the internal improvement fund and bought as a completed road, these persons claim the right to sell, and are selling, and have been selling vast quantities of this land, to the amount probably of from one to two million dollars of money extorted from the labor of the people of Florida and the citizens of the United States, for that which the Government and the law has given to them for free homes for themselves and their wives and children. Is there any language which can adequately describe the enormity of this offense? Is there any punishment too great for these acts; this business of selling the homes of people which, by public laws, have been guarantied to them, and taking from their wives and children the comforts of life?

NO JUSTIFICATION FOR SUCH A FRAUD.

How is it that such a fraud can be perpetrated? How is it that representing the State and the people here, that with the authority of the National Government, we can not take action to prevent these men from enriching themselves by selling the homes of these people, and extorting from them years of toil for that which the plain letter of the law openly and palpably denies them a right to?

Mr. President, I challenge denial and answer of these statements. I will repeat them. I will print the act of the 17th of May, 1856, which contains these words:

That the said lands hereby granted to the said State shall be subject to the disposal of the Legislature thereof for the purposes aforesaid, and no other.

I will not read the provisions of this law of 17th of May, 1856, which provides that this entire line of railroad shall be completed in ten years. That raises a subject of contention in reference to the decision in the Schulenberg *vs.* Harriman case. The point I make is that the law required the Legislature to dispose of the land granted, and there could be no beneficial interest or right acquired except through an act of the

Legislature; and in 1869 the governor of the State of Florida, M. S. Perry, in his letter states as follows:

The Legislature has as yet made no further disposition of the lands inuring to this State under the Congressional act of May 17, 1856.

The "further disposition" meaning that the Legislature had disposed of the part of the grant between Pensacola and the Alabama and Florida boundary line in the direction of Montgomery, to the Pensacola and Montgomery Railroad Company, I think was its title, and "no further disposition had been made."

This is an official fact, and if it be not true, or if there has been a disposal by the Legislature since, the laws of the State of Florida will show it. I aver there has been none for the land from Waldo to Tampa. What follows? Does it not follow that this land beyond even a possible doubt is and has always been public land, the grant having expired in 1868, the State having not only not disposed of it in the mean time, but having notified Congress that she had not complied with any of the conditions of the granting act and asked Congress to dispose of it in a new grant? Following that, in 1866 and 1869, all the railroads under the internal-improvement act were sold as completed roads.

Their new franchises were disconnected with the internal-improvement act, relieved from its obligations and unaided by its provisions, excepting only a lien for 1 per cent. annually for their old first-mortgage bonds remaining unpaid, with other and different inducements in the shape of money bonds instead of land subsidies for the construction of the roads. Under all these acts the roads failed to be constructed. In 1882 the purchasers of the old Florida Railroad and of the Florida, Atlantic and Central Railroad and of the Pensacola and Georgia Railroad organized under the general incorporation law of the State under the name of the Florida Railroad and Navigation Company, and had transferred to it by the purchase of the charter of the old Florida Railroad an assumed right to the grant of land made by the act of Congress of the 17th of May, 1856, which the State had declared she had never disposed of, which her laws show she had never disposed of, which her resolution of 1868 affirmed she had never disposed of, which her laws show had never been granted by the State, with notice in the public laws of the fact that the State had repealed the provisions of the internal-improvement act of 1855.

Mr. President, the facts may be briefly stated thus: Here is an appropriation of a large part of the public land in Florida by virtue of an order of reservation obtained from the Interior Department in defiance of the action of Congress, in defiance of the letter of the governor of the State and the laws of the State of Florida, a reservation obtained in the Department here by a few persons, strangers, non-residents, not belonging to the people of Florida, and they proceed to levy a tax of from one to three or four million dollars upon the labor of the people of Florida and of the people of the United States as a condition of the occupancy of this land of the United States which has been by the laws of the United States given to the people for free homes. There is a letter of Mr. Teller on this subject, notifying those people that they bought subject to the action of the Interior Department, and that this company had no right to sell, and that they took their land under the penalty or the menace of a loss of it by the action of Congress or the future action of the Interior Department.

A CRIME UNDER THE LAWS.

Notwithstanding that, these individuals have, in violation of the criminal laws of the United States, been allowed to proceed and to sell to these people their homes upon this land—in some cases to corporations, in other cases individuals and speculators, in others compelling the people who are there applying for homes under the homestead law to pay to them large prices. They had to forfeit their improvements or to borrow money at high and confiscatory rates of interest. These persons purchased the franchise of the old Florida road as a completed road, paying for it the sum of three hundred and some thousand dollars which was invested in the old bonds of the road, the first-mortgage bonds as they were called, at 20 cents on the dollar, a nominal consideration.

These purchasers of this old Florida completed road acquired no right as we have seen, because the Florida Railroad Company never had been the grantee from the State. I challenge the production of any act of the State of Florida that gave to the Florida Railroad Company any benefits whatever in this land grant of the 17th of May, 1856, from Waldo to Tampa, or in any other part of it. The purchasers of this completed road, to whom the Legislature had never granted any right in these lands, who the Legislature had declared were not even entitled to the benefits of the internal-improvement act from Waldo to Tampa, but had organized another company years before the war in 1859, and given to it the benefits of the internal-improvement act; these purchasers of the old Florida Railroad charter, a completed road, sold by the trustees as a completed road, sold under a provision of the law that they should not and had no power to sell until after the completion of the line of road indicated in the act: these purchasers set up a claim in the Interior Department, not before any court of law, to these lands, and the reservation was made notwithstanding the law of the State of 1868, the governor's letter of 1859, the acts of the Legislature of 1859, declaring that the Florida Railroad Company had never had any interest, or right, or grant in this land; that the State had made no disposal of it, notwithstanding the joint resolution of 1868 declaring that the State had not complied with any of the provisions of the act, and the terms of the act which said that after ten years expired the State should be prohibited from any sale of the land.

PEOPLE MUST PAY MR. WAILES AND OTHERS $404,000.

The decision of the Supreme Court of the United States, in Harriman vs. Shuleiman, does not touch this case, because this is a case where the Legislature of the State not only did not dispose of the land, but where, after the grant had expired, they notified the Congress of the United States that they did not claim it. Here stands this purchaser of this completed road, doing what? Transferring to this company, organized in 1882 or 1883, this grant to the State of Florida of the 17th of May, 1856, and under that assumed title more than a million of dollars have been extorted from the people. Here is this record of the United States circuit court. Mr. S. I. Wailes swore that they agreed to give him 81,000 acres of this land valued at $3 an acre ($243,000); for what? For obtaining from the Interior Department this reservation, for services as a lobbyist here in Washington City (see extracts from the record in the appendix), and yet the act of Congress required that the land should be disposed of by the Legislature only for what? For the construction of the specified line of road, and only as the road was actually built. Was it constructing a line of road to give a Washington lobbyist 81,000 acres of valuable land at $3 an acre?

Another 83,000 acres of it is testified by him to have been disposed of by the persons (E. N. Dickinson and others) holding under this assignment from the purchaser of the old Florida road, 87,000 acres of it to pay the taxes on the completed road. Here is $404,009 in one statement paid by the people of Florida, not for building a railroad, but for the personal benefit of individuals.

I here insert an extract from my speech of January 14, 1890:

PERSONAL INTERESTS ACQUIRED OUT OF THE PUBLIC LANDS.

Let us make a summary of the individual and personal interests in these selections of swamp and overflowed lands, and of land claimed under this grant of May 17, 1856 (on the ground that it is for constructing railroads), as appears from official papers on record:

S. I. Wailes, 1881-'82:	Acres.
Indemnity certificates assigned for services	75,010.22
Sold S. I. Wailes, on his account as State agent at Washington in adjusting land	70,782.97
1881-'82. Entered by S. I. Wailes, under his contract with trustees of April 13, 1878	21,664.03
Certificate No. 1, being 20 per cent. of whole amount, for recovering same under his contract with trustees	1,073.96
	168,531.19
Nov. 1, 1881. Eight per cent. of patents	1,956.92
July 25, 1881	5,800.00
	176,288.11
May 31. Indemnity certificates assigned S. I. Wailes, agent at Washington	1,677.92
Assigned Mr. Wailes for services	17,141.76
To Mr. Wailes, 825,810.36, in land	5,162.07
April 23. Mr. Wailes, for services	4,639.51
Total	214,909.37

In addition to this I estimate that under his contract for 2 cents an acre for all selections 7,000,000 acres have been and will be selected, making 214,909.37 acres of land and $140,000. In addition, Charles Pomeroy, clerk and agent of L. G. Dennis, has received 5,800 acres for making selections; Williams, Swann & Co., 3,614.66 acres for making selections, and John A. Henderson, 29,580.21 acres for making selections; making 253,000 acres of land and an estimated sum of $140,000 paid and to be paid and dependent on the validity of selections of land as swamp and overflowed and thereby rendered unfit for cultivation, made since 1857, and on proof made since 1857 that land sold by the United States since 1850 was swamp and overflowed and rendered thereby unfit for cultivation.

Here, then, is a sum of reasonably estimated values of between four and five hundred thousand dollars, belonging chiefly to two or three persons, dependent on these selections being made valid.

Let us now add to this the private and personal interest of a few men in the alleged grant to the State under the act of May 17, 1856, for the construction of railroads:

Mr. S. I. Wailes, swamp and overflowed lands, 214,909.34 acres, at $1 an acre	$214,909.34
In money, $140,000	140,000.00
Grant of May 17, 1856, for a railroad between Waldo and Tampa, 83,000 acres, valued at $3 per acre	249,000.00
	603,909.34
Wailes	603,909.00
Johnson, of New York, 85,000 acres, $3 per acre	255,000.00
Edwin N. Dickinson, esq., 350,000 acres, at $3 per acre	1,050,000.00

Estimating by conjecture the land grant agent of the Pensacola and Atlantic Railroad Company to be one-half the value of Mr. Wailes as a lobbyist, we would have $300,000 private and personal interest in that obsolete grant in West Florida. We find $2,208,909. If we add to this 450,000 acres of land, valued at $450,000, for the Pensacola and Atlantic Railroad Company, assignees, the amount will be $2,659,000 antagonistic to the people having free homes upon it, interested in withdrawing it from the laws which dedicate it to the people for free homes.

This great amount of value paid to a few individuals from the labor of the people on this land for making the public lands a grant to the State and preventing the people from owning their homes and improvements, and from acquiring free homes under the land laws of the United States, and, instead of reserving it for the use of citizens of the State, making it subject to be sold to foreign syndicates, carrying with the sale the right to exact tribute from the labor of citizens of the United States as the condition of its occupancy and cultivation.

SETTLERS, PURCHASERS, AND PEOPLE DEFRAUDED.

Mr. President, here stands the case before the Congress of the United States. The actual settler, the homesteader, whose protection both political parties have pledged themselves to, whom the laws give the right,

who has gone upon the land or who wishes to acquire a home on it, is met by an unauthorized order from the Interior Department, made in defiance of the State law and of the act of Congress, under which agents of these speculators claiming under this fraudulent title demand of him that he shall pay to them three and four and five and ten and twenty dollars an acre, as it may be, for his home, for his orange groves. Hundreds, perhaps thousands, of letters have come to me asking why Congress permits this condition of things to continue. It is not necessary to say that the laws make this criminal. It is no justification for us or the Interior Department to say that the laws punish the men who impose these fraudulent pretenses upon the people. The fact remains that it is done, and that under our laws this injustice and this wrong is being committed upon the people living on and others desiring homes on the public domain. These wrongs touch the pocket and the means and the labor and the comfort of the people. They are carried on solely in the interest of the personal fortunes of a few men, and not for public improvements.

I challenge denial of these facts. Here are the records of the State, here is the action of the last Congress of the United States, here is the action of the House of Representatives, here is the declaration of a majority of both houses of the Legislature of Florida containing these recitals, here is the fact plain, distinct, and evident that we are permitting a few individuals under color of an unauthorized reservation made in violation of law by the Secretary of the Interior, in defiance of the notice of the governor of the State in 1858–'59, in defiance of the resolution of the Legislature of the State by a public law that she had not complied with any of the conditions of the grant and made no claim to it—we are permitting individuals claiming without the pretense of a right under this reservation, by the acquiescence of officials, to dispose of this land, and making what? Quitclaim deeds to it for the benefit of these personal interests.

A PENITENTIARY OFFENSE.

If I were to enter upon some part of the public domain under color of some unauthorized reservation and without authority of law execute deeds, take the money of the people and give them nothing but my quitclaim deed for it, I would be arrested, convicted, and sent to the penitentiary. In what respect do these men differ from me if I were to do that? In nothing except the great profits they have derived and are deriving from the business of selling the homes and improvements of the people. Has our Government come to this, that public officials can not be found who will protect the poor man in his rights, the farmer and fruit-grower against the despoiler of the people's homes, the corruptionist, the foreign syndicates owning our free home land and drawing princely revenues from the toil of our people.

Are we not called upon to protect the people against this condition of things? Is it not the duty of the legislative department of the Government to do something, or are we as Senators so far separated from the people of the country that we look with indifference upon such a violation of the law, such an invasion of the rights of our people to the soil on which they live and labor?

NATIONAL FARMERS' ALLIANCE.

Mr. President, I have before me a resolution passed by the National Farmers' Alliance, a great and powerful association which is destined to tell with influence and power upon the political fortunes of this country, and a happy circumstance it is that it is growing into power and can speak potentially to us, commanding us to protect the people in their homes. I have this resolution here demanding that the Senators and Representatives of the States shall exhaust all their power to protect the people in their homes, to secure them free homes upon the public domain, to protect them against the speculations of foreign capitalists, to see that the land of the country is reserved for homes for the people, that thereby free government may be preserved:

Resolved, That the public lands are the rightful heritage of the people, and should be reserved for actual settlers, and that vast holdings of land by corporations, and especially by alien landlords, tending to create in our now free America a land and tenant system, is un-American in its nature and subversive of that equality of which we are justly proud.

We therefore demand that Congress and the Legislatures of the several States exhaust all their constitutional power to secure our domain to actual settlers, to the end that home ownership may be encouraged and extended and the life of popular government be preserved.

I bring now to the attention of Congress again, as I have done for years past, as forcibly as I may, the fact that the titles of the people of the State of Florida are being involved in confusion and difficulty; that they are being compelled, by fear of ejectment from the homes which the people's Government has granted to them upon the public lands, to take quit-claim deeds from this corporation, or rather from the individuals who have assigned their pretended right to this corporation, and that they are being deprived of their money without even a title to the land. I can not find words adequately to describe this shameless business of selling the homes and improvements of the people without right and without law, and the supineness or negligence of the public officials by whom it is permitted.

PATENTS MUST BE GRANTED TO SETTLERS AND PURCHASERS.

I have asked for an act giving title to all purchasers in good faith of limited quantities of this land to settle this question; I have asked and I now ask that all actual settlers shall be protected, as was the purpose and intention of the last act of Congress, and that patents be given to them, and I ask that the remainder of this public domain be opened to homestead settlement for free homes for the people, and that the Attorney-General shall be directed to institute proper suits for the protection of the people upon that land against these fraudulent and illegal claims, and that this shall be done without delay, so that these unlawful proceedings shall be arrested and the perpetrators be brought to justice and the people's homes protected and secured to them.

OUR PEOPLE'S HOMES MUST NOT BE OWNED BY FOREIGN SYNDICATES.

The sales of these worthless claims to great bodies of the soil of our State to foreign syndicates with the right to tax our people for years for the occupation of their own land, their own homes, which the public law has given to them under the established policy of our country, should be prevented now before they are consummated. What a shame, what a disgrace to our Government, that such a state of things shall be permitted to exist.

Here is a case where there is not a particle of right, not a shadow or even a pretense of law or equity, not a single ground of reason or argument, where the law, the right of the case, the public welfare, the established policy of the country all concur, and still the fact is that a few individuals have been able, and are still able, to nullify the law, to overthrow all these just considerations, to deprive hundreds and thousands of families of their homes, and many more of their right to homes, and to collect now and in the past or future millions of dollars from the people who are to live upon and cultivate the soil. For in the end all this price and value and cost and litigation will come upon the farmer and the fruit-grower. What is the mysterious power by which this can be accomplished?

THESE MEN HAVE NO RESPECT FOR CONGRESS OR LEGISLATURES.

Mr. President, what respect have these people for the Senate of the United States and the House of Representatives in the presence of the fact that for five years the House has been passing forfeiture bills which cover these grants in principle, and that in the last Congress they passed a bill forfeiting this grant absolutely and opening it to settlement, and that the Senate amended it by applying the condition that actual settlers should have a patent and that purchasers of limited quantities should have a patent from the United States, and thus the bill went to the committee of conference and received the approval of both Houses? What respect for the Congress of the United States have these people who, in the face of this action and with the knowledge that both houses of the Legislature of Florida in 1889, by a large majority in each body, passed a resolution reciting the facts of record in the legislation of the State as I have stated them, that being the third time that the Legislature of the State of Florida had authoritatively declared that neither this railroad company nor its alleged predecessor nor any other railroad company had ever had a grant of this land from the State or that it had been disposed of by the Legislature in any way whatever?

Have we arrived at that condition in which it is only necessary to make a false claim against the Government large enough to place it beyond the possibility of defeating it? Such seems to be the opinion of these men. I will not believe it.

PEOPLE'S HOMES TAKEN.

With this condition of facts, Mr. President, is it not wonderful that in this country thousands of people have their homes, their improvements, their labor for years, their rights to occupation on the public domain as free homes upon over a million of acres, upon a territory nearly as great as Oklahoma, which was the other day made a Territory—that an area of country as great as that should be absolutely put in the pockets of a few men in defiance of the act of Congress and of the acts of the Legislature of the State of Florida?

Why, Mr. President, this is the public domain. The duty of the law officers is plain. The facts are remarkable, it is true, but I aver them and I challenge denial. Here are the laws, here is the recital of a majority of each house of the last Legislature, and a true recital of facts. I challenge denial; I aver that this land and the homes of these people are being sold and disposed of without the least authority and in defiance of the public law. Under other circumstances and unsupported by powerful influences and the large amount of money which is involved in sustaining the title to these lands and the ownership of these individuals, the persons who are selling this land would be promptly prosecuted by public authority.

They are poor men who live upon these lands, they are laboring people from all the States of the Union with their wives and their children, whose humble homes and little possessions are at stake here. The great capitalists who have bought this land from the original claimants—claimants, as I say, without a shadow of right; claimants under the title of the Florida Railroad Company, which never had a title or a grant or a word or a syllable in the laws of the State to give it a right under the act of 17th May, 1856—these large capitalists, some of them aliens, if they have a right could go to law and litigate it, but the poor people of the country to whom the laws have pledged this land, many of whom are living upon it, who have been frightened into the purchase of the land from the claimants, need the action of Congress and of the public authorities in their protection.

I have here a letter which I will print with my speech. The letter is from Mr. Bullard, in the county of Putnam, an honest man and a useful citizen. I give it to you as an indication of the wrong and the injustice which is being perpetrated by our permission upon the people there. This man says that he bought a tract of 80 acres of land from the United States, entered it, had his certificate of entry, paid his money for it, sold it, and it was improved. This railroad company's agent came along under this assignment from Mr. Edward N. Dickinson, as the purchaser of the Florida Railroad Company, and years after his entry from the United States and his payment and his sale and his improvements, with a valuable orange grove grown upon it by the purchaser, this young man, with his little family of two or three children, who had been laboring all his life for this little competency, is met with a demand and threats of a suit for $4,000 for the alleged failure of title by the fraudulent claim of this railroad company, and his life threatened with cloud and gloom for years. He writes to me to represent the condition of his family, and the alarm which they were under lest his little earnings for his lifetime would be swept away, and by a pure and absolute fraud.

CLOUD ON EVERY MAN'S TITLE.

Shall the men who are inflicting these wrongs upon the people be allowed to continue it with impunity? Shall every family's home be cursed with a false and unreal title in order that these agents and nonresidents shall fill themselves with the hard-earned money of the people?

This is but one of hundreds and thousands of cases and we should not permit it. I could occupy the whole day in reading letters to you from the people who are upon this grant and now being sold out by these persons and compelled to purchase their lands at three and four dollars an acre, and yet, as I aver to you, without one word in the law of the State of Florida or of the United States which gives to them the slightest interest whatever, but in defiance of the repeated action of the Legislature of the State of Florida, and yet the Interior Department permits it.

PATENTS FOR SETTLERS AND FOR PURCHASERS AND EVERY HOME MADE SECURE.

The remedy for this great public wrong is plain. Congress must give a patent for 160 acres to every actual settler and to every purchaser of a limited quantity of land, thus making secure every man's title and giving titles where now they have none, and giving repose and security to the titles to the lands of the State and securing its ownership to our own people, and not to foreign capitalists. They must open the remainder of this land to homestead or cash entry in small bodies, and hold accountable the persons who have taken these great sums of money from the people on these false pretenses.

Every falsehood which malice could invent and money could induce has been circulated against me for defending the people's right to their homes, and endeavoring to obtain the passage of a law which would make the titles of property in our State secure where now there is no title. A few persons, through the action of the Interior Department, claiming under the Florida Railroad Company, have been allowed to appropriate to their own personal use a vast amount of the public land of the people of the United States and to impose a tribute of millions of dollars on the labor of our people. They have made the construction of a railroad a pretense for the imposition of this burden on the people.

This has been a mere pretense, and has nothing to do with the construction of the road.

The enterprise and liberality of such men as Mr. H. M. Flagler, Mr. H. B. Plant, and Mr. Coleman, and of the late Mr. Barnum, of Connecticut, has built lines of railroad, great hotels, and splendid steamships which are models of naval construction. These have developed the young city of Tampa into a present condition of flourishing vigor and a bright promise of future growth into a great commercial metropolis on the Gulf, and St. Augustine into a marvel of architectural beauty and grace, and given to Jacksonville increased growth and prosperity and assured future of commercial power and development, while her sister city of Fernandina, with her splendid bay, is opening her arms to attract a part of the great commerce that is to pass through the ports of this part of the State. All along the line of this connection the growing and attractive towns and cities of Palatka, Sanford, Orlando, Tavaseres, Kissimmee, Lakeland, Bartow, Fort Meade, Arcadia, Fort Ogden, Punta Gorda, Manatee, and Fort Myers are becoming places of business and delightful sojourn and residence.

Palatka, on the St. John's River, with her new railroad connection to Macon, Ga., and thence to the North and West with her entire lines of railroad, feels the impulse of rapid progress. Ocala, Gainesville, and Leesburgh are becoming cities with bright promise of future greatness, and many other towns are springing into new growth. The long lines of the Florida Central and Peninsula Railroad, running through the State from Chattahoochee to Tampa, Fernandina, and Cedar Keys, pass through a country which is adapted by nature to be the home of a prosperous and happy people. Cedar Keys, on the Gulf, will develop a coast trade and become prosperous from the revenues of her own immediate section, while she will seek to compete with other places for the trade of the Gulf of Mexico. Middle Florida, with its beautiful cities of Tallahassee, Quincy, Monticello, and Madison are becoming places of attraction to the wealthier people of the United States, and East Florida, with Live Oak, Lake City, and Jasper, all connected by rail, have advantages which will attract to them at an early day multitudes of people from all parts of our country.

In the west we have the growing city of Apalachicola, at the mouth of a great river, which is beginning to regain her former commercial strength and prosperity. The beautiful town of Marianna, in the splendid farming county of Jackson, with Washington, Holmes, Walton, Santa Rosa, and Escambia, with the flourishing towns of Chipley, De Funiak, Milton, and others, all connected by rail; the town of St. Andrews already growing into notice and only waiting a railroad connection to attract general attention.

Then last but not least there is the ancient city of Pensacola, with a bay and harbor having no superior, with an assured future of great power and prosperity, holding such natural geographical relations to the great mineral and agricultural wealth of Alabama that she can not be divorced from union with and control of them and awaiting only additional and wisely managed railroad facilities to assure to her great wealth and population as a port of shipment and of naval construction for the commerce of the Gulf of Mexico and of Central and South America and the countries of the Pacific. With these great advantages in the State shall we in Congress permit the greed and avarice of a few small men to stand in the way of the prosperity of the people of that State?

The great investments in railroads can only be valuable when the soil is cultivated and owned by the people who cultivate it. Every public interest demands that the policy of home ownership of the public domain shall be favored, and not be allowed to be defeated by such unlawful methods as have been and are now being used in reference to this grant of May 17, 1856.

As to the part of this grant which is situated between Pensacola and the Apalachicola River, the facts of the case are equally clear and render the claim to it entirely fictitious. The reservation was made of the alternate sections along a line which it was supposed would be located and built by the Pensacola and Georgia Railroad Company under the internal-improvement act, and under the assumption that the State Legislature would dispose of the land under the act of May 17, 1856, to this company. This reservation was made under this assumption in 1856, soon after the passage of the act.

The Legislature did not dispose of the land to this company as the beneficiary of this grant; did not authorize the location of any line of road from Apalachicola River to Pensacola as the beneficiary of this grant.

No line of road was ever located under the authority of a disposal of this grant by the Legislature.

No road was ever built and the Pensacola and Georgia Railroad, running from Quincy to Lake City, was sold as a completed road by the trustees in 1869, and became an extinct corporation and was prohibited by statute from any further extensions, and died without a successor.

In 1880-'81 the Legislature chartered the present Pensacola and Atlantic Railroad Company to build a road from Chattahoochee to Pensacola, and gave them 20,000 acres to the mile, or about 3,000,000 acres, of the swamp and overflowed land grant under the act of 1850, and of the 500,000 acres internal-improvement grant of 1845, and in addition gave them all the right which the State had under the act of the 17th of May, 1856, so far as the land lay along the road that should be actually built.

This was about fourteen years after the Legislature had refused to claim the land and six or seven years after Secretary Chandler had decided that this land was public land and open to settlement and entry. The claim of the agent of this company is not to the right now to make a selection of the unoccupied land in six miles on either side of the road actually built, but that the old unauthorized reservations made in 1856 for the extinct Pensacola and Georgia Railroad Company, which never was the grantee from the Legislature of the State, which never located a line of road under a "disposal" by the Legislature, which never built any road, which finally was sold by the State officials as a completed road, which was forbidden by the Legislature of the State to be extended to Pensacola, belongs to the Pensacola and Atlantic Railroad Company, and that 600,000 acres of the public land has been thus taken away from the operation of the laws which grant it to the people for free homes.

It is believed that this or a large part of it is the land which the newspapers report is about to be sold to a foreign syndicate by whom tribute of millions of dollars is to be taken from the toil of our people to be spent in foreign lands, after paying a large share to the land-agents who make the sale.

This is taking the land away from the people, and making a business of sacrificing the homes and the happiness of our people to satisfy the unlawful cupidity and greed of a few men. It is only necessary to state the facts of the case to show how absolutely void is this claim of title, and how great the wrong and injury to the honest and hard-working people of the State, committed by the men who have been taking their money from them for this worthless claim of title.

Mr. President, that is all I have to say in regard to this resolution.

I ask leave to print with my remarks such of the documents as I have referred to, if there be no objection, as I think proper; and I will

further say that I have no objection to the reference of the resolution now to the Committee on Public Lands.

The PRESIDENT *pro tempore*. The Chair hears no objection to the request of the Senator from Florida to print certain papers in his remarks, and if there be no objection the resolution will be referred to the Committee on Public Lands.

APPENDIX.

[Extract from joint resolution which received a majority vote of both houses of the Legislature of Florida relating to land grant made by the United States to the States of Alabama and Florida by the act of Congress approved May 17, 1856.]

Whereas by the act of Congress entitled "An act granting public lands in alternate sections to the States of Florida and Alabama, to aid in the construction of certain railroads in said States," approved May 17, 1856, it was provided as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be and there is hereby granted to the State of Florida, for the purpose of aiding in the construction of railroads from St. Johns River at Jacksonville, to the waters of Escambia Bay at or near Pensacola, and from Amelia Island on the Atlantic to the waters of Tampa Bay, with a branch to Cedar Key, on the Gulf of Mexico; and also a railroad from Pensacola to the State line of Alabama, in the direction of Montgomery, every alternate section of land designated by odd numbers for six sections in width on each side of said railroad and branch. But in case it shall appear that the United States have, when the lines or routes of said roads and branch are definitely fixed, sold any sections or any parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the governor of said State to select, subject to the approval of the Secretary of the Interior from the lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the rights of pre-emption have attached as aforesaid; which lands (thus selected in lieu of those sold, and to which pre-emption rights have attached aforesaid, together with the sections and parts of sections designated by odd numbers as found and appropriated as aforesaid) shall be held by the State of Florida for the use and purpose aforesaid: *Provided*, That the land to be so located shall in no case be further than 15 miles from the lines of said road and branch, selected for and on account of each of said roads and branch: *Provided further*, That the lands hereby granted for and on account of said road or branch severally shall be exclusively applied in the construction of that road or branch for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress or in any other manner, by competent authority, for the purpose of aiding in any object of internal improvement or for any other purpose whatsoever, be and the same are hereby reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroads or branch through said reserved lands, in which case the right of way only shall be granted.

"SEC. 2. That the sections and parts of sections of land which by such grant shall remain to the United States within 6 miles on each side of said roads or branch shall not be sold for less than double the minimum price of the public lands when sold, nor shall any of said lands become subject to private entry until the same shall have been first offered at public sale at the minimum price.

"That the lands hereby granted to said State shall be disposed of by said State only in the manner following: that is, a quantity not exceeding 120 sections for each of said roads and branch, and included within a continuous length of 20 miles of each of said roads and branch, may be sold; and when the governor of said State shall certify to the Secretary of Interior that any 20 continuous miles of any or either of said roads or branch is completed, the entire quantity of land hereby granted, not to exceed 120 sections for each of said roads or branch having 20 continuous miles completed as aforesaid, and included within a continuous length of 20 miles of each of such roads or branch, may be sold; and so, from time to time, until said roads or branch are completed; and if any or either of said roads or branch is not completed within ten years, no further sales shall be made, and the lands shall revert to the United States.

"SEC. 3. That the said lands hereby granted to the said State shall be subject to the disposal of the Legislature thereof for the purposes aforesaid, and no other; and the said railroads and branch shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

"SEC. 4. That the United States mail shall be transported over said roads and branch, under the direction of the Post-Office Department, at such price as Congress may by law direct: *Provided*, That until such price is fixed by law the Postmaster-General shall have power to determine the same.

"SEC. 5. That a similar grant of alternate sections of public land is hereby made to the State of Alabama to aid in the construction of a line of railroad from Montgomery, in said State, to the boundary line between Florida and Alabama, in the direction of Pensacola, and to connect with the road from Pensacola to such line upon same terms and conditions in all respects as hereinbefore prescribed." Approved May 17, 1856.

And whereas the Legislature of Florida has never granted the said lands, or any part of them, to any railroad company, either within ten years from the date of the passage of said act or since that time, except that in the act of the Legislature of Florida entitled "An act to incorporate the Pensacola and Atlantic Railroad Company, and to grant certain lands to the same," approved March 4, 1881, nearly fifteen years after the said act had expired and ceased to be of any force and effect by its own terms of limitations so far as authorizing the construction of any line of railroad; the following enactment is made:

SEC. 16. That the State of Florida hereby grants to the said company, its successors and assigns, all powers and privileges and all the title and interest of the State in and to the lands granted by act of Congress, approved May 17, 1856, entitled "An act granting public lands in alternate sections to the States of Alabama and Florida," for the construction of certain railroads in said States, so far as said lands lie along the proposed railroad from the Apalachicola River to the waters of Escambia Bay for the uses and purposes mentioned in said act of Congress; and upon the completion of each and every section of 10 miles of said road all the right, title, and interest of the State in the alternate sections granted by said act opposite said section of 10 miles, shall vest in said company.

The said act of Congress of 12th May, 1856, grants the alternate sections for 6 miles on either side of a line of road, which shall be actually constructed within ten years from the passage of said act, and whereas the reservation under said grant was of 6 miles on either side of a line of railroad projected by the Pensacola and Georgia Railroad Company, which said line of railroad was never built by said Pensacola and Georgia Railroad Company, but the charter of said Pensacola and Georgia Railroad Company expired by limitation of law, and the said corporation was prohibited by the statutes of this State from any further exercise of corporate power or right in the construction of said line of railway, and became defunct for the purpose of such construction without any succession in privilege or right in any person.

Whereas by said section 16 of the act of the Legislature of Florida, approved March 4, 1881, it is provided that "all the right, title, and interest of the State in and to the lands granted by act of Congress, approved May 17, 1856," so far as said lands lie along the proposed railroad from the Apalachicola River to the waters of Escambia Bay, are granted to said Pensacola and Atlantic Railroad Company; and

Whereas many of the lands in the reservation made for the defunct Pensacola and Georgia Railroad Company, without the authority, sanction, or approval of either the Legislature or governor of the State of Florida, do not lie along the then "proposed (and now completed) railroad from the Apalachicola River to the waters of Escambia Bay," and are not within "6 miles on either side" of said railroad, and are not within either the terms or the intent and spirit of said act; and

Whereas the said Pensacola and Atlantic Railroad Company has not made any claim of a right now to select under the authority of the State and to have a new reservation made by the United States of the public lands now unoccupied for 6 miles on either side of the completed line of said Pensacola and Atlantic Railroad, but said railroad company do claim the reservation made for the Pensacola and Georgia Railroad Company without authority of law and without the sanction or approval of the Legislature or governor of Florida, as appears from the journals of the Legislature and the letter of M. S. Perry, then governor of Florida:

* * * * * * *

[Section 2 of Senate bill 1430 "to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes," Fiftieth Congress, first session, which passed the Senate May 10, 1888.]

"SEC. 2. That in all cases where persons are in possession of any of the lands affected by any such grant and hereby resumed by and restored to the United States, under deed, written contract with, or license from, the State or corporation to which grant was made, or its assignees, executed in good faith prior to January 1, 1886, they shall be entitled to purchase the same from the United States, in quantities not exceeding 320 acres to any one such person, at the rate of $2.50 per acre, at any time within two years from the passage of this act, and on making requisite proofs and payment to receive patents therefor."

* * * * * * *

And whereas the committee of conference of the two Houses of the Fiftieth Congress on Senate bill No. 1430, before set forth, did report and recommend the passage of the following as the agreement of the two Houses of Congress, namely:

"SEC. 8. That all actual settlers on any of the public lands in the State of Florida affected by the grants who made actual settlement on any of said lands after the time limited in the granting act for the construction of certain lines of railway in said States, approved the 7th May, 1856, which lies adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida, entitled an act to encourage a liberal system of internal improvements in the State of Florida, approved January 5, 1855, within the time limited by Congress in the granting act, and which were granted to any of said companies by the Legislature of the State of Florida in accordance with said act of Congress, and are held by purchase in good faith from said companies made before the year 1866 are hereby confirmed to such purchasers: *Provided*, That a mortgage in pledge of said lands by any of said companies shall not be considered as a sale for the purpose of this act.

"P. B. PLUMB,
"I. N. DOLPH,
"E. C. WALTHALL,
"*Managers on the part of the Senate.*
"WM. S. HOLMAN,
"L. E. PAYSON,
"*Managers on the part of the House of Representatives.*"

And whereas the Senate of the United States refused to concur in the amendments of the House of Representatives, and entered into a conference with the House; and

Whereas there never was at any time a reservation of any land under the grant made by authority of the Legislature of the State, as will appear from the following letter of Hon. M. S. Perry, governor of the State of Florida:

"EXECUTIVE CHAMBER, *November 3, 1859.*

"SIR: I have noticed a paragraph going the rounds of the papers to the effect that certified lists have been issued by your department for the lands lying along the line of the Florida, Atlantic and Gulf Central Railroad, being a portion of the land inuring to this State conditionally under the Congressional act of May 17, 1856. McWells, the land agent of the State, and agent for the Florida, Atlantic and Gulf Central, and Florida and Alabama, and Florida Railroad Companies, informs me that he has received the certified lists for lands to which the Alabama and Florida Railroad Companies are entitled by virtue of the Congressional act of May 17, 1856, and the act of the State Legislature of December 27, 1856; that when he left Washington he understood it to be the opinion of your department that the certified lists could not issue to the companies direct for lands to which they may be entitled, for the obvious reason that the grant, being a grant in its entirety to the State of Florida, subject to the disposal of the Legislature thereof for the purposes aforesaid, your department could not recognize third parties to whom no assignment had been made by the State.

"In this view he concurred, and did not ask for certified lists from your office for lands which the Florida, Atlantic and Gulf Central Railroad will be entitled to receive from the State. By the act of the Legislature dated December 27, 1856 (which I herewith inclose), the State of Florida accepted the lands granted to her upon the terms, conditions, and restrictions imposed in the Congressional act of May 17, 1856, and by the second section of the same act disposed of that portion of it to which the Alabama and Florida Railroad Company are entitled and have received.

"The Legislature has as yet made no further disposition of the lands inuring to this State under the Congressional act of May 17, 1856. That body will again be in session within the present month, when they will undoubtedly make such disposition of these lands as in their wisdom they deem proper.

"In the mean time I request that the adjustment of the grant to the State may be brought to a speedy conclusion as the labors of your department will permit, and that lists of the lands be made out in the name of the State and forwarded to me, that I may lay the matter before the proper body for disposition, as provided for by the third section of the act of Congress of May 17, 1856, making the grant.

"Very respectfully, your obedient servant,

"M. S. PERRY.

"To Hon. THOMAS A. HENDRICKS,
Commissioner of the General Land Office, Washington, D. C."

Therefore be it resolved, That the lands embraced in the act of the Congress of the United States entitled "An act granting lands to the States of Alabama and Georgia for the construction of certain lines of railway," approved May 17, 1856, should be restored to the public domain, and the right of actual settlers thereon to 160 acres to each head of a family should be recognized, and a patent to the same granted by the United States.

Second. A patent should be granted by the United States to all innocent purchasers in good faith to 160 acres of land; also, to all town sites.

Third. That in all cases where persons have been in actual possession of land within the assumed limits of the reservation of public lands under the act of Congress approved May 17, 1856, and have been dispossessed, either by force or by any other means, the patent should be granted by the United States to the persons so dispossessed who were in such actual and peaceful possession.

Fourth. That the Congress of the United States is hereby requested to enact such statutes as will carry into effect these resolutions as to all lands in the State of Florida within the assumed limits of the grant contained in the act approved May 17, 1856.

Fifth. That the Secretary of Interior of the United States be requested by the governor of this State to take such action as shall aid in carrying into effect these resolutions.

EXTRACT FROM THE LETTER OF MR. TELLER, SECRETARY OF THE INTERIOR.

In the matter of the sale of lands by the company known as the Florida Railway and Navigation Company, your attention is invited to the following extract from the letter of Hon. H. M. Teller, Secretary of the Interior, dated June 9, 1884:

* * * * * * *

All persons purchasing from the railroad company are chargeable with notice of the conditions upon which the title of the State under the grant, and of the title of the company under the laws of the State, is liable to be defeated, and in event of the failure of the railroad title, through an enforcement of the forfeiture of the grant or from other sufficient cause, they can not be regarded as innocent purchasers.

The whole matter of the recognition, confirmation, or forfeiture of this grant is now before Congress, and the claims of the company and of settlers upon the land are subject to the action of that body.

McMEEKIN, FLA., *September* 18, 1889.

DEAR SIR: A year ago, perhaps, Dr. McMeekin wrote you concerning a Government purchase I made several years ago of land near Johnson Station on the Florida Southern Railroad, made before said road was built. You thought Congress would take some action in the matter by last March and that I would be safe. It seems that it did not, as the Florida Railway and Navigation Company have had the case decided against me. I entered my appeal at Washington and recently they decided against me and so notified me.

The land cost me $1.25 per acre at the time, and I was told in the Gainesville office that it was offered land. I paid it and they gave me a receipt; never got a patent. The Florida Railway and Navigation Company now charges me $800 for it, and having sold it, and it having been improved to the amount of $4,000, I presume there is no other alternative but to pay the amount or defend my title. The company (Florida Railway and Navigation) represented by a Mr. Tucker seems to be hard with me, in ill-humor, because I sent in this plea and at the same time told them why I did so, and told them what you had written, etc. Mr. Tucker at once hallooed to one in an adjoining room, and sneeringly remarked: "Here's another Call man on this case."

Now, I know that Dr. McMeekin had implicit faith in you as a man, and in your judgment; and I, while unacquainted, would like to know, should I purchase this from railroad company again, will there be any chance ever to get this money refunded by an act of Congress or can I enter suit anywhere in any court where there is a chance to get damages? My reason for asking this now is that the United States Government has sent me a blank to fill out; and this blank, in form, is simply a relinquishment in full to the land. This, when done, will get back the purchase only. Must I sign it? Should I sign it would I not then lose all claim on Government? It is a very important matter, and I shall do just as you say. I am willing to risk your judgment.

The doctor is gone (his death, I suppose, you have heard of), and can no longer advise, so I leave it with you, and trust I will hear from you at once. I know you are the people's friend, and in the coming election they will show their appreciation of you.

I am, yours very truly,

GEO. F. BULLARD.

Hon. WILKINSON CALL.

[Extracts from McClellan's Digest of the Laws of Florida.]

SEC. 7 (pages 995, 996) [Atlantic, Gulf and West India Transit Railroad]. In case any company engaged in building the said unconstructed part of the line between Amelia Island and the waters of Tampa shall prefer to take bonds of the State instead of indorsed bonds, as provided for in the two preceding sections, the governor of the State is hereby authorized to substitute State bonds similar in character to those issued in aid of the Jacksonville, Pensacola and Mobile Railroad Company in virtue of the provisions of this act, and in such case the governor shall demand and receive the company bonds for the same amount in exchange for such State bonds in the same manner as prescribed in the case of the Jacksonville, Pensacola and Mobile Railroad Company: *Provided, however*, That such bonds shall only issue in proportion as sections of the road are completed according to the stipulations of the last preceding section.

SEC. 9 (page 996). The Florida Railroad Company is hereby required to commence operations on the construction of the road, commencing at a suitable point on their present line of road and running southward to some point on the Gulf coast, within twelve months next succeeding the passage of this act, and to complete said road as far south as the town of Ocala, in Marion County, within two years from the date of the passage of this act. That in case of failure of said company to comply with the provisions of this act all exclusive right of way between said road and Tampa Bay heretofore granted to said Florida Railroad Company by this State shall cease to exist.

SEC. 28. In order to secure the speedy completion, equipment, and the maintenance of a connection by railroad between Jacksonville, on the Atlantic coast, and Pensacola, on the Gulf coast, and Mobile, in Alabama, running through the State of Florida, the following-named persons, viz: George W. Swepson, Milton S. Littlefield, J. P. Saunderson, J. L. Requa, William H. Hunt, their associates, successors, and assigns, are hereby constituted a body politic and corporate, under the name of the Jacksonville, Pensacola and Mobile Railroad Company. * * *

SEC. 31 (page 1066). The Jacksonville, Pensacola and Mobile Railroad Company shall have the exclusive right for twenty years to build a railroad, with one or more tracks, from the terminus of the late Pensacola and Georgia Railroad, now the Tallahassee Railroad, at Quincy, Gadsden County, to the dividing line between the States of Florida and Alabama, running through the counties of Gadsden, Jackson, Holmes, Washington, Walton, Santa Rosa and Escambia, crossing the Pensacola and Louisville Railroad, with the privilege of continuing the same to Mobile and of connecting with any railroad running to Mobile: *Provided, however*, That in the construction of said railroad the line west of the Chattahoochee River shall not in any instance be run or the road built nearer than 15 miles of the north line of the State of Florida.

SEC. 36. In order to aid the said Jacksonville, Pensacola and Mobile Railroad Company to complete, equip, and maintain its road, and to aid in perfecting one of the public works embraced in the internal improvements of the State, the governor of the State is hereby directed to deliver to the president of the said company coupon bonds of the State to an amount equal to $16,000 per mile for the whole line of road and length of railroad owned by or belonging to said Jacksonville, Pensacola and Mobile Railroad Company, in exchange for first-mortgage bonds of said railroad company of the denomination of $1,000, when the president thereof shall certify upon his oath that the road or parts of road for which he asks for an exchange of bonds is completed and is in good running order.

SEC. 47 (page 1072). * * * That the said railroad [Jacksonville, Pensacola and Mobile Railroad] shall be completed from Quincy to the Apalachicola River by the 1st day of July, A. D. 1870, and the whole line within this State shall be completed within five years from the passage of this act; otherwise all chartered rights vested in this act shall be forfeited to the State, be so altered and amended as to read as follows: That the said railroad shall be completed from Quincy to the Apalachicola River by the 1st day of January, A. D. 1871, and the whole line within this State shall be completed within five years from the 28th of January, 1870, otherwise all chartered rights vested in this act shall be forfeited to the State. All laws and parts of laws conflicting with the true intent and meaning of this act, which is to extend the time of completing the railroad from Quincy to the Apalachicola River to the 1st day of January, A. D. 1871, be, and the same are hereby repealed.

SEC. 52 (page 1063). In all cases of seizure and sale of the railroad property and franchises of any company by the trustees of the Internal Improvement Fund, under the provisions of the act to provide for and encourage a liberal system of internal improvement, the purchaser or purchasers shall be entitled to do whatever acts may be necessary to enable him or them to exercise and enjoy the franchises granted by the charter of incorporation, under the provisions of the said original charter and the amendments thereto. And in order to prevent doubt, it is hereby declared that all the provisions of the internal improvement act above referred to, and which act constitutes a contract between the State and the companies, shall continue to apply to the said corporations so newly organized, in the same manner as the same were applicable to the corporations which existed under the same charters prior to the sale: *Provided*, That this section only applies to roads built under said internal improvement act. * * *

SEC. 54 (page 1064). All the rights, franchises, privileges, and conditions granted and prescribed in this act are hereby granted and applied to any company that is now or hereafter may be organized for the purpose of building a railroad from the waters of Tampa Bay and Charlotte Harbor, on the Gulf, by the way of Ocala, and ending at Gainesville, on the Florida Railroad and from Marianna, in the county of Jackson to the waters of St. Andrew's Bay, in West Florida, and also to the waters of Apalachicola Bay, in West Florida, and to a point on the Choctawhatchie Bay between the mouth of the Choctawhatchie River and Boggy Bayou, and from Palatka and Mellonville, on the St. John's River, to the nearest practicable point on the line of railway from Tampa Bay or Charlotte Harbor to Gainesville, as far as the same can be constitutionally granted. The said railroad company from Palatka is hereby authorized to connect and be entitled to all the benefits of section 30.

Pension Appropriation Bill.

SPEECH

OF

HON. HARRISON KELLEY,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 18, 1890,

On the bill (H. R. 7160) making appropriations for the payment of invalid and other pensions for the fiscal year ending June 30, 1891, and for other purposes.

Mr. KELLEY said:

Mr. CHAIRMAN: The discussion on this bill has not only been interesting but it has been edifying. A stranger to the last thirty years of our history, listening to the debate to-day and not knowing what was in the bill, might be excused for thinking that the debate was over the question whether there were more Democrats than Republicans in the Union Army during the late war for the Union. Hearing the Republican speeches only, he would be led to the conclusion the war was fought by Democrats on one side and Republicans on the other; hearing the Democratic speeches only, he would probably conclude it was a war between the two great factions of the Democratic party, and that the Union faction had been wise enough to employ a few Republican officers, and thereby achieved success. Hearing the speeches on both sides, he would naturally conclude the question had finally resolved itself into the one, whether the Democrats or Republicans were most in favor of the passage of a service-pension bill for the ex-Union soldier at this time, and from the remarks made on this floor to-day he would probably be in doubt as to the latter question.

But as to the important question, as to the early success of that great measure of justice, after hearing the remarks of the gentleman from Indiana, Mr. BYNUM, who, speaking for the ten Democratic members from that State, pledged the 10 votes solid for the prompt consideration of the service-pension bill, and hearing the eloquent, burning words of that glorious old patriot Democrat from New York, Mr. SPINOLA, who in the name of patriotism, gratitude, and Democracy, pledged his earnest efforts for a service pension to every honorably discharged Union soldier, and the earnest, eloquent words of Mr. CHEADLE, Mr. GROSVENOR, and others on the Republican side, he would readily conclude that so far as the action of this House was concerned that measure was a foregone conclusion, and in that judgment he would not be mistaken; and, Mr. Chairman, there are so many reasons why this should be done that I desire to refer to a few of them.

First, it is an act of justice to the soldiers, justice in too many instances long delayed. The soldier enlisting in 1861 or 1862 and serving three or four years, as most of them did, entered at a stipulated price, usually $13 per month, which at the time meant gold or sil-

ver. He was paid in paper that was worth on an average during his service 58 cents on the dollar. The difference between what he received and what he should have received under the contract would, if placed at interest at 6 per cent. and compounded, amount to more at this time than an eight-dollar-a-month pension would amount to the rest of his life.

A further fact is that he saved this country from being divided, and thereby saved to the country the expense of a standing army along the frontier between the Northern and Southern Confederacies, from the Atlantic to the Pacific, the expense of which to either government would be more than enough to pay the entire pension account, service and otherwise. The expense of these armies would have been perpetual, while the pension-expense account will soon evaporate and disappear.

Again, Mr. Chairman, the simple presence of these hundreds of thousands of trained veterans in our country, for the purposes of defense against a foreign country, is equivalent to a standing army of the same numbers. A foreign country, in counting the cost and the chances of success in a war with this country, would make their estimates on this basis, and the restraining influence would be very great, and for the purpose of defense against foreign foes this country is enabled to get along with one-fourth the expense she would, were it not for the presence of these veterans.

Again, Mr. Chairman, the soldier entering the Army left some occupation that he had been used to and had filled for years and expected to follow for a livelihood. After three or four years' service in the war he returned, if at all, not only with impaired health or maimed, but to find his old occupation gone and his place filled by another. He had to seek employment elsewhere, and finding nothing better to offer emigrated to the West to get him a home and catch on again by dear experience to the new and to him unusual methods of business. On the basis of the then prices of farm produce he went in debt for a part of the purchase-money of his land or of his improvements, concluding, as he fairly had a right to conclude, that by industry and economy he could work out and pay off the mortgage; and he went on, looking forward to the time when he would be out of debt, and with his wife and children around him in a home all his own he could look forward to the declining years of his life with a calm and peaceful prospect; and in glancing at the past he would behold a country prosperous and a people happy, with the proud consciousness that he had helped to save that country from peril and had contributed somewhat to the general prosperity. But now, alas, he wakes to find the happy dream has vanished; he peers and delves into the causes of his poverty to find also that while he toiled and sweated others had legislated, and that legislation had been all against him and in the interest of the man who twenty years before had taken a mortgage on his farm, and that, it having been once or twice or thrice renewed, with interest paid semi-annually, it now requires double the amount of produce to pay interest and principal as when it was given.

He investigates further for the cause of this and finds that during that twenty years, while the population and business of the country have been constantly expanding and increasing, the currency per capita of the country has been constantly contracting and decreasing; he finds that consequently as the price of his produce decreased the worth of the money of the mortgage-holder and bondholder increased, and as his poverty increased the wealth of the other fellows increased also. He dives a little deeper into the mysteries of the legislation that has brought about these conditions, and he finds that, to accomplish it, at one fell swoop in 1873 silver was demonetized; he finds that to accomplish it the money power slipped a provision into a bill surreptitiously and slyly, and that Congress passed it, a majority of those who voted for it not knowing it was in the bill, and that the President who approved it did not know it; that it was a swindle everybody knows and everybody admits, yet seventeen years have passed and the swindle remains on the statute-book only half remedied. He looks again and beholds sixty millions—sixty millions of the money in the plethoric Treasury of his country has been loaned to certain banks without interest, only to be again invested by the banks in bonds and mortgages at a high rate of interest.

As he contemplates these things and then glances at his toil-worn but faithful wife, in her faded calico gown, who has cheerfully shared his joys and privations and sorrows, and glances again at his own plethoric corn-crib, and reflects that a wagon-load of it will only bring a dollar, is it any wonder that his memory goes back a quarter of a century or more to the time when he stormed the batteries at Chickamauga, when he so cheerfully followed the glorious flag up Missionary Ridge, when he lay in the trenches around Atlanta or Vicksburg, when he marched with Sherman to the sea, and when at last peace came how his heart leaped with joy at the prospect of again enjoying with his young wife the comforts of home and peace and prosperity? And do you wonder that when he contemplates the greatness and the power and the wealth of the country he did so much to preserve the thought creeps into his mind and in the minds of his comrades that it would be more just in the Government to place a few of its surplus dollars in their hands and less in the vaults of the Treasury or of the banks?

These thoughts, Mr. Chairman, are now occupying the brains of the Union veterans of the country, and especially the veterans of the West and Northwest, where most of them reside, and where monetary and agricultural depression prevails to a greater extent than elsewhere in the country.

These men are brave; they are modest, as brave men are always modest; they are growing old; they are for the most part poor; their age, their infirmities, their necessities justify them in doing as they are doing, asking the Government, not for charity, not for a gratuity, but for justice; they ask that their services may be recognized, and as fast as they reach the age of fifty years, which most of them have passed, that this Government pay them $8 a month the balance of their natural lives, and that it pay their widows the same after they are dead, or during their widowhood.

But gentlemen say it would be a violation of precedent; that the survivors of other wars were not placed on the service-pension roll until forty years after the war had closed; but gentlemen forget that the war for the Union itself was a violation of precedent, and that the Revolutionary war, the war of 1812, or the Mexican war were but skirmishes compared to the war for the Union. Gentlemen forget we were fighting Americans as brave, as heroic, as skillful as ourselves; gentlemen forget the immense destruction of life in our late war, which makes our losses in all other wars insignificant.

Mr. Chairman, to illustrate I read from the official report of the War Department the record of one regiment from my own State (Kansas), the list of killed in one engagement, Poison Springs, Arkansas, the battle lasting not more than six hours. The First Kansas, colored, comprising 463 men, in that engagement lost, according to this report, 111 men killed; then follows the name of each man killed. The First New Jersey, at Spottsylvania, out of 432 men engaged, lost in killed 1.6 men; the One hundred and forty-first Pennsylvania, at Gettysburgh, out of 198 men engaged, 49 were killed; the First Minnesota, at Gettysburgh, out of 262 men engaged, lost 75 killed; and so on we might enumerate indefinitely to show that such fighting and such loss of life never occurred in any of our former wars. And now, Mr. Chairman, it is high time a precedent should be established that such men, fighting in such a way, in such a war, for such a cause, and such a country, should receive, within a quarter of a century after the close of such a war, a service pension of $8 per month as a recognition of their services, and to continue the balance of their lives.

Where is the money to come from? some one asks. That is a very simple question. Where did it come from when they were in the field? After paying out the surplus in the Treasury and the money that will come in the Treasury every year, if more is needed I would issue greenbacks to make up the deficiency until a sufficient amount of money was in circulation, and that would increase both trade and production, and consequently the revenues of the Government, until the current income would pay all expenses of the Government for all purposes, pensions included; and thus, by a simple act of justice, as through justice always come, would come prosperity and relief.

Mr. Chairman, I am glad the service-pension bill is not to be a party measure, although the platform upon which I was elected indorsed it absolutely and positively. It is gratifying to me to know it is to receive hearty support from many Democrats on this floor. I know it would cheer the old soldier's heart if it should receive the vote of every Democrat and every Republican.

Aid to Common Schools.

SPEECH

OF

HON. W. B. BATE,

OF TENNESSEE,

IN THE SENATE OF THE UNITED STATES,

Thursday, March 20, 1890.

The Senate having under consideration the bill (S. 185) to aid in the establishment and temporary support of common schools—

Mr. BATE said:

Mr. PRESIDENT: It was not my intention to enter into a discussion of the bill now under consideration, being willing to content myself with silence in regard to it, except simply to cast my vote against it. But in the course of the discussion general statements have found their way into the RECORD in regard to the educational interest and its history in connection with the State that I have the honor in part here to represent, and I desire in what I shall say to try to place Tennessee correctly upon the record. That is the principal object I have in venturing to say anything upon the pending question.

It seems that during the discussion there has been a disposition to rather jeer and ridicule the States of Tennessee and North Carolina, especially by the Senator who is the author of the bill and who has its

conduct in charge. I do not think it proper that Tennessee should be considered as a laggard in regard to her educational interest, especially when we look to the appropriations which she has so liberally made for that cause and see the progress she has made in educational matters. Neither is she censurable for the manner in which she has conducted her educational affairs, nor for its results. On the contrary, I think it is demonstrable that Tennessee does not stand in the rear rank, and that she is not indifferent to the advancement of her children in education, but holds place in the front and is abreast not only of the times, but of her sisters in the Union.

Notwithstanding that, however, as I said, in the RECORD, on page 1481, in the speech of the Senator who conducts the discussion and who is the author of this bill, you will find language which I think does gross injustice to that State and people. I first wish to refer to that, and then to present the reasons why I say it is incorrect.

I find the language of the Senator on the page to which I have referred, wherein he, the Senator from New Hampshire, says:

I read what Mr. Jones had to say, and I had come to the letter from Superintendent Moses, of Raleigh, N. C., to State Superintendent Smith, of Tennessee.

Before I make this quotation permit me to say that with due respect to the letter of Professor Moses, of North Carolina, as to what are the facts, it becomes a part of the speech referred to and is indorsed with emphasis by the Senator from New Hampshire.

Says Professor Moses to the superintendent of education in Tennessee:

MY DEAR SIR: A few days ago a friend handed me an account of the proceedings of the State Teachers' Association, which held its annual meeting at Nashville in July last.

In a report bearing the signature of some of the leading educators of the State, yourself among the number, reference is made to the "remarkable progress" of the public-school system of Tennessee in the past sixteen years. I can but think you did not read the report before signing it or else that you did not notice the remarkable statement which the report contained in reference to the "remarkable progress" of your schools.

The Senator from New Hampshire then proceeded to say:

I wish the Senators from Tennessee were here. I wish some page would notify them of this statement, if nobody else does.

It is true I was not present, and perhaps neither was my colleague, but I certainly had been exceedingly courteous to the Senator from New Hampshire in remaining some four or five days listening to the logic of his facts, in his remarkable advocacy of this bill; but after the fourth or fifth day I must confess I became a little wearied and sought, in the House of Representatives, a refuge, where I could find perhaps a little more enthusiasm, fresher fields and greener pastures upon which to graze. I was then absent, after so long attention, and a very polite one, to the Senator from New Hampshire; and as for my colleague, who is always here, as you know, he was out, perchance in the cloak-room; so that neither of us heard these allegations made against our State at the time, and therefore it is perhaps necessary that I should now notice them and put the matter right upon the record.

Professor Moses proceeds:

You have traveled extensively in North Carolina and are well acquainted with schools in Tennessee. You will therefore doubtless agree with me in my position that the teachers of the public schools in Tennessee and North Carolina as a general rule are not only destitute of the slightest suspicion of culture, but to a very large extent ignorant even of a knowledge of the common-school branches.

This is the allegation made by the Senator from New Hampshire against the school-men of Tennessee in his indorsement of the utterance of Professor Moses. Again, the Senator said after that:

This is what he saw in Tennessee, but this is the superintendent of the capital city of North Carolina, who was born in Tennessee and taught school there for a long time, and is contradicting the flowery account given by the superintendent of Tennessee as to the condition of their schools, asserting that, if it be admitted that he is a man of truth, he must have signed the report without knowing what was in it, and going on to state the actual condition as he knows it, and writing this to that same superintendent.

Concerning this statement of Professor Moses the Senator remarked:

It seems to be about as good authority as you can get, and I read this as illustrating what I have been saying all along, that the school reports from many of the States of the South, and I know from many districts of the North, are simply real-estate advertisements. One instance came under my notice, where I knew the superintendent of the State.

Then he proceeds to quote from Professor Moses further, as follows:

It would cost something less than 5 cents a day to educate properly a child in our public schools. I would not send my child to that school for $5 a day.

Upon this the Senator said:

I suppose the idea is that he would not have his child killed or subject him to this process of murder for $5 a day.

He quoted from Moses again as follows:

It is needless to go further in this matter, for you could doubtless tell ten times as much as I can about the ignorance and incompetency of the great mass of the teachers who are to-day "molding the character and shaping the destiny" of hundreds of thousands of bright boys and girls in Tennessee. You know that the work of these teachers as a rule is grossly and shamefully inefficient.

The Senator then said:

Let us note the "remarkable progress"—

Quoting these words from the report—

of your schools from another standpoint. Please examine carefully these figures, which have been taken from a report sent me from your office.

Then the Senator added:

Now I wish this might be listened to.

He thus invoked the attention of the Senate especially to it.

Appropriation per capita in 1883, 26 cents; in 1889, 23 cents.

The Senator then said:

It had fallen from 26 to 23 cents in six years. That is the sort of gain that is going on, and the improvement, as far as money is concerned.

Again he quoted from Professor Moses, as follows:

Average salary of teachers in 1883, $29.79; in 1889, $29.71.

The Senator then said:

There again is a decrease, and you must bear in mind that the teacher has got to pay his board and his clothing and maintain his family, if he has one, out of this $29 a month. This is not so high as we Senators are paid, probably, in proportion to actual and necessary expenses.

Quoting again from Professor Moses, he says:

Length of school term in Tennessee in 1883, 15.6 weeks; in 1889, 16 weeks per annum.

What a progress that is! This man made the same exclamation himself. He says:

Such progress is indeed remarkable. In fact it may be said that its remarkableness is all there is of it.

Quoting further from Professor Moses:

But it is sometimes urged that extra "remarkable progress" is made in the cities. In your report especial reference is made to the schools of Nashville, and yet the fact stares us in the face that while the scholastic population of Nashville is 17,000 the total enrollment in her public schools is 7,000.

Those are the points made at the expense of Tennessee and North Carolina. Now, permit me to refer to some of the tables that have been published, as a part of his speech, by the Senator from New Hampshire. The first one I strike is Table 13, upon page 1476 of the RECORD, under the head of "Percentage classification of school revenue, showing the percentage of the whole revenue derived from each source named, mainly for 1887-'88." In the first column, under the heading "Interest on permanent funds and rent of school lands," he gives those in column order for each State, but when he comes to Tennessee he gives her no credit whatever for any permanent State school fund. You will find also that in Table 12, at the same point, under the head "Per capita," he gives Tennessee no credit whatever for any permanent fund.

Upon that point the Senator is clearly mistaken. We have in Tennessee a considerable permanent educational fund, and it has quite a history. It is a fund, a part of it, that belonged to the State of Tennessee preceding the late war, and when Fort Donelson fell, in February, 1862, that fund, along with the archives of the State, was carried South, and $700,000 in gold of it was carried from place to place during the remaining three years of the war and guarded by Confederates. I must compliment my colleague for being instrumental in having it done. He, being governor of the State at the time, had it in charge, had it taken during our varying fortunes from place to place for safe-keeping, and at the close of the war it was returned safely to the State. It is a part of the history of this country that Tennessee has a permanent State school fund. Not only so, but I further state that Tennessee has not only this "war relic," but additional funds which, including this, amount to $2,512,500. Yet we find here in the tables presented by the Senator from New Hampshire that Tennessee is not credited with a single cent as a permanent fund.

Furthermore, this fund was taken charge of by our people at the very moment when they emerged from the war clouds which had overcast our country. Scarcely had these clouds drifted away, making the débris more visible, and the workshops that had been so long silent become vocal with energy, and the desolated fields brought into fruitful response to the labor of the toiler, than the patriotic, virtuous, and intelligent people of that State, who were the tax-payers, and who had been denied the ballot for five years after the war, when they came into power, set to work at once to lay the foundation of a splendid educational system and to provide an educational fund. Of this it seems the Senator from New Hampshire is ignorant, and when he fails to put that "permanent fund" as a foundation stone in the column of his calculation, the column becomes unbalanced and must fall.

Making this a permanent educational fund and enlarging it was so grave a matter with the State of Tennessee that she named this "permanent fund" in the constitution and forbade future legislation from interfering with it.

I find in section 12 of the eleventh article of the constitution of Tennessee of 1870, the year after the restoration of authority to that portion of the people of the State who had been denied the ballot for five years, the following provision.

I especially commend the attention of the Senator from New Hampshire to this constitutional provision:

Knowledge, learning and virtue being essential to the preservation of republican institutions, and the diffusion of the principles and advantages of education throughout the different portions of the State being highly conducive to the promotion of this end, it shall be the duty of the General Assembly in all future periods of this government to cherish literature and science, and the fund called the common-school fund. And all the lands and proceeds thereof, dividends, stocks, and other property of every description whatever, hereafter by law appropriated by the General Assembly of this State for the use of common schools, and all such as shall hereafter be appropriated, shall remain a perpetual fund, the principal of which shall never be diminished by legislative appropriation, and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of the people thereof; and no law shall be made authorizing said fund, or any part thereof, to be diverted to any other use than the support and encouragement of common schools of the State.

Taxes derived hereafter from polls shall be appropriated to educational purposes in such manner as the General Assembly shall, from time to time, direct by law.

So it is seen that the constitution of the State of Tennessee recognizes a permanent school fund and requires that the Legislature shall legislate upon it in a manner that will forbid any tampering with it in the future. Then it is a "permanent fund," a fixture.

What did the Legislature do upon assembling immediately after this constitution was adopted, it being the first Legislature after the voice of the entire people of Tennessee was heard through the ballot? One of the very first enactments was in regard to this sacred fund, this permanent school fund.

Section 34 of the school act provides:

That the permanent school fund of the State shall be the $1,500,000 ascertained and declared by section 946 of the code, and recognized by the constitution of the State to be the permanent school fund. To this shall be added the interest which has accrued on the same, and not been paid by the State, amounting, on 1st of January, 1873, to $1,012,500, making this entire permanent State school fund $2,512,500. For this $2,512,500 a certificate of indebtedness shall be issued, signed by the governor, under the great seal of the State, and deposited with the comptroller of the treasury, and which on its face shall show the purpose for which it was issued, and shall provide for the payment of the interest thereon at the rate of 6 per cent., payable semi-annually on the 1st day of July and the 1st day of January in each year, commencing on the 1st day of July, 1873.

To the permanent State fund may be added, from time to time, the proceeds of all escheated property, of all property accruing to the State by forfeiture, of all lands sold and bought in for taxes, of the personal effects of intestates having no kindred entitled thereto by the laws of distribution, and donations made to the State for the support of public schools, unless otherwise directed by the donors. The principal of the said fund shall always remain unimpaired and entire; and the annual income arising therefrom shall be, and is hereby, dedicated to the support and maintenance of the public schools of the State.

Yet, in the face of the provision of the constitution, in the face of the acts of the State Legislature setting it apart as a sacred and permanent fund, I find here in the tabulated form of the Senator's calculation, No. 13, CONGRESSIONAL RECORD, page 1476 (a part of his speech), that this entire fund is ignored. That being so, I of course contend that his calculations are erroneous and misleading. I also find a like defect in Table 12 on same page, relating to the per capita revenue.

Suppose, however, they were without error, the Senator is wrong in other matters, as I will presently show. Permit me, in this connection, to say that the State of Tennessee has legislated and enforced a splendid school system, and I beg to read a few short sections from the school law of Tennessee, to show that the Senator is in error when he reflects upon Tennessee as being derelict or indifferent as to progress in school matters. I find the school law to read as follows:

SEC. 1. There shall be established and maintained in this State a uniform system of public schools.

SEC. 2. The public school system shall be administered by the following authorities, to wit: A State superintendent, county superintendents, and district school directors.

SEC. 3. The State superintendent shall be a person of literary and scientific attainments, and of skill and experience in the art of teaching, and who shall be nominated by the governor and confirmed by the Senate.

* * * * * * *

SEC. 8. There shall be a county superintendent for each county, who shall be elected by the county court at its April or July term, 1873, and after 1874 he shall be elected biennially in January, and no member of the county court shall be eligible to said office. He shall be a person of literary and scientific attainments and, when practicable, of skill and experience in the art of teaching, shall hold his office for two years, and shall receive such pay for his services as may be allowed him by the county court, to be paid upon the order of the chairman or judge of the county court by the county trustee.

* * * * * * *

SEC. 26. No teacher of public schools shall be employed or receive any pay from the public funds unless he or she have a certificate of qualification, given to him or her by the county superintendent for the county within which he or she is employed. No such payment shall be allowed if made, and any officer who shall make or sanction it shall also be subject to a penalty of not less than five nor more than fifty dollars; and for like services of male and female teachers like salaries shall be paid.

Thus showing how the question of education in my State has been guarded by requiring all teachers to pass the ordeal of an examination in the county before a competent, critical, and legally organized board. Does this look as though the law of Tennessee appeared disregardful of the character and qualification of those who have charge of the education of the children? Then what becomes of the ribald utterances of the Senator's chief witness as to this? Why, Mr. President, it is here seen that a certificate of qualification based on an examination by a competent, critical, and legally constituted board is prerequisite to the right to teach, and to teach in the public schools without this authority not only works a forfeiture of pay but subjects both teacher and superintendent to a penalty. Does this look as if ignorance and incompetency would be tolerated for a moment?

Here is a section to which I specially invite, not only the attention of the Senator from New Hampshire, but other Senators, because it may enter into the estimates of every Southern State as it does in Tennessee. It reads thus:

SEC. 30. The public schools shall be free to all persons between the ages of six and twenty-one years residing within the school district, and in special cases those children residing in different districts may be educated in school under such regulations as may be prescribed by the directors of the districts interested: *Provided*, That white and colored persons shall not be taught in the same school, but in separate schools under the same general regulations as to management, usefulness, and efficiency.

This marks the scholastic age in Tennessee, and the same period, from six to twenty-one years, may obtain in some other Southern States. Of this, however, I am not advised.

The New England and other States limit the scholastic age between six and fourteen years; thus making one-third more time in Tennessee in which the scholastic population is enumerated than in other States where the age is from six to fourteen years. Hence it is reasonable to believe that one-third more names are on the scholastic rolls (according to population) where the number is reckoned from six to twenty-one than where the age is from six to fourteen. Indeed, the per cent. would be increased beyond one-third where there is a colored population, inasmuch as between the ages of fourteen and twenty-one more poor children, white and colored, are kept from school than at any other age; and this for the very patent reason that their services are more useful to parents at home and command better wages away from home than when younger.

Furthermore, it will be conceded, especially in our southern country, that many within the scholastic age, say under twenty-one, marry and have families to care for, while others leave their parents, set up for themselves, and never return to school, yet their names, because under twenty-one, are carried on the scholastic rolls. It can not be denied that every one who keeps away from school for any cause whatever leaves that portion of the public school funds he or she would have been entitled to to be divided among the less number who attend. Certainly in that proportion the amount per capita is increased for those who attend and are on the rolls. I think one-third of the whole number between the ages of six and twenty-one is a fair estimate of those who do not attend, and thus leave a corresponding amount of one-third to be added to the common fund and divided among those entitled to it by virtue of attendance, thus really increasing one-third the amount paid for each child between the ages of six and fourteen, the recognized scholastic age in most of the other States.

SEC. 36. Every male inhabitant in the State subject thereto shall pay a poll-tax of $1 for the support of the public schools, which shall be collected as other taxes are, and paid over to the county trustee in the county where collected, and distributed therein to each school district according to scholastic population.

And now, in this month, the Legislature has in furtherance of this enacted that no man shall be allowed to vote unless he has paid his poll-tax. This will force collection and add from one to two hundred thousand dollars to the school fund.

SEC. 38. A tax of one and one-half mills on the dollar shall be, and is hereby, annually assessed upon all property subject to taxation for the support of the public schools, which shall be collected as other taxes are, and paid over to the county trustee in the county where collected, and distributed therein to each school district according to scholastic population.

From this source comes by far the larger portion of our public-school funds—nearly three-fourths—and insures the carrying on of the public-school system of Tennessee with liberality and success.

SEC. 39. When the money derived from the school fund and taxes imposed by the State on the counties shall not be sufficient to keep up a public school for five months in the year in the school districts in the county, the county court shall levy an additional tax sufficient for this purpose, or shall submit the proposition to a vote of the people, and may levy a tax to prolong the schools beyond the five months, said tax to be levied on all property, polls, and privileges liable to taxation, but shall not exceed the entire State tax.

Now, Mr. President, in the section just read (39) it is required by legislative act that public schools shall be kept for five months in each year in the school districts in each county, and if the fund falls short of accomplishing this it is made obligatory on the county court to levy an additional tax sufficient for this purpose, and to go even beyond the five months, if by the vote of the people of the county it is so desired. Added to this, by virtue of section 53 (of same law) cities and towns are empowered to supplement all this school fund derived from State and counties by an additional municipal tax to establish higher graded schools.

Tennessee, by legislative act, has recently also gone into the sentiment as well as utility of allowing our women to become county superintendents of education and has also set apart an Arbor day, requiring that trees be planted to beautify the surrounding of all public schoolhouses.

Does this, Mr. President, look as though the State which I have the honor in part to represent in this Chamber is indifferent to the proper education of her children and wanting in effort to accomplish it? Or does it make her justly amenable to the criticisms which have been indulged in by the Senator from New Hampshire in his recent remarkable and able speech on his educational bill?

I wish now to show some calculations I have made. They may be surprising to some Senators after hearing the criticism that has been passed upon the States of North Carolina and Tennessee in regard to an insufficiency of funds, the small amount that is paid per capita, the inadequate mode of conducting schools, grossly ignorant teachers and their insufficient pay, inferior school-houses, etc.

I find in the superintendent's report, in connection with the comptroller's office of Tennessee, from which I get the data for 1888, conclusive evidence of that "remarkable progress" in education which invokes the sarcastic irony of the Senator at the expense of the superintendent of Tennessee.

The following table of figures here referred to I will hand to the Reporter, and ask that the same shall be made a part of my remarks.

In these figures I go on to show the increase of each relatively, but not wishing to delay the Senate will only speak of the results in the totals and percentages.

TENNESSEE.

Scholastic population, 1885:	
White	448,172
Colored	155,659
Total	603,831
Scholastic population, 1888:	
White	489,674
Colored	162,834
Total	652,508
White increase (9 per cent. +)	41,502
Colored increase (4 per cent. +)	7,175
Total increase (8 per cent. +)	48,677
Pupils enrolled, 1885:	
White	292,989
Colored	80,897
Total	373,886
Pupils enrolled, 1888:	
White	326,168
Colored	85,433
Total	411,601
White increase (12 per cent. —)	33,179
Colored increase (6 per cent. —)	4,536
Total increase (10 per cent. +)	37,715

In 1888 the enrollment in public schools was 63 per cent. of the scholastic population (this includes all persons between six and twenty-one years). Put the estimate, as it should be, between six and fourteen years, and it reduces the enumeration one-third and increases the enrollment between those ages (the usual school ages) one-third, making the enrollment 84 per cent. It will be conceded by every fair-minded man that the fairest test is to be found in the available funds and the enrollment.

Available school fund: 1885, $1,330,839.17; 1888, $1,707,699.25; increase, $376,860.08, or 28 per cent.

Expended: 1885, $1,013,839.17; 1888, $1,157,930.12; increase, $134,090.95, or 13 per cent.+

On basis of fund expended: Appropriation per capita scholastic population: 1885, $1.67; 1888, $1.77. Appropriation per capita enrolled population: 1885, $2.71; 1888, $2.81.

On basis of entire or available fund: Appropriation per capita scholastic population: 1885, $2.20; 1888, $2.61. Appropriation per capita enrolled population: 1885, $3.56; 1888, $4.14.

Number of school-teachers licensed: 1885, 6,575; 1888, 7,387; increase, 812, or 12 per cent.

Average daily attendance: 1885, 192,403; 1888, 278,876; increase, 66,473, or 34 per cent.

Number of school-houses: 1885, 5,066; 1888, 5,972; increase, 906, or 18 per cent.

Total value of school property: 1885, $1,375,780.86; 1888, $1,934,374.86; increase, $558,594, or 41 per cent.

By this it is shown that the increase between 1885 and 1888 of the scholastic population was 8 per cent.; the enrolled (scholastic) population was 10 per cent.; the increase of available school fund was 28 per cent.; increase in expended fund was 13 per cent.; increase in licensed school-teachers, 12 per cent.; increase in average daily attendance, 34 per cent.; increase in number of school-houses, 18 per cent.; increase in total valuation of school property, 41 per cent., with corresponding increase of the per capita scholastic and enrolled populations, on bases of fund expended and of available fund, the enrollment per capita on basis of available fund for 1888 being $4.14 against the general statement of 23 cents by the Senator from New Hampshire, in his quotation, indorsed as it was by him, from Professor Moses, or an available per capita eighteen times as great.

But, Mr. President, the most interesting part of the statistical facts I present is obtained from Table 17, page 1475 of CONGRESSIONAL RECORD (a part of the speech of the Senator from New Hampshire), in which a comparison is made as between Tennessee and New Hampshire.

Estimated population 6 to 14 years (the New Hampshire period of school age): Tennessee, 1876–'77, 310,033; 1886–'87, 383,638; increase, 73,605, or 23.6 per cent. New Hampshire, 1876–'77, 47,017; 1886–'87, 51,255; increase, 4,238, or 9 per cent.

Enrollment: Tennessee, 1876–'77, 194,180; 1886–'87, 383,507; increase, 187,327, or 97.5 per cent. New Hampshire, 1876–'77, 68,035; 1886–'87, 60,770; decrease, 7,265, or 10.7 per cent.

The difference in favor of Tennessee as compared with New Hampshire being 108.2 per cent.; or, in other words, the State of Tennessee made more than ten times as much progress in enrollment during the ten years from 1877 to 1887 as did the State of New Hampshire. If, therefore, New Hampshire made any progress whatever, Tennessee made "remarkable progress," the assertion of Professor Moses, indorsed by the Senator from New Hampshire, to the contrary notwithstanding.

Expenditure: Tennessee, 1876–'77, $698,220; 1886–'87, $1,047,223; increase, $349,093, or 50 per cent. New Hampshire, 1876–'77, $537,153; 1886–'87, $614,248; increase, $77,095, or 14.3 per cent.

Showing an increase of 35.7 per cent. in favor of Tennessee, when compared per capita with New Hampshire as to their respective expenditures for public school purposes during the ten years.

I respectfully submit that this is "remarkable" when it is considered that it is drawn from the Senator's own figures.

The same table of the Senator, No. 17, further shows that Tennessee's percentage of increased enrollment for the same period is greater than any Southern State except Florida; and Table 13 shows a greater per cent. of local taxation for school purposes in Tennessee than in any Southern State except Florida and that she is within 3 per cent. of Florida.

Yet, because the superintendent of public schools in Tennessee dares, in telling the truth, to claim "remarkable progress" without the aid of "the Blair bill," he is ridiculed and derided, as are the superintendents and teachers throughout the State. Away with such unjust criticisms, erroneous utterances, and unwarranted assertions! I know the deep solicitude for educational interests in my State, as I do many of her noble, cultivated, and refined superintendents and teachers, men and women; and to say they are incompetent and inefficient is as unjust as it is untruthful, which the figures and facts presented indubitably show.

This same table, prepared by the Senator from New Hampshire, also shows that while Tennessee from 1877 to 1887 made an increase of only 23.7 per cent. in scholastic population she made an increase of 97.5 per cent. in enrollment, while on the other hand New Hampshire made for the same time an increase of 9 per cent. in scholastic population and a decrease of 10.7 per cent. in enrollment; and that during the same time Tennessee made an increase of 50 per cent. in her expenditure per capita on her scholastic population, while New Hampshire made a decrease of 1.7 per cent. At this rate it is evident that the day is not far distant when Tennessee, under the operation of her present public-school system, will be as far ahead of New Hampshire as the Senator claims New Hampshire to be ahead of Tennessee now.

Besides it will be noted that this table gives New Hampshire in 1877 21,018 more children enrolled than, according to the table, there are children in the State, and in 1887 9,522 more enrolled than there are children in the State.

Pardon me, Mr. President, while I mention *seriatim* the allegations referred to. It has been said with emphasis that the teachers in Tennessee, as a general rule, are not only destitute of the slightest suspicion of culture, but, to a very large extent, ignorant even of a knowledge of the common-school branches, "and to whom the science and art of education are subjects as mysterious as the hieroglyphics of Egypt."

Again, that the appropriation per capita in Tennessee in 1889 was 23 cents; that the average salary of teachers in 1889 was $29.71; that the length of the school term in 1889 was sixteen weeks.

Against all this in general I may quote from the superintendent of public instruction in Tennessee, who knows, presumably, more of the condition of affairs in Tennessee than does Professor Moses, so much quoted and relied upon by the Senator from New Hampshire—Superintendent Frank M. Smith, who has occupied the place of superintendent of Tennessee for some years, a gentleman who has worked faithfully and well, who was appointed by the governor and confirmed by the senate of my State, a man of energy and of character and a fine executive officer. He brought the schools up to a fine condition and has contributed much to the cause of education, and that man, thus indorsed, is thrown aside and his report not taken by the Senator from New Hampshire, while he introduces into his speech the letter of Mr. Moses, who has lived eight years in North Carolina and now lives there, receiving his bread and meat from that State while he makes her the subject of his ridicule. If the Senator had put in his speech the report of the Tennessee superintendent of education or if he had read from the constitution and laws of Tennessee in order to arrive at a correct conclusion as to her permanent and current school fund, the school system and its mode of operation, I would not gainsay it; and had the Senator taken the pains and had he relied more on the official reports in Tennessee and less on the "mistakes of Moses," I would not have been called on to respond to his facts and figures.

In his report for 1888 Superintendent Smith says:

> The accompanying statistics, when carefully compared with those of former years, will reveal the growth of public education in Tennessee. For, indeed, a school system is a growth, and, of necessity, must be a slow growth. But I do not hesitate to say that if the years from 1873 (the date when our present school laws went into effect) to 1888, inclusive, be compared with the same number of years in any other State in the Union, greater progress can not be shown than is manifested in those years. The average enrollment and the average daily attendance have increased nearly 100 per cent., and the same per cent. gain all along the line. In school-houses and school furniture the improvement is nearly 500 per cent.

The figures I have already presented show this to be a correct estimate.

As to the statement that the average salary of teachers in 1887 was $29.71, the report of the State superintendent of public instruction in

Tennessee for 1888 shows that there were during that year 7,439 teachers employed in the public schools, and that the sum of $996,923.38 was paid them in salaries for that year, or an average of $27.80 each per month during a term of five months of the year, and an average of $34.75 per month each for a term of sixteen weeks of the year. This statement, indorsed by the Senator from New Hampshire, is therefore manifestly inaccurate in either the average salary paid to teachers or the average length of the school term in Tennessee; for, if sixteen weeks were the average school term, 7,439 the number of teachers, and $996,923.38 the amount paid them, it requires very simple arithmetical operation to see that the average was $34.75 per month for each teacher.

As to the length of the school term, the law has already settled that, as I have stated, at five months.

Now, Mr. President, in this criticism of the State of Tennessee some of our cities have likewise been alluded to, among them the city of Nashville (trespassing upon my own domain, where I am a citizen). I know something of the schools in that city, and I know the character they bear abroad, and I believe there is not a child within the corporate limits of the city who can not get an education in the public schools if he or his friends desire it. The number and character of schools there justify this statement. There are four universities in that city not sustained at public expense it is true, four colleges and likewise more than twenty private schools, from the Kindergarten to the college. Of public schools there are fourteen, of fine architectural structure and well equipped, under the supervision of cultivated and skillful teachers.

The educational facilities there are so superior that persons are attracted to the city from the surrounding country that they may enjoy the benefits of the public-school system, and yet you see here injected in the speech of the Senator from New Hampshire, as a fact, that for seventeen thousand scholastic population in Nashville there are but seven thousand enrolled in the public schools. The numerous private schools, the universities and colleges, necessarily decrease the per cent. of enrollment in public schools. The private schools are largely patronized, many preferring to send their children to them rather than to the public schools.

In addition, Mr. President, to the ample provision made for the public schools, the State of Tennessee provided more than liberally for the deaf and dumb and blind, both white and colored. She pays one-half the expense of the Peabody Normal Institute in preparing teachers, white and colored, for those children for which the Senator and his friend, Professor Moses, send forth foreboding lamentations. Furthermore, this State has shown herself as humane as she has been liberal in educational provision, by expending in the last few years more than a million dollars in providing three large insane asylums for her unfortunates.

Mr. President, I think I have made good my assertion that "if there is a State which, up to this time, stands along in the front rank of the States of the Union in educational advancement, it is the State of Tennessee," and I am pleased in performing this duty of aiding to place her right upon the record and in refuting the allegations which have been made here and become a part of the public records.

Mr. President, much has been said in regard to the school lands that Tennessee has received from the Government. I have the statistical almanac (Spofford's) that was read, rather with an air of triumph, by the Senator of Virginia [Mr. DANIEL] on yesterday, to the effect that Tennessee had received 100,000 acres of school land from the United States, who seemed to regard it as an estoppel to the Senators from Tennessee in their opposition to this bill. Certainly, Mr. President, Tennessee did at one time receive that much land for school purposes, which she utilized. Permit me, in this connection, to emphasize the fact that, while Tennessee received the 100,000 acres, the amounts in the same column of the same statistical book show that every State named in that column has received largely in excess of that amount of land. Some of them received millions, and the lowest amount received by any State is more than 650,000, as shown in the same column where Tennessee received only her 100,000. Then she is less indebted to the Government of the United States for public-school funds than any State in the Union.

I here insert as a part of my remarks the figures referred to:

States and Territories containing public lands.	Areas of States and Territories containing public lands.	Grants for—			
		Schools.	Universities.	Agricultural colleges (act of July 2, 1862).	Deaf and dumb asylums.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Alabama	32,462,080	902,774	46,080	.....	21,949
Alaska	369,529,600	.....	.....	.....	.....
Arizona	72,906,304	4,150,350	.....	640	.....
Arkansas	33,406,720	886,460	46,080	.....	2,097
California	120,947,840	6,719,824	46,080	1,355,577	.....
Colorado	66,880,000	3,715,555	46,080	183,398	.....

States and Territories containing public lands.	Areas of States and Territories containing public lands.	Grants for—			
		Schools.	Universities.	Agricultural colleges (act of July 2, 1862).	Deaf and dumb asylums.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Dakota	153,982,080	8,554,560	.....	125,404	.....
Florida	37,931,520	998,503	92,160	.....	20,924
Idaho	58,196,480	3,233,137	.....	.....	.....
Illinois	35,462,400	985,066	46,080	.....	.....
Indian Territory	44,154,240	.....	.....	.....	.....
Indiana	21,637,760	650,317	46,080	.....	.....
Iowa	35,228,800	905,144	46,080	316,199	.....
Kansas	52,043,520	2,891,306	46,080	828,824	.....
Louisiana	26,461,440	786,044	46,080	.....	.....
Michigan	36,128,640	1,067,397	46,080	1,225,806	.....
Minnesota	53,559,840	2,969,990	82,640	957,014	.....
Mississippi	30,179,840	847,584	46,080	.....	.....
Missouri	41,824,000	1,199,139	46,080	448,803	.....
Montana	92,016,640	5,112,035	.....	44,452	.....
Nebraska	48,636,800	2,702,044	46,080	1,079,191	.....
Nevada	71,737,741	3,985,430	46,080	16,784	.....
New Mexico	77,568,640	4,309,368	46,080	1,440	.....
Ohio	25,576,960	704,488	69,120	.....	.....
Oregon	60,975,360	3,329,706	46,080	50,049	.....
Tennessee	.....	100,000	100,000	.....	.....
Utah	56,335,635	3,130,869	46,081	57,031	.....
Washington	44,796,160	2,488,675	46,080	46,036	.....
Wisconsin	34,511,360	958,649	92,160	1,358,913	.....
Wyoming	62,645,120	.....	.....	2,305	.....
Total	1,814,769,656	68,083,914	1,265,520	8,098,758	44,970

This table shows the area of the several States and Territories containing public lands and the quantity donated for educational purposes by Congress from 1789 to June 30, 1878.

The editor of the Almanac (Mr. A. R. Spofford) adds in a note to this table the following comment:

Under an act of Congress approved September 4, 1841, each State thereafter admitted to the Union was granted 500,000 acres of land for purposes of internal improvement; 46,080 acres (72 sections) for a State university; 32,000 acres (50 sections) for the purpose of erecting public buildings at the capital; and 32,000 acres for a penitentiary or State prison. The same grant of 500,000 acres was extended to the States of Alabama, Arkansas, Illinois, Indiana, Louisiana, Michigan, Mississippi, and Missouri. The quantity of land thus granted is estimated at 9,000,000 acres.

By act of July 2, 1862, each State, old or new, was granted 30,000 acres of the public domain for each Senator and Representative in Congress (or land scrip to that amount) for the purpose of endowing a college of agriculture and the mechanic arts in each State. Of the 9,600,000 acres estimated to be due the States under this munificent land grant about 8,200,000 acres have already been located.

When other States received millions Tennessee received only a pittance, and she has not now an acre of public land in her borders.

Mr. President, it so happened that when the act of September 4, 1841, passed, granting to each State thereafter admitted to the Union more than a half million acres of the public domain for various purposes, among others, for State universities, Tennessee already being in the Union, as shown in the note to the above figures, received none of it. Again, when the act of July 2, 1862, passed, granting 30,000 acres for each Senator and Representative in Congress for the purpose of endowing a college of agriculture and mechanic arts Tennessee (war being then flagrant) was, I believe, then without representation in the Congress of the United States, and at that time received no share of this grant, but subsequently received land scrip to represent Congressmen (300,000 acres, as I recollect) when they were admitted, which fund was for the specific purpose of establishing the agricultural college at Knoxville, Tenn., and not for general school purposes.

Again, Mr. President, it so happened that during our Revolutionary struggle upper East Tennessee (then called the State of Franklin, and which is now a part of Tennessee) was populated by pioneers from Virginia and North Carolina, who had a quasi-territorial form of government, of doubtful legal relationship to any colonial or other authority. And when this land became the territory of North Carolina and was subsequently transferred (on the 25th of February, 1790) by North Carolina to the General Government, her territory was extensive and valuable, and when (on the 1st of June, in 1796) she became a State, the Government gave her but a meager dowry, if any land whatever, even within her own borders, notwithstanding the fact that, when the night of revolution was darkest and fate seemed turned against the colonies, her hardy pioneers, holding at bay the savage hordes on their front, mustered their clans, and, under the leadership of Sevier and Shelby, left the beautiful valleys of East Tennessee, threaded the mountain passes, and with their Deckard rifles fought with heroic courage and won the battle of King's Mountain, which history has written as one of the turning-points in the Revolutionary struggle of our fathers.

Mr. President, Tennessee has received comparatively little or no aid from the General Government in land grants for public-school purposes, while other States with which she has been invidiously compared in educational progress can count their gifts by the millions.

Yet it is pleasing to know that from her own resources she has suc-

cessfully battled and placed her children on a high educational plane.

It is conceded that it has been, from the beginning, the policy of the General Government to donate public lands to the States for educational purposes, but not money drawn by taxes, directly or indirectly, from the people. In this connection I beg to differ with the Senator from New York [Mr. EVARTS] and with the Senator from Virginia [Mr. DANIEL] in the interpretation they give the language of Mr. Jefferson quoted by them. Indeed, the language just read by the Senator from New York seems, in its very terms, conclusive against him.

I read it again.

In his inaugural address in 1805, Mr. Jefferson, in speaking of revenue that might be expected to come in the Treasury, said:

> These contributions enable us to support the current expenses of the Government, to fulfill contracts with foreign nations, to extinguish the native right of soil within our limits, to extend those limits, and to apply such a surplus to our public debts as places at a short day their final redemption, and that, redemption once effected, the revenue thereby liberated may, by a just repartition among the States, and a corresponding amendment of the Constitution, be applied, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects within each State.

It will be observed that Mr. Jefferson says in substance that, after revenues are sufficient to extinguish the debts and meet all obligations, the revenue thereby liberated—that is, the balance or surplus—"may, by a just repartition among the States and a corresponding amendment of the Constitution, be applied, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects within each State." What, in this connection, can the words "a corresponding amendment of the Constitution" mean other than a condition precedent to doing the thing referred to and specified in the sentence? That is, there is no authority for doing so now in the Constitution, but there might be a "corresponding amendment" should this state of facts arise that would authorize such distribution. And as up to this time no such "corresponding amendment of the Constitution" has been made, there is, on the authority of Mr. Jefferson, no right to thus dispose of the accumulated or "surplus" revenue in the Treasury.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from Tennessee will suspend for a moment while the Chair has read, by the Secretary, the order made by the Senate at a former session——

Mr. BATE. I know what it is. My time is limited, and I will yield the floor.

Mr. EDMUNDS. I ask unanimous consent that the Senator from Tennessee be allowed to conclude his remarks.

The PRESIDING OFFICER. The Senator from Vermont asks unanimous consent that the Senator from Tennessee be permitted to conclude his remarks. Is there objection? The Chair hears none, and unanimous consent is granted.

Mr. BATE. In a few moments longer, Mr. President, I shall conclude.

In regard to the grants of public lands it is admitted that it has been the custom to give them to the States from the beginning of the organization of the Government; indeed, the ordinance of 1785 set apart the sixteenth section of every township for common-school purposes. But at that time and for years after the public lands were regarded as belonging to the States and held by the United States in trust, and that the proceeds of the sales ought to be distributed among the States; hence, in setting apart the sixteenth section it was giving to the State what belonged to it in theory.

The gifts of public land to the States for educational purposes heretofore were very different from appropriating the proceeds of taxation of the people to purposes never contemplated in the Constitution. Illiteracy has existed ever since the fathers landed at Jamestown or Plymouth Rock, and whether proportionately greater or less to-day does not constitute a constitutional basis for Federal legislation.

But this bill is objectionable also on the ground that it tends to cause the people to look to and rely upon the Federal Treasury and the less felt but not lighter taxation by indirect methods than upon the more direct modes in the States for the support of the common schools.

We now have, Mr. President, a tried, a valuable, and effective public-school system, prosperous, progressive, and managed at home by local officials.

Under this bill the great head of the Department of the Interior will dispense the funds under national laws. How long after that will it be until this great dispenser of these many millions will carry the keys that unlock the doors of every school-house in the land? His girdle, from which will swing these one hundred thousand keys, will be as potent in politics as the scepter of any crowned head.

Let us stop the leak at the start and before the flood-tide comes to sweep away the barriers from local self-government.

Let the nation once assume control of the education of the children and it will hold on to it. Who has the hardihood to say it would let go, in these distempered times, such vast patronage? Ay, would it not be strengthened at every step and utilized in political campaigns by partisan demagogues?

Again, sir, this bill would absorb and do away with the present boasted public-school system.

Once established it would become a fixed national, not a State, system of schools. Parents and children who would become the recipients of the bounty, should it become a law, would then cease to look to the State, county, and district for educational aid, but would hold out their palms for educational alms to a great centralized, paternal government, as in the empires and kingdoms of Europe. What then would become of local self-government, that doctrine of our fathers, guarded in the olden time with so much jealousy? Rival political parties would seize hold of national education as a battle-cry and urge increased amounts until it would swell into an enormity; and when this tide sets in annually it would swell and sweep until no vestige of local self-government was left. And where, pray, has this $79,000,000 come from? Is it a tax upon the value of property or on polls? No, but it comes from the poor and humble, the every-day consumer who pays the indirect or tariff tax upon the necessaries of life. The bondholder and stock jobber pays none of it. The property-holder pays none of it, save as a consumer, he purchases the necessaries of life.

How is it now under the common-school system of the States, counties, and districts?

Why, sir, the tax from which the school money comes is levied upon property and polls, thus making property, real and personal, bear the burden, while the poor and needy receive it to an equal extent per capita. And who handles this fund? The people from whom it is daily drained.

The people being taxed directly, money out of their pockets, causes vigilance on their part, and they put in place as school officers only worthy and competent men. Mr. President, I emphasize the fact that local self-government is the secret to our present successful school problem.

Let us adhere to that good old adage, "Let well enough alone." We are progressing marvelously under its operation. I indorse in this regard what was so well and pertinently said by Senators HAWLEY and SPOONER.

When this $77,000,000 is gone, the system of common schools, now so successful, will also be gone—"a school boy's tale, the wonder of an hour"—and a political battle-cry will come up, not for $77,000,000, but perhaps for $177,000,000 more, and when that is obtained it will continue on and on, until it becomes like the cry of the daughters of the horseleech, "Give! Give!"

Yes, it will then become ingrafted on our politics (it is not now a party question) and be a question as to which candidate is for the largest amount for a national school fund. Thus insidiously gaining a foothold, it would find permanent lodgment and could not be eradicated. This would be followed by amendments, more in detail, more drastic even than this bill, regulating the character of school books and the appointment of superintendents, followed by a removal of all legal and social barriers between races and colors.

Educational channels are the most available conduits through which to send false doctrines and destructive political influences, and when disseminated by national law, from a great and powerful center, they neutralize all opposition and absorb the lesser into the greater power. Hence, Mr. President, in my opinion, this bill is dangerous in tendency. It woos to destruction as a siren of Caprea. It leads to centralism; it is a dagger behind the smile, a serpent coiled beneath the rose.

Pensions.

REMARKS
OF
WILLIAM S HOLMAN,
OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 21, 1890.

The House being in Committee of the Whole and having under consideration the annual pension appropriation bill—

Mr. HOLMAN said:

Mr. CHAIRMAN: I was not upon the floor of the House a few minutes ago to accept the courtesy of the gentleman from Kentucky [Mr. BRECKINRIDGE] of a portion of his time, so that I will now occupy for a few minutes the attention of the House. I received some weeks ago a letter from the State of Kansas from a very excellent gentleman, a Democrat who had served in the Union Army, calling attention to a letter from a distinguished member of the House from Kansas published in that State, expressing the opinion that the votes of only three members from Indiana could be relied on to support legislation for pensioning soldiers of the Union Army, and my correspondent expressed his indignation that Democrats from Indiana could have placed themselves in a position in Congress which might subject them to such criticism.

I wrote back to him that there was certainly a mistake; that that letter could not have been published as written by the gentleman from Kansas, because no measure beneficial to the soldiers of the Union

Army had ever encountered a single adverse vote of a Democratic Representative in Congress from Indiana since the original act for pensioning soldiers of the last war was passed in 1862, which I had the honor to call up at the time of its passage. For that reason, sir, I expressed my surprise that such a letter should have been written and expressed a doubt as to its being a genuine letter from a member of Congress. I said to him that the ten Democratic Representatives from the State of Indiana upon this floor, with, I had no doubt, their three Republican colleagues, would support every just measure brought before the House by the Committee on Pensions beneficial to the soldiers of the Union Army, including the service-pension bill.

The truth is, Mr. Chairman, that no measure has ever passed this House since the 4th day of July, 1861, when, by the proclamation of President Lincoln, Congress assembled to meet the exigencies of the then impending war, down to the present hour, beneficial to the soldiers of the Union Army, that has not received the cordial support of every Democratic member of the House from Indiana. I am certain that no measure will be reported to this House by the Committee on Pensions that will not receive the cordial support of every Democratic member from Indiana on this floor.

The two great demands now made upon the public Treasury are singularly different in their character and purpose. Adequate pensions for soldiers of the Union Army, their widows and children, on the one hand; on the other an almost undisguised purpose to make this Republic an imitation of European powers, a splendid government with all the embellishments and insignia that express power. Among the schemes in contemplation are a great navy beyond any precedent in our history, a system of fortifications which, while expressing power, will be found valueless, as past experience has demonstrated, in the hour of trial; the construction now in progress of ordnance for ships and forts and a vast supply of military stores, which, as was demonstrated at the opening of the late war, will be found worthless in the event of an actual conflict of arms.

More than that, if present indications shall be verified, millions more will be expended in bounties for the building of ships to enrich one class of our fellow-citizens already wealthy, and in bounties for the sailing of ships to further enrich a class of men of ample estates, not only citizens of our country, but capitalists of Europe, for European capital has an especial hold on your shipping industries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARLISLE was recognized, and yielded his time to Mr. HOLMAN.

Mr. HOLMAN. I thank the gentleman from Kentucky for this courtesy. Mr. Chairman, not only are such plans of public expenditure, involving hundreds of millions, in contemplation and ready for the action of Congress, only to be suspended temporarily, if at all, until the temper of the country shall be ascertained at the elections of the present year, but countless lesser schemes are in contemplation, the embellishment of this city with extended parks and other expressions of national opulence, at the expense of the public Treasury, enlarged salaries for the Federal judiciary who hold office for life, an unexampled number of new offices, and other large expenditures of like character—all tending to the same end, a splendid government and an impoverished people.

The expenditures for the coming year, permanent and annual, are estimated at the vast sum of $406,843,315.04, a sum equal to more than one-fourth of the money in circulation in the United States, and it will be found that even this vast sum is less than the appropriations that will be made, permanent and annual, for the coming year. Now, sir, which system of expenditure of the surplus revenue is best for our Government, pensions or subsidies?

It was obvious at the beginning of the late war that the great body of the men who would enter the Army would come from the mass of our people engaged in the pursuits of actual industry, men, as a rule, comparatively poor, and equally obvious that the wealth which would result from the war would inure to comparatively a small number of our people. That was obvious at the beginning and more than verified in the result.

All men are well informed of the enormous and unexampled profits which inured to capital in all its forms during the late war. At that time, and still, the great capital interests were in the eastern section of the Union, and it was there that the enormous increase in capital mainly occurred. Taxation itself was a source of profit; taxes on railroad corporations and manufacturing industries afforded, during that war, an opportunity for enormous gains by increased charges on the people, and such opportunities were never overlooked. The management of the public securities afforded an unprecedented opportunity to capital. Hence the unexampled growth of wealth in the eastern section of the Union; even the enormous grants of public lands made during the war period inured to the capitalists of New York, Boston, and Philadelphia.

Now, sir, measures of legislation are to be carried through Congress of the character I have named, all of the profits and benefits of which will inure to the same section of the Union—ships, fortifications, munitions of war, subsidies, national embellishments, involving hundreds of millions of dollars of the public wealth, greatly enlarging the centralization of capital of the last twenty-five years, by which a fearful chasm has been already created between the few who possess our wealth in overgrown estates and the great body of our people. The effect of this kind of legislation is at this time especially apparent in the condition of our agricultural industries, by far the greatest of the industries of our country, and the condition of capital invested in the countless forms of public securities, which in our time have been developed, and in the capital invested in manufacturing industries. Agriculture, the foundation of all true wealth, depressed, discouraged, and staggering under exasperating debts, is the natural result of the favoring by acts of Congress of all other forms of capital and industry during the last twenty-five years. Anything, gentlemen, that will stop this system of Congressional favoritism in encouraging the accumulation of great estates, will be fortunate for our country.

Now, Mr. Chairman, the patriotic people of Indiana whom the ten Democrats as well as the three distinguished Republicans represent upon this floor instruct their Representatives to support every measure which may be brought forward that is justly and fairly beneficial to the soldiers of the Union Army. Why not a service pension after these twenty-five years? Why not repeal, as a matter of fairness and justice, the limitation on the arrears of pensions imposed by the act of March 3, 1879? If the soldier was disabled by wounds, sickness, or otherwise during his service and, for reasons satisfactory to himself, delayed applying for a pension, and then finally applies, why should the Government in that particular case enforce a severe statute of limitation against him?

There is scarcely any other class of claims against the Government against which you interpose a statute of limitations; there are very few other instances where such limitations occur in your statutes, but as against pensions it is inexorably enforced. I see no just reason why this statute of limitations should not be repealed. As to service pensions, why should they not be granted after this long interval since the war closed? In my judgment Congress, in justice and honor, should pass both of those measures; I am for them on their own merits, but when considered in connection with the measures I have spoken of, which involve the expenditure of vast sums of the public money, drawn from the industry of the whole people for the special benefit of the few, can anybody doubt what is best to be done?

Is it not clearly best for our country that public revenues should be so expended that they shall return to the greatest possible number of our people, that the benefits shall fall upon the mass of our people, instead of being so employed as to build up a few imperial estates? Therefore I say with my colleagues that any just and reasonable measures which the distinguished gentleman having charge of the pension legislation may see fit to bring forward for the benefit of the Union soldier will receive the cordial support of the ten Democratic members from Indiana and, I have no doubt, of their three Republican colleagues upon this floor.

I hope I will not be misunderstood. I support the two measures in the interest of the soldiers of the Union Army which I have mentioned on their own merits. I support them, if possible, still more earnestly because I see in this form of expenditure of public revenues a means of diffusing the enormous wealth drawn from the whole people by taxation among the greatest number of our people. A greater number will receive under those measures this benefit of this surplus in the Treasury than by any plan of just expenditure that can be devised.

The greater number of soldiers of the Union Army and surviving widows and children are comparatively poor. They are to be found in every State of the Union; in much larger numbers, of course, in the States of the North, but in considerable numbers in every State of the Union.

Providence, as in all former years, is still with us. I thank God that the measures in contemplation by the gentlemen who now control this Government of an enormous navy in a time of peace, a system of fortifications involving ultimately hundreds of millions of dollars, an enlarged army, subsidies for building and sailing ships, increased salaries of judges and other officials with salaries now more than ample, all threatening to swell the expenditures of Government even beyond the enormous revenues of our Government, and all tending to one end, the enlargement of the fortunes of men already rich, will be arrested by measures which, just in themselves, will diffuse the accumulated and accumulating revenues of taxation among our people in all sections of the Union, among our people, generally poor, who deserve well of the Government by the services they have rendered in its defense.

LIMITATION ON ARREARAGES OF PENSIONS.

Touching the limitation on arrearages of pensions, which is of vital interest to the soldiers of the Union Army, I wish to correct a widespread misunderstanding. It seems to be understood that the act of January 25, 1879, which opened up the limitation on the arrearages of pensions, also limited the filing of pension claims, with benefit of arrearages, to the 1st day of July, 1880. This is not true. The title and first section of the act of January 25, 1879, which repealed the limitation, are in the following words:

An act to provide that all pensions on account of death, or wounds received, or disease contracted in the service of the United States during the late war of the rebellion, which have been granted or which shall hereafter be granted, shall commence from the date of death or discharge from the service of the United States; for the payment of arrears of pensions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all pensions which have been granted un-

der the general laws regulating pensions or may hereafter be granted in consequence of death from a cause which originated in the United States service during the continuance of the late war of the rebellion or in consequence of wounds, injuries, or disease received or contracted in said service during said war of the rebellion, shall commence from the date of the death or discharge from said service of the person on whose account the claim has been or shall hereafter be granted, or from the termination of the right of the party having prior title to such pension: *Provided*, The rate of pension for the intervening time for which arrears of pension are hereby granted shall be the same per month for which the pension was originally granted.

There are other provisions in this act of January 25, 1879, but none that apply to the arrears of pensions.

It will be seen that this act of January 25, 1879, absolutely repeals the old act, which cut off the arrears of pensions unless the claim was filed within five years after the disability occurred or after discharge from the Army, a repeal without limitation or condition.

On the 27th day of February, 1879, one month and two days after that act of the 25th day of January, 1879, was passed, the House bill making appropriation for the payment of the arrears of pension, entitled "An act making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes," came up in the Senate for consideration, and the following proceedings occurred:

Mr. INGALLS. I offer, from the Committee on Pensions, an amendment to the bill, which I ask to be reported

Mr. MORRILL. Will the Senator from Kansas allow me to offer an amendment which comes in here appropriately?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Vermont?

Mr. INGALLS. Not now, please.

The PRESIDING OFFICER. The Secretary will report the amendment proposed by the Senator from Kansas [Mr. INGALLS].

The SECRETARY. It is proposed to add to the bill the following.

The amendment embraced a number of provisions, the last of which, with a single amendment as to the time where the limitation should take effect, was adopted by the Senate and became the second section of the House bill making appropriations for the payment of the arrears under the act of January 25, 1879, and is as follows:

SEC. 2. All pensions which have been or which may hereafter be granted in consequence of death occurring from a cause which originated in the service since the 4th day of March, 1861, or in consequence of wounds or injuries received or disease contracted since that date, shall commence from the date or discharge of the person on whose account the claim has been or is hereafter granted if the disability occurred prior to discharge, and if such disability occurred after the discharge, then from the date of actual disability or from the termination of the right of party having prior title to such pension: *Provided*, The application for such pension has been or is hereafter filed with the Commissioner of Pensions prior to the 1st day of July, 1880, otherwise the pension shall commence from the date of filing the application; but the limitation herein prescribed shall not apply to claims by or in behalf of insane persons and children under sixteen years of age.

This act was approved by President Hayes on the 3d day of March, 1879.

It will be seen that this section 2 is substantially the same as the original act of the 25th of January, 1879, except the proviso. That proviso restores, as will be seen, the old statute of limitations as to arrears on all claims for pensions filed after July 1, 1880.

So it appears that after Congress had absolutely repealed the limitation on the arrears of pension, on the 25th day of January, 1879, the limitation was absolutely restored on the 3d day of March, 1879, to take effect on the 1st day of July, 1880.

Now, it is obvious that either the act of January 25, 1879, was absolutely wrongful and unjust or the repeal which took effect on the 1st day of July, 1880, is indefensible. It is reasonably certain that in the short interval between the 25th day of January, 1879, and July 1, 1880, multitudes of Union soldiers and their widows would be wholly uninformed of the state of our legislation, and knew absolutely nothing about the restored limitation, which took effect on the 1st day of July, 1880. The effect of this extraordinary legislation was that the well-informed filed their claims promptly and obtained their arrears; the multitude of Union soldiers and their widows who were uninformed as to the state of our pension legislation, and that perhaps larger number of soldiers whose condition of health, although impaired in the service, did not at the time seem to justify an application for a pension, failed to receive the arrears of their pensions.

If there is any one thing on which our people are united, it is that "equal rights and fair play" should pervade our legislation. What better right in justice have the soldiers who filed their applications for pensions prior to the 1st day of July, 1880, to their arrears of pensions, than those who filed them after that day and are able to establish their claims. The spirit of our Republican institutions demands equal justice to our people. A republic can not afford to be unjust to the men who imperil their lives in the national defense. They are entitled, at least, to exact and equal justice.

But the argument in favor of the limitation on arrears of pensions imposed by the act of March 3, 1879, is and always has been that the amount required to meet the claims for arrears of pensions is beyond the capacity of the public Treasury. I would yield to this argument if, in fact, the resources of the Treasury were insufficient to meet this demand. These soldiers of the Union Army and their widows bear their fair share of the burden of taxation that rests on all our people. If the industries of the country, which in fact bear the burden of taxation, would not justify greater liberality, a higher measure of justice to the soldiers of the Union Army, then the argument would have to be accepted. But the fact is the amount required to carry out the two measures is just now greatly exaggerated, and, as I have already shown, the public wealth is being expended largely for the benefit of favored classes who have no claim on Congress, and the increase of whose wealth is an absolute injury to the Republic.

The bills now pending and certain to pass for fortifications and Navy carry the unexampled sum of $26,673,201 in this hour of peace. The fact should not be overlooked that the wealth of the country up to this time bears a small portion of the taxation that swells the surplus in the Treasury. These measures of justice to the soldiers of the Union Army would result in a juster system of taxation, would compel great estates to bear their fair share of taxation; and, more than that, it would, for this generation at least, secure a result which, in my humble judgment, is of the highest and greatest importance: it would compel just and reasonable economy in the current expenses of our Government, honest government, which I think should be the first care of a member of the Congress of the United States. The rapid growth of these current expenses ought to arouse the interest of every citizen.

These current expenditures of Government in a fearful degree centralize the wealth of the country. The vast sums of money drawn into the Treasury by taxation of the whole people in the current administration of our Government inure to the benefit of the few. A just and reasonable system of pensions for valuable services rendered to the Republic would diffuse the accumulated revenues not imperatively demanded for the administration of Government among a great multitude of people, instead of confining its benefits to a favored few, the latter tending to corruption in public affairs, the former to cheerful firesides and happy homes.

From any point of view, a just and reasonable system of pensions, such as the nation's honor demands, will, in the present state of our affairs, while doing justice, compel economy and honest administration of Government, a result of all others to be desired.

The concentrated wealth and overgrown estates which our legislation has fostered are the rocks, only partially concealed, in the pathway of our ship of state. If, in the future, the ship goes down (which I do not believe God in mercy to mankind will ever permit) great private estates, created by acts of Congress, with the arrogant assumption of power over legislative assemblies and the corrupting methods such estates naturally inspire in controlling public affairs, always fatal to honest government, will be found, by the verdict of impartial history, the fatal burden under which the gallant old craft foundered.

To arrest this now never-ceasing tendency of our legislation to encourage great private estates, with their ever attendant evil of prodigal and corrupting luxury on the one hand and engendering of poverty and wretchedness on the other, is, in my humble judgment, the highest duty of the American people.

It is now reasonably certain that this vast accumulation of wealth, drawn from the industries of our people by remorseless taxation, will continue. The employment of this ever-accumulating wealth, vastly beyond the necessities of an honest administration of our Government in meeting the just demands of that great body of our fellow-citizens who imperiled their lives for the preservation of the Union, their widows and orphan children, diffusing that public wealth throughout the whole land, largely among the destitute and the poor, made so in countless instances by services rendered in the ranks of the Union Army, and the misfortunes and widowhood and orphanage incident to war, gladdening countless homes, and bringing joy to multitudes impoverished by war, is a course worthy of our great Republic. Between a policy so just and beneficent and one that seeks to give the fruits of the labor of the many to the few, what friend of his country can hesitate?

The Late Edward J. Gay.

REMARKS

OF

HON. SAMUEL R. PETERS,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 22, 1890,

On resolutions of respect to the memory of Edward J. Gay, late a Representative from the State of Louisiana.

Mr. PETERS said:

Mr. SPEAKER: I first became acquainted with Hon. Edward J. Gay during the first session of the Forty-ninth Congress. My acquaintance was confined entirely to such association as was incident to legislation in the House. He impressed me as being a man of much force, his power being largely augmented by a business experience that gave value to his suggestions. He was a man of dignified reserve, practical and conservative in his ideas, but adhering with great tenacity to his convictions. He was a very courteous gentleman, but so modest and re-

tiring in his disposition that unless associated with him in private life or in the discharge of a public duty his strength of character and intellect would not be disclosed. When therefore our mutuality of interest in the sugar industry brought me in consultation with him, I was surprised at his general knowledge of public affairs, as well as at the forcefulness of his methods of expression. During the sessions of the Fiftieth Congress my acquaintance became more intimate and my estimation of his worth as a man and a legislator correspondingly increased. He was conscientious in the performance of public duty, and hence was always in his place unless prevented by his impaired health.

The Fiftieth Congress closed and I saw him no more. In the morning of the summer time, in early May, he launched his bark upon the unknown sea dividing the life here and hereafter, and sailed away. To him I believe it was neither an uncertain nor an unexpected voyage, for his faith had crossed that unknown space in advance and was safely anchored in a haven where life's storms and sufferings could not follow.

In the evening of the summer time I was in his district and had some opportunity to learn of the estimation had for him by the people whose Representative he was and who knew him best. That estimation was then and is now more eloquent than human eulogist can be. From the humble abode of the sable laborer in the cane field, as well as from the mansion of the courteous planter, came nothing but expressions of admiration for his life and sincere regrets for its termination. To the wealth of this esteem I desire to add my own, together with the statement that I am the better for having known him.

Admission of Wyoming.

SPEECH
OF
HON. ALEXANDER M. DOCKERY,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 26, 1890.

The House having under consideration the bill (H. R. 982) to provide for the admission of the State of Wyoming into the Union, and for other purposes—

Mr. DOCKERY said:

Mr. SPEAKER: In the limited time allotted to me I can not hope to do more than merely outline my objections to the admission of Wyoming to statehood at this time. I am in favor of the admission of Territories into the Union as rapidly as their population and resources may warrant such action; but, sir, in the consideration of the pending proposition I find that the usual and necessary requirements have been wholly disregarded in the interest of the Republican party; and, viewing the proposition in this light, I shall not indulge in diplomatic language, but shall call a spade a spade.

Mr. Speaker, a fundamental objection to the admission of Wyoming is found in that clause of its constitution which gives to women the right of suffrage.

Section 1, article 6, of its constitution provides that—

The rights of the citizens of the State of Wyoming to vote and hold office is not to be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy all civil, political, and religious rights and privileges.

The passage of this bill and the admission of Wyoming with the provision as to female suffrage commits the Republican party without equivocation to this new doctrine. It is a bold and radical departure, inasmuch as there is not only no State in the Union which contains a similar provision, but there is no government in the world which permits women to vote and hold office, except perhaps in school elections, while even this privilege is by no means general.

Mr. Speaker, no theory of the doctrinaire, no demand of expediency can subvert the great law of nature.

Woman is not "the lesser man." Woman is man's companion and helpmeet, but her true empire is not his empire.

Her sphere is in the home and in the heart. Her physical and moral constitution, as well as the authority of the Scriptures, furnish conclusive evidence why she should not be dragged into the arena of political strife. I do not care to elaborate this question at the present moment further than to say that the position of the Republican party in favor of female suffrage merits and will receive the condemnation of the people. The Democratic party is unalterably opposed to this new departure, and, in respect to this issue, will stand by the old paths, which are the paths of wisdom and safety, the paths in which our fathers have trod during the century of our constitutional life.

Mr. Speaker, I find that Wyoming was organized as a Territory by the act of July 20, 1868. By the Congressional Directory it appears that at the November election there in 1888 the Republican party cast 16,451 votes for Delegate to Congress; that the Democratic party "lagged superfluous" behind with 7,557 votes, while there were 2 scattering votes, making the total vote polled only 18,010, notwithstanding that the Territory had been organized more than twenty years. Of this total vote cast (18,010) the minority of the Committee on Territories estimate that at least 4,000 were cast by women, so that we have in fact of male voters in the Territory of Wyoming, as shown by the last election returns, only 14,010.

REPUBLICAN PARTISANSHIP.

In this connection I also desire to notice the proposed admission of Idaho, which is to follow very soon in the wake of Wyoming. There were cast in November, 1888, in the Territory of Idaho, 8,151 Republican votes for Delegate to Congress, 6,404 Democratic votes, and 1,458 votes which were classed as "divisionists," making an aggregate vote of but 16,013, although it was created a Territory under the act of March 3, 1863. Indeed, Mr. Speaker, adding the total vote of Idaho and Wyoming, including the 4,000 female votes, we have an aggregate vote in these two Territories of only 34,023, which is 4,203 votes less than were cast by the people of the ten counties of my own Congressional district in the recent Presidential contest.

Mr. Speaker, in the light of the experience this country has had with the rotten borough of Nevada, I submit, sir, whether it be not partisanship alone which demands that this action should be taken at the present time. Nevada was admitted into the Union more than a quarter of a century ago; yet at the last general election her total vote was only 12,603, an increase of but 4,000 within the entire period of her statehood.

The experience of Nevada is likely to be repeated and emphasized in Idaho and Wyoming. At all events, Mr. Speaker, the present population and resources of these Territories are utterly inadequate to entitle them to the high privilege of States in the American Union, for, whilst there is no constitutional requirement as to the population a Territory should have before its admission into the Union, yet in the very debate referred to by the gentleman who has just spoken [Mr. BARNES], the great Douglas expressed the conviction that a population sufficient to entitle a State to one Representative on this floor would be a wise condition precedent to the admission of a Territory.

Our present unit of Congressional representation is 154,325, a requirement of a greater population than is possessed by the Territories of Idaho and Wyoming combined. The table submitted by the gentleman from Georgia, showing the dates of admission of the States prior to 1889, the respective Representative ratio, and the population of each at the time of admission, reveals the fact that the unit of representation in this body has ranged all the way from 33,000 to 154,325, while in every instance, save in Kansas, Oregon, Nevada, Nebraska, and Colorado, the population of each Territory at the date of admission exceeded that required to secure representation in this Hall. This unwritten law of the Republic has been consistently maintained except in the cases cited, whilst we have but recently had an exemplification of the practice in the admission of Montana, Washington, North and South Dakota, where each possessed a population in excess of the ratio (154,325) at present demanded for representation in this House.

Mr. Speaker, the partisanship underlying this proposition is so plain that even a "wayfaring man" may readily discern it. It is not only apparent in the facts to which I have already adverted, taken in connection with the further fact that these Territories are overwhelmingly Republican, but it is alike manifest in the fact that New Mexico and Arizona are denied admission although they have a greater population, a larger vote, a more extended area, and greater wealth than either one of the Territories now proposed to be admitted. The only explanation, therefore, for the admission of the one and denial of the other is that the majority of the people of New Mexico and Arizona are Democrats whilst the majority of the people of Wyoming and Idaho are Republicans.

The intense partisanship which impels the admission of Idaho and Wyoming is further emphasized in the constitution of these proposed States, Wyoming admitting to suffrage Mormons, both male and female, because they are Republicans; Idaho denying to Mormons the exercise of the elective franchise for the reason that they are understood to be Democrats; and, numbering, as they do, more than 5,000 voters, the Republican party disfranchises them in the fear that if permitted to vote they would overthrow the Republican majority.

Mr. Speaker, in my humble judgment this bill is nothing more or less than a partisan measure intended to perpetuate so far as may be possible the power of the Republican party. Its proper title, sir, would be A bill to add three electoral votes to the Republican column in 1892, two Senators to the present Republican majority in the Senate, and one member to the Republican majority of this body. Taking into account the Territory of Idaho, which is also to be admitted, the effect of the bills will be to give six electoral votes to the Republican party in the ensuing Presidential contest, four votes to the present majority of that party in the Senate, and two additional votes to the Republican majority in this Chamber.

Mr. Speaker, I would favor the admission of Wyoming to the Union were its resources, population, and constitution such as to entitle her to that exalted privilege; but in view of the objections to which I have here adverted my voice and vote are against the proposition. [Applause on the Democratic side.]

Fortification Appropriation Bill.

SPEECH

OF

HON. CHARLES TRACEY,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, April 1, 1890,

On the bill (H. R. 3891) making an appropriation for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service for the fiscal year 1891, and for other purposes.

Mr. TRACEY said:

Mr. CHAIRMAN: Within the past few years great changes have taken place in the building of war-ships, owing to the use of heavy iron and steel plating and equipment, with built-up steel guns of great length employing very heavy charges of powder and large projectiles. Our fortifications, which fifty years ago were the best in the world, are to-day absolutely worthless. We are consequently compelled to take steps to defend our coast, lest in the event of a war we may find ourselves powerless to prevent the destruction of our great cities.

For several years prior to 1888 considerable attention had been paid to the improvement of our Navy, and after the Naval Committee of this House obtained jurisdiction it secured appropriations which enabled the Navy Department to add to the service a number of first-class vessels. Through this committee's energy the gun foundry for the Navy was established at the Washington navy-yard. But the Army gun factory, the building of which at the Watervliet arsenal was recommended by the same board that selected Washington for the Navy gun factory, was entirely neglected until the first session of the Fiftieth Congress.

The subject of fortifications had been assigned to the Appropriations Committee, and, although bills were discussed and apparently an effort was made to effect legislation, nothing was accomplished. Then, two years ago, it became evident, if delay continued, jurisdiction of all army matters would be transferred to the Military Committee, in the same manner that everything pertaining to naval affairs had been intrusted to the Naval Committee. This situation forced the introduction and passage of a fortifications bill and it was signed by President Cleveland.

Both political parties are committed to the policy of carrying on works for the public defense. The Republican platform in 1888 said:

We demand appropriations for the early rebuilding of our Navy; for the construction of coast fortifications and modern ordnance and other approved means of defense for the protection of our defenseless harbors and cities.

The candidate of the Democratic party, Mr. Cleveland, who was then President, in his letter accepting a renomination, places among the objects of domestic concern deserving watchfulness and care—

The construction and equipment of means of defense to insure our national safety and maintain the honor beneath which such national safety reposes.

It is but natural that all the people of the country should expect that serious attention be paid to relieving us from our peril. The great war-ships of England, France, Germany, Russia, Italy, Turkey, Austria, Holland, Spain, Japan, Brazil, and Chili, in the event of war, can destroy our coast cities or compel us to pay enormous war indemnities, which the General Government could meet only by taxing the entire people.

Putting aside all questions of the humiliation of acknowledging defeat without an effort at resistance, let us estimate the possible loss that can be inflicted on us by hostile fleets. In New York City property could be destroyed worth $2,000,000,000; Brooklyn, $600,000,000; Jersey City, $100,000,000; Portland, Me., $33,000,000; Boston and Cambridge, $531,000,000; Baltimore, $220,000,000; San Francisco, $181,000,000; Newport, $24,000,000; Philadelphia, $790,000,000; New Orleans, $175,000,000; and in New London, Wilmington, Savannah, Mobile, Galveston, Portsmouth, New Haven, Norfolk, Charleston, St. Augustine, San Diego, Portland, Oregon, and important points on the Great Lakes an aggregate of about two billions more, making about $6,000,000,000 worth of destructible property.

The problem we have to solve, Mr. Chairman, is to remove this danger of loss and humiliation to the nation with the least possible outlay of the public funds. We have the recommendation of the board on "fortifications or other defenses" that twenty-seven ports be protected by mounting at them 527 guns, and the statement of that board that eleven of these ports should receive immediate attention and will require about 400 guns, these eleven ports being New York, San Francisco, Boston, lake ports, Hampton Roads, New Orleans, Philadelphia, Washington, Baltimore, Portland (Me.) Rhode Island ports and Narragansett Bay.

At present the only facility we have for producing these guns is the Watervliet gun factory, the northwest and center sections of which are being completed, and when fully equipped the output will be five 12-inch, seven 10-inch, and twelve 8-inch guns, or a total of twenty-four guns per annum. This would give guns for the twenty-seven ports in twenty-eight years and for the eleven ports in twenty-one years.

The additional wing provided for in this bill will increase the output by twenty 12-inch guns a year and give the guns required for the twenty-seven ports in fifteen years and for the eleven ports in thirteen years. To delay this appropriation by one year would delay the increased output of twenty guns for at least a year, and such a course might involve disastrous results. There is no way whereby the Government can procure so great a number of guns at so small an outlay as the measure provided for in this bill.

I question whether at any time it will be found better to contract for completed guns than to do as is now being done, namely, the purchasing of steel forgings from private manufacturers and assembling the pieces at the Government gun foundries under the supervision of the very able and conscientious officers of the Ordnance Corps. At all events, so far as economy is concerned, we know that the inducements offered in the fortification bill of 1888 have brought forward no offers from private enterprises, and the evidence of the bill prepared by the representative of manufacturers that year leads us to believe that these private enterprises would exact such a price for each 12-inch gun that the Government would save in three years from the time of the completion of the south wing of its own factory enough to pay for the entire cost of the building and machinery.

The 8-inch gun made at Watervliet, which has been completed and tested at Sandy Hook, has given better results than were ever before produced, and demonstrates the advantage to the Government of being in a position to direct careful examination of the separate forgings before the gun is built up. Secretary Proctor, in his statement before the Appropriations Committee, in reply to an inquiry respecting his views of the necessity for cutting down expenditures and the possibility of doing so by lessening the amount of this bill, said:

I should pare somewhere else. As a political public necessity, yes, I should complete this [the gun factory]. It is a work in hand, and I think it is economy to push and close it up and call it finished.

Mr. Chairman, this policy of fortifying the coast having been decided upon, it would be absurd to make a pretense of accomplishing anything, were Congress now to deliberately put obstacles in the way of the War Department in its efforts to gradually lessen the danger which is threatening the nation. I rejoice to see that even those gentlemen who object to large appropriations, and also those who think we might take the chances of there being no attack made on this country, are disposed to accept the situation and to permit the policy of coast defense to be carried out.

It is natural that the citizens residing in the district which I have the honor to represent are much pleased that after a careful examination the Government decided that the best point for the building of its first gun-factory was near their own homes. Among the reasons for this decision are the following:

Watervliet arsenal, at West Troy, N. Y., is centrally situated and has the immense advantage as a location for machine finishing shops on gun work of being located on tide-water. No other Government arsenal affords at the same time a place more secure from hostile operations and possessing such advantages for both rail and water transportation to the seacoast and the Great Lakes. The Delaware and Hudson Railroad passes close by the grounds and will give an easy grade into the shops of the arsenal. Within the distance of a few miles it connects with the great railroad center at Albany. The Erie Canal passes through the grounds, and shipments can be made direct to or from the Great Lakes or pass through the outlet of the canal into the Hudson River by this cheap means of transportation. In addition to this, the arsenal has a wharf upon tide-water in the Hudson River. The finished guns can be transported with but little trouble and expense to the testing grounds at Sandy Hook.

The water-power used at the arsenal reduces the amount of fuel required for making power, and the Legislature of the State of New York has recently passed an act to give such increased water facilities as may be needed.

Watervliet arsenal is safe from hostile operations; it has never yet been in possession of an enemy, although it has been on the line of hostile operations in two wars with Great Britain. In 1777 Burgoyne surrendered at Saratoga, and in 1814 the advance was stopped by our victory on Lake Champlain. If we succeeded then in keeping the enemy away, how much more easily can it be done now with our organized militia and vast population to draw upon. The arsenal proper needs no defensive works; we are seeking to fortify our exposed coasts. No one believes or fears that an enemy can successfully carry out an incursion with a field force over a distance of 200 miles into our territory, especially along the line from the Canadian frontier to Albany, which, on our side, can be so readily covered by the concentration of available forces.

Watervliet arsenal is sufficiently near the centers of trade, and is yet properly isolated from a large city, and gives ample room for building purposes. The arsenal grounds comprise over 100 acres. About one-fourth of this land, lying between the canal and Hudson River, is subject to partial overflow by the spring floods. The old shops are principally located on that area, but have been in operation for many years

without serious detriment from any overflow. However, the new gun shop is on the high ground west of the canal, and the new buildings for an extension of the gun factory would also be placed there upon good building sites with rock foundations.

The Government gun factory is not to include plant for forging or casting steel or other metals for guns. These products, it is understood, are to be left to private manufacturers. In order to supply the forgings as fast as the gun factory can utilize them, much work will have to be done in these private shops and there can be made available for the armament of fortifications in different years the following number of finished guns:

At the end of—	8-inch.	10-inch.	12-inch.	Guns per year.	At the end of—	8-inch.	10-inch.	12-inch.	Guns per year.
1891	3	.....	.....	3	1901	.....	136	129	39
1892	9	5	2	13	1902	.....	156	148	39
1893	19	12	8	23	1903	.....	176	167	39
1894	31	19	16	27	1904	.....	196	186	39
1895	43	33	26	36	1905	.....	222	209	43
1896	55	47	46	46	1906	.....	.....	.....	.....
1897	67	64	62	45	1907	.....	.....	.....	.....
1898	79	81	78	45					
1899	91	98	94	45	Total	102	222	209	.....
1900	103	115	111	45					

Undoubtedly, to properly fortify our coast, a large amount must be expended. But, Mr. Chairman, if by so doing we practically insure our people against great loss of property, a deplorable sacrifice of life, and the possibility of injury to our national honor, will we not have wisely invested the public funds? And we may justly claim we made these expenditures from no desire to cause suffering to others, but rather as a check to any disposition on their part tending to make unreasonable demands upon us. In this time of peace we prepare for war, that peace may be perpetual.

Irrigation of Arid Lands.

SPEECH

OF

HON. ROSWELL P. FLOWER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 2, 1890,

On the Senate amendment to the bill (H. R. 7496) to provide for certain of the most urgent deficiencies in the appropriations for the service for the Government for the fiscal year ending June 30, 1890, and for other purposes.

Mr. FLOWER said:

Mr. SPEAKER: Irrigation may be considered as a subject of economics, and to a nation densely populated, with a limited area of territory, is one worthy of attention.

Demonstration of its utility may be found in France, Italy, Spain, and India, and also in Japan, where, long before the christian era, some eight hundred irrigating canals were constructed and have since been in constant use, where, aided by a copious rainfall of from 60 to 100 inches annually, 12,000,000 acres of land, supplemented by irrigation, have clothed and fed 38,000,000 people and given a surplus sufficient to export several million dollars' worth of commodities.

The arid region of the United States begins midway in the great plains at about the one hundredth meridian, extends westward across the Rocky Mountains to the Pacific Ocean (excepting the Cascade Mountain region), and then, within those limits, sweeps the country north and south from the British Possessions to the Rio Grande, embracing more than two-fifths of the total area of our country. And within this vast area Major Powell says:

Only a small portion of the country is irrigable, the lowlands lying along the streams.

There is, however, no immediate demand for more land in this country, as in Japan, and the question arises whether at this period we should entertain the subject at all, and, if we do, whether in appropriating money from the public Treasury we should go beyond providing for mere scientific research.

Beyond that point I am totally opposed to the General Government spending one dollar in irrigation works. There have been introduced in this Congress some forty or fifty bills upon the subject of irrigation, straws which point toward the Treasury of the United States, any one of which that may become a law and provide for Government construction would be the entering-wedge to a vast outlay of the public moneys. It would establish a precedent which, if not unconstitutional, certainly has the color of unconstitutionality. It would be the initial step toward a gigantic system of improvements in a new field, comprising over two-fifths of our territory, which must necessarily result in benefiting a few capitalists who have yet to find a local habitation there and to whom the Government owes nothing, and to the injury of our farmers already settled in other localities, comprising 44 per cent. of our population, to whom the Government owes the prosperity of the Union.

If irrigation is to be considered a fit subject for the fostering care of the Government, it must take its place in the category of public improvements, together with public buildings, rivers and harbors, and national defenses. And if it is to be brought within the purview of the national welfare clause and is to be made a subject for appropriations by Congress, let us see where the burden will fall. The true valuation of property in the United States at the last census was $43,642,000,000. Of this, 45 per cent. was found in the North Atlantic States, 8.3 per cent. in the Southern Atlantic States, 33.8 per cent. in the Northern Central States, 8.3 per cent. in the Southern Central States, and 4.6 per cent. in the Western States.

The arid region proposed to be improved by irrigation is located entirely within the class of States denominated "Western," comprising Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Idaho, Washington, Oregon, and California. Shall we provide for an expenditure of the public moneys to improve and build up a particular section of country, which at the last census represented but 4.6 per cent. of its entire wealth, out of moneys of which 95.4 per cent. is derived from other sections?

Reserving the point that an improvement of a part is a benefit to the whole, I make these comparisons to show that the expense of Governmental irrigation in any of the States and Territories named would fall heaviest upon sections that have the remotest interest in the subject.

It would be improving, out of the public moneys, the farming interests of a section of our country whose farmers have contributed thereto by taxation on less than $400,000,000 of their property, while the farmers of other sections have contributed thereto by taxation on more than $9,800,000,000 of their property.

What class of our people would be benefited by these improvements made by the General Government? Would it be the farmer or the homesteader who would go into the arid region with his family, subdue his wild surroundings, build school-houses and churches and lay a broad foundation upon which to build up society?

For an answer I will quote from Major Powell, than whom there is no greater authority upon the subject. In one of his official reports upon the arid regions he says:

To a great extent the redemption of all these lands will require extensive and comprehensive plans, for the execution of which aggregated capital or co-operative labor will be necessary. Here individual farmers, being poor men, can not undertake the task.

And upon the subject of "aggregated capital or co-operative labor," to which Major Powell refers, I will quote from a public document entitled "Report of the Committee of the Senate upon the Relations between Labor and Capital," as follows:

We are in the midst of nothing less than an agricultural revolution. As if by magic, bonanza farms have sprung up in the West. Farms of thousands of acres are getting to be quite common. There is one estate of 350,000 acres, covering an area of 547 square miles. These huge farms are simply big food factories, with the temporary good of the factory system, the cheapening of its products, whether shoes or grain, but with the permanent evils of the factory system reproducing themselves in agriculture. These food factories are worked exhaustively, being mere speculations, from which capital hopes soon to retire, and in which, therefore, it has no regard for the future fertility of the land. The hired men have no hold of the land they work, nor does the land hold them.

Instead of a settled, free farmer population, building up homes, developing villages and towns, laying the foundation for a sound society, we have gangs of hired laborers, drawn from a distance, herded on the ground during the busy season and then turned loose to shift for themselves; men trained in alternate hard toil and loafing, making no homes, furnishing the recruits for those bodies of tramps which of late years, in dull times, the West has found roaming around with constant danger to society.

If this system continues and develops it will turn out a class of agricultural laborers wholly new to our country, incipient paupers and criminals where we looked to see a hardy yeomanry. The prospect is of an indefinite continuance of this state of things and of a vast increase of it.

Quoting further from the same work, William Godwin Moody, of Brooklyn, in his testimony before that committee, says he has devoted a great many years to an examination of the facts testified to; that four years prior (*i. e.*, 1879) he examined various farms in the West, running from 10,000 up to 100,000 acres, upon which there were from ten to two hundred and fifty laborers employed, but not a woman or child or fixed inhabitant upon the territory of one of them; that these men appeared when they were wanted and then disappeared when the work was done; that the number of farms of 1,000 acres and over in the North and West during the decade between 1870 and 1880 had increased 800 per cent.; that a very large amount of capital was being invested in these great tracts of land by foreigners, who were getting our lands into their possession in hundreds of thousands and millions of acres.

Mr. Moody further says:

Where the small farmer finds it impossible to get a living cultivating wheat by his own labor and selling it at from 50 to 60 cents a bushel as he does in Dakota (1883), the bonanza farmer is able to raise his grain at a cost not exceeding 14 cents a bushel; the large farmer does not sell his grain to the middle man or the merchant or the canvasser upon the ground; he sends it to market himself.

Continuing, he says:

I merely wish to show that farming is already overdone. There are more in it than can get a respectable support from it; and it is idle to talk about the small farmer or the man without capital going and cultivating the soil and getting a living out of it by his individual labor.

Hon. George P. Marsh, for many years minister at the court of Italy, speaking of the effects of irrigation generally in Europe, but from professional observation more particularly in Italy, says:

The tendency of irrigation, as a regular agricultural method, is to promote the accumulation of large tracts of land in the hands of single proprietors, and consequently to dispossess the smaller land-owners.

Mr. Speaker, is it not enough, in times of overproduction like these, that our farmers already established should meet the competition of those who, like themselves, have risen by their own efforts? Would you require them, by taxation upon over $9,800,000,000 worth of their own property, to contribute toward a subsidy in aid of competitors in their own industry, who must necessarily be what are termed "bonanza farmers," when that industry is already palsied by overproduction? Would it be fair and just to our farming class? Would you ask the business man, whose profits yield him a precarious living, to tax his merchandise in order to establish a competitor on a larger scale across the street?

Let us glance at the capacity of some of those great States and Territories of the Far West.

Washington has an area of 42,803,000 acres, of which one-third is denominated as "tillage and grass," one-third "woodland," and one-third "unproductive." In oats, with a yield of 37 bushels per acre, she leads as a producer every other State and Territory in the Union; and yet in 1888 she grew but 94,687 acres of oats, or 2 acres in the thousand of her total area. As a producer of wheat, with over 16 bushels per acre, she stands in the front rank; in 1888 11 acres in the thousand were cultivated to that crop. Of her total area only 3.3 per cent. is devoted to farming.

Montana's limits contain 92,998,400 acres, of which two-thirds is denominated as "tillage and grass" and one-third "unproductive." She ranks in the first class as a producer of wheat, with 17 bushels per acre. In 1888 only one acre in every thousand bore that crop. In the same year her crop of oats, yielding 34 bushels to the acre, covered one acre in every thousand. Of her total area, .4 per cent. only comprises farms.

Colorado embraces 66,460,800 acres, of which more than one-half is denominated as "grass and tillage." Her corn yield is 27 bushels per acre. In 1888 she planted to that crop one acre in every thousand. In wheat with over 19 bushels per acre, she leads, as a producer, forty-six States and Territories; while in 1888 only two acres in every thousand produced that crop. In oats she yields over 31 bushels per acre. In 1888 she grew but one acre in every thousand. Her farms comprise only 1.8 per cent. of her total area.

Nevada has 70,223,000 acres, of which 65 per cent. is denominated "tillage and grass." Her corn yield is 24 bushels per acre; she produces none. Her wheat yield ranks first class, with over 17 bushels per acre; she produced in 1888 one acre in every thousand. Oats, yielding 30 bushels per acre, covered in 1888 one acre in every thousand. Only .8 per cent. of her total area is under cultivation.

Let us glance at another section of our country, the South. Take Virginia, with her 25,680,000 acres of land, with but 26 people to the square mile; North Carolina, with her 33,433,600 acres of land, with but 30 people to the square mile; Tennessee, with her 26,720,000 acres of land, with but 37 people to the square mile; Georgia, with her 37,747,200 acres of land, with but 25 people to the square mile, and so on through contiguous States. What inviting opportunities for homes and enterprise, where crops of corn and tobacco, rice and wheat, oats and barley, hemp and rye may be raised above and through the cotton belt; where, amid grand and picturesque mountain scenery, lie undeveloped beds of gold, iron, and coal, marble and slate, zinc and lead, copper and mica, and salt, covered with forests of oak, poplar, ash, chestnut, walnut, elm, and pine; where water-powers with capacity to create an enormous amount of home industry run idly by; where harbors formed by nature, with undeveloped resources almost in sight, have never yet been disturbed by the din of commerce.

A brighter day has dawned upon that section, a day of prosperity. Neglected fields are now yielding better crops; the plow runs where but lately forests grew. The mountain solitudes of the South echo to the blast of mining, the shriek of the locomotive, the sound of the ax, the forge, and the smelter; and her skies are darkened by the peaceful smoke of manufactures. A great commercial awakening has come for the South, and a tide of Northern emigration has but lately set that way. With her abundance of land and resources she can hold the surplus from the North for many years to come.

Then, again, to demonstrate how little crowded our people are upon the land, let us glance at the subject from another standpoint. There lie east of the Mississippi River over twenty-two and a quarter million acres of old farm land, land that has been cleared, cropped for years, and finally abandoned as unproductive, aggregating an area larger than the State of South Carolina, larger than the State of Maine, larger than the combined area of the States of Massachusetts, Vermont, New Hampshire, Rhode Island, and New Jersey. These twenty-two and a quarter million acres of abandoned farms east of the Mississippi River are accessible to lines of traffic, and their improvement by new methods of fertilization will ultimately be brought about; but who can doubt that it will be done other than by private enterprise?

And just here let us compare the density of population of the United States with that of foreign countries. The census of 1890 will probably show that the United States has an average of 22 people to the square mile. France has 180; Italy, 300; Germany, 226; Belgium, 481; England and Wales, 426.

In 1860, by an act of Congress, the public land of the United States was set apart for homesteads, and under the homestead law, as passed in 1862, provisions were made for the benefit of the American people. Shortly after, a series of operations were commenced by which the public domain has been honeycombed in the interest of railroad companies, segregating millions of acres of the public land. The policy of the Government to give away to the railroads alternate sections of these enormous tracts of land, though selling the remaining sections at double the price it was originally held at, has had the effect to force occupancy before its time and cheapen the price of farm productions, with the result that it has been a prime factor in driving the farming class to the verge of bankruptcy.

The late depreciation of land values in the thickly settled section of the East and their rise in the sparsely settled section of the West presents an anomaly to be explained only by the cheapening rates of transportation which places the western product at the dock for foreign shipment as cheaply as that grown in its immediate vicinity. It costs no more to-day to move a car-load of freight from Minneapolis, Minn., to New York, a distance of 1,400 miles, than it cost twenty-five years ago to move a car-load of freight from Rochester to New York, a distance of 374 miles. Again, on land worth $5 per acre in Minnesota, the interest per acre, at 7 per cent., is 35 cents per annum. The interest on land in New York at $50 per acre is $3.50, or a difference of $3.15. Now, for this $3.15 you can ship the crop from 1 acre of land in Minnesota to Liverpool, England.

Mr. Dodge, the statistician, says:

There is almost universal complaint among farmers of all nations of the prevalence of low prices. In this country there has been an increase of production, even more rapid than the increment of population. Speculation first, and profitable utilization afterwards have been the motive for speculation and development which have astonished the world and caused overproduction and low prices. The corn crop for the last year exceeds 2,000,000,000 bushels; wheat approximates 500,000,000; oats exceed 700,000,000, and hay and potatoes have increased in similar proportion. It is difficult to force a market abroad for a surplus of any product. Every nation is seeking to produce its own food and as far as possible its raw materials.

The instinct of self-preservation compels the adoption of such a policy. We can not sell our crops abroad as a rule except to fill the gaps in supply that are made by bad seasons or other results of the inevitable. In wheat, overproduction has destroyed the growers' profit. The area of the crop of 1889 included about 10,000,000 acres more than the home consumption of the year will require, and the price in Liverpool has of late been the lowest for a century. The production of meat has also advanced faster than population. Thus the staple products of agriculture, by increase of farms, by railroad building, and land settlement, and the increase of agricultural implements, are grown to excess, still further lowering prices and intensifying dissatisfaction with the results of agricultural effort.

From a comparison of values of farm lands in the United States, as taken in 1870 and 1880, it will be found during that decade that, while Colorado advanced $21,723,475, Vermont declined $30,041,065; that, while Dakota advanced $20,315,819, New Jersey declined $66,627,543; that, while California advanced $120,811,254, Pennsylvania declined $67,792,172; that, while Kansas advanced $144,851,896, New York declined $216,681,025. If the figures were at hand for 1890 they would show a still greater decline of land values in the East.

This is not a cry of the East against the West. Look at Illinois, whose farm products are a drug in the market. As shown by the report of the agricultural bureau of that State, with a yield to the farmer of less than $6 per acre, the value of the corn crop in the State for the year 1889 was $58,000,000 and cost the farmer $68,000,000 to produce it. In Kansas, where a bushel of coal can be obtained for 20 cents, corn is burned as fuel. Throughout the country, on a general average, during the last year, wheat has returned to the grower less than $8 per acre.

Although prices are lower than ever before, our exportation demand has fallen off from 186,000,000 bushels in 1880-'81 in wheat and flour to 121,000,000 as the average of the past eight years; and the estimated surplus for the past year, 50,000,000 bushels, lying in our granaries, must be added to next year's crop.

In Great Britain the agricultural losses of the kingdom, incurred within twenty years, are stated to have been £1,000,000,000. Russia, Australia, the Argentine Republic, and other nations are under the same depression.

England has built her railroads in India and Canada, pushing them forward and developing agricultural resources which tend to cheapen. Russia has also pursued the same policy over vast tracts of land. These causes tend to develop the farming industry in all these countries with an artificial growth.

Our lands have been cheapened by this low rate of freight and overproduction, the same as the rate of interest has been lowered in this country by laying cables that reach immense sums of money at a low rate of interest in London, Paris, Berlin, and Holland. When the cables

were established the legal rate of interest in New York was 7 per cent. To-day it is 6 per cent. and will soon be 5. Whenever a scarcity of money arises a cable transfer from the cheapest market tends to make the rate uniform, and consequently continually lowers the rate of interest.

In the same manner the immense lines of domestic telegraph and railroads which have brought our country closer together in all its parts, combined with good banking facilities and a uniform currency, have solidified it and gradually affected the rate of interest in every State by the easy communication with New York. So this overproduction and cheap freights, like the swing of a mighty pendulum, first shrunk the values of lands in the East, is now beginning to be felt in the West, and, if by the stimulus of irrigation the area of production is still further enlarged, will again in time react upon the East.

Let it be borne in mind that I am not speaking against cheap transportation, for the dependence of the East upon it (where Massachusetts can furnish bread to her people for only a half day in the year) goes without question. But the unnatural stimulation of farming in the West, together with cheap transportation, has filled our warehouses with 50,000,000 bushels of wheat to be added to next year's crop.

The question now is, shall we go on and cheapen lands still more by irrigation?

It is far better that the people who may desire to settle in the arid belt help themselves than that they should look for aid in a subsidy from the General Government. It encourages them to be independent and teaches them the duty of taking care of themselves.

The pioneers in California, Nevada, Colorado, and Idaho went there for gold and silver. Agriculture was little thought of until cities sprung up, and then it became remunerative. It was then that the farmer and the capitalist in California, in Nevada, Colorado, Utah, and Idaho seized upon the rivers and water ways, and they have already inaugurated systems of irrigation. In California land originally worth but 50 cents an acre has been reclaimed by such systems and is now worth $300 an acre. Colorado has 6,000 miles of irrigating canals. In almost every valley in Utah the Mormons own the water for irrigation purposes, and it is brought down from the mountains in the proper season, making all those valleys blossom as the rose. In Washington and Montana they are boring artesian wells with great success, and, left to themselves, those hardy pioneers will work out this problem in their own way better than we can do it for for them from Washington.

Immense water ways run through Colorado and the western part of Kansas and Montana and Dakota, from which can be spared the supply for making those sections habitable by a large population. To illustrate, the Arkansas River rises in the Rocky Mountains in Colorado, as well as the South Platte, at an altitude of over 2 miles higher than the mouth of the Mississippi. They come flowing down through the mountains and valleys of Colorado, of Kansas and Nebraska, emptying finally into the Mississippi, bringing their mud with them and depositing it in that stream. All along in the cañons of the mountains—and these maps will point out where to do it—can be established reservoirs by private enterprise or by State aid, from which can be drawn supplies for irrigation without detriment to the people of the other States, and it would prove a great blessing to the people of the Lower Mississippi.

The Missouri, to which the Gallatin, the Jefferson, and the Madison are tributary, rising at a height of 8,200 feet, or a mile and a half in altitude above the mouth of the Mississippi, plows through its beds in Montana and Dakota, and water can be spared from it and its tributaries for irrigation purposes as fast as it may be needed.

On the western slope the Colorado River rises in the Rockies in Colorado and runs westward. It can be utilized in that section of the country for irrigation. So, also, the Snake, tributary of the Columbia, rising at an altitude of 8,000 feet near the Yellowstone and running down to the Pacific.

All these immense bodies of water can be utilized by private enterprise in making that country better, when a population of active, brainy men see the needs and the profit of the undertaking. But I deny the right of the General Government to undertake general legislation of this kind, that would benefit a sparsely settled country to the detriment of the older States. The older States never relied upon the General Government for any internal improvements of this kind. The State of New York expended $16,000,000 on the Erie Canal, and to-day the whole country is reaping the benefits of connecting the lakes with the ocean.

It would not be fair to the farmers of the other sections of the country at a period when land is continually depreciating in value, when we are threatened by general overproduction, with crops almost rotting on the ground for the want of a market—it is not fair, I say, to them, for this Government to spend large sums of their money for the improvement of arid lands in a remote section of the country, which will only enlarge the area of production.

Mr. Speaker, the accumulation of a large surplus in the Treasury is gradually but surely leading the people of the United States to look to the General Government for aid which ought never to be granted them. Irrigation, the educational bill, the meddling with the election law, and all subsidies are but fertile schemes suggested by a full Treasury and begotten of false notions of economy. This tendency to paternalism is battering down the boundary lines of the States and obliterating the principles on which our Republic was founded.

To reduce taxation to the economical wants of the Government is our first duty. Do this, and this class of legislation will all fail for want of funds. Do this, and the money so long confined in the Treasury will again flow into channels of trade and prove a blessing instead of a curse to the people. Do this, and the people who have so long been looking for relief will attend to their own domestic affairs in their own way in prosperous and contented homes.

I will admit that the irrigated lands of the world produce the best and the largest crops; but, as the necessity for its introduction by the General Government does not as yet exist, I would not spend one dollar of the public revenues for this object. I would leave this question to the people of the States to work out for themselves. I would leave them free and independent citizens, leave them where every man throughout the West has been left who has bought land of the Government in the past, on an equality with them.

It is a safe doctrine to assume, Mr. Speaker, that this Government should do nothing for the people that the people can do better for themselves.

Admission of Idaho.

SPEECH

OF

HON. JOSEPH E. WASHINGTON,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 2, 1890,

On the bill (H. R. 4562) to provide for the admission of the State of Idaho into the Union.

Mr. WASHINGTON said:

Mr. SPEAKER: The gentleman from Idaho [Mr. DUBOIS], in defending the clause in the constitution of Idaho which disqualifies Mormons from voting and holding office, says:

> The gentleman from Tennessee [Mr. WASHINGTON] signs this report. Let us see what the constitution of Tennessee says on the subject of franchise. By article 9—
>
> "Ministers of the gospel are forbidden to hold office, also persons who deny God or fight duels."
>
> Yet, the gentleman from Tennessee signs a report which says:
>
> "We insist that in Idaho disqualifications for holding office shall only result from a conviction of crime."
>
> The people of Idaho say bigamists and polygamists shall not hold office in Idaho, the people of Tennessee say ministers of the gospel shall not hold office in Tennessee.

Now, sir, let me read you in full the parts of the constitution of Tennessee referred to. They are as follows:

> ARTICLE 9.
>
> SECTION 1. Whereas ministers of the gospel are, by their profession, dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions; therefore no minister of the gospel or priest of any denomination whatever shall be eligible to a seat in either house of the Legislature.
>
> SEC. 2. No person who denies the being of God or a future state of rewards and punishments shall hold any office in the civil departments of this State.
>
> SEC. 3. Any person who shall, after the adoption of this constitution, fight a duel, or knowingly be the bearer of a challenge to fight a duel, or send or accept a challenge for that purpose, or be an aider or abetter in fighting a duel, shall be deprived of the right to hold any office of honor or profit in this State, and shall be punished otherwise in such manner as the Legislature may prescribe.

Sir, these disqualifications are very different from what the statement of the gentleman from Idaho would lead one to suppose and radically at variance with the language and purpose of the sections in the Idaho constitution under discussion. A minister of the gospel is only disqualified to sit in the Legislature of Tennessee, and for the very excellent reason given in the constitution itself, because ministers of the gospel and priests are "by their profession dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions."

A minister or preacher is not prohibited from holding any other office in Tennessee. In my own judicial circuit, a Methodist preacher, and a good one, too, who had also acquired a knowledge of the law and been admitted to the bar, was elected to the office of prosecuting attorney and filled it with honor till his death.

Surely the gentleman can not object to that clause of our constitution which excludes from civil office the infidel who denies the existence of a God! How, forsooth, could such a person take an oath to support the Constitution? Upon whom would or could he call to witness the solemnity of his obligation? He could not swear by the earth, for it is God's footstool. He could not swear by any created thing, for it is less than the Creator, whose very existence he denies.

As to the clause excluding the duelist, surely this is as it should be. In this enlightened day can any one, even the gentleman from Idaho, excuse a man for shedding the blood of another on the flimsy pretext

that it was done under the laws of the so-called "code duello" "on the field of honor?" Tennessee was right when by this constitutional enactment she sought to put the brand of Cain on the brow not only of him who fights but of him who aids and abets a duel. May her edict against this relic of barbarism remain forever in her fundamental law.

But, sir, Tennessee does not stand alone among the States in excluding certain persons from the right to vote and to hold office. On the contrary, she has fewer restrictions of this sort than almost any other State. As the gentleman from Vermont [Mr. STEWART] alluded to my State, let me read from the Vermont constitution, chapter 2, section 12, which says each member of the Legislature before taking his seat shall make and subscribe to the following declaration:

You do believe in one God, the Creator and Governor of the universe, the rewarder of the good, the punisher of the wicked; and you do acknowledge the Scriptures of the Old and New Testament to be given by divine inspiration, and own and profess the Protestant religion.

This prohibits, if enforced, a Roman Catholic from becoming a member of the Legislature of the State of Vermont and certainly excludes every infidel.

I will not consume time by reading from the constitutions of all the States, but on the subject of dueling as a disqualification I will read the constitution of Kansas, article 2, section 5:

No person shall be deemed capable of holding or being elected to any post of honor, profit, trust, or emolument, civil or military, or exercise the right of suffrage under the government of this State, who shall hereafter fight a duel, send or accept a challenge to fight a duel, or who shall be a second to either party, or who shall in any manner aid or assist in such a duel, or who shall be knowingly the bearer of such challenge or acceptance, whether the same occur or be committed in or out of the State.

Article 5, section 2, ratified in 1867:

No person under guardianship; no *non compos mentis*; no person convicted of felony, unless restored to civil rights; * * * and no person who has ever voluntarily borne arms against the Government of the United States or in any manner * * * attempted to overthrow said Government * * * shall be qualified to vote or hold office * * * until said disability shall be removed by a law passed by a vote of two-thirds of all the members of both branches of the Legislature.

Kansas not only excludes the duelist, but, as you will see, she inserted a clause in 1867 which denies both the privilege to vote and to hold office to any man who served on the Confederate side in the late war; and that clause stands unrepealed to this day.

I have cited these cases to show that Tennessee has done nothing cruel, unjust, unusual, or contrary to the spirit of a free and enlightened government when she placed a few restrictions around the right to vote and to hold office, but on the contrary she has not gone to any such length as have the States which those who criticise her represent.

Now, as to Idaho; the constitution of the proposed State of Idaho reads as follows:

SEC. 2. Except as in this article otherwise provided, every male citizen of the United States twenty-one years old, who has actually resided in this State (or Territory) for six months, and in the county where he offers to vote thirty days next preceding the day of election, if registered as provided by law, is a qualified elector; and until otherwise provided by the Legislature, women who have the qualifications prescribed in this article may continue to hold such school offices and vote at such school elections as provided by the laws of Idaho Territory.

Mr. Speaker, I wish to call particular attention to the words, "if registered as provided by law, is a qualified elector," because on that hinges the whole machinery for disfranchising the Mormon voters of this Territory.

Section 3 sets forth in full who shall not vote. I will read it:

SEC. 3. No person is permitted to vote, serve as a juror, or hold any civil office who is under guardianship, idiotic, or insane, or who has at any place been convicted of treason, felony, embezzlement of the public funds, bartering or selling or offering to barter or sell his vote, or purchasing or offering to purchase the vote of another, or other infamous crime, and who has not been restored to the rights of citizenship, or who, at the time of such election, is confined in prison on conviction of a criminal offense, or who is a bigamist or polygamist, or is living in what is known as patriarchal, plural, or celestial marriage, or in violation of any law of this State or of the United States forbidding any such crime, or who, in any manner, teaches, advises, counsels, aids, or encourages any person to enter into bigamy, polygamy, or such patriarchal, plural, or celestial marriage, or to live in violation of any such law, or to commit any such crime, or who is a member of or contributes to the support, aid, or encouragement of any order, organization, association, corporation, or society which teaches, advises, counsels, encourages, or aids any person to enter into bigamy, polygamy, or such patriarchal or plural marriage, or which teaches or advises that the laws of this State prescribing rules of civil conduct are not the supreme law of the State; nor shall Chinese or persons of Mongolian descent, not born in the United States, nor Indians not taxed, who have not severed their tribal relations and adopted the habits of civilization, either vote, serve as jurors, or hold any civil office.

Nothing is said here about allowing these people to register or to take an oath in accordance with the Tucker-Edmunds act, which is now the law of the United States in all the Territories, that they are not bigamists or polygamists, and do not believe in or practice either. Nothing is said regarding the statute of Idaho on this subject lately affirmed as constitutional by the Supreme Court of the United States, on the taking of which any citizen of the Territory could vote, which is in substance as follows:

I do swear (or affirm) that I am a male citizen of the United States of the age of twenty-one years (or will be on the 6th day of November, 1888); that I have (or will have) actually resided in this Territory four months and in this county for thirty days next preceding the day of the next ensuing election; that I have never been convicted of treason, felony, or bribery; that I am not registered or entitled to vote at any other place in this Territory; and I do further swear that I am not a bigamist or polygamist; that I am not a member of any order, organization, or association which teaches, advises, counsels, or encourages its members, devotees, or any other person to commit the crime of bigamy or polygamy, or any other crime defined by law, as a duty arising or resulting from membership in such order, organization, or association, or which practices bigamy, polygamy, or plural or celestial marriage as a doctrinal rite of such organization; that I do not and will not, publicly or privately or in any manner whatever, teach, advise, counsel, or encourage any person to commit the crime of bigamy or polygamy, or any other crime defined by law, either as a religious duty or otherwise; that I do regard the Constitution of the United States and the laws thereof and the laws of this Territory, as interpreted by the courts, as the supreme laws of the land, the teachings of any order, organization, or association to the contrary notwithstanding, so help me God.

While the present law is in force any Mormon or any man of supposed Mormon proclivities can be challenged when he offers to register. If so, it is the duty of the registrar to swear him, and if he takes the oath he must be registered, and is then entitled to vote, but may be afterwards tried and, if guilty, convicted of perjury and of fraudulent voting. Not so, however, under this ingeniously devised new method in the constitution. There is not a word or a provision anywhere giving him a right to demand that he be allowed to take the test oath and be registered. On the contrary, the words are:

No person is permitted to vote, serve as juror, or hold civil office, etc.

Section 4 of this same article on suffrage reads as follows:

SEC. 4. The Legislature may prescribe qualifications, limitations, and conditions for the right of suffrage additional to those prescribed in this article, but shall never annul any of the provisions in this article contained.

No test oath is provided for in section 3.

The Legislature, by section 4, may prescribe additional limitations, qualifications, and conditions, but shall never annul any of the provisions contained in this article. Does that not prohibit the enactment even of a test oath and deny registration?

This, sir, leaves absolutely in the hands of the clerk of registration the right to say who shall and who shall not vote. If you, Mr. Speaker, whom no one here would suspect of any Mormon proclivities, were to become a resident of Idaho under this constitution and were to apply for registration, the clerk could deny it to you and thus deprive you of your vote, the country of your services, and this House of your wonderful ability to administer general parliamentary law, on the mere assumption that you were a bigamist or a polygamist or a Mormon, or, if not, that you "resembled one," and you would have no appeal.

It would do no good for you "to deny the soft impeachment" and insist that you could and would swear that the charge was false. The clerk would answer, "I am not compelled to allow you to take an oath expurgating yourself; read section 3 of the constitution. I say you are a Mormon; I believe you are a Mormon; that is enough. You can not either register, vote, or hold office."

Sir, I say that if this constitution is adopted without amendment such scenes as I have pictured will disgrace every election in this proposed State, and that no white man against whom the slightest suspicion of Mormonism can be raised will have any more chance to vote than "the Chinese or persons of Mongolian descent not born in the United States" and Indians not taxed, who are in this same section 3 disqualified.

Sir, it is not my province or my desire to defend bigamy and polygamy or those who believe in and practice them as a religious conviction. Such religious belief is repugnant to me. I can not reconcile such practices with the purity and holiness of religion. They are crimes against the civil law and degrading to society. As such, no man can claim the right to exercise them as a part of the practice of his religion any more than he could claim the right to offer up a human life in sacrifice to his God and his belief. Crime must not be tolerated under the name and cloak of religion no matter in what shape it appears.

It is treason to the State to claim a higher authority in civil matters than the Constitution and the laws of the State and of the United States. In dealing with organized crime, whether it comes as a band of anarchists, a mob of socialists, an armed force, or a church organization, let us be careful to keep within the metes and bounds of the Constitution and the bill of rights. Condemn no man unheard; convict no man without a trial, or without, at least, giving him the opportunity to expurgate himself by an oath. Having all the machinery of the courts, having the judge and the jurors, surely it should be easy in Idaho to convict any Mormon of perjury who should take the oath and register and vote, if he came within the limits of those inhibited by the law.

This is all we, the minority, ask. This is all we contend for. We strove earnestly in committee to get this constitution so amended, and we now make the appeal to the House.

The Republicans refused every offer we made in the committee, and we do not expect to see them change front on this floor. Partisanship has reached such a pitch these days that the general welfare is lost to sight. Party zeal makes men do and sanction things which they feel and know are not right. So steadfastly have the Republicans stood by this constitution in its entirety that I know they think they have some party supremacy to gain by keeping it as it is. The Mormon voters of Idaho number about 4,500. These all vote the Democratic ticket. Under this constitution they will be disfranchised.

The Delegate [Mr. DUBOIS] has repeatedly and boldly proclaimed,

"It is our purpose and our object to disfranchise them." Yea; and I say to the Democratic gentiles in Idaho, who it is said are clamoring for the immediate admission of Idaho under this constitution, beware; keep your eyes open, or these same Republican clerks of registration, who will refuse to register the known and acknowledged Mormons, when it suits their party purposes will find that, though you may not believe in the practices and teachings of the Mormon Church, you have contributed to the Sunday schools or given aid and comfort in some manner to the organization or its members, and therefore they will, without trial by judge or jury, disfranchise you.

Sir, I wanted to vote for the admission of Idaho into the Union. I have been assured by those in whom I have the utmost confidence that she has the population and wealth to sustain statehood; that her resources and possibilities, which can only be fully developed after admission, are such as will speedily place her in the front rank of States. I want to sustain the good Democrats who have been for years fighting the battle of the people in this Territory; but, sir, unless this constitution is amended, unless some modification is placed upon it, I shall feel compelled to withhold my vote.

Admission of Idaho.

SPEECH

OF

HON. BINGER HERMANN,

OF OREGON,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 2, 1890,

On the bill (H. R. 4562) to provide for the admission of the State of Idaho into the Union.

Mr. HERMANN said:

Mr. SPEAKER: Nothing so forcibly illustrates the wonderful expansion of the American Republic as the recent admission of new States into the Union. The busy industries of localities so thoroughly absorb individual attention that we remain unconscious of the marvelous development constantly in progress but a short interval beyond us. We hurriedly ponder upon the figures of the census and the current record of events, but these are so farreaching and so stupendous in their disclosures as to occasion rather a feeling of discredit than of admiration.

When, however, the official proclamation is heralded throughout the land that another sovereign State has united with the Union and another star has been added to the glorious constellation on the standard of the Republic, then it is that we arouse ourselves from our active surroundings to gaze across to the western confines of the nation and feebly comprehend the vastness, the power, the material prosperity, and magnificence of this proud land of ours.

Scarcely a year ago and the world itself was amazed and every patriotic citizen thrilled with rejoicing when four new States were welcomed to places in the Union, and each of them greater in population, in area, and material riches than many of the kingdoms and principalities on earth. In this Congress we have just witnessed the advent thus far into the Union, through this House, of Wyoming, when, rapidly following in her tread, comes the fairy form of the silvery sister of the Pacific Slope—Idaho.

This portion of the national domain is nearly 3,000 miles distant from the Dome of this Capitol! Can it be wondered that so little should be known among the people of the Atlantic, the Lake, and the Gulf shores as to these far-distant regions of the Republic? Still less should it be expected that much should be known of the quiet, steady, yet marvelous advancement of this new empire in the West.

But society in this country is in a continuous state of action. Indeed, it may be said that action is the essence of the American character. It conquers wherever it goes. There is nothing too great for its achievement. It has subdued the desert places and planted the fruits and grains of commerce where before grew the sage-brush and cactus. This has been especially true of Idaho. We have listened to the arguments in relation to the admission of this Territory into the Union. We have noted the gradual development of that vast region from its first entrance by the white explorers under Lewis and Clarke, when it was the exclusive home of the savage and the wild animal, to its present advanced prosperity. We have been reminded of the long years of isolation of the early settlers and of the dangers which confronted them, and have been told of their struggles through all the ordeals incident to the growth of society in the West, from that of the trapper, the hunter, the miner, the herder, the farmer, the manufacturer, to that of the capitalist, from that of the tented caravan of the pioneer and home-seeker to the paved towns and cities and to the richly tilled farms of the agriculturist. To the present generation of the Atlantic States such a narrative sounds more like fable than the hard lines of history.

Even the beautiful name of the proposed State seems to have its origin in romance. A former United States Senator from my State, Hon. James W. Nesmith, being in the Senate at the time of the organization of the Territory and familiar with its history, and an enthusiastic believer in its future possibilities, was one of those who decided to confer upon it the name it now bears. The discovery of this name was purely an accident. Two officials were traveling, one bright morning, over a lonely mountain trail, and while discussing the probabilities of Congress establishing a Territorial government over that country they suddenly reached the base of the mountain and emerged upon a small plateau, on the further end of which stood an Indian wigwam. While in plain view of this habitation an Indian woman came forth, and in a far-reaching voice called out several times the word "Idaho," or, as it sounded, Ed-dah-hoo-oo-oo. The call was answered by the sudden appearance of an Indian girl of about nine years of age. She was unusually prepossessing for one of the Indian race. The travelers naturally inferred that the word used was the name of the girl, but on inquiry could find no definition for it in the vernacular of the tribes, but being impressed with the comely appearance of the Indian maiden in that lonely abode in the Sierra Nevada range, they concluded that "Gem of the Mountains" would be a fitting translation, and it was so adopted, and subsequently accepted by Congress as the definition of the word "Idaho."

We are reminded of the area of this Territory. It contains 86,294 square miles, or 55,228,160 acres, and its north and south boundary is 140 miles in length.

The people of that Territory also tell us of their property valuation. The last annual assessment of real and personal property embraced an aggregate valuation of $25,000,000, being an increase in one year of $3,500,000, or 16 per cent. When it is understood that lands not patented are unassessable and that the rich mines, which yield an annual product of $14,000,000, are not taxed, we can appreciate the full extent of the real property valuation of the Territory.

They also remind us, sir, of the extended lines of railway which pass through their country and branch off from the trunk lines in all directions. Soon the Transcontinental, Chicago and Northwestern Railroad, from the East, will reach Boisé City and there unite with the Oregon Pacific and find its outlet on the Pacific Ocean through Yaquina Bay, in Oregon, for the Asiatic trade. The commerce of this country is not alone confined to land routes. It also possesses excellent water-way transportation. From Lewiston, on Snake River, immense shipments of wheat, oats, barley, flax-seed, wool, and hides find their way in steam-boats to the great Columbia River and thence to the sea. With the construction of the proposed boat-railway between The Dalles and Celilo and the completion of the canal and locks on the Columbia River, Idaho will have cheap, free, and unobstructed water-way communication with the Pacific Ocean.

Above all other resources of this highly favored land, we are more especially invited to behold the fabulous mineral richness of the mountain regions. Gold mining is not alone confined to placer gold, but extends to the more extensive and inexhaustible veins and quartz lodes. The operations in Owyhee County alone have contributed to the world over $26,000,000 from her gold and silver mines. In Logan County is situated the famous Mineral Hill mining district. This is a lead-silver-bearing zone. In the first seven years there were mined here 4,000,000 ounces of silver and $2,600,000 in value of lead. This is from one mine of the many in the same county. In the placer mines of the Leesburgh district, in still another county, over $10,000,000 in gold have been washed out from the gravel and sand of the hillsides. The indescribable richness of the Cœur d'Alêne mines, though comparatively recent in development, is well known. Already the silver and lead output here aggregates a cash value of $10,000,000. Authentic data before us now demonstrate that the production of the Idaho mines has yielded to the wealth of the country up to the present time, over $157,720,962. The yield last year alone amounted to $117,344,000.

Upon her admission as a State many restrictions now existing as to the investment of alien capital will be removed, and this additional capital, to operate the still undeveloped mineral regions, will at once advance Idaho to the foremost rank as the greatest bullion-producing State of the nation.

Then, Mr. Speaker, what reasonable or valid objection can be interposed to the admission of this magnificent Territory as a State in the Union? Is it because the area is not of the requisite surface? It may be answered that Idaho has a greater area than the State of New York. It exceeds that of Pennsylvania. Many of the Idaho counties are each larger than some of the States of this Union. One of her rivers has a volume of water equal to that of the Ohio River. Is it because there is a deficiency in the cultivable area? This is answered in the fact that Idaho possesses 16,000,000 acres of agricultural land. Both the deep soil of the valleys and the lands on the high plateaus are capable of the most varied productions of fruits, cereals, and esculents. The native timber is also immense. Over 10,000,000 acres of Idaho consist of forest lands. Is it because the people are not capable of self-government or lack in intelligence? A prompt answer to this is found in the educational statistics of the Territory. Commodious school-houses are everywhere to be seen, and the subject of education is closely

cared for by every citizen. These people are the peers of any community in the nation. They are fit for statehood. They are a loyal and patriotic people to the Republic, and they insist upon an equal participation in the benefits of the Union of States. What more can be demanded of them? What else must constitute the State? The answer of Idaho can be heard in the expressive words of Sir William Jones:

What constitutes a state?
* * * * * * *
Men who their duties know,
But know their rights, and, knowing, dare maintain,
* * * * * * *
And sovereign law, that State's collected will,
O'er thrones and globes el ite,
Sits empress, crowning good, repressing ill.

Possessing, then, all the requisite qualifications for the most advanced State in the Union, what motive can prompt a longer delay to the fulfillment of the cherished hopes of the people of Idaho?

Let us open the doors to this "Gem of the Mountains." Let us proclaim to the world that the forty-fourth child has been baptized in the Union of States and is now a sovereign among all the rest. A few more Territories and the last roll will be called. As the pioneer of this country has ceased to be, so will the Territories soon cease to be. Then the grand arch over all the States may be dedicated, for then the political structure of the Union will be complete. Then it will appear to us in the reality as it appeared only in prophecy to Bishop Berkley, when he said:

Westward the course of empire takes its way;
The four first acts already past,
A fifth shall close the drama with the day;
Time's noblest offspring is the last.

Bridging the Hudson River.

SPEECH

OF

HON. CHARLES S. BAKER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 2, 1890,

On the bill (H. R. 3886) to authorize the construction of a bridge and approaches at New York City across the Hudson River, to regulate commerce in and over such bridge between the States of New York and New Jersey, and to establish such bridge a military and post road.

Mr. BAKER said:

Mr. SPEAKER: This bill proposes to grant corporate rights by creating the North River Bridge Company, and confers the right to build and maintain a bridge over the Hudson River, connecting the States of New Jersey and New York. The project is unparalleled in its magnitude. The bill has had careful attention and consideration by the Committee on Commerce. We think that public rights and interests are fully guarded, and that its passage into law will insure an improvement most desirable, one grand in its conception. I commend to the House and Senate the statements embraced in the report of the committee, which contain all that can or need be said in relation to the bill.

I quote from the report:

The bill is by the substitute amended so as to embrace substantially the recommendations of the Secretary of War.

The committee have further provided by the new section, incorporated in the substitute as section 7, that the real and personal property of said company shall be subject to taxation in the States of New York and New Jersey the same as other real and personal property therein.

The committee submit herewith as a part of their report the several letters from the Hon. Secretary of War relating to the said bridge, and also the several exhibits embraced in the appendix, marked Exhibits A to P.

NECESSITY FOR BRIDGE.

The necessity for a bridge over the Hudson River at New York is well known, as was fully attested before your committee at the hearings on the subject.

The number of passengers crossing the Hudson River between the State of New Jersey and the city of New York is estimated to exceed 40,000,000 per year, about half of which are railroad passengers.

The danger of the present method of crossing the river by steam ferry-boats during fog in winter time from ice, together with loss of time by failure to make proper railroad connections, and also the inconvenience of landing along a water-front overcrowded with teams and vehicles of all descriptions, have been shown to the committee.

The necessity for such improvement as the proposed bridge will greatly increase from year to year, according to the growth of the country and increase of traffic to and from New York City, so that the speedy construction and completion of such a bridge, with its increased facilities for crossing the Hudson River, is of great importance, not only to the immediate neighborhood of New York City, but to the country south, west, and north of it.

Its commercial importance would seem to be as great as its engineering magnitude is unprecedented.

In the appendix is given a detailed description of the colossal structure proposed.

It will have a length, including the necessary approaches, of 5½ miles.

It it a commendable feature of this enterprise that the plans for the bridge and the method of its construction have, for several years past, engaged the careful attention of eminent engineers, who have succeeded in gathering together representatives of large capital, who express themselves anxious and willing to carry this great work to a speedy completion, provided the project is approved by Congress as one worthy of its recognition, as asked for in the bill which they have presented. And it is promised on behalf of the incorporators named in the bill that the structure which it is proposed to erect will surpass all that the world has yet witnessed in the art of bridge construction.

THE BRIDGE AS A NATIONAL WORK.

Your committee is of the opinion that the bridge should be a national work, built under national authorization, and its operation should be under the supervision of the National Government for the following reasons:

1. The bridge is not only of commercial importance to the immediate neighborhood of New York City, but to the whole country. It will be a gateway for the commerce of all the surrounding States into and out of the commercial metropolis of the country.

The traffic over the bridge will be wholly interstate, and therefore should be subject to national regulation under the United States interstate-commerce laws.

2. To prevent abuses of administration and conflict of authority in the regulation of its affairs under the incongruous laws of two States, the bridge company should be placed directly under the protection and control of the United States Government.

3. It has been, with apparent good reasons, shown to your committee that the raising of the vast amount of necessary money can be accomplished with less cost to the undertaking under one charter, and that to be a national one, than would be possible under the composite, conflicting, and patchwork legislation of two States, to be supplemented by an act of Congress of the United States. The legal reasons for this view, as submitted to the committee, are given in the appendix in the briefs of counsel.

4. The colossal magnitude of the work, the difficulties of its construction, and the vastness of its commercial importance make it a fit subject for direct national recognition.

In return for this national recognition it is provided that the United States shall pay no toll charges over the bridge for the transmission of the mails or for the right of way for United States postal-telegraph purposes. The saving which may be thus obtained for the Government is not accurately ascertained, but is estimated to be over $150,000 per year, and will be growing as the mail traffic increases with the growing population.

To throw proper safeguards around the enterprise against fictitious capitalization and against financial abuses, it is provided that the books of the company shall be subject to examination by expert accountants to be appointed by the Interstate Commerce Commission, to ascertain the actual cash cost of the whole work, and the tolls which the company shall be allowed to collect shall be based on that cash cost. The whole financial operations of the company are thereby subject to the most searching governmental inspection and control. As the traffic may increase over the bridge, the benefits therefrom are not to accrue to the company in the form of increased dividends, but to the people in the form of reduced toll rates.

It is also provided that the Government shall be under no pecuniary obligations of any kind in connection with the work.

The exhibits accompanying this report, marked A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, are hereby returned and made a part of the report, in order that a fuller and clearer understanding of the magnitude of the proposed undertaking may be had, and of the reasons which have led your committee to report the bill as proposed to be amended by the substitute. The title should be amended by inserting before the words "to authorize" the words "to incorporate the North River Bridge Company and."

I quote from the report the description of the proposed North River bridge at New York City, by Gustav Lindenthal, chief engineer:

It is presumed that all are aware of the present antiquated manner of landing passengers in New York City from the railroads now terminating on the New Jersey side of the Hudson or North River. There is annoyance and even danger to the landed passengers on overcrowded and nasty streets, and the demand for better facilities has repeatedly and urgently been made.

It has led to the attempt of tunneling underneath the river, but the difficulties are great, and though they can undoubtedly be overcome, they point to the necessity of a more convenient method of crossing the river, as far as the railroads are concerned. It is proper to state that this question of submarine railroad tunnels has been carefully considered and weighed in connection with the other possible method of crossing the river by a bridge. The investigations made for the purpose have led to the conclusion that submarine tunnels would afford no relief to the railroads. The heavy grades necessary for diving over 100 feet under the river; the heavy expense for maintenance in the form of pumping, lighting, and ventilating; the slow speed to be imposed on trains for reasons of safety; the manifestly greater risk to human life in case of wrecks or derailments; the well known aversion of travelers to submarine chilly and damp tunnels, with the incessant and unavoidable roar; the vast expense of an adequate underground terminal station in the lower part of the city, liable to be flooded by spring floods, and other conditions, have been carefully investigated.

A bridge with six tracks has been found to possess greater capacity for traffic volume than ten submarine tunnels. A bridge with ten tracks is equal to sixteen submarine single-track tunnels. It has also been found that a ten-track bridge, with the corresponding terminal facilities, would cost less than one-third the cost of the corresponding tunnel arrangement. Another advantage for the bridge is that it will not interfere with the streets in any manner, because the bridge approaches and terminal stations are to be on a level high above the streets, similar to the arrangement of the Pennsylvania Railroad station in Philadelphia.

Tunnel terminal stations can evidently not be elevated above the street. They can also not be on the surface of the ground, because there would then be grade crossings with the intersecting streets and such would not be allowed in New York City. The tunnel terminals, therefore, must be under ground and under the streets. We know from the London example what this means: Dark, dingy, damp, and unhealthy quarters, full of smoke and noise. Dirt and soot everywhere and unavoidable. Everybody glad to get out into the fresh air and into daylight. The bridge requires no pumping, lighting, or ventilating. All this great expense for submarine tunnels does not exist for a bridge.

But it is also proper to say that submarine tunnels under the Hudson River are a necessity for local travel and rapid communication between the lower part of New York City and Jersey City. The present ferry facilities can hardly be increased; there is no more room for ferry landings on the New York side; the ferry-boats are overcrowded mornings and evenings, sometimes to a dangerous extent. The only feasible relief for local communication will be by means of submarine tunnels, two of which are already in process of construction. The great height of the bridge and its location too far away from the lower part of New York City will not very much accommodate local travel, though it is considered the only feasible and practical solution as far as the railroads are concerned.

The obstacles to the construction of a bridge across the North River seemed insurmountable. The only kind of a bridge thought of was one with piers in the river. The foundations to rock would be very deep, nearly 200 feet; but the greatest objection was such that piers would greatly damage the large and steadily increasing commerce over the most magnificent river highway in the United States.

The writer was the first one to propose to bridge the North River, at New York City, in one single span, and to present fully worked out plans for the same. Descriptions and illustrations of the bridge have been widely published not only in this country, but everywhere abroad, during the last two years. The public is therefore well acquainted with the subject.

The importance of this enterprise, its benefits, and farreaching consequences to the city of New York and vicinity can hardly be overestimated.

The bridge is designed for six tracks, but will be built to carry four additional tracks, or ten in all, should it become necessary.

Only a fraction of the combined capital required for a number of double-track bridges will build a single structure, stronger and more enduring for the same number of tracks. For instance, a double-track bridge in one single span over the North River is estimated to cost $9,000,000 for construction alone, while a bridge capable of carrying six tracks is estimated to cost $15,000,000; and $1,000,000 additional will provide for four more tracks, or, in all, ten tracks on the same structure. Five single bridges for double tracks would therefore cost about $45,000,000 for construction alone, without the approaches, stations, and without right of way. This will show the economy, as well as the necessity, of providing one bridge large enough for all present and future needs and one station for all the Western roads coming into New York.

Of all the methods proposed and studied for an entrance into New York City, either by submarine tunnels under or by bridging over the Hudson River, the plan of one great multiple-track bridge has been found to be the relatively cheapest solution, as far as the railroads are concerned.

The construction of the proposed bridge, gigantic and unprecedented as are its proportions, will be a matter of much less relative difficulty than was the construction, at the time, of either the East River bridge or of the St. Louis bridge. In such a degree have the manufacturing and constructive facilities of the country improved and increased that the cost of the proposed bridge will be only little more than one-half of what it would have cost twelve years ago.

The plans are worked not only for the bridge, but also for the approaches and terminal stations at both ends, without which the bridge would be of no use.

The large passenger station in New York City, to be located in the most central part of it, is for two decks, accommodating together thirty tracks, 1,000 feet long. This arrangement has been chosen on account of the very costly right of way, which makes it advisable to use height, rather than width, for obtaining the required room. The track platforms will be reached by stairways and numerous elevators, at about the same height as the present elevated railroad stations.

The approaches will be on iron viaducts of the most solid construction, with buckle plate floors and stone ballast, and partly they will be (for the portion next to the station) on stone-arch viaducts, similar to those for the East River bridge. On the New Jersey side the approach will begin from the meadows between the Hackensack River and Bergen Hill. This latter ridge will be crossed in an open cut, 100 feet wide. The stone quarried out of this cut will not be sufficient by one-half to furnish the concrete material for the tower foundations and anchorages, which are both to be faced with granite masonry.

It will be seen, then, that there is other large work to be done besides building the bridge, and an idea of the cost can be obtained from the following estimate:

The North River bridge, including the anchorages, 6,500 feet long	$15,000,000
The approaches of stone and iron and the connecting railroad switch-yards, engine-houses, the grand terminal station building and appurtenances	11,000,000
Right of way, interest during construction, and incidentals	14,000,000
Total cost	40,000,000

Great as is this cost, it is fully justified by the traffic in sight. But the undertaking is feasible only when all the railroads can cross over; for not one of them—even the great Pennsylvania Railroad—would build the bridge and terminal improvements single-handed, because for the financial burden assumed it would certainly, by law, be obliged to let the other railroads cross over on the same terms, who thus would share in the benefits of the bridge without having shared the burden of creating it.

There are nearly one thousand trains arriving and departing at present per day from the terminal stations in New Jersey, opposite New York City, with nearly sixty thousand passengers.

The travel is growing all the time, and by the time the bridge will be finished (say ten years) the traffic may have doubled in anticipation of its completion.

The experience with the Broad Street station of the Pennsylvania Railroad in Philadelphia, with the Brooklyn bridge, with the elevated railroads in New York, with all of them, was that the most liberal estimates of probable traffic were largely exceeded, and that it keeps growing steadily to unforeseen proportions.

This points out the necessity of providing on the largest scale attainable in the plans for the bridge and the terminal station for a traffic, than which a larger and more important will not be in any part of the Old or the New World.

No engineering project was ever proposed of greater merit at its inception, and more carefully studied in its preliminary stage, nor of so great and pressing necessity.

Mere figures would not give an adequate impression of the gigantic work, but some idea of it can be obtained from a comparison with the great East River bridge, as will be seen from the following data:

	Brooklyn bridge.	North River bridge.
Length, including anchorage.....feet...	3,700	6,500
Height of anchorage.....do....	85	210
Weight of each anchorage.....tons...	60,000	660,000
Length of each land span.....feet..	930	1,500
Length of middle span.....do....	1,600	*2,850
Size of towers at high-water mark.....do....	140 by 59	340 by 180
Height of towers from high water.....do....	272	500
Height of tower from the deepest foundation to top.....feet...	350	690
Width of bridge.....do....	85	86
Height above high water.....do....	135	over 135
Length of one cable.....do....	3,580	6,100
Number of cables	4	4
Finished diameter of cable.....inches....	15½	48
Number of railroad tracks	2	6 to 10
Grade on bridge.....per cent....	2½	1½
Weight of iron and steel in the structure.....tons...	6,750	60,000
Allowable speed of trains.....miles per hour...	10	30
Cost from anchorage to anchorage, exclusive of land damages	$5,000,000	$16,000,000

*In the clear.

The North River bridge will differ from the East River bridge also in the character of its details.

Thus the anchorages will be accessible in every part, through commodious passages and chambers in the interior of the huge anchorage mass. In the East River bridge the anchors and chains are buried in the masonry, and it was not thought necessary to make them accessible.

The towers of the North River bridge will be built of steel, forming two half-towers with eight columns each, and strongly braced together to resist the action of tornadoes, which would not affect the structure any more than it would a solid mountain.

The columns will be 7 feet in diameter at bottom, and the taper to 5 feet in diameter on top; the towers can be erected without false works; but the greatest difference will be in the arrangement and construction of the cables.

Thus, in the East River bridge the cables are placed side by side a certain distance apart, and the required rigidity for the roadway is obtained through six stiffening trusses, also placed side by side.

In the North River bridge the cables are placed in pairs above each other, 50 feet apart, with the bracing between them, so that they form two arched girders of huge proportions, which are capable of giving very great rigidity to the roadway without the aid of stiffening trusses, and with a great saving of material and weight. But, as an additional precaution for the great concentrated loads of heavy locomotives, there is under each of these arch-girders a stiffening truss, two in all which will also aid in resisting the effect of tornadoes in combination with the wind-cables. These are four in number, placed on top and below the stiffening girders. Each wind-cable will have a diameter of 16 inches, or larger than the diameter of the East River main cables.

In this way the required rigidity for fast trains is obtained with the least possible weight of the suspended structure. In no other way can it be obtained with an equal economy of material and cost. It will be admitted that a bridge over which trains would have to run slowly would be inadequate for the expected traffic and would be behind the age. The regular working speed over the bridge is to be 30 miles per hour.

While in the Brooklyn bridge the cables are compacted and closely wrapped with wire into a solid cylindrical shape, in the North River bridge the cables will be also compacted into a cylindrical shape, but will be covered with a solid sheet mantle or steel envelope, leaving an air space of 2 inches all around the wires for the double purpose of protecting the cables against uneven temperature effects and against the weather. The water will be more thoroughly and certainly excluded by the solid sheet covering than can be the case with wire-wrapping only. The steel envelopes can be removed for the inspection of the cable whenever needed. The preservation of the cable is thereby made easier. Linseed-oil can be applied readily whenever needed, and the wires thoroughly soaked with oil, thus preventing rusting.

The architectural features of the bridge have been well considered. The graceful curves of the cables, the simple and strong form of the double towers, the large-featured architecture of the anchorages, all combine to make the structure grand and harmonious in all its parts without artificial devices or ornamentation.

There is no other place in the world requiring such a long span-bridge, and it is very probable that a longer span will never be proposed or designed anywhere. The much-talked-of bridge over the English Channel would be 20 miles long, but the longest spans proposed for it do not exceed 1,800 feet. It is the length of span and not of the bridge which taxes the ingenuity of man and the resources of science, for the longest bridge in the world does already exist in the city of New York in its elevated railroad, 33 miles long, as one continuous bridge. But no one would assume that as the greatest achievement in bridge engineering.

Thus the time has arrived when the manufacturing facilities of the country, its financial prosperity, and the resources of science combine to make the construction of this great work possible.

In his remarks before the committee the designer of this great project, in support of the same, said:

Mr. Chairman and gentlemen of the Committee on Commerce, the subject of our bill (H. R. 3886) is a large suspension bridge over the Hudson River at New York City, for which we respectfully submit our plans to illustrate the character of the work proposed. As to the necessity and urgency of this work others will ask permission to appear and to speak; I beg leave to confine myself to the salient engineering and business features.

The bridge is intended for railroads and other purposes, and is, as already remarked, to have one single span over the Hudson River at its narrowest part at Hoboken. It is intended to be at least as high as the Brooklyn bridge, and higher if the Secretary of War should so determine. This determination can not be fairly made except after a full official inquiry, undertaken after the final plans have been submitted to the Secretary of War, when an intelligent hearing of the representatives of the navigation and railroad interests can be had. Such a course was pursued for the great suspension bridge between New York and Brooklyn with quite satisfactory results.

The height of the Brooklyn bridge is 135 feet at the middle of the span above ordinary high water at 60° Fahr. The superstructure falls and rises in summer and winter, respectively, 2½ feet from the position at the above-named mid-temperature. We will be prepared to build the North River bridge of greater height if deemed necessary by the Secretary of War, after a full investigation. We respectfully ask for such a procedure as will give an opportunity for an intelligent judgment on the question of height. This we deem necessary for the safety of the public and passengers using it. You are aware of the very much greater expense of operating steep grades. To illustrate the point permit me to mention as an instance the mountain grade on the Pennsylvania Railroad from Altoona to Gallitzin. An express train arriving at Altoona from the East is cut in two and the halves are taken up on the Horseshoe and to the top of the mountain grade as separate trains, or an extra locomotive is attached to the whole train. This grade is only 95 feet per mile.

The grade on the New York approach will probably be steeper than 95 feet per mile, because the distance from the station in New York to the river will be necessarily short and can not be changed. If the bridge were made very high then the New York approach would become too steep and the railroads could not use the bridge. It would require three locomotives to get an express train over the bridge. On the other hand, great risk and danger would result from the unsafe operation of a train descending from a very high bridge into the New York station on rainy days when the brakes are liable to slip and cause a runaway.

It is obvious, therefore, that the question of height is one that should be decided only when all the facts can be known and weighed. Every inch of height that can be saved without injury to navigation will be a distinct benefit to the millions of passengers crossing the bridge for centuries to come.

The time of three years, eventually five years before the actual commencement of construction, is, in our judgment, the least which can safely be stipulated for this colossal structure. It will require from two to three years of hard work for the acquisition of the necessary lands and for the final plans and estimates depending thereon. The acquisition of the necessary lands under the laws of the States of New York and New Jersey may be delayed by litigation, as experience with similar undertakings, and particularly in the case of the Brooklyn bridge, has shown. Furthermore, it is now the rule with large investors and with financial institutions that plans and estimates must be fully worked out before the money is paid. The failure of some and excessive cost of other large engineering works have been caused by the insufficient prelim-

inary work and from the want of time for careful preparation. As long as the company has no right to enter upon lands it can not make borings for foundations, and a great part of the preliminary work depending thereon can not be done.

The proposed work is not only unprecedented in magnitude, but also in character of construction, and should not be mistaken for the routine work of an ordinary Missouri or Ohio River bridge, which can commercially be made to order in any of the existing bridge works and can easily be built in two years. The cost of our bridge will be greater than that of all the existing Missouri and Ohio River bridges put together.

The time of construction is always much shortened by a careful preparation and organization of the work before it is commenced, and, in this case, the acquisition of over $13,000,000 worth of property right of way is a condition precedent to construction. We respectfully submit that the company should be allowed to exercise common business prudence in the undertaking, and should have no unnecessary risks thrown upon it. The experience of all railroads in the acquisition of the necessary ground for large terminal stations in large cities shows that delays from litigation are almost unavoidable, and more time is usually consumed in the preparation than in the construction of such work.

In my opinion the bridge can be built in six to seven years after everything is ready for pushing the work, *i. e.*, the detail plans for every part of the structure worked out, estimates prepared, all needed tests and experiments made, all needed lands acquired, and the money ready in the treasury.

The interests of the bridge company will require a speedy completion in the shortest possible time, because the interest account on the capital invested during construction is a great and controlling item for the time of completion.

Furthermore, the investors can not receive a return on their capital and on the heavy expenses already had till the bridge is in operation. Self-interest is, therefore, the greatest incentive for the speedy completion of the work, and in fact of any work, undertaken by private capital.

The Brooklyn bridge required fifteen years for completion, although as a private undertaking it could have been completed in perhaps half the time. The Forth bridge, in Scotland, the largest now in the world, just opened to travel, was eight years in building. The intention of our company is, if possible, to have the bridge finished in the year 1900 as a fitting celebration of the end of the nineteenth and the beginning of the twentieth century.

The bridge is intended to be located so that all the railroads now or in the future terminating in New Jersey, opposite New York City, may use it with the same facility.

From our investigations we are convinced that less than six railroad tracks will not accommodate the traffic to commence with. It would be a great mistake to build the structure too small; therefore our bill provides in good faith for a bridge with a capacity of ten railroad tracks. The larger part of the traffic will be from passengers, and less from freight. It will be practicable to manage a very much larger number of passengers than could be the case if the freight traffic were predominating on the bridge, the same as it is on the connecting railroads before they reach the bridge. The number of railroad passengers on all ten roads is at present estimated at about 20,000,000 per year. The ten-track bridge, it is estimated, will accommodate 120,000,000 passengers per year, or a traffic six times as large, but which may not be reached till the middle of the next century.

In view of the great increase of the passenger traffic on the Brooklyn bridge, the provisions for the increase of traffic over the Hudson River bridge appear to be justified.

The number of passengers on the Brooklyn bridge—

In 1884 was	8,823,200
In 1885 was	18,000,000
In 1886 was	24,000,000
In 1887 was	28,000,000
In 1888 was	30,500,000
In 1889 was nearly	34,000,000

and it is still growing, so that in 1890 it will probably reach 36,000,000 passengers, or four times the number of passengers in 1884. But with all this immense traffic the Brooklyn bridge is yet very far from paying the interest on the cost of its construction.

As is well known, the Brooklyn bridge is already too small for the traffic which it has created, so to speak (for the traffic over the ferries to Brooklyn has not fallen off). The traffic grew faster than the most far-sighted man would have predicted seven years ago when the bridge was formally opened. By similarity of conditions we are justified in assuming that the traffic over the North River bridge will increase, though probably at a smaller ratio.

It must be clear, then, that to build a bridge over the North River merely for the existing traffic, or for a little greater one, would be a great mistake from a public point of view. I go even further and claim, in the light of the experience we now have, that a bridge built only large enough for the nearest prospective traffic, and capitalized up to all it will bear, and then compelling passengers who pay for full accommodations to be packed like sardines into the cars would be a fraud, if not a crime, against the people.

And one of the best methods to prevent it is to prevent the paying of profits on fictitious cost and capital. This our bill provides for. The books of the company will be subject to governmental inspection, so that the actual cash cost of the undertaking shall be known, and the prospective profits of the company are thus limited to be regulated by the toll charges based on the cash cost.

In this way it will be possible to build, from the start, a bridge with a capacity for ten tracks, which will be sufficient, probably, for the next fifty years.

The experience with our public works bears me out in saying that the bridge can be built cheaper and in half the time by a private company than it could be built by the Government or by the cities. With proper business prudence it can be done probably for half the money. Unless built economically and with the most competent and skillful management of its affairs, the undertaking could not be made a commercial success, as the experience with the Brooklyn bridge would indicate. The investors in the North River bridge may have to wait probably many years before they may realize a reasonable return on the capital invested, but the prospects of growing returns will not be a vain hope with careful and competent management.

An increase of business over our bridge under the provisions of our bill will have ultimately the effect of lower toll rates, and the public will therefore be sharers in the prosperity of the bridge without being sharers of the risks and vicissitudes of the work during construction and during the development of its business.

Surveys, general plans, and estimates have been made for the entire project, as far as was possible, up to the present time. The patient work of five years and a large amount of money have been expended on the project before submitting it for the authorization of Congress. We appear before you with the earnest purpose of building the bridge.

Our pride and honor are in it. We have gone through the period of ridicule and deprecation. Our aims and plans are not judged any more as visionary and impracticable; on the contrary, our work meets now with admiration and universal encouragement. Our purpose, to leave the royal Hudson River at New York City unobstructed with bridge piers, has met with unqualified approval. We have the assurances and command the confidence of large capitalists for the great expenditures of the undertaking and in our judgment and ability to carry out the work for which we ask your legislative aid. Our bona fide intentions are incorporated in the bill before you. We respectfully ask of you to put this work, the greatest yet undertaken, directly under national control and regulation. It should be a national work in the broadest and best sense of the word—a monument representative of this country's might, enterprise, and daring. The proposed world's fair in 1892, wherever held, can only be an ephemeral affair compared with the proposed bridge, which will last for ages, for centuries. We ask for your encouragement and for national recognition, and we promise you a grand monumental work, an honor to this nation and its civilization.

The other questions considered were discussed by gentlemen whose views were adopted by the committee, and their briefs made part of the report. I will read them as part of my remarks:

LEGAL BRIEFS AND OPINIONS BY JOHN K. COWEN AND E. J. D. CROSS.

DEAR SIRS: We have carefully examined the bill authorizing yourself and others to become a corporation and construct a bridge over the Hudson River at New York City, and are prepared to answer the questions which you have presented to us concerning the power of Congress to create a corporation for the construction of a bridge over an interstate stream.

1. Does Congress possess the power to create such a corporation?

2. Can it authorize a corporation created by itself to construct a bridge across the Hudson River between the States of New Jersey and New York for the purpose of accommodating interstate commerce?

The answer to the first question is in the affirmative. It has been expressly decided by the Supreme Court of the United States, in the case of McCulloch *vs.* State of Maryland (4 Wheaton, 316), that Congress can create a corporation whenever such a corporation was an appropriate means of carrying out any of the powers delegated to the United States Government. This is the leading case upon this subject, and has never been departed from since the date the opinion was delivered, in 1819.

The argument of Chief-Justice Marshall may be epitomized as follows: Congress is invested with great powers, among which are the following: The power to lay and collect taxes; to borrow money; to regulate commerce; to declare and conduct a war; and to raise and support armies and navies. Congress is necessarily, therefore, invested with additional authority to adopt all means which are appropriate or plainly adapted for the execution of any of the express powers with which the United States Government is clothed. That as Congress, for example, has the power of raising revenue and applying it to national purposes, this necessarily implies the power of conveying money from place, to place as the exigencies of the nation might require, and of employing the usual means of conveyance, and that among those convenient means or fiscal agencies a corporation was one, and, therefore, Congress had the discretion to adopt that means; that is to say, to create a corporation for the purpose of carrying out one of the express powers of the Government. Upon this basis of reasoning the validity of the act of Congress incorporating the old United States Bank was sustained, and the power of Congress in the matter has not been doubted since this decision.

We quote a portion of the opinion of Chief-Justice Marshall, particularly appropriate to this discussion:

"Although among the enumerated powers of government we do not find the word 'bank' or 'corporation,' we find the great powers to lay and collect taxes, to borrow money, to regulate commerce, to declare and conduct a war, and to raise and support armies and navies. The sword and the purse, all the external relations, and no inconsiderable portion of the industry of the nation, are intrusted to its government. It can never be pretended that these vast powers draw after them others of inferior importance, merely because they are inferior. Such an idea can never be advanced.

"But it may with great reason be contended that a government intrusted with such ample powers, on the due execution of which the happiness and prosperity of the nation so vitally depend, must also be intrusted with ample means for their execution. The power being given, it is the interest of the nation to facilitate its execution. It can never be their interest, and can not be presumed to have been their intention, to clog and embarrass its execution by withholding the most appropriate means. Throughout this vast Republic, from the St. Croix to the Gulf of Mexico, from the Atlantic to the Pacific, revenue is to be collected and expended, armies are to be marched and supported.

"The exigencies of the nation may require that the treasure raised in the North should be transported to the South, that raised in the East conveyed to the West, or that this order should be reversed. Is that construction of the Constitution to be preferred which would render these operations difficult, hazardous, and expensive? Can we adopt that construction (unless the words imperiously require it) which would impute to the framers of that instrument, when granting these powers for the public good, the intention of impeding their exercise by withholding a choice of means? If, indeed, such be the mandate of the Constitution, we have only to obey; but that instrument does not profess to enumerate the means by which the powers it confers may be executed, nor does it prohibit the creation of a corporation if the existence of such a being be essential to the beneficial exercise of those powers. It is, then, the subject of fair inquiry how far such means may be enjoyed.

"It is not denied that the powers given to the Government imply the ordinary means of execution. That, for example, of raising revenue and applying it to national purposes is admitted to imply the power of conveying money from place to place, as the exigencies of the nation may require, and of employing the usual means of conveyance. But it is denied that the Government has its choice of means, or that it may employ the most convenient means if to employ them it be necessary to erect a corporation.

"On what foundation does this argument rest? On this alone: The power of creating a corporation is one appertaining to sovereignty, and is not expressly conferred on Congress. This is true. But all legislative powers appertain to sovereignty. The original power of giving the law on any subject whatever is a sovereign power, and if the Government of the Union is restrained from creating a corporation as a means for performing its functions, on the single reason that the creation of a corporation is an act of sovereignty, if the sufficiency of this reason be acknowledged, there would be some difficulty in sustaining the authority of Congress to pass other laws for the accomplishment of the same objects.

"The government which has the right to do an act, and has imposed on it the duty of performing an act, must, according to the dictates of reason, be allowed to select the means, and those who contend that it may not select any appropriate means, that one particular mode of effecting the object is excepted, take upon themselves the burden of establishing that exception.

"The creation of a corporation, it is said, appertains to sovereignty. This is admitted. But to what portion of sovereignty does it appertain? Does it belong to one more than to another? In America the powers of sovereignty are divided between the Government of the Union and those of the States. They are each sovereign with respect to the objects committed to it, and neither sovereign with respect to the objects committed to the other. We can not apprehend that train of reasoning which would maintain that the extent of power granted by the people is to be ascertained, not by the nature and terms of the grant, but by its date. Some State constitutions were formed before, some since that of the United States. We can not believe that their relation to each other is in any degree dependent upon this circumstance. Their respective powers must, we think, be precisely the same as if they had been formed at the same time.

"Had they been formed at the same time and had the people conferred on the General Government the power contained in the Constitution and on the States the whole residuum of power, would it have been asserted that the Government of the Union was not sovereign with respect to those objects which were intrusted to it, in relation to which its laws were declared to be supreme? If this could not have been asserted we can not well comprehend the process of reasoning which maintains that a power appertaining to sovereignty can not be connected with that vast portion of it which is granted to the General Government, so far as it is calculated to subserve the legitimate objects of that Government.

"The power of creating a corporation, though appertaining to sovereignty, is not, like the power of making war or levying taxes or regulating commerce, a great substantive and independent power, which can not be implied as incidental to other powers or used as a means of executing them. It is never the end for which other powers are exercised, but a means by which other objects are accomplished. No contributions are made to charity for the sake of an incorporation, but a corporation is created to administer the charity; no seminary of learning is instituted in order to be incorporated, but the corporate character is conferred to subserve the purposes of education. No city was ever built with the sole object of being incorporated, but it is incorporated as affording the best means of being well governed. The power of creating a corporation is never used for its own sake, but for the purpose of effecting something else. No sufficient reason is therefore perceived why it may not pass as incidental to those powers which are expressly given, if it be a direct mode of executing them."

Then follows an elaborate analysis of the meaning of the words "necessary" and "proper" in that clause of the Constitution which provides, after enumerating the express powers given to Congress, that that body shall have the power of making "all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department thereof."

And the court holds that Congress is invested with the right of choosing any means that are appropriate and plainly adapted to the carrying out of any powers which are expressly given.

This decision, therefore, must be taken as settling, finally and for all time, the right of Congress to create a corporation to carry into effect powers which the Constitution has expressly conferred upon that body.

Second. The so-called commercial clause of the Constitution of the United States is found in section 8 of Article I:

"The Congress shall have power * * * to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Under this clause of the Constitution it has been expressly decided by the Supreme Court of the United States that Congress can authorize the construction of a bridge or a railroad for the purpose of accommodating interstate commerce. These cases, which are reported in 127 U. S., page 1, under the head of California vs. Pacific Railroad Company, contain the last and authoritative statement of the Supreme Court of the United States upon this subject.

In these cases the corporations authorized to construct the railroads referred to in the opinion were, it is true, State corporations invested with franchises of constructing the railroad by the Federal Government. At page 39 of the report Judge Bradley, in delivering the unanimous opinion of the court, used the following language:

"If, therefore, the Central Pacific Railroad Company is not a Federal corporation, its most important franchise, including that of constructing a railroad from the Pacific Ocean to Ogden City, was conferred upon it by Congress. It can not at the present day be doubted that Congress, under the power to regulate commerce among the several States, as well as to provide for postal accommodations and military exigencies, had authority to pass these laws. The power to construct or to authorize individuals or corporations to construct national highways and bridges, from State to State, is essential to the complete control and regulation of interstate commerce. Without authority in Congress to establish and maintain such highways and bridges it would be without authority to regulate one of the most important adjuncts of commerce. This power, in former times, was exerted to a very limited extent, the Cumberland or National road being the most notable instance. Its exercise was but little called for, as commerce was then mostly conducted by water, and many of our statesmen entertained doubts as to the existence of the power to establish ways of communication by land. But since, in consequence of the expansion of the country, the multiplication of its products, invention of railroads and locomotion by steam, land transportation has so vastly increased, a sounder construction of the subject has prevailed, and led to the conclusion that Congress has plenary power over the whole subject.

"Of course the authority of Congress over the Territories of the United States and its power to grant franchises exercisable therein are and ever have been undoubted; but the wider power was very freely exercised, and much to the general satisfaction, in the creation of the vast system of railroads connecting the East with the Pacific, traversing States as well as Territories and employing the agency of State as well as Federal corporations."

This decision, of course, finally settles the question as to the authority of Congress, under the commercial clause of the Constitution, either to construct a bridge itself across an interstate stream "or to authorize individuals or corporations to construct" such bridges. Hence, in accordance with the opinion of McCulloch vs. Maryland, it necessarily follows that if Congress can build the bridge itself, it can use any means that are appropriate to that end, and among the means so appropriate a corporation is one, and it therefore can create a corporation for the purpose of constructing a bridge.

Indeed, several of the Pacific railroads were constructed by Federal corporations; in other words, by companies incorporated by the act of Congress, and not by the act of any State Legislature. Among the corporations so created were the Union Pacific Railroad Company, by the act of 1862, 12 Statutes, 489. Under this act the individuals therein named were "created and erected into a body corporate and politic, in deed and in law, by the name, style, and title of 'The Union Pacific Railroad Company.'" By section 14 of this act the Union Pacific Railroad Company was authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa to its western terminus fixed by other provisions of the act; and under this section the Union Pacific Railroad constructed the bridge across the Missouri River between Omaha and Council Bluffs. The discussion of questions concerning this charter will be found in Hall vs. Union Pacific Railroad Company, 91 U. S., page 343. The particular question discussed, to which we wish to call your attention, will be found on pages 346 and 347.

The Texas and Pacific Railway Company was incorporated by act of Congress approved March 3, 1871, 16 Statutes at Large, page 573. The title of the act is: "An act to incorporate the Texas and Pacific Railway Company and to aid in the construction of its road, and for other purposes." This company was incorporated by act of Congress for the purpose of constructing a railroad from Marshall, in the State of Texas, to El Paso, in the same State; thence through the Territories of New Mexico and Arizona, and thence through the State of California to San Diego, on the Pacific coast.

The two charters of the Texas Pacific and the Union Pacific Railroads are examined in the Pacific Railroad removal cases, found in 115 United States, page 2. These cases decide that each of the companies were corporations created under the laws of the United States and therefore were entitled to remove suits against them, under the act of Congress relating to the jurisdiction of the United States courts. The whole basis of the opinion is that the act of Congress created them Federal corporations, and, being Federal corporations, that suit a against them was a suit "arising under the laws of the United States," as had been held by Chief-Justice Marshall in the case of Osborne vs. The Bank of the United States, 9 Wheaton, 738.

The following instances of corporations created by act of Congress may also be referred to: The Northern Pacific Railroad Company, incorporated by act of July 2, 1864, 13 Stat., 365. This corporation was organized to construct a railroad from a point either in the State of Minnesota or Wisconsin to the Pacific coast.

The Atlantic and Pacific Railroad Company was incorporated by act of Congress, July 27, 1866, 14 Stat., page 292. This corporation was created to construct a railroad from Springfield, Mo., to the Pacific coast.

The validity of all these acts has been practically sustained by the decision of the Supreme Court in the case of Hall vs. The Union Pacific Railroad Company, 91 United States, and in the Pacific Railroad cases in 127 United States; and as far as we know the constitutionality of this legislation of Congress creating corporations to build railroads has never been questioned. The decisions of the Supreme Court of the United States and the practical construction given to the Constitution during a long series of years by Congress itself demonstrate two propositions:

1. That, under the power to regulate commerce, Congress can construct a bridge over an interstate stream or can construct a railroad for interstate commerce.

2. That Congress, having the power to do this itself, can employ any agency which is appropriate to accomplish the end aimed at; that is, the construction of the bridge or the railroad, and, therefore, Congress can organize a corporation for such purpose.

Third. The whole question of the power of Congress to authorize the construction of bridges across interstate streams was examined by Justice Bradley in the case of Stockton vs. The Baltimore and New York Railroad Company and the Staten Island Rapid Transit Railroad Company, 32 Federal Reporter, page 9. Congress, by an act approved June 16, 1886, had authorized the Staten Island Rapid Transit Railroad Company, a corporation of New York, to construct a bridge across the Arthur Kill, the stream separating New Jersey from that part of New York known as Staten Island. The Legislature of New Jersey, on April 6, 1886, had enacted a law providing as follows:

"That no bridge, viaduct, or fixed structure shall be created by any person or corporation, over or in any part of the navigable waters separating this State from other States, where the tide ebbs and flows, without express permission of the Legislature of this State given by statute for that purpose."

New Jersey, therefore, contended that no bridge could be built across the Arthur Kill except with her consent, and that the act of Congress conferring the power of constructing such a bridge, not only without her consent, but against her protest, was invalid.

Justice Bradley, and the two circuit judges who agreed with him, held that Congress could authorize a foreign corporation not created by New Jersey to build a bridge across the Arthur Kill. He used this language, pages 14 and 15 of the report:

"At all events, if Congress, in the execution of its powers, chooses to employ the intervention of a particular corporation, whether of the State or out of the State, we see no reason why it should not do so. There is nothing in the Constitution to prevent it from making contracts with or conferring powers upon State corporations for carrying out its own legitimate purposes. What right of the State would be invaded? The corporation thus employed or empowered in executing the will of Congress could do nothing which the State could rightfully oppose or object to. It may be added that no State corporation more suitable than the defendant could be empowered to build the bridge in question in this case, since one half of the bridge is in the State of New York and the railroad of the defendant is to connect with it on the New York side. In our judgment, if Congress itself has the power to construct a bridge across a navigable stream for the furtherance of commerce among the States, it may authorize the same to be done by agents, whether individuals or a corporation created by itself, or a State corporation already existing and concerned in the enterprise. * * *

"So that we are brought back to the question of the power of Congress to build a bridge and whether that power is independent of the consent and concurrence of the State government, and in our judgment this question must be answered in the affirmative. The power to regulate commerce among the several States is given by the Constitution in the most general and absolute terms. 'The power to regulate,' as applied to a government, has a most extensive application. With regard to commerce it has been expressly held that it is not confined to commercial transactions, but extends to seamen, ships, navigation, and the appliances and facilities of commerce, and it must extend to these or it can not embrace the whole subject.

"Under this power the navigation of rivers and harbors has been opened and improved, and we have no doubt that canals and water ways may be opened to connect navigable bays, harbors, and rivers with each other or with the interior of the country; nor have we any doubt that under the same power the means of commercial communication by land as well as by water may be opened up by Congress, between different States, whenever it shall see fit to do so, either on the failure of the States to provide such communication, or whenever, in the opinion of Congress, increased facilities of communication ought to exist.

"Hitherto, it is true, the means of commercial communication have been supplied either by nature, in the navigable waters of the country, or by the States, in the construction of roads, canals, and railroads; so that the functions of Congress have not been largely called into exercise under this branch of its jurisdiction and power, except in the improvement of rivers and harbors and the licensing of bridges across navigable streams. But this is no proof that its power does not extend to the whole subject in all its possible requirements; indeed, it has been put forth in several notable instances, which stand as strong arguments of practical construction given to the Constitution by the legislative department of the Government. The Cumberland or National road is one instance of a grand thoroughfare projected by Congress, extending from the Potomac to the Mississippi; after being nearly completed it was surrendered to the several States within which it was situated.

"The main stem of the Union Pacific commences at Council Bluffs, in Iowa, and crosses the Missouri by a bridge at that place, erected under the authority of Congress alone.

"In 1862 a bridge was authorized by Congress to be constructed across the Ohio River at Steubenville, between the States of Virginia and Ohio, to be completed, maintained, and operated by the railroad company authorized to build it, and by another company named, 'anything in any law or laws of the above-named States to the contrary notwithstanding.'

"Still it is contended that, although Congress may have power to construct roads and other means of communication between the States, yet this can only be done with the concurrence and consent of the States within which the structures are made. If this is so, then the power of regulation in Congress is not supreme; it depends on the will of the States. We do not concur in this view. We think that the power of Congress is supreme over the whole subject, unimpeded and unembarrassed by State laws or State liens; that in this matter the country is one, and the work to be accomplished is national, and that State interests, State jealousies, and State prejudices are not required to be consulted. In matters of foreign and interstate commerce there are no States."

Judge Wallace, of the United States circuit court for the district of New York, held the same view in the case of Decker vs. The Baltimore and New York Railroad Company and others, 30 Federal Reporter, page 723.

Fourth. We assume, of course, that no one questions the right of Congress to

exercise the power of eminent domain or to authorize a corporation to exercise that power in any case where it can employ a corporation as one of the agencies to carry into execution the powers vested in Congress by the Constitution of the United States. This point has been definitely settled by the case of Kohl vs. United States, 91 U. S., 367.

The conclusions, therefore, may be summed up as follows:

1. That Congress has express constitutional power to regulate commerce among the several States, and that by the decision of the Supreme Court of the United States the possession of this power enables the United States Government to either itself construct or authorize others to construct bridges across interstate streams.

2. That Congress, having the express power to authorize the construction of a bridge, can employ any appropriate means for the execution of that power, and there can be none more appropriate than the creation of a corporation for that purpose. As in the case of the United States Bank, it may be said that the creation of a body corporate to build such an improvement as that you propose across the North River is certainly a most appropriate means for carrying out the express power of regulating commerce.

3. In this instance Congress is the only body that can act, as New Jersey has by statute prohibited the construction of the bridge across the Hudson River.

4. That, as Congress can create a corporation and authorize it to construct a bridge, it can, of course, vest the corporation with full and complete power of eminent domain, the exercise of which is essential in any corporation that would attempt such a stupendous work as that of bridging the North River.

We have not, in this opinion, referred to the numerous decisions of the United States Supreme Court upon the subject of regulating interstate commerce, having thought it best to confine ourselves to the late opinions of that court upon the power of Congress to authorize the construction of bridges.

Nor have we thought it worth while to refer to the national-banking act, under which Congress created national banks in every State of the Union, because the whole subject was fully discussed in the opinion of Chief-Justice Marshall, from which we have quoted so largely.

We beg to say, in conclusion, that we have examined the bill which you have submitted to Congress, and see nothing in it whatever which is not clearly within the power of Congress under the commercial clause of the United States Constitution.

Yours, respectfully,

JOHN K. COWEN.
E. J. D. CROSS.

REMARKS AND OPINION BY CHARLES F. MACLEAN.

GUSTAV LINDENTHAL, JAMES ANDREWS, JORDAN L. MOTT, THOMAS F. RYAN, and others:

SIRS: The questions on which my opinion is asked in connection with the bill now pending before Congress providing for a bridge across the North River, between the States of New York and New Jersey, and for that purpose creating a corporation with the right of obtaining the necessary lands by process of condemnation, may be stated as:

1. Has Congress power to authorize the construction of the bridge?

2. Have the United States such right of eminent domain that Congress can authorize the compulsory condemnation of property? and

3. Can Congress create a corporation for the purposes of the bridge?

I.

The first of these questions has lately been passed upon respecting the Staten Island bridge, likewise between the States of New York and New Jersey.

In Stockton vs. Baltimore and New York Railroad Company, 32 Fed. R., 9, Bradley, J., there says:

"In our judgment, if Congress itself has the power to construct a bridge across a navigable stream for the furtherance of commerce among the States, it may authorize the same to be done by agents, whether individuals, or a corporation created by itself, or a State corporation already existing and concerned in the enterprise. * * * So that we are brought back to the question of the power of Congress to build a bridge, and whether that power is independent of the consent and concurrence of the State government; and, in our judgment, this question must be answered in the affirmative."

Judge Bradley discusses the subject at considerable length, placing the right upon the constitutional powers of the Government to provide for the common defense, to establish post-roads, and to regulate commerce among the several States, more especially the latter. He adds:

"We think the power of Congress is supreme over the whole subject, unimpeded and unembarrassed by State laws or State lines; that in this matter the country is one, and the work to be accomplished is national, and that State interests, State jealousies, and State prejudices are not required to be consulted. In matters of foreign and interstate commerce there are no States."

The whole of that case is so pertinent to the subject in hand that instead of extended extracts I do better to refer you to the original report.

In California vs. Pacific Railroad, 127 U. S., 3, it is held that "Congress has authority, in the exercise of its power to regulate commerce among the States, to construct or authorize individuals to construct railroads across the States and Territories of the United States."

Bradley, J., citing laws creating Pacific Railroad, says:

"It can not at the present day be doubted that Congress, under the power to regulate commerce among the several States, as well as to provide for postal accommodations and military exigencies, had authority to pass these laws. The power to construct or to authorize individuals or corporations to construct national highways and bridges from State to State is essential to the complete control and regulation of interstate commerce. Without authority in Congress to establish and maintain such highways and bridges it would be without authority to regulate one of the most important adjuncts of commerce. * * * A sounder consideration of the subject has prevailed and led to the conclusion that Congress has plenary power over the whole subject.

"Of course, the authority of Congress over the Territories of the United States and its power to grant franchises exercisable therein are and ever have been undoubted. But the wider power was very freely exercised, and much to the general satisfaction, in the creation of the vast system of railroads connecting the East with the Pacific, traversing States as well as Territories and employing the agency of State as well as Federal corporations."

II.

The right of expropriation of private property rests upon the principle of sovereignty; that is, the right to resort to the whole resources of the nation for the common benefit, and not upon the final right of property, which resides in the States themselves. The leading case is Kohl vs. United States, 91 U. S., 367, which arose from the proceedings for condemnation of a site for a court-house, etc., at Cincinnati, under Laws 1872, Stat. at Large, 34, 352, 523.

Strong, J.:

"It has not been seriously contended during the argument that the United States Government is without power to appropriate lands or other property within the States for its own uses and to enable it to perform its proper functions. Such an authority is essential to its independent existence and perpetuity. These can not be preserved if the obstinacy of a private person or if any other authority can prevent the acquisition of the means or instrument by which alone governmental functions can be performed. The powers vested by the Constitution in the General Government demand for their exercise the acquisition of lands in all the States.

"These are needed for forts, armories, and arsenals; for navy-yards and light-houses; for custom-houses, post-offices, and court-houses, and for other public uses. The right (of eminent domain) is the offspring of political necessity; it is inseparable from sovereignty unless denied to it by its fundamental law; but it is no more necessary for the exercise of the powers of a State government than it is for the exercise of the conceded powers of the Federal Government. That Government is as sovereign within its sphere as the States are within theirs.

"When the power to establish post-offices and to create courts within the States was conferred upon the Federal Government included in it was authority to obtain sites for such offices and for court-houses, and to obtain them by such means as were known or appropriate. The right of eminent domain was one of those means well known when the Constitution was adopted and employed to obtain lands for public uses. Its existence, therefore, in the grantor of that power ought not to be questioned."

In the case of Darlington vs. United States, in the supreme court of Pennsylvania, reported in 82 Pennsylvania State Reports, page 382, the pending case being one for the condemnation of property in the city of Pittsburgh, for the erection of a building to be used for a court-house, custom-house, post-office, United States marshal's office, and other Government offices, Mr. Justice Paxson, delivering the opinion of the court, October 23, 1876, says, *inter alia*, as follows:

"The right of the United States to take private property for public use is too well settled to be now disputed. Of the numerous cases upon this subject it is sufficient to refer to Kohl vs. United States, which is believed to be the last, and will be found reported in the American Law Register for September, 1876. The opinion of the court was delivered by Mr. Justice Strong, who said, 'The right of eminent domain is inherent in all governments by virtue of their sovereignty. For all purposes required by the Constitution this right exists in the United States independently of any consent of the State in which the property lies.' The right itself arises from necessity, of which necessity the sovereignty taking the property must be the judge, and is qualified only by the duty of making compensation to the owner."

The case of United States vs. Jones, 109 U. S., 513, arose upon the act of March 3, 1875, providing for taking lands, etc., for a canal, paying damages "which may have been ascertained in the mode provided by the laws of the State" where the land lay.

Field, J.:

"The power to take private property for public uses, generally termed the right of eminent domain, belongs to every independent government. * * * The provision found in the fifth amendment to the Federal Constitution and in the constitution of the several States for just compensation for the property taken, is merely a limitation on the use of that power."

In Van Brocklin vs. State of Tennessee (117 U. S., 151), Gray, J., said:

"So the United States, at the discretion of Congress, may acquire and hold real property in any State, whenever such property is needed for the use of the Government in the execution of any of its powers, whether for arsenals, fortifications, light-houses, custom-houses, court-houses, barracks, or hospitals or for any other of the many public purposes for which such property is used; and when the property can not be acquired by voluntary arrangement with the owners it may be taken against their will by the United States in the exercise of its power of eminent domain, upon making just compensation, with or without a concurrent act of the State in which the land is situated."

In Fort Leavenworth Railroad vs. Lowe, 114 U. S., 525, Field, J., said:

"But not only by direct purchase have the United States been able to acquire lands they needed without the consent of the States, but it has been held that they possess the right of eminent domain within the States, using those terms, not as expressing the ultimate dominion or title to property, but as indicating the right to take private property for public uses when needed to execute the powers conferred by the Constitution; and that the General Government is not dependent upon the caprice of individuals or the will of State Legislatures in the acquisition of such lands as may be required for the full and effective exercise of its powers. * * * The right to acquire property in this way by condemnation may be exerted either through tribunals expressly designated by Congress, or by resort to tribunals of the State in which the property is situated, with her consent for that purpose. Such consent will always be presumed in the absence of express prohibition."

This right of the General Government is fully recognized by the State of New York. The court of appeals of that State, *In re* United States, 96 N. Y., 227, sustains the right and holds that it may be exercised by the United States either in the Federal courts or in the State courts.

Congress has from time to time passed a number of acts for expropriating lands. Among them may be mentioned that of 1879 for the improvement of the Tennessee River and that of 1880 for reservoirs in Minnesota, which adopt the State practice by mere reference thereto.

III.

The power of the United States to create corporations to carry out the powers granted by the Constitution was settled by McCulloh vs. Maryland, 4 Wheat., 407.

In that case, which involved the constitutionality of the Bank of the United States, Chief-Justice Marshall examines the subject at considerable length and sustains the power as incidental to the powers specifically granted. The case has always been regarded as of the highest authority. In it he says:

"Throughout this vast Republic, from the St. Croix to the Gulf of Mexico, from the Atlantic to the Pacific, revenue is to be collected and expended, armies are to be marched and supported. The exigencies of the nation may require that the treasure raised in the North should be transferred to the South; that raised in the East conveyed to the West, or that this order should be reversed. Is that construction of the Constitution to be preferred which would render these operations difficult, hazardous, and expensive? * * * The Government which has a right to do an act and has imposed on it the duty of performing that act must, according to the dictates of reason, be allowed to select the means; and those who contend that it may not select any appropriate means that one particular mode of effecting the object is effected, take upon themselves the burden of establishing that exception.

* * * "The power of creating the corporation, though appertaining to sovereignty, is not, like the power of making war, or of levying taxes, or of regulating commerce, an independent power which can not be implied as incidental to other powers or used as a means of executing them. It is never the end for which other powers are exercised or a means by which other objects are accomplished. * * * The power of creating a corporation is never used for its own sake, but for the purpose of effecting something else. No sufficient reason is therefore perceived why it may not pass as incidental to those powers which are expressly given, if it be a direct mode of executing them."

The case of Railroad Company vs. Peniston, 18 Wall., 5, involved the corporate powers of the Pacific railroads.

Strong, J., referring to use of roads for postal and military purposes and other provisions of charter, says:

"They all look to a purpose of Congress to secure an agency competent and under obligation to perform certain offices for the General Government. Notwithstanding this, the railroad and telegraph lines are neither in whole nor in part the property of the Government. Admitting, then, as we fully do, that

the company is an agent of the General Government, designed to be employed, and actually employed, in the legitimate service of the Government, both military and postal, does it follow, etc."

Swayne, J., says that the road is a "national instrumentality."

Bradley, J., after quoting Chief-Justice Marshall, in the McCulloch case, says: "Now I think it can not be doubted at the present day, whatever may have been contended in former times, that the creation of national roads and other means of communication between the States is within the power of Congress in carrying out the powers of regulating commerce and in providing for the national defense, and for military operations in time of war. And no one will contend that, if the creation of a corporation is a suitable agency and means of carrying on the definite operations of the Government, the creation of a corporation is [not] equally apposite as an agency and means of carrying out the objects above mentioned."

Among other instances of the exercise of this power are to be mentioned the laws creating the Pacific railroad companies. Some of these acts adopted State corporations and extended their powers, but others created corporations which had not existed before. These acts have been sustained by the Supreme Court.

See cases already cited, and also Pacific Railway Removal Cases, 115 U. S., 18, 19.

I have forborne citing any of the minor cases. It is to be noted that these decisions, with a single exception, are recent, and represent the opinion of the Supreme Court at the present day, and were in most cases pronounced by judges who are still upon the bench.

Under the construction of the powers of Congress given by the Supreme Court of the United States, all the questions stated at the outset must be answered, in my opinion, in the affirmative.

I am, sir, your obedient servant,

CHARLES F. MACLEAN.

REMARKS BY M. H. HOUSEMAN.

The purpose of the bill before you is to authorize the construction of a bridge over the Hudson River at New York City, with proper approaches and appurtenances, and the formation of a company with its necessary power to build, operate, and use the same.

The unusual magnitude of the work will require a very large amount of money, and investors will have to wait perhaps some ten or twelve years before revenue can be derived from the operation of the bridge.

The risks and unavoidable delays by reason of the peculiar character and extent of this undertaking will undoubtedly be much greater than those met with in the construction of an ordinary bridge.

One of the most important requisites to be complied with to obtain the needed capital for such a work is that the company should possess clear legal rights to construct and operate the bridge, so that the risks of the undertaking should not be increased by any complications as to its charter powers. Past experience and serious losses have taught investors to avoid such investments where the rights and powers of the company are doubtful and uncertain, and which may serve only to incur upon them years of litigation to establish their validity and interpretation by the courts.

The structure is to extend over and across a navigable river, which is under the jurisdiction of Congress, and its termini will be in two separate States. The laws of one of the States, namely, New Jersey, expressly prohibit the bridging of the Hudson River from or into that State, except by the special consent of the State, to be expressed through its Legislature, which may or may not be given, or if so given it may be so qualified as to virtually prevent the building of that part of the structure so extending into that State.

It may be stated that bridges over navigable streams elsewhere forming the boundary between two States have been erected merely under license acts from Congress, but it will be found that in all such cases the formation of the company was made feasible under the general railroad laws of the States. But there is no law adequate in either the States of New York or New Jersey under which a bridge company can be formed with authority to build the proposed structure, and even if such a law could be enacted by these respective States the effect thereof would be limited within the State and by the State line, somewhere in the Hudson River, the exact location of which is itself said to be in dispute.

The charter and authority of a company thus made up would also be subject to modification or repeal from year to year by either State independently of the other. Thus, through the influence of rival interests, or, perhaps, by reason of conflict between political parties, the legal stability of the company's affairs might be constantly endangered.

We are not without good grounds for this apprehension, and can speak from experience that investors could not well be induced to trust their money in an undertaking which might be subjected to interference from two independent and rival sovereign powers.

The traffic over the proposed bridge will be wholly interstate; the administration of its affairs throughout from end to end should be uniform, and subject only to one controlling and regulating authority, which should be superior to that of either State and can only properly be lodged by the Congress of the United States in the National Government.

The ten [or] more railroads which may use the proposed avenue into New York City derive their rights, privileges, and powers from different States, and their common regulation and control in the use of the bridge can best be effected under the Government of the United States.

It is obvious that if a company were formed by the consolidation of State corporations, each subject to different and incongruous laws within the two separate and respective States, it would be further necessary to supplement this consolidation by a license act from Congress, with authority to construct the bridge.

The life and existence of a company thus formed would depend upon a patchwork legislation, with uncertain paternity, and would be lacking in merit and stability. With such an aggregation there would indeed be good reason for apprehension of conflict and disagreement between the States, arising out of the operation, regulation, and control of the legal affairs of the company. Such a company could not with confidence appeal to capital for the stupendous undertaking here proposed.

After several years of patient labor in connection with this project and after frequent consultations with financial interests, we deem it but proper here to say that we have found men with large capital, as well as representatives of financial institutions, to be unwilling to embark with their money into an enterprise of such magnitude unless full authority to construct and operate the same be obtained through a national charter from Congress.

The bill here submitted for your approval provides, however, that the company in the exercise of its necessary power to acquire property by lawful appropriation shall do so under the laws of the respective States, and shall make proper compensation therefor, and that the amount of such compensation is to be ascertained according to the laws and in conformity with the practice of the courts of the State within which the said property is located.

The property of the company is likewise made subject to local taxation for State, county, and municipal purposes.

In part return for the grant by Congress, the proposed act provides that the mails of the United States shall pay no toll over the said bridge, also that the United States shall have the right of way thereon free of charge for postal-telegraph purposes.

The bridge thus becomes a post-road in a much wider sense than any heretofore constructed. It becomes a post-road on which the United States Government has free right of way. The mails from and to New York City and the greater part of New England will pass over this mail route, which, without question, will become the most important in the world. The bridge will be for the greater safety and convenience of the United States mail as much as for anything else. This of itself should cause the structure to be wholly under Government control. In addition it will form a military road, the only one by which, without delay, rapid communication will be possible between New England, New York City, and the country along the Atlantic coast, and this is a further reason for governmental control and regulation of the structure.

That the Congress of the United States has full constitutional power for the creation of the proposed corporation, and for authorizing the work as proposed, has been well shown by my colleagues in the legal briefs submitted to you.

REMARKS OF JAMES ANDREWS TO COMMITTEE.

About a year and a half ago I was in England and took occasion to go up to the site of the Forth bridge, about 10 miles out of Edinburgh. The engineer of the bridge, Mr. (now Sir Benjamin) Baker, was with me. In going over the work, huge and overwhelming in appearance, he remarked to me: "You have some big things in the United States, but you have nothing as big as this bridge." I happened to have a lithograph of our proposed Hudson River bridge in my pocket, and handing it to him, I jokingly remarked, "We are just getting ready for a bigger bridge than yours, and when we are done with it we may warm up to something that will really astonish you."

The project now before your committee was enough to astonish the engineer of the Forth bridge. It is a clean jump from spans of 1,700 feet in his bridge to one of nearly 3,000 feet in our proposed bridge, flanked by spans of 1,500 feet each. The Forth bridge has only two tracks, ours will have ultimately ten tracks. The Forth bridge cost $14,000,000, is used only by three railroads, extending about 200 miles north into Scotland. It was built to save about 25 miles of distance. Our bridge, with approaches and terminals, may cost $40,000,000, but if it should cost more it will yet be cheap as compared with the Forth bridge. If the cost of our bridge were equally divided among the ten railroads that will cross it it would be about $4,000,000 per railroad. This is not enormous when you know that the Pennsylvania Railroad Company has spent about $5,000,000 on its Philadelphia station and upwards of $7,000,000 to get through Baltimore and like sums in other large cities. Every railroad company is obliged to continually expend large sums of money for improvements and terminals as the population of the country increases. Though the interest and returns on the capital so invested are sometimes slow and inadequate, yet these are risks connected with all such work. The country at large always profits from them.

I have been associated with Captain Eads in all his large engineering works, and if he were alive he would undoubtedly have been connected with this work before you. It appeals to the admiration of all enterprising men, to men who love grand subjects and can deal in grand affairs. If you will consider for a moment the dimensions of this work, it will show you the boldness and admirable conception of it. As a man of practical affairs and with my large and long experience of engineering subjects, I am glad to say that the project has been prepared with a thorough practical and theoretical knowledge of the problems to be met with.

I have every confidence in Mr. Lindenthal's ability to build and direct this work, and I have associated myself with him, together with his other friends, to aid him with all my power to carry out this undertaking. Money can not be obtained nowadays for mere speculative schemes. A project must be fully worked out and stand the test of criticisms from experts of technical, legal, and financial issues and subjects. I know of no other large project which was half so well prepared as this one is before legislation was obtained for it.

This bridge should not be a mere utility structure, with perhaps some limber trusses hung up to cables from skeleton towers, over which trains would be obliged to creep; it should be just what the plans before you show it to be, a grand, monumental work, correct in its architectural proportions, inspiring in its magnificent dimensions; it should be so strong that the heaviest express trains can run over it on all ten tracks at the same time at full speed; there should be no slacking up of trains; it should be built to endure for centuries, and of such architectural harmony that it will remain a model of what such a bridge should be for all time to come, as the Cathedral of Cologne is a model, and will remain one to the remotest times, of the inspiring and noble architecture which it represents.

This work is more than a mere bridge for running trains over; it is to represent the highest development of the art of bridge building of our time; it is to represent our enterprise, our civilization, our wealth; it will forever exact admiration and respect for this country from all the rest of the world.

REMARKS BY SAMUEL REA, ENGINEER.

I feel honored in having the privilege of making some suggestions to the committee on the subject of the North River bridge, and in which I am associated with Mr. Lindenthal. When he first showed me his plans in the summer of 1885, I was somewhat doubtful as to the feasibility of such a large bridge from a business point of view. The plans provided then for only four railroad tracks, but this, of itself, was such a daring innovation for a long span that it seemed as if it could not be realized for many years to come. Five years have elapsed, and the plans are now arranged for ten tracks.

I may say that I have been urging this increase of tracks on Mr. Lindenthal, in our discussion of the plans, since my return from England three years ago. I went there to study, among other things, the railway terminal facilities of London and of other English and continental cities. I hoped to be able to aid Mr. Lindenthal, who advised me to pay particular attention to this question of terminals abroad. I have recorded my views on the subject in a book, The Railways Terminating in London, and I may say that the statistics collected in the same have been instructive to many of our railroad managers.

This country has only made a beginning in the construction of large terminal railroad stations. We have none that will compare in size, in comfort, and in convenience with the largest railroad stations abroad. We have no adequate conception yet in this country of the possibilities of the suburban traffic, and have not given the same attention to its development as it has received in foreign countries. Thus, the Southeastern Railway in England is not a large railway in point of mileage, having in all only 369 miles of double track, yet it owns two of the largest passenger terminal stations in London, Charing Cross and Cannon street.

The road expended $15,000,000 through the city, or at the rate of $1,750,000 per mile of track; whereas the cost of our proposed North River bridge will hardly exceed $1,000,000 per mile of track, including bridge, terminal station, and right of way. The bridges over the Thames approaching Cannon street and Charing Cross stations have recently had their capacity doubled. The other London stations show similar great cost, and costly additions are constantly being made to accommodate the growing traffic. Liverpool street station, terminus of the Great Eastern Railway, is now being enlarged, and when completed will have six main tracks into it, and a I under ground.

From my experience and study I feel justified in expressing the opinion that the proposed North River bridge should not be for less than ten railroad tracks, although six may be enough to commence with. The ten tracks may be needed within three years after the structure would be opened for traffic. At the rate of one train every three minutes on each track, in and out, the number of trains would only be one hundred, in or out, per hour, or at the rate of about

twenty thousand passengers, in or out, per hour for ordinary occasions. This is not an extravagant estimate for the morning and evening hours, and yet it shows the necessity of providing for ten tracks if all the railroads are to be benefited by the proposed bridge. It is quite likely that the bridge will lead to the building of numerous suburban lines from the near settlements in New Jersey.

A bridge at New York City is such a great necessity that it would have been built long ago if the United States Government had not jealously watched over the sacredness of the Hudson River as a part of the harbor of New York and prevented its desecration with bridge piers. Submarine tunnels seemed to be the only solution, but they are not in favor either with the railroads or with railroad passengers. They are expensive to maintain and disagreeable to the passengers, who would probably prefer crossing on the ferries to trusting themselves on slow trains running through damp and chilly submarine tunnels.

Bridges with one or more piers have been proposed, but such schemes have met with popular disapproval and opposition from the navigation interests. Not until Mr. Lindenthal presented his plans for a single-span bridge was there a likelihood of obtaining governmental authority for building a bridge at all. But first of all, it was necessary to show that a single-span railroad bridge of nearly 3,000 feet was feasible. This Mr. Lindenthal has done. His professional practice, his experience, his attainments fitted him for it. No engineer doubted the feasibility of a long-span suspended bridge, but the question was, could it be made serviceable for the requirements of modern railroads, for the heavy concentrated loads of huge locomotives and cars at high speed on multiple tracks?

Unless the bridge were designed to fully satisfy these severe conditions it would be useless to the railroads and the money for it could not be obtained. Many were the rebuffs experienced by Mr. Lindenthal and his friends; many were the sneers at the so-called visionary idea of bridging the broad and deep North River without a pier. But now the project is on a sound and firm basis, has the indorsement of practical and experienced men of affairs and of great capitalists, and is merely waiting the authority from Congress to be built as speedily as the gigantic nature of the work will permit.

REMARKS BY ALEXANDER D. ANDERSON ON THE PUBLIC NECESSITY AND IMPORTANCE OF THE BRIDGE.

Mr. Chairman and gentlemen of the committee, after the able speeches by Representatives BAYNE, MCADOO, CUMMINGS, BELDEN, and other gentlemen, on the public importance of the proposed bridge, there is very little left for me to say on the subject. I will, however, invite your attention to a few facts which may be of interest.

The project is of national importance, for it is a grand interstate trunk line, which will supplement and prolong to New York City, near its hotel center, the ten great railway systems which, with their various tributary lines, first intersect the surrounding States, the South, the West, and great interior, and then converge at Jersey City with the Hudson River as a heretofore insuperable barrier in their pathway, unable to enter the great metropolis.

It is in national importance on a level with the Union and Central Pacific Railways, the Nicaragua Ship-Canal, the improvement of the Mississippi River, the improvement of New York Harbor, and other great public works.

It is, indeed, a remarkable fact and I may add a discredit to American enterprise that passengers who can come in comfort and luxury all the way across the continent from San Francisco, from New Orleans and the Gulf ports, and even from the city of Mexico, without change of cars to Jersey City, have there, within sight of the greatest American city, to halt and disembark and submit to the annoyances and dangers of fog, ice, and collisions in crossing the Hudson by ferry. How great these annoyances and dangers are can best be appreciated by referring to the files of the New York daily papers during the past two years. I find in the New York Herald of December 8, 1888, a graphic description of the dangers passengers from Philadelphia, Washington, and the South, on their way to New England, were subjected to in the middle of the night in being ferried from Jersey City around lower New York and then up the East River. I will quote briefly as follows:

"Upward of fifty lives were in jeopardy in the annexed district shortly before midnight last night, and in fact they only escaped by the barest miracle from a most direful fate.

"The steam-boat Maryland, the transfer boat of the New York, New Haven and Hartford Railroad, caught fire at ten minutes past 11 o'clock, just after she had made fast to her slip at the railroad wharf at Port Morris, in the Harlem River. On board of the boat was the Washington express, which is transferred every night from the Pennsylvania Railroad yards at Jersey City by the Maryland to the New Haven road, whence it proceeds to Boston.

"The train was made up of two sleepers, one of them named the Magenta, a passenger coach, and a baggage car. In the two sleepers, the porters say, there were about fifty passengers, both men and women, all of whom were sleeping entirely unconscious of the danger that was soon to encompass them. * * *

"The scene that ensued was a most thrilling one. Already the roofs of both cars were on fire. The men and women in the berths, realizing that they had no time to spare, were tumbled out, and, without waiting to dress or even pick up hastily any of their garments or valuables, fled pell mell for the platforms. They jostled and fought in the narrow aisles in their frenzy."

Last December, during the terrible fog which overspread New York City and Harbor, the traveling public were again subjected to a thrilling experience in crossing from Brooklyn to Jersey City on the Annex boat No. 1 of the Pennsylvania line. The New York World of December 21, 1889, thus describes the adventures of this transport:

"Annex boat No. 1 of the Pennsylvania Railroad line had an eventful experience while trying to make a trip from Brooklyn to Jersey City. She left her pier on the Brooklyn side about 4 o'clock with 150 passengers. About an hour after she had left her slip she met a canal-boat and there was a collision. The shock frightened the passengers and there was a wild rush for life-preservers. Every one who could do so wrapped himself in one of the cork bags.

"The collision did not have a serious effect on the trim little Annex, and she continued her wandering about the East River, while the passengers, attired in their life-preservers, were discussing the question of another collision. The second collision came, and again the passengers were thrown into a state of fear. The force of the second collision drove the Annex boat against a pier, and the deck-hands thought it best for the safety of the passenger to tie her up and keep her there until the fog raised. The pier was at the foot of Jackson street, on the East River. The frightened passengers left the boat and huddled together on the pier.

"It was the intention of the captain of the Annex to lay up at Jackson street pier, but another vessel wandered along in the direction of the pier and crashed into the Annex. The force was sufficient to break the ropes which had secured the Annex to the pier and again she was adrift. She was completely at sea, and a tug-boat attempted to tow her around the Battery. Again she came into collision with another vessel and the tug-boat was compelled to draw off. The Annex managed to guide her way around the Battery, but while she was heading for the Jersey shore she had the misfortune to meet another vessel in the North River, and she received another bump.

"The little Annex kept up her pluck, however, and, despite her adventures, paddled into her Jersey City slip at fifteen minutes to 9 o'clock, four hours and forty-five minutes after she had started from Brooklyn."

Only a few weeks later another fog over the North River jeopardized the lives of passengers seeking to cross by ferry. I quote as follows from the New York Tribune of February 27, 1890:

"In the closing hour of the fog of yesterday morning two ferry-boats in the North River narrowly escaped a disastrous collision. The Hoboken Ferry Company's boat Mont Clair runs between Barclay street and Hoboken, and the Pavonia Ferry Company's boat Erie travels between Chambers street and Jersey City. At 7.30 a. m. the Mont Clair, carrying only fifty people, was going to Hoboken, while the Erie, crowded with passengers, was on her trip to New York. At this time the fog was so dense that it was impossible to discern objects at a distance of more than 30 yards.

"The Mont Clair had nearly reached midstream when Captain St. John saw the head of a large craft start up with ghost-like suddenness on the Mont Clair's port side. The frightened passengers on the Mont Clair had barely time to scramble out of the cabins when the Erie crashed into the Mont Clair's paddle-wheel, smashing the box and breaking away a part of the railing. In the mean time the wildest panic prevailed among the Erie's 400 passengers. Women screamed and fainted, while men rushed wildly from end to end of the boat, as if temporarily deprived of reason. Some even made attempts to jump into the river, but they were held back by those around them."

These are but illustrations of the frequent discomforts and dangers passengers are subjected to at a place which, above all others in the United States, should be supplied with the most improved methods of railway transportation. I say "above all others," for about twenty million passengers are annually compelled to cross the Hudson at this point, and the number is rapidly increasing.

The whole country from East to West and North to South is, so to speak, bridged over with railways to the extent of over 160,000 miles, except one single span across the Hudson only half a mile in length. This serious defect leaves a dangerous gap between the national Capital and the great commercial metropolis, interfering at times with the business of the Government by delaying mails, and is liable also to check the speedy movement of troops in case of a riot or other great public emergencies. It leaves a river barrier to be surmounted by the vast throng of passengers who daily travel back and forth between Baltimore, Philadelphia, New York, and Boston, and enlarging the circle between the various sections of the whole country.

The bridge is, then, an interstate project in its broadest and fullest meaning, a national work in all except its financial features, which burden private capital is ready to assume. It is, in brief, in its public importance the bridge of the nation and of all the States, a project which it will be admitted ought to be under the supervision of the General Government. The reasoning which John C. Calhoun applied, in 1845, in a speech at Memphis, to the improvement of the Mississippi River, is equally applicable to the subject under consideration. He said:

"The invention of Fulton has, in reality, for all practicable purposes, converted the Mississippi with all its tributaries into an inland sea. Regarding it as such, I am prepared to place it on the same footing with the Gulf and Atlantic coasts, the Chesapeake and Delaware Bays, and the lakes, in reference to the superintendence of the General Government over its navigation. It is manifest that it is far beyond the power of individual or separate States to supervise it."

The proposed bridge, with its ten or more tributary railroads, is, in this respect, not unlike the great river system, and its supervision and control is equally beyond the power of individual States.

EXTRACTS FROM PRESS COMMENTS.

The following extracts from lengthy reviews and editorials on the bridge described above, and forming the subject of bill H. R. 3886, will be of general interest:

[New York Sun, January 18, 1888.]

Of all the plans to throw an iron highway across the Hudson River the most stupendous which has yet been suggested is by the men who have selected for their points of anchorage Hoboken and a spot on the New York side near Fourteenth street.

It is the greatest in engineering features, because it involves the solution of problems which no engineer has so far attempted to solve, and it is greatest in financial aspects, because the total cost is placed between $37,000,000 and $50,000,000. How vast this is one may appreciate upon reflecting that the great Brooklyn bridge cost only $15,000,000, including the purchase of property. * * * Should the plan ever be carried into effect the bridge would be the bridge of the world, for it would be longer, higher, and larger for traffic than any other bridge now existing or proposed.

This scheme was first formally presented to the public at a meeting of the American Society of Civil Engineers by Gustav Lindenthal, an engineer who has studied the North River bridge problem for a long time and has made surveys, soundings, and complete examinations. The Engineering News, commenting upon the paper which Mr. Lindenthal read before the society, thus refers to the thought of impossibility which is apt to rise in the mind of almost any layman:

"The grandeur of the project is almost appalling, creating at first sight a natural feeling that the chance for its construction must be small. But this is an age of great enterprises and of superabundant capital for anything which it can be shown will pay, either directly or indirectly. We think that there is abundant reason to believe that such a bridge as that proposed would pay even now, while the engineering difficulties are certainly less formidable for the resources of to-day than were those which confronted the St. Louis, East River, and many other bridges when their construction was begun."

As to the probability of this bridge being a safe investment for superabundant capital, the figures presented by Mr. Lindenthal afford an emphatic affirmative answer.

[New York Times, December 25, 1888.]

Two considerations make it more likely than ever that we shall have a bridge across the Hudson into this city before the century closes. One is the reduced cost of such undertakings resulting from inventions and improved methods of manufacture; the other is the economy it presents over a number of crossings above or below water. * * * An engineer of Pittsburgh who makes bridges a specialty has succeeded in gaining the ear of capitalists, and his calculations meet with respectful consideration from those who ought to know. * * *

The picture of this greatest of all wonders of bridge-making offers much the same beauty of curve in the main span as the East River bridge, and more grace of outline in the towers.

* * * For this tremendous undertaking capitalists have been found; the permission of the Government for its erection over our great water way has been asked; there seems no reason to doubt that it can and eventually will be built. Yet, if it were begun already, the growth of passenger and freight traffic east and west across the Hudson at New York is so rapid that the existing facilities will have to be doubled before the bridge could be prepared to receive trains.

[The Morning Post, London, England, August 25, 1888.]

It takes a good deal to startle the Americans, but New York does seem to have been fairly startled by a project which, to use a sporting phrase, beats all previous records of bridge construction. Mr. Gustav Lindenthal, bridge-builder, of Pittsburgh, Pa., proposes to construct an enormous suspension bridge, for railway traffic and other purposes, across the Hudson River between New York City and the north New Jersey shore. The bill has been introduced in both Houses of Congress.

[From the Brooklyn Eagle, January 21, 1890.]

Perhaps it was thought that the science of bridge-building had reached its highest development in the graceful structure which rose to view beneath the hand of Roebling, but, as a matter of fact, the Brooklyn highway was no more in advance of what had preceded it than the proposed North River bridge, if successfully completed, would be in advance of our own magnificent span. The need of closer communication between New York City and the Jersey shore is a subject which has long been agitated, and now there has arisen a company which talks of meeting the demand by constructing the greatest bridge in the world. What is equally to the point, the plan may be deemed to be practicable, inasmuch as it was designed by an engineer of international reputation, and meets with the indorsement of the foremost engineers. * * *

The dimensions of the proposed structure are so conspicuously in advance of those which mark the proportions of the Brooklyn highway that we can not fail to admire the daring of the genius which has planned the work any less than we can hope to see it brought to successful completion. From the business and commercial point of view, there is promise of even greater advantage than has attended the construction of the Brooklyn bridge, for the missing link in the transportation between the South and the Eastern States would be supplied, and this would mean the cheapening of freight rates and consequent decrease in the price of goods landed in the New York markets. * * * Congress might reasonably be asked to aid the enterprise under conditions which would guaranty adequate return on completion. The argument is not purely local; it embraces, in a more or less vital degree, the interests of the entire country.

[From the Washington Critic, July 21, 1888.]

That a railway bridge will eventually span the Hudson at New York, as proposed by the present projectors or upon other plans yet to be determined, is only a question of time. The designs of Mr. Lindenthal, the engineer of the company now seeking incorporation by Congress, are pronounced by other engineers to be both admirable and practicable, and the necessity of such a crossing for the accommodation of the nine hundred railway trains now arriving daily on the Jersey side of the river is of course admitted. The bridge will "come high" as to cost, but the investment can not fail to be a profitable one, and the whole country, especially outside of New England, will welcome the structure that gives it unimpeded access to the metropolis as the greatest benefaction of this commercial age.

[From the New York Times, January 26, 1889.]

What New York most needs for its future growth and prosperity is closer connection with the territory about it. The more tunnels and bridges there are connecting Manhattan Island with adjacent lands, provided there is no obstruction of navigation on its surrounding waters, the better for the city, and their construction should be encouraged and promoted in every legitimate way. The one great advantage of this city, which has made it so largely the emporium of the country's commerce, is its unsurpassed harbor and its unequaled water front. * * *

But New York's advantage from accessibility by water, and the facility of handling traffic that comes and goes upon that element, has been considerably offset by the break in communication with it by land, save in one direction. This adds largely to the inconvenience and expense of handling traffic by rail, and is a serious drawback for the city. The easier it is to get into the city and out of it and the less trouble and expense it involves, the better for its growth and prosperity. * * *

* * * Every effort of capital and enterprise to supply the bonds of union between sections of the metropolis, and to give it a more perfect connection with the channels of traffic in every direction, should be encouraged and promoted. All barriers should be removed, and our borders should lie open to the world.

[From the New York Tribune, December 1, 1889.]

At the foot of Cortlandt, Liberty, Chambers, and other streets, and along the water front of West street, are all the ferry-houses through which passage is taken to New Jersey. Not less than 120,000 people are compelled every day to make this perilous journey across West street, and the wonder is how they ever manage to do it without being drawn into a whirlpool of slime, muck, wheels, hoofs, and destruction. * * * Think of Macaulay's enlightened New Zealander standing on the top of the Pennsylvania ferry-house watching that fearful scene. Hear him gasp with amazement and vexation, "Why in thunder don't these people get up a revolution or build a bridge?" [Namely, over West street.]

[From the Saratogian, Saratoga Springs, N. Y., January 10, 1889.]

A bridge across the Hudson River at New York? If all this little sentence contains is not apparent to any individual, let him visit New York and look over the ground, or rather the water, for there is enough of water between New York and Jersey City to stagger any bridge builder who has lived up to the present time. Across the Hudson—not under it or on its bosom, but above—so far above that the great ships and steamers having their docks further up may go in and out without being hindered.

The problem of getting passengers and freight from New York to Jersey City and *vice versa*, by some better method than ferriage, has long stared the officers of railroads centering in Jersey City in the face. * * *

It will be well to crown the gigantic works of the nineteenth century with the building of this proposed bridge. It seems fitting that the century which produced the Atlantic cable should not go out without the completion of some great engineering feat, and a bridge at New York across the Hudson would be a fitting work with which to close the magificent list of triumphs. * * *

A bill is before Congress to permit the building of this bridge, and there is no reason to suppose the request will be refused.

[From the Commercial Gazette, Pittsburgh, Pa.]

The East River bridge, which unites New York and Brooklyn and the collection of towns upon Long Island, and which was opened for general traffic some six years ago, has proved how far behind the reality the boldest predictions respecting the growth of traffic between the two cities have turned out to be. When the project of an East River bridge was first mooted, some twenty years ago, it was held to be impracticable and extravagant; but as it approached completion the foreshadowings of its great utility called into life the project of a permanent way across the North River. The great width and depth of the Hudson, however, seemed to render the serious consideration of a bridge project useless. * * *

Gustav Lindenthal, the bridge engineer, has formed a project to cross the Hudson with a colossal suspension bridge, with a single span of 2,850 feet. This is the greatest length of span for a bridge that has ever been planned.

[From the New York Sun, July 6, 1888.]

The bill which has just been introduced into Congress authorizing the construction of a bridge across the Hudson between the city of New York and the New Jersey coast presents several features of importance. It is to be a railroad bridge as well as for other travel; in fact, from the points at which it would necessarily be constructed, its chief immediate importance would be for railways.

The great commercial convenience of opening an all-rail route from New York to the West and South, avoiding the present barge work for freight and ferrying for passengers, must be obvious. * * *

A noticeable feature is that it is to be constructed with a single span over the entire river; and this is not to be done by advancing the terminal piers beyond the present wharf line, since it is expressly provided that they must be kept within that line. This provision must disarm at the outset the main opposition hitherto encountered against a bridge. * * * Another provision is that the bridge shall have at least 140 feet in the clear above the level of ordinary high water.

[From the Statesman, Yonkers, N. Y., April 9, 1889.]

When the East River bridge was first broached, the idea was disparaged by all the old fossils who never fail to predict insuperable obstacles in the face of enterprise.

The same spirit will be sure to be opposed in certain quarters to the North River bridge, which, it is thought, will some day facilitate communication between New York and Jersey City. * * *

The contemplated completion of the bridge is ten years hence; but, if we allow only two years for incidental delays (and ten years are very little to allow), we presume the satisfaction will be all but universal if rapid transit is thus effected by the close of the first year of the twentieth century.

[From the Journal, Newark, N. J., January, 1890.]

This is truly a magnificent conception, and its realization would be the wonder of a world accustomed to stupendous undertakings. The engineering difficulties are not such that could not be overcome as readily as those involved in the construction of the Brooklyn bridge.

[Brooklyn Times, March 6, 1890.]

Engineer Lindenthal explained his great Hudson River bridge to a Congressional committee yesterday. It will be a fine thing for New York and New Jersey, and Congress need not hesitate to authorize it.

[Rochester Herald, March 10, 1890.]

New York's greatest need is for rapid transit between the business part of the city and the resident portion and the suburbs. In only one direction can the people get out by steam cars, and that is over the New York Central. A great many New York business men make their homes in New Jersey or on Long Island, either of which is reached by ferries always overcrowded at the busiest hours and often delayed by fog and ice. The exception is found in the Brooklyn bridge, which from the immense throngs that cross it night and morning is more uncomfortable even than the ferry-boats. Rapid transit over an immense bridge to New Jersey would afford relief and comfort.

[From Engineering News, January 7, 1888.]

A paper of remarkable and unusual interest was read at the Wednesday meeting of the American Society of Civil Engineers, by Mr. Gustav Lindenthal, of Pittsburgh, Pa., outlining in detail the great project of a six-track railroad suspension bridge over North River, which Mr. Lindenthal has been engaged in studying for some time, under auspices which, we are assured, give strong promise of an early beginning of the work. The necessity for some such costly and monumental structure is becoming so clear that only the enormous cost of it (some $15,000,000) for the bridge only, and perhaps doubt as to its unprecedented engineering problem, can delay it long. But the cost is certainly not so formidable an obstacle for to-day as was that of the Brooklyn bridge for 1868, when its construction was determined on, nor does vastness of itself imply corresponding technical difficulties, while there is probably no one on either side of the ocean who could be counted on more confidently to deal successfully with the intricate engineering problems involved than Mr. Lindenthal. Certainly no one of the eminent engineers who have already constructed great long-span bridges could have been justly regarded as better equipped for his work at its inception.

Pension to Ellen Shea.

SPEECH

OF

HON. EDWARD LANE,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 4, 1890.

The House having under consideration the bill (H. R. 2051) granting a pension to Ellen Shea—

Mr. LANE said:

Mr. SPEAKER: I am not prepared to address the House on the question of general pension legislation this morning, as I did not expect that the debate would cover that ground, but before the close of the session I hope I will have an opportunity to state to the House and to the country my views on this important matter.

I wish to say, however, before taking up the special case under consideration, that I do not agree with gentlemen who speak about contracts between the soldier and the Government at the time of enlistment as being the true basis for pension legislation. I think the element of contract was entirely wanting in that employment. The Government fixed the compensation of the soldier and he was not consulted about it, and he was compelled to accept that amount whether it pleased him or not. The Government demanded men at $16 per month, and men were compelled to go, whether the wages were satisfactory or not, so there is no use of talking about a contract or that the Government has paid the contract price. I think such discussion is all foreign to proper pension legislation. The element of mutuality, the essence of all contracts, is wanting.

The Republican party did not treat the soldier as they treated the bondholder. You promised to pay them $16 per month, and you paid them only $8, and have never righted the wrong. You paid the bondholder in gold; you paid him all he demanded; but when you come to the soldier you paid him in depreciated currency, worth 50 cents on the dollar. This House has never yet righted that wrong, and you will never stand justified before the soldiers until you make that right. You can not fix his services by dollars and cents.

I want to say to the House that the Democrats of Illinois do not in-

dorse the statement so eloquently made by the gentleman from Missouri [Mr. STONE]. He made an eloquent speech, but the Democrats of Illinois do not indorse that doctrine. Just how far they shall go and where they shall stop I am not prepared to say, but I am prepared to say now that the Government has not done justice to the men who defended it in its hour of peril and danger. We have not reached that mark yet.

As I said heretofore, I shall favor the House with my views on this question before this session shall close. You gentlemen on the other side were not responsible for pension legislation during the last session, but I was surprised this morning to hear coming from the Republican side of the House, when we had a meritorious case before the House for consideration, where it did not take a dollar out of the Treasury, a motion for an amendment proposed on the Republican side of the House to reduce that pension from $50 to $30, when the pension reserve fund of the Navy is large and ample to meet that demand without taxing the people one cent. As I said, I was surprised that that motion should come from the Republican side of the House, and it was generally supported on that side. Gentlemen, you have gone back on your records, and I did not expect to see you do it. You promised to defend and pension the soldiers, and then you gentlemen have deserted your colors. [Applause.]

A MEMBER. What about the case under discussion?

Mr. LANE. The case that I reported is that of a woman who is about eighty years of age and who lost two sons in the Army. I say that she lost two sons in the Army, and the proof shows it. One was shot in the ankle, and while coming down stairs his foot caught and he fell and broke his neck. The gentleman says he did not lose his life for his country. No, he was not shot in battle; but he lost his life as a result of his army service, just as much as if he had lost it in battle. The other son went insane. The testimony is here conclusive and clear, and there is no way of mystifying the record. The record says that this man after a heavy battle lost his mind, and from that day forth he was insane. His mother is a poor woman of eighty years of age. She had in Chicago a little home worth $1,200, and had to sell that home in order to take care of the soldier, who had lost his health in the Army of the country; and, sir, this Congress refuses to grant her a pension to remunerate her for loss of her property and compensate her for the care of her son, as well as his death. Gentlemen say the Government agreed to take care of the wounded and disabled soldiers. Why do you not do it? After the war was over the care of this son fell upon this widowed mother. For many years she cared for him, and somehow during one of his insane spells he wandered away and was killed.

The gentleman from Missouri [Mr. STONE] says the testimony shows that another man was killed in the same disaster. I say there is not a scintilla of testimony to show any such state of facts. No one testified to it. The only information upon that subject is the letter of this would-be pension attorney, who gives his case away, a man who does not know the legal obligation of an attorney. What would gentlemen think of an attorney who would commence a case in court for a client and then go before that court where the case was to be tried and say: "There is no merit in this case."

Mr. CLUNIE. He ought to be expelled from the bar.

Mr. LANE. Yes, sir; he ought to be expelled from the bar. Whatever this man learned in that case he learned as an attorney, and his lips were sealed; he had no right to disclose it. The law would not compel him to testify to it in court. He knew nothing about this case but what he learned as an attorney, and he acted like a soldier who deserts on the field of battle; he showed the white feather, he deserted; he was the worst deserter that could possibly exist. Now, the gentleman from Missouri wants to predicate the merits of this case entirely upon the letter of this Chicago attorney, who writes to the Department saying:

I thought there was merit in this case when I commenced it, but there is nothing in it.

Upon that single letter it is attempted to defeat this case before this House. I do not believe the attempt will succeed.

Let me read the testimony of this doctor:

I became acquainted with the said soldier in the year 1854; knew Mrs. Shea thirty-five years ago; was their family doctor; knew Michael Shea before he enlisted and knew he never had any trouble with his head before he enlisted. Treated Michael Shea when he was home on furlough for his hand and head. He had had a brain fever. He was in a heavy battle, and never fully recovered after the fever he had after the battle. Michael returned to his company, but the war was then over and Michael was discharged; came home to his mother to support him, as he could do no work, for he had not the proper use of his mind to support himself. When old age came upon her and she could work no longer to support him, and was too sick to look to him, he, Michael, wandered away and got killed while suffering from a disease of the mind caused from a fever he had contracted after one of the battles during the war. I think she is entitled to a pension.

There is not a single witness in this case who denies the doctor's statement which I have just read. The Pension Office has its agents in Chicago, and why did not they try to ascertain whether this doctor was a reputable man or not? There is no impeachment of his testimony in the record. He swears that this woman's son wandered away while he was insane and lost his life. Now, what is the presumption? When you find a sane man dead the presumption is that somebody has killed him, but there is no such presumption applying to an insane man. The testimony here shows that this man went off and lost his life as a result of the injury which he had incurred in the service, and that must be presumed until something to the contrary appears.

We have in this record the testimony of six or seven witnesses who swear to the good character of this claimant; who swear that they knew she was married to the father of the soldier. The father was dead when this boy enlisted. This woman had only two sons, and she gave all she had to the country. Both her sons enlisted. It is true that the record shows that this particular one was a little wayward. He is reported as having deserted, but the records show that at that very time he had simply been arrested in the city, perhaps for drunkenness, and put in the guard-house and detained there. Because he did not appear he was reported as a deserter, but he turned up in a few days, reported to his company, and went on performing his duty as a soldier. I do not say he was a man of the best moral character. He was not a preacher. They did not have any use for preachers there at that time. [Laughter.] But I do say that the record of the War Office shows that this man enlisted, that he served his country nearly three years, that he was an honorably discharged soldier, and I say that this Government is estopped from claiming that he was a deserter, because the record shows that the truth and the fact is that he was not a deserter.

The record shows that this soldier lost his mind in the service, that he was in a great battle, that he went home to his mother demented, that she in her poverty and helplessness was compelled to care for him for ten or twelve years, and that she had to sell her little home from over her head, until now she is a mere pauper, dependent upon public charity. And will this House refuse her relief? If I understand the temper of the House, the relief she seeks will not be refused.

Admission of Idaho.

SPEECH

OF

HON. JOHN T. CAINE,

OF UTAH,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 3, 1890,

On the bill (H. R. 4362) to provide for the admission of the State of Idaho into the Union.

Mr. CAINE said:

Mr. SPEAKER: I am in favor of the admission to statehood of all the Territories so soon as they have the requisite qualifications and adopt constitutions, as the fundamental law of the future States, which are at least republican in form. Although the Territory which I have the honor to represent has for many years possessed all the requisite qualifications for statehood, she has been denied that precious boon because the majority of her people were members of a numerically weak and unpopular church, not because of polygamy, for the great majority of them never practiced it, but because they were Mormons.

The same spirit which has denied statehood to Utah proposes now to disfranchise the members of the Mormon Church in the future State of Idaho. Because they are polygamists? Not at all; for it was shown in evidence before the Committees on the Territories, both of the Senate and the House, that not more than one hundred and twenty-five men out of the twenty or twenty-five thousand Mormons living in Idaho had ever been in any polygamous relation. At the present time those men, while supporting their families, are not living with them in violation of law. What, then, are the reasons for this wholesale disfranchisement? There are two: one religious—they are members of the Mormon Church; the other political—it is supposed that they will vote the Democratic ticket.

The Mormon citizens of Idaho are counted to obtain the necessary population for statehood and they will be heavily taxed to support the State government. Taxation without representation is just as odious now as it was in the days before the Revolution. Its enforcement by an alleged free and sovereign State will be no less detestable than it was by King George III. I fear we are gradually departing from those great principles of free government founded by the fathers, which gave birth to the Declaration of Independence.

The people which this constitution proposes to disfranchise live in the southern part of Idaho. In his report to the Secretary of the Interior for 1888 Governor Stevenson, speaking of the Mormons and their settlements in Bear Lake County, says:

This county was settled by Mormons in the year 1863, and for a number of years afterwards their residence continued under circumstances of the most forbidding and discouraging nature. The county is perhaps the highest altitude that is cultivated successfully in the world, the altitude being about 6,000 feet, and the early settlers, being unaccustomed to the frosts and storms of these high altitudes and the different methods of raising crops by irrigation, were for several years compelled to haul their flour and other necessaries over the rugged mountains from Cache Valley, Utah, a distance of 75 miles, the roads being mere trails, rocky, sidling, and without bridges over the wild, swift mountain streams.

To settle such a county none but the strongest and most determined could accomplish; so bleak and sterile was the county that the shade and fruit trees first planted out refused to grow. All this is changed by the labor and perseverance of this people and their learning how to cultivate by irrigation, and to secure those seeds, trees, and shrubs which are acclimated to these high altitudes. By this means the county is now abundantly fruitful in grain, hay, and vegetables of almost every kind. It appears to be the home of all kinds of small fruit and the large kinds are becoming plentiful.

Paris, the county seat, has a brick court-house which cost $10,000; a church edifice, nearly finished, called the Mormon Tabernacle, 65 feet wide, 110 feet long, and 40 feet between floor and ceiling, and 110 feet high. It is built of stone; the corners of doors, window buttresses, and towers are built of fine red hard sandstone, roughly hewn. It was hauled by teams from a quarry 20 miles distant. The body of the building is of granite of various colors, which gives the whole a singular but pleasing effect. It has already cost over $40,000, and is undoubtedly the finest church building in Idaho.

Paris has a population of about 1,500, all Mormons, and there is not a saloon or gambling-house or any other place where intoxicating liquor is sold, and this is, I am told, the case in all the towns in Idaho where these people have exclusive control.

In traveling through the Mormon settlements one is at once struck with their improvements and the certainty that they are persevering and industrious; their country towns and villages are thrifty and their farms well cultivated. Their buildings are generally substantial and many of them stylish, with all the modern improvements that make a country look progressive and prosperous, and I believe these people are, as a rule, frugal, industrious, and honest.

All the best citizens of Idaho have no wish or desire to persecute, wrong, or oppress the Mormon people, nor do they wish to deprive them of any of their rights as American citizens; but they do insist that they shall abandon the practice of polygamy, bigamy, and plural marriages, in conformity to the Constitution and laws of the United States, and also the laws of the Territory of Idaho.

I am informed by men high in authority in the Mormon Church, and in whose word I have the highest confidence, "that they are willing to live up to the laws (which they claim are now being fairly and more humanely administered), and that the doctrine of plural marriages is not now practiced as formerly or taught either publicly or privately, and that they do not teach, advise, counsel, or encourage the practice of polygamy or bigamy."

This testimony to the character of the Mormon people of Idaho and the work they have performed in redeeming that once bleak and sterile region speaks loudly in their praise.

Is it for these labors that they are to be disfranchised?

Is it because they have rendered their country "abundantly fruitful in grain, hay, and vegetables of almost every kind" that they are to be disfranchised?

Is it because they have erected substantial public buildings and the finest church edifice in Idaho that they are to be disfranchised?

Is it because in Paris, with "a population of about 1,500, all Mormons, there is not a saloon, or gambling house, or any other place where intoxicating liquor is sold, and this is the case in all towns in Idaho where these people have exclusive control" that they are to be disfranchised?

Is it because "their towns and villages are thrifty and their farms well cultivated, their buildings generally substantial and many of them stylish, with all the modern improvements that make a country look progressive and prosperous" that they are to be disfranchised?

Is it because "these people are, as a rule, frugal, industrious, and honest" that they are to be disfranchised.

If "all the best citizens of Idaho have no wish or desire to persecute, wrong, or oppress the Mormon people, nor do they wish to deprive them of any of their rights as American citizens," then I ask why are they to be disfranchised? I pause for a reply.

It will be said it is because they practice polygamy. But Governor Stevenson says that he was informed by men high in authority in the Mormon Church, and in whose word he had the highest confidence, "that they are willing to live up to the laws (which they claim are now being fairly and more humanely administered), and that the doctrine of plural marriages is not practiced as formerly or taught either publicly or privately, and that they do not teach, advise, counsel, or encourage the practice of polygamy or bigamy." Thus Governor Stevenson's statement, which agrees with the testimony given before the committees of Congress during the past two years, fully disposes of the charge of polygamy.

The gentleman from Idaho [Mr. DUBOIS] has with much seeming pathos told you of "the wretched, appalling misery and degradation of polygamist women and children" he had witnessed in Idaho. Why, gentlemen, there are thousands of cases of misery and degradation existing among women and children who are not polygamists in every State in this Union, but that is no reason why whole communities should be disfranchised. He has cited an incident which he sought to make very dramatic. He had seen "an alleged second wife on the witness-stand and heard her swear that she was not married to the defendant." Well, now, if she was "an alleged second wife," could she in law be married to the defendant? May not her lawyer have advised her to make such an answer, holding that in law she was not a wife?

But technicalities aside. If any such case existed, and I can not say it did not, the woman was doubtless a plural wife, and to save her husband, the father of her children, from merciless prosecution, to save him upon whom she and her unborn babe were dependent for support, she denied that she was married to him. While I do not justify any person in testifying falsely, I will say that it is not the first time in the world's history that women have sworn falsely to save their husbands from punishment. On the mimic stage such women are heroines and their acts are applauded to the echo.

The gentleman had no word of condemnation for the cruel law, the brutal prosecutor, and the inexorable judge who compelled the woman to testify under such circumstances. If he had told you how helpless, delicate women and innocent children were hunted down like wild beasts, dragged into court, badgered by lawyers, and who, failing to testify to suit the prosecution, were thrust into filthy prisons, among thieves and murderers, and kept there till forced to answer questions which would convict their husbands and fathers, he could have drawn a picture much more realistic than any afforded by the horrors of polygamy.

He failed to tell you how in Idaho and Utah juries were packed to convict Mormons of polygamous practices; how the Territories were ransacked to find material for juries that would bring in the right kind of verdicts. He forgot to recite how a high court official in his Territory, after an herculean effort to secure a jury "warranted to convict," sacrilegiously declared that he had secured a jury "who would convict Jesus Christ himself." The gentleman has not told you a fractional part of the appalling misery and degradation to which polygamist women and children have been subjected in the Territory of Idaho. Had I his learning and eloquence I could draw a picture that would make the angels weep; but I rather hang my head in shame and blush for humanity than speak of the outrages committed in the name of law in Utah and Idaho for the alleged suppression of polygamy.

The gentleman from Idaho and others on the Republican side of the House have, either by direct allegation or artful innuendo, charged the Mormon people with disloyalty to the Government. I deny the charge and I assert that few people of any age or country have been more patient, peaceable, and submissive than the Mormons—often under such circumstances of palpable wrong and oppression as have incited resistance and insurrection in other communities.

Reference has been made to certain expressions of individuals among the Mormons, under circumstances of excitement and exasperation, as evidence of disloyalty of the whole Mormon people. We are also arraigned for disloyalty because we have sometimes protested against laws and decisions which we deemed to be oppressive and unjustly discriminative against our people. Our belief in God as the supreme ruler of the universe and His overruling providence and authority has been distorted by our enemies into treason against the Government. How would gentlemen who are citizens of the States like to have their loyalty tried by such standards as these? The constituents of the gentleman from New York [Mr. BAKER] may freely denounce the governor and the Legislature, criticise the decisions of the judiciary, or denounce their sheriffs, and even send them to the penitentiary. The constituents of the gentleman from Iowa [Mr. STRUBLE] may meet in State convention and denounce the prohibition laws and demand their repeal. The farmers of Kansas, the constituents of the gentleman from that State [Mr. PERKINS], may meet in convention, arraign United States Senators, and protest against laws which they deem wrongful and oppressive. Again, good and loyal christians all over this country may demand such a change as would recognize "God in the Constitution as the supreme ruler of the universe." All these things may be done by non-Mormons with impunity; but if Mormons criticise and protest against cruel laws and wicked officials their acts are brought forward here and elsewhere as evidence of disloyalty and treason.

In this free country there can be no criterion of loyalty except obedience to the Constitution and laws. The Medes and Persians were the only people within my knowledge of history with whom the laws were thought to be so sacred, perfect, and infallible that they were held to be perpetual and irrepealable. To protest against these laws was treason punishable in the fiery furnace and the lion's den.

The right of the people of a republican government to protest against a law, or demand its repeal, or agitate for reform is not to be limited to cases where the people are clearly in the right; that is begging the question. But it is hard and cruel, as was the case with the Mormons in Utah, to be charged with disloyalty for denouncing and criticising acts and decisions of Federal officers that were clearly wrongful and oppressive. Recent instances of this kind were related by an ex-Utah commissioner, Hon. A. B. Carlton, before the Committee on Territories of this House. Though personally cognizant of the facts related by him, I prefer to give his statement, as he, being a non-Mormon, is not an interested party. I therefore condense from his testimony as follows:

The Federal judges in Utah, a few years ago, made an extraordinary decision in the application of what was called "segregation." The third section of the so-called Edmunds act of 1882 makes it an indictable offense for any male person to cohabit with more than one woman, and fixes the maximum punishment at a fine of $300 and imprisonment for six months. But the judges invented a new doctrine and called it "segregation," the gist of which was that if a man had been living with two or more wives for three years, the period of the statute of limitations, the grand jury might "segregate;" that is, divide up the three years into periods of a year, a month, a week, or a day each, and bring in a separate indictment for each one of the "segregated" periods; so that the three years being "segregated" into periods of one day each, the offenders for three years' continuous cohabitation might be indicted one thousand and ninety-five times with cumulative fines and imprisonments, amounting to $328,500 fines and five hundred and forty-seven years and six months' imprisonment.

This doctrine was applied in many cases. The Mormons criticised it as contrary to law and against the whole course of judicial decisions in similar cases both in England and America, and that by a sort of judicial legislation the judges sought to punish a man an indefinite number of times for one offense, in violation of the Constitution. But the judges gave no heed to these "disloyal" complaints, and went on "segregating" until the Supreme Court of the United States reversed the cases and decided that the Mormons were right and the

Utah judges were wrong. (*In re* Snow, 120 United States Supreme Court Reports, 374.)

Another case of Mormon "disloyalty" occurred in the autumn of 1882. A majority of the Utah Commission decided that a man was not entitled to be registered as a voter who had married a plural wife subsequent to July 1, 1862 (the date of the passage of the first act concerning polygamy), although all his wives, or all but one, had died from ten to twenty years before.

The Mormons were so disloyal that they criticised this ruling as absurd, unreasonable, and contrary to law. "How," they asked, "can a man be a polygamist who has no wife at all?" This decision, however, continued to be enforced by the Commission for over two years, and many of the leading citizens were denied the right to vote or hold office (among them William Jennings, the mayor of Salt Lake City), although they had had no more than one wife for many years. Finally, after the customary "law's delay," the Supreme Court of the United States decided that this ruling of the Commission was erroneous. (Murphy *vs.* Ramsey *et al.*, 115 Supreme Court Reports, page 15.)

The facts stated by Judge Carlton are undeniable, for they are matters of record in the Supreme Court of the United States.

That the position of the Mormon Church relative to laws and governments may be fully understood, I quote from the Book of Doctrine and Covenants, a standard book of the church in matters of faith and doctrine. My time will not permit me to read the whole article, but I will print it with my remarks. I will content myself by reading two or three extracts:

OF GOVERNMENTS AND LAWS IN GENERAL.

That our belief with regard to earthly governments and laws in general may not be misinterpreted nor misunderstood, we have thought proper to present near the close of this volume our opinion concerning the same.

1. We believe that governments were instituted of God for the benefit of man, and that he holds men accountable for their acts in relation to them, either in making laws or administering them, for the good and safety of society.

2. We believe that no government can exist in peace except such laws are framed and held inviolate as will secure to each individual the free exercise of conscience, the right and control of property, and the protection of life.

3. We believe that all governments necessarily require civil officers and magistrates to enforce the laws of the same, and that such as will administer the law in equity and justice should be sought for and upheld by the voice of the people (if a republic) or the will of the sovereign.

4. We believe that religion is instituted of God, and that men are amenable to Him and to Him only for the exercise of it, unless their religious opinions prompt them to infringe upon the rights and liberties of others; but we do not believe that human law has a right to interfere in prescribing rules of worship to bind the consciences of men, nor dictate forms for public or private devotion; that the civil magistrate should restrain crime, but never control conscience; should punish guilt, but never suppress the freedom of the soul.

5. We believe that all men are bound to sustain and uphold the respective governments in which they reside while protected in their inherent and inalienable rights by the laws of such governments, and that sedition and rebellion are unbecoming every citizen thus protected, and should be punished accordingly; and that all governments have a right to enact such laws as in their own judgment are best calculated to secure the public interest, at the same time, however, holding sacred the freedom of conscience.

6. We believe that every man should be honored in his station, rulers and magistrates as such being placed for the protection of the innocent and the punishment of the guilty; and that to the laws all men owe respect and deference, as without them peace and harmony would be supplanted by anarchy and terror, human laws being instituted for the express purpose of regulating our interests as individuals and nations between man and man, and divine laws given of Heaven, prescribing rules on spiritual concerns for faith and worship, both to be answered by man to his maker.

7. We believe that rulers, states, and governments have a right and are bound to enact laws for the protection of all citizens in the free exercise of their religious belief; but we do not believe that they have a right in justice to deprive citizens of this privilege or proscribe them in their opinions so long as a regard and reverence are shown to the laws and such religious opinions do not justify sedition nor conspiracy.

8. We believe that the commission of crime should be punished according to the nature of the offense; that murder, treason, robbery, and the breach of the general peace in all respects should be punished according to their criminality and their tendency to evil among men, by the laws of that government in which the offense is committed; and for the public peace and tranquillity all men should step forward and use their ability in bringing offenders against good laws to punishment.

9. We do not believe it just to mingle religious influence with civil government, whereby one religious society is fostered and another proscribed in its spiritual privileges, and the individual rights of its members as citizens denied.

10. We believe that all religious societies have a right to deal with their members for disorderly conduct according to the rules and regulations of such societies, provided that such dealings be for fellowship and good standing; but we do not believe that any religious society has authority to try men on the right of property or life, to take from them this world's goods, or to put them in jeopardy of either life or limb, neither to inflict any physical punishment upon them; they can only excommunicate them from their society and withdraw from them their fellowship.

11. We believe that men should appeal to the civil law for redress of all wrongs and grievances where personal abuse is inflicted or the right of property or character infringed, where such laws exist as will protect the same; but we believe that all men are justified in defending themselves, their friends, and property, and the Government from the unlawful assaults and encroachments of all persons in times of exigency where immediate appeal can not be made to the laws and relief afforded.

Now, Mr. Speaker, that is the accepted doctrine of the church, and the utterances of no man in the church, be he elder, apostle, or prophet, if in conflict with these precepts, can be set up as superior to this standard.

The advocates of this bill divert attention from the real issue by crying out "Polygamy!" "Polygamy!!" thus seeking to make it appear that those who are opposing the disfranchising clause in this constitution are opposed to the suppression of polygamy. I contend that it is not a question of polygamy at all. No one asks that polygamists shall vote, hold office, or serve on juries. The question is, shall Mormons who have never entered into any polygamous relations, who have never violated any law, either of Idaho or of the United States, many of whom probably do not believe in the doctrine of plurality of wives—shall these men, possessing every other qualification to entitle them to the franchise, be deprived of it because they belong to a church or organization which holds that under certain circumstances it is not sinful for a man to marry more than one wife? The clause reads:

No person is permitted to vote, serve as juror, or hold any civil office * * * who is a member of or contributes to the support, aid, or encouragement of any order, organization, association, corporation, or society which teaches, advises, counsels, encourages, or aids any person to enter into bigamy, polygamy, or such patriarchal or plural marriage.

Under this provision every member of the Mormon Church who in any manner, however remote, contributes to the support of that church will be disfranchised. If he donates to any charitable institution, any Sabbath school, college, academy, or hospital connected with that church he is to be disfranchised. Nay, more, any person though not a member of the Mormon Church who contributes to the support, aid, or encouragement, etc., is to be disfranchised.

The language is unmistakable, "who is a member of or contributes to the support," etc. This provision is doubtless intended to be made applicable to that class of independent gentiles in Idaho who, refusing to wear the anti-Mormon collar, are stigmatized by my gentlemanly friend from Idaho as "Jack-Mormons." The gentlemen who are supporting this infamous measure surely do not see to what lengths they are going to accomplish a political advantage.

Under a Territorial statute of Idaho an anti-Mormon test oath was prescribed for voters. This measure, though not nearly so far reaching in its disfranchising elements as the clause in the constitution, was generally so construed as to prohibit every Mormon from voting even though he was willing to take the prescribed oath. In some instances men, tired of political ostracism, weary of being deprived of every right as American citizens, sweltering under the iron heel of political despotism, withdrew from the church and while attempting to vote were arrested for conspiracy, quite a number of whom are now awaiting trial on that charge. Just think of it, American citizens every way qualified to vote, even taking the obnoxious test oath, while attempting to exercise the highest privilege of that citizenship are arrested for conspiracy, placed under exorbitant bonds or thrown into jail, to be indicted, tried, and convicted, not by juries of their peers, but by juries of their enemies. "Oh, Liberty, what crimes are committed in thy name!"

Now, while under the Territorial statute there was some opportunity for the accused voter to purge himself by taking the test oath, under this constitution the proscribed classes are forever barred from voting, holding office, or sitting on juries. There is no means provided by which the status of voters is to be determined. There is no expurgatory oath, as in the Idaho statute, nor is any provision made by which the disfranchised class can ever be re-enfranchised, because this provision is unchangeable. Some gentlemen who support this constitution insist upon calling this provision a test oath, and when told that there is no oath provided persist that there is an oath in the constitution, thus demonstrating that they do not understand the provisions of the measure they are advocating. If those gentlemen who so vehemently assert that there is an oath provided in the constitution will examine the document they will fail to find it. No, gentlemen, you can not find it; it is not there.

Nor is that all; if a citizen is once disfranchised there is no remedy for him, he must forever remain so, for the constitution, article 6, section 4, declares that:

The Legislature may prescribe qualifications, limitations, and conditions for the right of suffrage additional to those prescribed in this article, but shall never annul any of the provisions in this article contained.

Again, if a member of the Mormon Church, a citizen of any other State, enjoying there all the privileges of an American citizen, without let or hindrance, should change his residence and move into Idaho, he would immediately be disfranchised and not permitted to vote, serve as a juror, or hold any civil office. By crossing an imaginary line he would cease to be a free man and become a political slave.

Nay, more; if the distinguished Delegate from Idaho, who so obstinately champions this clause, should ever be converted to the faith of the Saints, as was Saul in ancient times; if he should be baptized and confirmed a member of the Church of Jesus Christ of Latter Day Saints, under this constitution he would immediately be disfranchised, notwithstanding his eminent services in bringing the State into the Union. Nor would he have any recourse except to apostatize from the faith and "return to the beggarly elements of the world." Could anything be more absurd and un-American?

While the advocates of this measure are clamoring for the political equality of the blacks in the South, they, by this constitution, doom white American citizens to perpetual political bondage. Just think of it; political white slaves in a free and independent State, one of the States of the American Union, "The home of the free, the asylum of the oppressed."

Tell it not in Gath, publish it not in the streets of Askelon; lest the daughters of the Philistines rejoice, lest the daughters of the uncircumcised triumph.

Mr. Speaker, I desire to call attention to another feature of this disfranchising clause of the constitution now under consideration. It is this:

No person is permitted to vote, serve as a juror, or hold any civil office * * * who is a member of or contributes to the support, aid, or encouragement of any order, organization, association, corporation, or society * * * which teaches

er advises that the laws of this State, prescribing rules of civil conduct, are not the supreme laws of the State.

While this provision, by any fair construction, would not disfranchise any member of the Mormon Church, for, notwithstanding assertions to the contrary, that church teaches, as I have already shown, implicit obedience to the laws of the State, it would disfranchise every man who believes that "Jehovah is the Supreme Ruler of the universe," "that Jesus Christ is King of Kings and Lord of Lords."

I have before me a copy of the Christian Statesman, a paper published in Philadelphia, which contains a call for a conference of the National Reform Association, which is now in session at Lincoln Music Hall in this city. I will read two brief extracts from said call. Referring to "Christian principles of civil government," it says:

Among the principles which this association holds to be fundamental in civil government are these: Nations and governments are accountable to Almighty God and are bound by the moral law; the Lord Jesus Christ is the actual governor of nations, and His will, revealed in the Holy Scriptures, is the supreme rule to decide moral questions in political life. These principles we hold to have been woven historically into the very fiber of American institutions. Our stability and our progress have been due to the power they have exerted in our national life. All the evils which have afflicted us have been traceable to our departure from them. All our hopes for the future depend upon them. Our gravest peril lies in the fact that these principles are ignored by large numbers of our citizens and denied by many others. The duty of the hour is to emphasize and uphold them and to inculcate them upon the fast-increasing millions of our population.

* * * * * * *

Underlying all these practical issues is a deeper and more radical controversy provoked by those who deny that civil government sustains any relation to God, or to Christ, or to the moral law, who deny that our laws and institutions should bear at any point the impress of the christian religion, and who are striving constantly and of deliberate purpose to obliterate every christian feature of American institutions and to divorce our Government from all connection with religion.

The document states that this call is concurred in by Hon. William Windom, Secretary of the Treasury; his honor William Strong, formerly justice of the Supreme Court of the United States; by the Protestant Episcopal bishops of the dioceses of Missouri, Central New York, Connecticut, and Delaware; by three bishops of the Methodist Episcopal Church, and several other eminent christian men and women.

Among the speakers at one of the meetings of the conference on Tuesday last was Rev. R. M. Somerville, of New York, who, in an address upon "The christian doctrine of civil sovereignty," as reported in the daily Washington Post, held that God was supreme in all affairs and must be recognized above the imperialism of any earthly monarch or chief executive in American governments. He was surprised that any one should attempt to deny the authority of Christ everywhere except in the church and the disposition to rule Him out of consideration in civil affairs, and insisted that any theory of civil government that denied His supreme authority was radically and wholly wrong.

Now, Mr. Speaker, I contend that if Hon. William Windom, his honor ex-Justice Strong, and the right reverend bishops and other distinguished divines who indorsed this call lived in Idaho while holding such views they could neither vote, hold office, nor serve as jurors. If Rev. Mr. Somerville was a citizen of that State under this constitution he would not only be disfranchised, but would be liable to prosecution for conspiracy, in that he teaches and advises that God must be recognized above the chief executive of American governments. His audacity in presuming to place the Supreme Being above his excellency the governor of Idaho should not only be condemned, but severely punished.

Under this clause of the constitution no Roman Catholic would be entitled to vote, serve as a juror, or hold any civil office, because he is a member of an order, organization, association, corporation, or society which teaches or advises that the laws of the "State prescribing rules of civil conduct are not the supreme laws of the State." Pope Leo XIII, in his encyclical of January 10 last, in treating of the civil duties of Catholics, makes the following declaration:

But if the laws of the state are in open contradiction with the divine law, if they command anything prejudicial to the church or are hostile to the duties imposed by religion or violate in the person of the supreme pontiff the authority of Jesus Christ, then indeed it is a duty to resist them and a crime to obey them, a crime fraught with injury to the state itself.

The same pontiff, in a papal decree issued in 1836, declares that—

The judicial functionaries must refuse obedience to the state and to the laws of the country which are in contradiction with Roman Catholic precepts.

It will be interesting to watch events in Idaho, and see if Roman Catholics holding to these teachings of the Pope, which must be accepted as the rule of faith of all good Catholics, will be permitted to exercise the elective franchise in the new State. If they are, it will be in direct violation of the constitution.

The gentleman from Idaho, however, has been candid enough to admit that the disfranchisement clause under consideration was intended only for the members of the Mormon Church. Why, then, was it not so stated in this constitution? Why was the word "church" carefully omitted? Why was there no mention of any "religious" society or organization? The answer is plain: The object was to deceive, to cover up and accomplish by circumlocution and indirection what they deemed it impolitic to declare bluntly and directly, namely: That "all members of the Church of Jesus Christ of Latter-Day Saints are hereby excluded from voting and holding office in the State of Idaho." This was avoided, however, evidently for the reason that it was thought that an euphemistic presentation of an odious principle would avoid sounding the alarm to the friends of religious liberty and toleration. But this scheme, like most contrivances for fraud and deceit, turns out, to the dismay of its projectors, to be a bungling invention, and may be used to harry, oppress, and disfranchise other religious denominations besides the Mormons, as has been plainly demonstrated in this discussion.

As to the gentlemen who composed the Idaho constitutional convention, it is probable that most of them will suffer no personal inconvenience by this or any other religious test, as it is likely they have no use for the name of God except to supply the expletives of profanity. But it may be that some of them in that far-off mountain region still have sweet memories of the angelus bells heard in childhood and some others may remember a few words of the Westminster confession and catechism, and the time may come when they and their friends will be "hoist with their own petar," and compelled to drink of the poisoned chalice which they have prepared for the Mormons.

Mr. Speaker, as the Church of Jesus Christ of Latter-Day Saints, commonly called the Mormon Church, has been spoken of during this discussion as a criminal organization and its members having been frequently accused here and elsewhere of entertaining and practicing the doctrine of blood atonement, of having taken disloyal oaths against the Government while passing through the ceremonies of the endowment, and that the church favored a union of church and state, to refute these and similar charges I present and place on record a statement recently issued by the leading authorities of that church. It reads:

OFFICIAL DECLARATION.

SALT LAKE CITY, *December* 12, 1889.

To whom it may concern:

In consequence of gross misrepresentations of the doctrines, aims, and practices of the Church of Jesus Christ of Latter-Day Saints, commonly called the "Mormon" Church, which have been promulgated for years, and have recently been revived for political purposes, and to prevent all aliens, otherwise qualified, who are members of the "Mormon" Church from acquiring citizenship, we deem it proper on behalf of said church to publicly deny these calumnies and enter our protest against them.

We solemnly make the following declarations, namely:

That this church views the shedding of human blood with the utmost abhorrence. That we regard the killing of a human being, except in conformity with the civil law, as a capital crime which should be punished by shedding the blood of the criminal, after a public trial before a legally constituted court of the land.

Notwithstanding all the stories told about the killing of apostates, no case of this kind has ever occurred, and of course has never been established against the church we represent. Hundreds of seceders from the church have continuously resided and now live in this Territory, many of whom have amassed considerable wealth, though bitterly hostile to the "Mormon" faith and people. Even those who have made it their business to fabricate the vilest falsehoods, and to render them plausible by culling isolated passages from old sermons without the explanatory context, and have suffered no opportunity to escape them of vilifying and blackening the characters of the people, have remained among those whom they have thus persistently calumniated until the present day without receiving the slightest personal injury.

We denounce as entirely untrue the allegation which has been made that our church favors or believes in the killing of persons who leave the church or apostatize from its doctrines. We would view a punishment of this character for such an act with the utmost horror; it is abhorrent to us and is in direct opposition to the fundamental principles of our creed.

The revelations of God to this church make death the penalty for capital crime and require that offenders against life and property shall be delivered up to and tried by the laws of the land.

We declare that no bishop's or other court in this church claims or exercises the right to supersede, annul, or modify a judgment of any civil court. Such courts, while established to regulate christian conduct, are purely ecclesiastical, and their punitive powers go no further than the suspension or excommunication of members from church fellowship.

That this church, while offering advice for the welfare of its members in all conditions of life, does not claim or exercise the right to interfere with citizens in the free exercise of social or political rights and privileges. The ballot in this Territory is absolutely untrammeled and secret. No man's business or other secular affairs are invaded by the church or any of its officers. Free agency and direct individual accountability to God are among the essentials of our church doctrine. All things in the church must be done by common consent, and no officer is appointed without the vote of the body.

We declare that there is nothing in the ceremony of the endowment, or in any doctrine, tenet, obligation, or injunction of this church, either private or public, which is hostile or intended to be hostile to the Government of the United States. On the contrary its members are under divine commandment to revere the Constitution as a Heaven-inspired instrument.

Utterances of prominent men in the church at a time of great excitement have been selected and grouped, to convey the impression that present members are seditious. Those expressions were made more than thirty years ago, when through the falsehoods of recreant officials, afterwards demonstrated to be baseless, troops were sent to this Territory and were viewed by the people, in their isolated condition, fifteen hundred miles from railroads, as an armed mob coming to renew the bloody persecutions of years before.

At that time excitement prevailed and strong language was used; but no words of disloyalty against the Government or its institutions were uttered. Public speakers confined their remarks to denouncing traitorous officials who were prostituting the powers of their positions to accomplish nefarious ends. Criticism of the acts of United States officials was not considered then, neither is it now, as treason against the nation nor as hostility to the Government. In this connection we may say that the members of our church have never offered or intended to offer any insult to the flag of our country, but have always honored it as the ensign of law and liberty.

We also declare that this church does not claim to be an independent, temporal kingdom of God, or to be an *imperium in imperio* aiming to overthrow the United States or any other civil government. It has been organized by divine revelation preparatory to the second advent of the Redeemer. It proclaims that "the kingdom of heaven is at hand." Its members are commanded of God to be subject unto the powers that be until Christ comes, whose right it is to reign.

Church government and civil government are distinct and separate in our theory and practice, and we regard it as part of our destiny to aid in the maintenance and perpetuity of the institutions of our country.

We claim no religious liberty that we are unwilling to accord to others.

We ask for no civil or political rights which are not granted and guarantied to citizens in general.

We desire to be in harmony with the Government and people of the United States as an integral part of the nation.

We regard all attempts to exclude aliens from naturalization and citizens from the exercise of the elective franchise solely because they are members of the "Mormon" Church as impolitic, unrepublican, and dangerous encroachments upon civil and religious liberty.

Notwithstanding the wrongs we consider we have suffered through the improper execution of national laws, we regard those wrongs as the acts of men and not of the Government; and we intend, by the help of Omnipotence, to remain firm in our fealty and steadfast in the maintenance of constitutional principles and the integrity of this Republic.

We earnestly appeal to the American press and people not to condemn the Latter-Day Saints unheard. Must we always be judged by the misrepresentations of our enemies and never be accorded a fair opportunity of representing ourselves?

In the name of justice, reason, and humanity, we ask for a suspension of national and popular judgment until a full investigation can be had and all the facts connected with what is called the "Mormon question" can be known. And we appeal to the Eternal Judge of all men and nations to aid us in the vindication of our righteous cause.

Wilford Woodruff, George Q. Cannon, Joseph F. Smith, Presidency of the Church of Jesus Christ of Latter-day Saints; Lorenzo Snow, Franklin D. Richards, Brigham Young, Moses Thatcher, Francis M. Lyman, John Henry Smith, George Teasdale, Heber J. Grant, John W. Taylor, M. W. Merrill, A. H. Lund, Abraham H. Cannon, members of the Council of the Apostles; John W. Young, Daniel H. Wells, counselors.

Mr. Speaker, it has been more than intimated by gentlemen on the other side that those members of this House who have sought to eliminate the un-American and monstrous disfranchisement clause from the constitution of Idaho will feel a little mean when they come to face their constituents at home. This insinuation is not only gratuitous and unjust, but also insulting and offensive, insulting to their peers on this floor and offensive to the good taste and good sense of all those who despise the pharisaical cant, the assumption of "I am purer and holier than thou." This is an old trick, exposed and laid bare long ago, of assuming all the virtue and all the intelligence, and, on proposing extreme, unreasonable, and unconstitutional measures for alleged evils, to denounce all those who oppose them as sympathizers with crime and immorality.

Religious bigotry, like a cold snake coiled on the human heart, poisoning every noble and generous emotion, is hardly more odious than that narrow partisanship which, with brazen cheek and unctious smile, with indecorous hilarity and heartless gusto, strikes a fallen foe, in violation of the laws of chivalry as well as the precepts of the Sermon on the Mount, and all this for a mean and temporary partisan advantage. On the other hand, the gentlemen on this side of the House can proudly say to their constituents: "We made a manly effort to save a proposed State of this Union from the reproach of religious persecution and intolerance; we were unwilling to punish by disfranchisement 25,000 free Americans on account of their religious belief and their membership in a christian church. We agree that polygamy and bigamy shall be punished with severe penalties, to the end that they may be prohibited and extirpated; but we are unwilling that 25,000 people shall be punished for offenses committed by only 125 men."

The judge who gives the prisoner the benefit of the law and the safeguards of the constitution is sometimes, in cases of popular excitement, traduced by the mean and vulgar, as if he was *particeps criminis*, shielding his partner in guilt from merited punishment. But what shall be said of enlightened gentlemen on this floor, kind, generous, and humane in their private relations, who at the behest of party exigency are not only willing to strike down the muniments of religious freedom as guarantied by the Constitution, but would if they could cover with obloquy all those who oppose their schemes?

To show how cruel, unjust, and unnecessary the proposed disfranchisement is, I will call to the attention of the House the progress already made in the discontinuance of the practice of polygamy among the Mormons. From official reports on file in the Department of the Interior and from the evidence before the Senate and House Committees on Territories it appears that from 75 to 90 per cent. of the adult Mormons are not and never have been in the polygamous relation, and of these the great mass have taken the test oath of registration required by the Edmunds-Tucker act of March 3, 1887, swearing (among other things) that they will obey the laws of the United States with reference to bigamy and polygamy and unlawful cohabitation, and that they will not aid, abet, counsel, or advise any person to commit any of the offenses named in those laws.

In June of that year the people formed a constitution prohibiting and punishing polygamy, which constitution was ratified at the next August election, at least 95 per cent. of the Mormon electors voting in its favor. Again, in 1888, the Legislative Assembly enacted a law declaring certain marriages to be unlawful, among them plural marriages, and providing severe penalties against any clerk of a probate court who shall issue a license in such cases, and also against any minister, preacher of the gospel, or other person who shall assist in the solemnization of such unlawful marriages. The same Legislature adopted a concurrent resolution in favor of the prosecution of polygamous offenses as other offenses are prosecuted in the Territory.

Such are some of the means which the Mormons of Utah have voluntarily adopted for the discontinuance of polygamy, and I do not hesitate to declare that polygamous or bigamous marriages among the Mormons in Utah and Idaho now are, and for more than two years past have been, more infrequent than bigamous offenses in many of the States.

Mr. Speaker, the brief time allotted will not permit me to pursue this subject further. In conclusion, therefore, permit me to place on record my solemn protest against the iniquity which this House is about to perpetrate. Pause, gentlemen, and consider that by this act you disfranchise without trial, without conviction, twenty-five thousand American citizens, among them the pioneers of Idaho, for the Mormons were the pioneers of that Territory. They are the men who have made it possible for those to live there who are now persecuting and oppressing them. Do not allow prejudice to sway you to do this monstrous wrong even to gain a political advantage. A State gained by such means will bring no glory to your party nor add any luster to our glorious constellation.

Pensions.

SPEECH

OF

HON. EDWARD LANE,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Monday, April 7, 1890.

The House having under consideration a resolution to suspend the rules and substitute House bill 8297 for Senate bill 389, and consider the same—

Mr. LANE said:

Mr. SPEAKER: I do not think this bill the best that could be presented to the House. It does not embody the proper principle of pension legislation; yet I will favor its consideration, but not its passage. I am one member of the minority of the Committee on Invalid Pensions, and we have done our best in that committee to perfect legislation. And I am in no degree responsible because this bill is brought forward to-day. I had no knowledge before this morning that the bill would be called up; but I wish to say to gentlemen on the other side of the House who object to it, that there will remain four months of this Congress to perfect the bill. If it is not what the Republican party wants, you have the majority and you have the votes to make it perfect. You have four months to do it in.

I think, Mr. Speaker, the time has come in the history of this country when we should have proper legislation in regard to pensions.

But this bill entirely ignores the tax-payers of the country and places persons on the pension-roll as service pensioners who are worth in some cases thousands of dollars, and yet the poor of the country are taxed to pay such pensions. To this I object; yet think it our duty to do whatever we can to perfect legislation.

Mr. BIGGS. But the gentleman does not think that this is the best we can do for the soldiers? There is a great deal wanting in this bill.

Mr. LANE. But you on the Republican side have four or five months yet; you have the rest of the session; you have the whole Congress, and you gentlemen can go before the Committee on Pensions and aid in perfecting any legislation that is found defective in this bill. I think, as I before stated, that this bill is objectionable in one feature, that of taxing the poor to pension the rich, while the amount of the widows' pension is too small. I think it is wrong to offer to a soldier's dependent widow a pension of $8 a month. She ought to have $12 a month, and I favored that all the time. The sum fixed here is entirely inadequate.

I will never be satisfied as a member of this House or of this body or as a citizen of this great country until you put a tax upon the wealth of the country, put a tax upon the men who were behind the Army robbing the country and making colossal fortunes, while the men who saved the country went to the front, risked life and health and everything else to sustain the cause. I will not be satisfied until you tax that wealth to pay pensions to the men who made it possible to accumulate such fortunes. I do not say such a provision should go on a pension bill, but I want to see an income and a succession tax, and when that is done I will be satisfied, and not until then.

Congress should pass a law putting a tax on the wealth of the country. It ought, as I suggested some time ago, to issue more money to meet the demands of trade and commerce and thus put more money in circulation for the benefit of the country. The industries of the country are being depressed for want of adequate circulation. Is not this a good opportunity, then, for the issuance of more money? The country will never feel it and it will greatly benefit the people. It will raise the price of farms and farm products and labor, and spread general prosperity over the entire country.

The country understands the needs of the soldiers and the burdens of the tax-payer, and it also knows that the legislation now is in the hands of the Republican party. You have a large majority here, gen-

tlemen, and you are responsible before the country. Now, go on with the work and make your record. If this bill is not perfect, make it perfect during the next four months or hereafter during the session. Give us proper and just legislation for the country.

[Here the hammer fell.]

Naval Appropriation Bill.

SPEECH

OF

HON. AUGUSTUS N. MARTIN,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, April 15, 1890,

On the bill (H. R. 8909) making appropriations for the naval service for the fiscal year ending June 30, 1891, and for other purposes.

Mr. MARTIN, of Indiana, said:

Mr. CHAIRMAN: I feel it my duty to protest against the proposed construction of the new battle-ships as being, in my judgment, wholly unnecessary in any point of view. Isolated as we are from all nations possessing either the power or desire to attack us, the United States will be simply wasting money to build these vessels.

The times and circumstances which made heroes of Decatur and Bainbridge are, I think, past forever. The war-ships and privateers of piratical Barbary are now only a part of history of by-gone days.

From what nation are we now in danger? Are we not on friendly terms with Great Britain, Germany, France, Russia, Austria, Italy, and Turkey? Are we not on terms of intimate friendship with Mexico and the different states of Central and South America?

Peace seems to have spread her white wings permanently over the civilized world, and not one respectable statesman of any land dares seriously breathe aught of war with any power, particularly with the United States.

For more than forty years our beloved land has lived at peace with other nations, avoiding trouble by arbitration and compromise honorable to all in beneficent results.

How much better it would be to expend the money this bill proposes to waste on new war vessels, if expended at all, in something that will benefit our whole country rather than the men who will furnish the material for these vessels.

On March 26, 1890, I introduced remonstrances against such expenditures as this bill proposes from the following societies of Friends of the State of Indiana within the Congressional district I have the honor to represent, namely:

Back Creek Monthly Meeting, numbering 135 adult persons; Deer Creek Monthly Meeting, numbering 225 adult persons; Fairmount Monthly Meeting, numbering 424 adult persons, and Marion Monthly Meeting, numbering 437 adult persons, or 1,221 adults in all. (See RECORD, page 2773, No. 83.)

On April 5, 1890, I introduced a remonstrance against such expenditures, by Portland Monthly Meeting of Friends, of Jay County, Indiana, numbering 600 adult persons residing within my district.

I now hold in my hand another remonstrance from citizens of my district similar to those I have mentioned, and which I now read and incorporate in my remarks:

To the Senate and House of Representatives of the United States in Congress assembled:

We, your petitioners of Amboy Monthly Meeting of Friends, Miami County, State of Indiana, numbering 250 adult persons, respectfully, but earnestly, entreat your honorable bodies to reject the recommendations of the Senate Naval Committee, and other measures which propose a large expenditure for the Navy and so-called coast defenses, and other warlike preparations, all of which we believe are a menace to the peace and security of the nation.

Signed by direction of Amboy Monthly Meeting of Friends, held at Pipe Creek, Miami County, Indiana, fourth month, 5th, 1890.

FRANK W. McCOY,
MAGGIE BUNDY,
Clerks.

WILLIAM SMALL,
Correspondent, Amboy, Ind.

Mr. Chairman, on behalf of these, more than 2,000 citizens of the district I represent, I protest against these warlike expenditures as extravagant, unnecessary, and uncalled for.

Mr. Chairman, I doubt if there is a single one of the more than 46,000 voters of the Eleventh Congressional district of Indiana but feels these proposed expenditures to be wholly unnecessary.

On behalf of the great farm and labor interests of that district, in behalf of her business men, in behalf of the old soldiers thereof, I protest that it would be far better for them if Congress would reduce expenditures, reduce taxation, and pay them what is now due them from the Government, rather than add this extravagance to the cruel burdens now resting upon business and labor everywhere in our beloved land.

I am heartily in favor of the amendment of the gentleman from Indiana [Mr. HOLMAN], to strike out the authority to build these battle-ships.

How much better it is for Ireland to follow the patriotic and peaceful guidance of Parnell and Gladstone than to hastily appeal to force. Reason, urged by men whose minds are not swayed by the passions of hate or the strut of the bully, is more powerful in permanently achieving great deeds and the acknowledgment of our dearest rights than a resort to menace or war.

We do not need these war vessels any more than the good citizen needs to carry a deadly weapon, a thing which has unnecessarily cost many a life.

Oklahoma.

SPEECH

OF

HON. ISAAC S. STRUBLE,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 18, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 6786) to organize the Territory of Oklahoma, to establish courts in the Indian Territory, and for other purposes—

Mr. STRUBLE said:

Mr. CHAIRMAN: I desire as briefly as may be to call the attention of the committee to the main features, and perhaps to some of the special features, of these two measures now before the committee for consideration. First, as to the Senate bill; and as to that I will say that it proposes to organize a Territory out of what is known as Oklahoma, which, as gentlemen will see by reference to the maps in front of the Speaker's desk, is a little tract of country in the Indian Territory, comprising about 1,800,000 acres of land, and the Senate proposes also that the Public Land Strip, separated by more than a hundred miles distance from the Oklahoma Territory, shall be included within and be a part of this new proposed Territory.

The Senate bill also provides, in the usual form, for the establishment of district courts, and a supreme court, consisting of three judges, as is customary in the organization of Territories. It provides also for the appointment of a governor, a secretary of state, and other Territorial officers, for the election of a Territorial Legislature, directs a census, and, in brief, provides the usual machinery for the organization of a new Territory of the United States. It does not deal at all with any other part of the Indian Territory than the 1,800,000 acres composing Oklahoma. Everything else of that magnificent country, which is now rapidly approaching a time when it ought to become a State of the Union, is, by the Senate bill, left to the old conditions under which the Indians and white men have occupied and do occupy it, leaving, of course, to the future, such further legislation as may be deemed best by Congress in regard to this entire tract of country outside of that mentioned. On the contrary, Mr. Chairman, the substitute proposed by the House Committee on Territories——

Mr. HOOKER. Will the gentleman, before he departs from the Senate bill, state to the House exactly what region of country the Senate bill embraces and whether or not it embraces No Man's Land in connection with the land which we purchased from the Creeks and the Seminoles, and which constitutes Oklahoma proper?

Mr. STRUBLE. I am stating that. My understanding of the Senate bill, as I have said, is that it comprises what is known as the Oklahoma Territory, which has been known as such for some years past, and comprises about 1,800,000 acres of land.

Mr. HOOKER. That includes the purchase from the Creeks and the Seminoles?

Mr. STRUBLE. It does not include all of the purchase from the Creeks and Seminoles made last year under treaties negotiated by Mr. Cleveland's Administration.

Mr. HOOKER. Does the gentleman say that it does not include that purchase?

Mr. STRUBLE. I do say that it does not.

Mr. HOOKER. You are mistaken about that.

Mr. STRUBLE. It does not include half of it; it includes only 1,800,000 acres of it, and the Public Land Strip, which it attaches to Oklahoma for judicial purposes. In other words, Mr. Chairman, the Senate bill proposes to organize together these two separate sections, with alleged alien territory between them, and to set up and maintain there the forms of a Territorial government. Now, the House Committee on Territories do not regard that the wiser proposition to be adopted in relation to this portion of the Indian Territory. They do not regard it necessary; but on the contrary they regard it as impracticable, and as not the best thing to be done, from the standpoint of the United States as well as from the standpoint of all the interests in-

cluded in the limits, not only of the Indian Territory, but of the Public Land Strip.

As I was about to remark, the bill reported from the House Committee on Territories includes all of the Indian Territory lying west of the home country of the five civilized tribes and the Public Land Strip, embracing, in one unbroken scope, all of this Territory except that actually occupied by the five civilized tribes, namely, the Cherokees, the Creeks, the Choctaws, the Chickasaws, and the Seminoles.

Now, before I proceed further I wish to call the attention of the committee to a survey of this Territory.

Mr. HOOKER. Will the gentleman state whether the bill includes the Cherokee Outlet?

Mr. STRUBLE. It includes in a sense all the Cherokee Outlet and all the territory west of the actual home country of the five civilized tribes. That is, it includes it all for judicial purposes, while an actual and operating Territorial government for Oklahoma is provided.

Mr. HOOKER. Do I understand the gentleman now to say that within the limits of the Territory of Oklahoma as created by the House bill is included the Cherokee Outlet? I speak not merely of that portion of the bill which relates to judicial matters, but I ask the gentleman if that territory is included in the territory which constitutes "Oklahoma."

Mr. STRUBLE. Within the limits of the proposed Territory is all of the country west of the five civilized tribes, which includes the Cherokee Outlet and the Public Land Strip; but we do not expect nor do we propose that the active operations of the Territorial government shall immediately extend over the Cherokee Outlet, nor to the southwest of Oklahoma, nor to any other Territory except Oklahoma and the Public Land Strip west of the Cherokee Outlet. But, Mr. Chairman, we believe it is wise, and we have so framed the bill, to include all of the country which I have described in the nominal Territorial limits of Oklahoma.

I wish to call attention now very briefly to some of the interesting conditions existing within the limits which I have described. Here is a tract of country of an area comparing favorably with any of the States around it, situated in the very heart of the country, composed of excellent land, a country magnificently watered, with large and small streams running in almost every direction, as gentlemen can see from the map, and a soil having no superior in this country; a tract of country where there are already nine railroads operating thirteen hundred and odd miles of road, with other roads and extensions projected, which, in a short time, will give an additional distance of over 900 miles; with business enterprises carried on, towns springing up, and developing with astonishing rapidity, and on every hand the sure indications of a permanent settlement similar to that existing in all the States of the West.

And this condition is not confined to Oklahoma proper, but to a considerable extent exists among the five civilized tribes; these Indians—themselves or most of them as white as any gentleman who listens to me—these five civilized tribes, who ought not to be called the five civilized tribes of Indians, but the five civilized tribes of whites, with schools in one nation numbering 117, colleges 15 to 20, and in other nations 36 to 40 schools, that being the number, I believe, that the Creeks have, the Choctaws also having a large number of schools—with a state of development that will compare favorably with that of many portions of the country not known as the home of Indians.

The Oklahoma country, as gentlemen well know, was opened to settlement by the Presidential proclamation issued on the 23d of last March, that proclamation fixing April 22, 1889, at noon, as the time at which those desiring to enter this Territory and locate for themselves homestead claims under the laws passed by the last Congress might do so. On the last-named day thousands of people who had been waiting long and anxiously for this privilege rushed into this country and located upon homesteads and town sites; so that when the President framed his recent message to Congress he was under the impression that over 60,000 people were already within the Territory. The fact is, Mr. Chairman, that the number of people within the Oklahoma Territory at this time is estimated by gentlemen who have recently been before the Committee on Territories at 90,000, there being in addition about 10,000 Indians, I believe, within this tract of country.

Towns and cities have sprung up, so that the city of Guthrie has, it is estimated, about 10,000 inhabitants. The people rushed in, took advantage of the law, selected lots, built fine houses, and some of course not so fine, entered into business, and established themselves in the usual way known to our well settled cities in other Territories and in the States. Oklahoma City is one of these promising places, with a population of probably 8,000 people. Other towns and cities not so large have sprung into being as if by magic. Yet with all this congregation of people there is not a single word or line of law affording to these persons the usual facilities for carrying on forms of government and establishing their property rights, except as to the question of the location of homesteads.

Here are nearly 100,000 people who have been waiting for months—nearly one year—for Congress to pass legislation enabling them to settle, not only their property rights, but also to institute, in the usual way, under national authority, the form and the machinery of Territorial government.

Now, Mr. Chairman, this House bill which is before the committee proposes, as I have said, to organize that part of the Indian Territory lying west of the home country of the five civilized tribes into a Territory known as Oklahoma, active Territorial administration, however, to be restricted for the time being to Oklahoma proper. But gentlemen will observe that the first section of the bill and another one later on guard carefully the interests of all the Indians who are located within these limits or who make claim to any country included within them. I can not stop to notice (because time will not permit) the details of these other sections. Suffice it to say that in respect of all the usual Territorial officers—the governor, the secretary, the marshal, and the courts—the first part of this bill in relation to Oklahoma Territory is quite similar to the Senate measure in that it makes the usual provision for these officers and provides for the election of the Legislature, when it shall meet, the time it shall sit, and the other formal and customary details of Territorial administration.

The bill also proposes for the purpose of convenience to name six counties within this Territory, at which there shall be, temporarily, county seats. Of these counties, numbered from 1 to 6, five will be within Oklahoma and one will comprise the Public Land Strip to the west of the Indian Territory. Section 4 provides that county seats shall be established at Guthrie, in the first county; at Oklahoma City, in the second; at Norman, in the third; at a point near Fort Reno, in the fourth; at Lisbon or Kingfisher, as the governor of the Territory may decide, in the fifth. The sixth county embraces, as I have said, the Public Land Strip.

Then follow provisions in relation to the election of members of the Legislature and, in section 5, for the establishment of a supreme court and defining its jurisdiction.

The sixth section contemplates that criminal cases shall be instituted and tried in the district courts held in said Territory, in the county in which the offense is committed. A further part of the same section provides with relation to offenses or crimes and for the arrest of persons on warrants and for their appearance before a United States commissioner with a view to their being held to answer the charge against them.

I call attention now to section 7 of this bill. The committee propose to extend over this new Territory temporarily, and until the first Territorial Legislature shall meet and pass laws, the statutes of the State of Nebraska. I may say in explanation of this that a large number of people in Oklahoma preferred the statutes of another State and a large number of other inhabitants of Oklahoma preferred the statutes of still another State, neither of which was Nebraska. The committee, after deliberating carefully on the point, concluded to extend over the Territory temporarily the present code of laws of the State of Nebraska, That State has recently codified her laws and they are printed in a comparatively small and compact form. Upon examination we found them to embody valuable enactments generally approved by the people of the Western States, and for that matter many of the States of the Union, in respect of questions as to which statutes should be framed.

Section 8 of this bill provides—

That jurisdiction is hereby conferred upon the district courts in the Territory of Oklahoma over all controversies arising between members or citizens of one tribe or nation of Indians and the members or citizens of other tribes or nations in the Territory of Oklahoma, and any citizen or member of one tribe or nation who may commit any offense or crime in said Territory against the person or property of a citizen or member of another tribe or nation shall be subject to the same punishment in the Territory of Oklahoma as he would be if both parties were citizens of the United States. And any member of any Indian tribe or nation in said Territory shall have the right to invoke the aid of the courts therein for the protection of his person and property as though he were a citizen of the United States.

Section 9 extends over this country the provisions of our Federal statutes in relation to national banks. Section 10 directs in regard to the Public Land Strip, commonly known as No Man's Land. This is declared to be a part of the public domain and open to settlement on the passage of the bill under the provisions of the homestead laws of the United States, and also the act of the last Congress, approved, I believe, on March 1, 1889, the act entitled "An act making appropriation for the current and contingent expenses of the Indian Department," etc., and also another of the 2d of March. The section further provides in relation to actual and bona fide settlers on this Public Land Strip after the passage of the act, the intention being to give preference to actual bona fide settlers at the land office and to give them a certain credit for the time during which they may have been on the lands prior to their entry at the land office, the limit being two years. Other propositions will be found in the section relating to school lands and relinquishment of other lands by the Indians from time to time.

Section 11 directs a procedure in applications, entries, and contests, etc., in the Territory of Oklahoma, which I think gentlemen will find on examination to be proper and wise. By section 12 the Commissioner of the General Land Office is required to carefully examine, before patenting, into the right of an entryman to his patent, the provisions in the section, as I think, carefully guarding the rights of the Government while attempting to protect those of the settler. Sec-

tion 13 makes provision in relation to liens of judgment for indebtedness contracted or incurred prior to the issuance of patent, and exempting the lands from the operations of such judgments. Section 14 is in relation further to the right of parties to make homestead entries. Section 15 directs the Secretary of the Interior or authorizes him to reserve town sites for prospective towns and villages in this Territory; and let me here say that this provision is not intended to conflict in the least with the provisions of the act passed in this House for the settlement of town-site questions in the Oklahoma country. Other sections of the bill follow on questions of importance, in relation to the filing upon homesteads, etc., but I can not take time to notice them all.

Mr. PICKLER. Will the gentleman yield for a question?

Mr. STRUBLE. Certainly.

Mr. PICKLER. Suppose the Senate does not pass the town-site bill as it passed the House and that this bill shall pass; in what shape does that leave the town sites of Oklahoma proper?

Mr. STRUBLE. It would leave them without any specific statute, I suppose, authorizing proceedings to determine conflicting claims. But I will say to the gentleman that it is not expected that this bill will become a law prior to the town-site bill, the idea being that between the consideration of this bill in the House and its final passage, if it ever becomes a law, that question will have been properly taken care of and provided for by the bill which I have just referred; but, of course, I may be mistaken in my supposition. There is another answer that can be made to the question, and that is that upon the establishment of a Territorial government, and the machinery necessary thereunder, these parties claiming town sites and lots in town sites can, under the general laws of the United States, as I understand it, adjudicate their claims and establish their property rights.

I now call attention to section 21 of the bill. As gentlemen are aware, there has been for many years past a controversy existing between the State of Texas on the one side and the Federal Government upon the other as to what is known as Greer County, Texas. The United States Government has claimed that county as a part of the Indian Territory and the State of Texas makes the claim that it is a part of the territory of that State. The Forty-eighth Congress passed a law authorizing the appointment of a joint commission, composed, if my memory serves me, of six persons, three to be appointed by the President and three by the State of Texas——

Mr. LANHAM. Four by the State of Texas.

Mr. STRUBLE. I stand corrected. Four by the State of Texas and four by the United States. This commission was appointed, took testimony, deliberated, but failed to agree, and left the controversy pending in the same condition as it was prior to the law authorizing their appointment.

Now, the Committee on the Territories deem it wise to make another attempt to settle this dispute, so that this fine body of land known as Greer County may not longer be in controversy, but be known and recognized by the people of Texas and the United States as the property, so to speak, of one of these political sovereignties, and hence free from further contention. Inasmuch as under one act of Congress a commission failed to agree on the question of the right to this county, this bill proposes that the President shall select a person learned in the law, and the governor of the State of Texas another of like qualifications, and the the third, who shall be a chief-justice of one of the States other than Texas, is to be agreed upon and appointed by the President and governor of Texas, acting conjointly. Is is proposed in the pending House bill to appropriate a reasonable sum of money to pay the expenses attending the investigation of the rights of the State and the United States, one-half of which shall be paid by the United States and the other half by the State of Texas, and until this question is settled in this manner there is to be no prejudice whatever to the rights of either party, the State of Texas or the Federal Government.

Mr. Chairman, I pass over now to section 25 of the bill, and I wish to call the attention of the committee to a most important feature of this measure, which may be called a second division, the first division relating to the organization of the Oklahoma Territory, as already described, and the second division relating to the establishment of permanent courts in the country of the five civilized tribes, so called. Now, on this point I wish to say that the treaties of the United States Government with each one of these five civilized tribes give in plain language authority and the power to the Government to establish these and such other courts as in the judgment of the United States may seem wise. One year ago an act was passed establishing a court in the Indian Territory, of which Judge Shackelford, of Illinois, is the presiding judge.

That court meets twice a year at Muscogee, in the Creek Nation. It has held two sessions and was the first court under United States authority ever held, as I understand it, in any of these nations known as the five civilized tribes. It might be said to have been an experiment under the treaty stipulations. The testimony before the committee, and without contradiction, Mr. Chairman, was to the effect that the operation of this court has not only been salutary, but cordially approved by the Indians themselves.

One of the most intelligent men before this committee was General Pleasant Porter, one of the best informed men, perhaps, upon questions pertaining to the Indian Territory to be found in this country. His testimony was unqualifiedly in commendation of the court established at Muscogee, its effect upon the people, and the manifest improvement of law and order in the community as a result thereof. General Porter testified that it was apparent that the order of the community was far better than it had been before; that the people, although at first a little opposed to the courts and hardly prepared to appreciate the change in proceedings as compared with their tribal courts, very soon learned to respect and appreciate the new order of things, and are now favorable to the continuance of it in their midst, and not a dissenting voice was heard in disapproval or complaint of the results attending the two terms of court of which I have spoken. Over five hundred causes have been brought in the court at Muscogee, although but two sessions have been held, and, at these, juries were summoned, impaneled, and causes tried before them. They were instructed by Judge Shackelford, and the success of those jury trials is evidenced by the results in court, altogether satisfactory, considering the circumstances of the case.

Now, then, Mr. Chairman, I wish to have the attention of members present while I state this fact: That all the treaties of the United States, I think without any exception, with each of these five civilized tribes, authorize the establishment of courts in their limits. I think I am justified in saying that not only do the representatives from that country admit and acknowledge the treaty stipulations, but I understand they also invite favorable action on the part of Congress in the matter of establishing other courts in their midst. At all events, that is the construction I placed upon the case in favor of the courts, as made out by the many witnesses who appeared before the committee, who spoke upon this point and were interrogated by members of the committee in respect to it. So that I beg members to bear in mind there is practically no opposition on the part of the Indians to the establishment of courts; but, on the contrary, they substantially invite them.

There was some question here and there along the line of examination as to where the courts should be held; but I believe we have settled that point as fairly as can well be done. In the northeastern part there are to be two courts, one at Muscogee and another at Vinita, about 25 miles northeast. In the Choctaw Nation there is to be one at Atoka and another at McAlester, or South McAlester, northeast some 50 or 60 miles, in case the judges shall deem it wise to hold such term or terms. In the Chickasaw Nation two places are provided, one at Ardmore, about 45 miles from the Texas line, and the other at Purcell, on the northern line of the Territory and nearly central as between the northeast and northwest points of that division of the Indian Territory, and two terms are to be held in each of these places each year.

The Seminole people are attached to the Chickasaw courts to be held at Purcell for the reason that they are most convenient to them.

Mr. HARE. I would like to ask the gentleman from Iowa a question.

Mr. STRUBLE. Certainly.

Mr. HARE. Were there not protests filed by the Indians against the establishment of these courts?

Mr. STRUBLE. I do not remember that there were; certainly not when I have been present; but I do remember that we had petitions sent to us—numerous petitions—assenting to and requesting them, and I will repeat what I have said, that so far as I now remember there has not been a dissenting voice. It is proper to say, however, that I was for about two weeks detained from the committee sessions by illness, and so was not present at quite all the hearings.

Now, the position of the committee is, in view of the fact that there are thousands of white people in this Indian Territory (I mean within the five civilized tribes), the number being about 35,000 people, refugees from the States, as well as other and more reputable classes, in view of the fact that there are multiplying day by day controversies, not only between the whites themselves, but also between whites and the Indians so called, and from the further fact that the expenses attending the administration of the United States laws from the various courts, to wit, Fort Smith, Paris, and Wichita, are very great—the committee deemed it wise, while permitting nearly the same jurisdiction to remain with these several courts just named, that Congress should provide such laws and give such jurisdiction to courts as are necessary for the administration of justice between the whites and members of the Indian nations or any one of them.

There is another point in my mind respecting the establishment of these courts. I hold the view that it is very desirable to so shape the legislation of Congress as will not break down any treaties existing between the Government and the tribes. Events tend strongly in the direction of uniting these people in one State, to be admitted into the Union at an early day. I believe the establishment of these courts and their administration by able and considerate judges and officers will have the effect to increase the respect on the part of those people for the United States and their statutes, as well as their judicial officers; and I think that this will lead in the direction of the removal of whatever objection may still remain in the Indian mind to the idea of one State composed of all that Territory and to be admitted at no distant day into the Union.

In my judgment this should be the ultimate settlement of the Indian problem as now existing in this Territory; and, while we may not by acts of force or inconsiderate violations of treaties compel these Indians, nearly all of whom are white and of a high order of intelligence, to submit to such a policy, Congress is clearly justified in so shaping events there as that by natural and orderly movements all classes—Indians, freedmen, and whites—may soon see it to their best interests to have the Indian tribes as such dissolved and all inhabitants of the Territory merged in our common American citizenship.

Invalid and Service Pensions—Pensions are for the Disabled, the Infirm, and the Needy; not for the Strong, the Able-bodied, and the Independent.

REMARKS

OF

HON. BYRON M. CUTCHEON,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 18, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 7160) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1891, and for other purposes—

Mr. CUTCHEON said:

Mr. CHAIRMAN: We have under consideration a bill which carries in a single appropriation almost a hundred million of dollars, or, to be exact, $98,427,461. We devote to this measure but a few hours of the time of this House. In a little while we shall be called to vote upon it, and I suppose that to-day, as on former occasions when bills of this character have been considered, we shall all vote in favor of the measure.

The pensions of our disabled soldiers, their widows, orphans, and other dependents, are a sacred trust, and are so held in the minds and hearts of the American people. I do not fear to trust the members of this House, on the one side or on the other, when it comes to voting the annual appropriation to pay the pensions of those who are actually disabled. I believe that to-day the pension question is the largest question that engages our attention, a question which has involved in it more money and more of sentiment than any question upon which we are called to decide or to act.

In the brief space allowed me I wish to call the attention of the House, not so much to the bill before us, or to any of the questions which have been discussed here to-day, as to some aspects of the pension question which must come before us in the near future. There are before the Committee on Invalid Pensions various propositions under consideration. I am advised that there are before that committee more than two hundred general pension bills, looking to legislation for large classes of pensioners, propositions for universal service pensions, propositions for dependent pensions, propositions for per diem pensions, for pensions for prisoners of war, to increase the rates of dependent pensions, to repeal the arrears limitation, and many others too numerous to enumerate. In addition to these, there are also before that committee, as I understand, more than three thousand private pension bills, granting disability and other pensions to individuals who have been unable to procure them through the regular channel of the Pension Office. There is also pending in the Senate, at the other end of the Capitol, what is known as the dependent pension bill, which, as I learn from the RECORD, it is claimed will place one hundred thousand additional names upon the pension-roll, at an annual cost of about $36,000,000. A few days since we passed a pension deficiency bill, for the deficiencies of the current year, amounting to $21,500,000.

In addition to all these there are one or more propositions pending to fix

AN AGE DISABILITY LIMIT,

on arrival at which those who have rendered honorable service of not less than ninety days, and who have been honorably discharged and having no other means than their own labor are unable to support themselves, shall be placed upon the pension-roll at a uniform rate of $8 per month.

Mr. Chairman, at an early day of this session I had the honor to introduce a bill of this character in which, after providing for all actually disabled soldiers of the Republic who have no other means of support than their own labor, there was also a provision that when any such soldier should arrive at the age of sixty-two years it should be presumed that he was so far disabled for self-support that the Republic should come to his assistance and place him upon the pension-roll at a uniform rate of $8 per month. This, as to those soldiers sixty-two years of age and upward, would be a service pension. It also provides for all widows of such soldiers. I have seen some criticisms of this proposed measure in the public press and have received numerous letters in relation to the same, the burden of which is that but few of the old soldiers will live to enjoy the benefit of the measure; and it is to this question of an age limit, on arrival at which the honorably discharged soldiers shall be entitled to a pension without proof of disability incurred either in or out of the service, that I now desire to address myself.

This was with me

NOT A NEW MEASURE.

Four years ago, when the bill was pending to pension soldiers of the Mexican war, I introduced a measure of this kind, in which soldiers of the Mexican war and soldiers of the war for the preservation of the Union were placed upon the same footing, a bill in which, after providing for all who had actually become disabled in the service in the line of duty and after providing pensions for all who should be now disabled for self support, without inquiring whether the disability was contracted in the service and in line of duty or not, if they had no other means of subsistence than their own labor, it was provided that all soldiers, both of the Mexican war and of the war for the Union, on arriving at the age of sixty-two years should have the benefit of the presumption that they were so far disabled that the country would no longer call upon them to struggle along under such infirmities or go to the poor-house, but that this great nation would, to use a common expression, "chip in" and help the old boys along during the remainder of their lives to the amount of $8 a month.

This bill at the time of its introduction was considered extremely liberal. In fact, the chief objection to it was that it was too liberal, and

INTRODUCED THE PRINCIPLE OF A SERVICE PENSION.

I again introduced substantially this same bill two years ago in the Fiftieth Congress, but it was still regarded as too liberal a bill to be favorably considered. At that time the House was under the control of our Democratic friends, and they reported no bill containing any provision for a service pension, nor did they permit any bill having a provision for dependent pension to be considered by the House. The dependent pension bill passed the Senate and was sent to the House, but it was never permitted to be considered or passed here.

The Mexican pension bill containing this provision passed and became a law, and to-day every man who served in Mexico or on the coast or frontiers thereof or *en route* thereto for sixty days, although he may never have seen Mexico and although he may never have passed the frontiers, is placed upon the pension-roll, if sixty-two years of age, at the rate of $8 per month, while if under the age of sixty-two years he is required to prove his disability. But my bill containing the same provision for soldiers of the late war did not pass, and I have introduced it in each Congress since. The same age limit of sixty-two years has also been established in connection with the law providing for the retirement of officers of the regular Army. Whenever an officer of the military establishment arrives at the age of sixty-two years, whether disabled or not, whether in good health or not, whether having ample means or not, he is entitled to be retired upon three-quarters of his full pay for the remainder of his life. This age limit having been thus established, I have proposed to apply it to the veterans of the late war, and to provide that as fast as they should arrive at the age of sixty-two years they should, in succession, go upon the pension-roll until all the survivors in turn, as they arrive at the period of life when infirmities of age would prevent their gaining a livelihood, should receive and enjoy the bounty of the Government.

To test the truth of the objection that but comparatively few of the veterans would receive the benefit of this legislation and having a desire to know something definite of what would be the effect of this legislation should it become a law, I referred this bill to the War Department in order to secure

THE BEST OBTAINABLE ESTIMATES:

first, in regard to the number of survivors of the late war; secondly, the number that have already passed the age of sixty-two years and would now be entitled to go upon the pension-roll; and, thirdly, the number that would become sixty-two years of age in each year until they should all have arrived at that age.

Mr. Chairman, I have in my hand the tables prepared by the gentleman who is probably the best expert on the subject to-day connected with the Government. I refer to Dr. F. E. Ainsworth, who is at the head of the pension record division of the War Department and who has made a careful study of this subject and who has worked out more carefully these results than has ever been before attempted. I shall print Dr. Ainsworth's tables, together with his explanation of the manner of arriving at his conclusions, as a part of these remarks, not only for the information of the House, but for the information of the country as well, for I consider them the most reliable and the most valuable that have ever been published. They have been prepared with the greatest elaboration and scientific care, and, I believe, may be relied upon as correct as nearly as human skill and science can make them. The following are Dr. Ainsworth's memorandum and tables:

MEMORANDUM RELATIVE TO THE PROBABLE NUMBER AND AGES OF THE ARMY AND NAVY SURVIVORS OF THE WAR OF THE REBELLION.

It should be stated in advance that any estimate of the number and ages of the surviving veterans of the war can not be more than approximately correct, for the reason that the data on which to base such an estimate are deficient in two very important particulars, namely: First, the actual number of individuals in service has never been officially determined and, second, the numbers of men

of different ages upon entry into service or for any given period of the war have never been ascertained. Nor can the missing data be supplied without a laborious search of the many thousands of original rolls and other records filed in the War and Navy Departments, a work which would require years for its completion.

Moreover, if the exact number and ages of the survivors at the close of the war were known, the problem of determining the number now living and the probable duration of life for each group of ages would still be involved in difficulty, for no life table has ever been constructed which is applicable to such a class of lives as that furnished by the veterans of the late war. While it is the generally accepted opinion that the expectation of life of men of this class is less than that of men of the same ages who have never been exposed to the shock of battle and the hardships and privations of field, camp, and prison, on the other hand it has been very ingeniously urged that, by the operation of the law of the survival of the fittest, the reverse is actually the case, for the reason that the individuals of little endurance and tenacity of life, whose early death materially shortens the average of life among civilians, have long since been eliminated from the class to which the veterans belong, having succumbed either to the hardships and dangers of war or their subsequent results. Thus, it is claimed, the survivors have become a selected class whose average duration of life is likely to be greater than that of an equal number of non-veterans of the same ages who have not been subjected to this weeding-out process.

It will be readily seen, then, that the problem presented is incapable of anything like an exact solution and that the results obtained can be nothing more than approximations. But it is also evident that an approximation which is reached after a careful study of all the data available, meager though they are, is of much greater utility than the loose estimates and wild guesses which have heretofore passed current in discussions of this question. Moreover, it is believed that sufficient information is at hand to enable a calculation to be made which can not be very far from correct and which may be safely used for all practical purposes.

In all the calculations embodied in this memorandum, a recent life table (American male) has been used in determining the probable duration of life for each group of ages. The results obtained must be considered to be maximum figures, if it is believed that the expectation of life of the veterans of the war is less than that of non-veterans of the same ages. If the reverse is held to be true, as suggested above, then the figures given must be accepted as minimum in all cases. As between these two opposite opinions, in support of each of which there is much to be said, it is perhaps not unreasonable to assume that the mean is more nearly correct than either, and that the probable average duration of life is about the same for the veterans as for non-veterans. If this be held, then the figures given must be considered to be nearly correct.

Subject to the foregoing remarks and to be considered only in connection with them, the following is submitted:

ARMY.

As shown by the latest official statement, the number of men furnished by the different States and Territories during the war, under call from the President, was 2,778,304. Deducting from this the number of seamen and marines, 105,963, leaves a total of 2,672,341 credited to the Army.

No official compilation has ever been made of the total number of re-enlistments in the Army, but various estimates have been made by different authorities ranging from 370,000 to 716,787. The mean between these two numbers, 543,393, is believed to be a fair approximation of the actual number. Deducting this from the total credited to the Army leaves 2,128,948 as the number of individual soldiers serving in the war.

The number of deaths for the Army is 359,528, and the number of actual deserters at large at the close of the war (making due allowance for those incorrectly reported as deserters) has been estimated at 117,247. Deducting the deaths and deserters leaves 1,652,173 as the probable number of individual soldiers who were alive at termination of service and were not deserters.

NAVY.

The total number of men credited to the several States as having been furnished to the Navy and Marine Corps during the war was 105,963. This figure is taken as the basis of calculation, and not the number of enlistments as reported by the Navy Department, which is believed to include a large number of transfers from the Army, and these have already been counted in the Army estimates.

No data are at hand from which to estimate the number of re-enlistments, but, assuming that their proportion was the same as in the Army, the total number of individuals in service was 84,417. No information has been obtained as to the actual number of desertions, but again assuming that the Army proportion is applicable the number would be 4,649. The deaths, as reported by the Bureau of Medicine and Surgery, numbered 4,588. Deducting the deaths and desertions leaves 75,180 as the probable number of seamen and marines who were alive at the termination of service and were not deserters.

ARMY AND NAVY.

Combining the foregoing estimates, it appears that the total number of individuals in the military and naval service during the war was 2,213,365, and of these 1,727,353 were alive at the termination of service (deserters excluded).

As in the case of re-enlistments, no official compilation has been made of the ages of the men in service at any period of the war. From statistics of the ages at enlistment of about 1,000,000 soldiers, collected by the United States Sanitary Commission, Dr. B. A. Gould, actuary of the commission, formed estimates of the number of men in each year of age. In the absence of better information and assuming the ages of soldiers, seamen, and marines were relatively the same, the tables published by Dr. Gould have been taken as the basis for calculating the appended table (No. 1), which shows the probable number of men who will arrive at the age of sixty-two years, or over, on June 30, 1890, and of the probable number that will attain the age of sixty-two in each succeeding year, until practically all shall have passed that age.

Table No. 2 shows the probable total number of survivors (excluding deserters) on June 30 of each year from 1890 to 1909, inclusive, and at the close of each quinquennial period from 1910 until none shall remain.

The number of invalid pensioners reported on the rolls June 30, 1889 is 356,031; of these 150,826 are rated at less than $8 per month and 205,195 at $8 or more per month. Calculating, by the methods previously explained, the ages and duration of life of those on the pension-list in June, 1889, it is estimated that 23,444 of those on the rolls at the date stated, and rated at $8 per month, or over, will be of the age of sixty-two years, or over, in June, 1890. Deducting these from the total survivors at sixty-two years of age, or over, in 1890 (149,531), leaves 126,087 as the probable number of such survivors in 1890 who are either not on the pension-rolls or are pensioned at less than $8 per month.

Making similar deduction for each succeeding year for those pensioned at $8 or over, as they attain the age of sixty-two, the results given in the appended table (No. 3) are obtained.

Table No. 4 shows the probable total number of pensionable survivors at sixty-two years of age or over who are not now on the pension-rolls or are rated at less than $8 per month, on June 30 of each year from 1890 to 1909 inclusive, when practically all will have become sixty-two, and at the end of each quinquennial period thereafter until none shall remain.

F. C. AINSWORTH,
Captain and Assistant Surgeon United States Army.

WAR DEPARTMENT, *February 25, 1890.*

TABLE No. 1.—*Showing the probable number, on June 30, 1890, of the survivors of the war of the rebellion (excluding deserters), the number who will be sixty-two years of age or over on that date; also, the number who will attain sixty-two years after 1890, with the year in which they will reach that age.*

Probable number of survivors:

In 1890	1,285,471
In 1890, sixty-two years of age or over	149,531

WILL LIVE TO BE SIXTY-TWO YEARS OLD.

In year—	Number.	In year—	Number.
1891	20,817	1901	62,414
1892	22,692	1902	70,799
1893	24,891	1903	80,234
1894	27,480	1904	90,733
1895	30,530	1905	106,043
1896	34,073	1906	97,836
1897	38,203	1907	44,747
1898	43,025	1908	5,672
1899	48,611	1909	820
1900	55,042		

TABLE No. 2.—*Showing the probable total number of survivors of the war of the rebellion (excluding deserters) on June 30 of each year from 1890 to 1909, inclusive, and at the close of each quinquennial period thereafter until none shall remain.*

Year.	Survivors.	Year.	Survivors.
1890	1,285,471	1904	858,002
1891	1,261,232	1905	820,687
1892	1,236,076	1906	782,722
1893	1,209,968	1907	744,196
1894	1,182,889	1908	705,197
1895	1,154,810	1909	665,832
1896	1,125,725	1910	626,231
1897	1,095,624	1915	429,727
1898	1,064,524	1920	251,727
1899	1,032,418	1925	116,073
1900	999,339	1930	37,033
1901	965,313	1935	6,296
1902	930,380	1940	340
1903	894,585	1945	0

TABLE No. 3.—*Showing the probable number, June 30, 1890, of the pensionable survivors of the war of the rebellion who are either not pensioned or are rated at less than $8 per month; the number who will be sixty-two years of age or over on that date; also, the number who will attain sixty-two years after 1890, with the year in which they will reach that age.*

PROBABLE NUMBER OF SURVIVORS IN 1890.

Excluding pensioners at $8 or over	1,083,934
Excluding pensioners at $8 or over, at sixty-two years of age or over	126,087

WILL LIVE TO BE SIXTY-TWO YEARS OLD.

In year—	Number.	In year—	Number.
1891	17,554	1901	52,628
1892	19,135	1902	59,700
1893	20,989	1903	67,655
1894	23,171	1904	76,507
1895	25,743	1905	89,417
1896	28,731	1906	82,497
1897	32,214	1907	37,732
1898	36,279	1908	4,783
1899	40,990	1909	692
1900	46,413		

TABLE No. 4.—*Showing the probable total number of pensionable survivors at sixty-two years of age or over who are not now on the pension-rolls or are rated at less than $8 per month, on June 30 of each year from 1890 to 1909, inclusive, when practically all will have become sixty-two, and at the end of each quinquennial period thereafter until none shall remain.*

Year.	Survivors.	Year.	Survivors.
1890	126,087	1904	497,205
1891	137,900	1905	561,248
1892	150,584	1906	615,360
1893	164,344	1907	621,868
1894	179,457	1908	593,925
1895	196,230	1909	561,442
1896	215,001	1910	528,050
1897	236,418	1915	362,354
1898	260,218	1920	212,261
1899	287,660	1925	97,875
1900	319,068	1930	31,227
1901	355,067	1935	5,309
1902	396,319	1940	287
1903	443,484	1945	0

TABLE No. 5—*Summary.*

Total number of men furnished during the war (credits)	2,778,304
To Army	2,672,341
To Navy	105,963
Estimated total number of re-enlistments	564,939
In Army	543,393
In Navy	21,546
Estimated total number of desertions	121,896
From Army	117,247
From Navy	4,649

TABLE No. 5—*Summary*—Continued.

Total number of deaths	364,116
In Army	359,528
In Navy	4,588
Estimated total number of individuals in service	2,213,365
In Army	2,128,948
In Navy	84,417
Estimated total number of survivors at termination of service (deserters excluded)	1,727,353
In Army	1,652,173
In Navy	75,180
Estimated total number of pensionable survivors June 30, 1890	1,263,471
Less pensioners at $8 or over per month	1,063,934
Estimated total number of pensionable survivors sixty-two years of age or over June 30, 1890	149,531
Less pensioners at $8 or over per month	126,087

Mr. Chairman, it is impossible for me in the time allotted to me to analyze these various tables. Each one can examine and analyze them for himself. Nor can I in the time allowed state fully how these figures are arrived at; but, as stated by Dr. Ainsworth, they are based upon the actual statistics of a million soldiers of the war. They are as correct as mathematics can make them, and I venture to say that the conclusions will be a surprise to most, as they certainly were to me.

First, as to the

NUMBER OF SURVIVORS OF THE SOLDIERS OF THE WAR.

It appears according to this statement that on the 30th of June next there will be still surviving of the soldiers of the war of the rebellion, including in the statement the Navy and Marine Corps, 1,285,471. There will be still surviving on the 30th of June, 1900, 999,339, or, stated in other words, at the dawn of the twentieth century there will be more than a million soldiers of the war still surviving. In 1910 the number of survivors will be 626,231; in 1920, 251,727, or in thirty years from this time there will still be more than a quarter of a million survivors. In 1930 this number will be reduced to 37,000, and in 1945 there will probably be living less than a single hundred.

Mr. BRECKINRIDGE, of Kentucky. These are only the soldiers?

Mr. CUTCHEON. These are the survivors of the Army, Navy, and Marine Corps.

Mr. BRECKINRIDGE, of Kentucky. It does not include any estimate of the surviving widows?

Mr. CUTCHEON. No; simply the survivors of the Army, Navy, and Marine Corps.

Mr. BRECKINRIDGE, of Kentucky. That would carry it to a longer period.

Mr. CUTCHEON. Certainly. As to the number who will probably become sixty-two years of age from time to time the figures are given for each and every year, as will be seen by looking at the table. In 1905, fifteen years from now, the number will

REACH THE MAXIMUM AT 106,043

in that year, and from that time it will fall off rapidly. Those who will become sixty-two years of age in 1905 represent the men who enlisted at twenty years of age, and in 1910 the last one of the survivors will have passed sixty-two years of age.

A MEMBER. What is the number now?

Mr. CUTCHEON. The number on the 30th day of June next, 1890, will be 149,532. So that it seems, Mr. Chairman, that this sixty-two-year bill, as it is called, would place 149,532, less the number already on the rolls who have passed sixty-two years of age, or about 126,000 additional names, upon the pension-roll at once. The number for the year 1891 would be about 20,000, and would steadily increase each year until 1905, when, as before stated, it would reach the maximum at 106,043.

Mr. Chairman, we are seeking for some measure that would at once be just and generous and at the same time be within the financial possibilities of the Government. It has seemed to me that this proposed measure would meet all the requirements of the case. It is just because it treats all alike. It does not treat the young and able-bodied as liberally as it does the old and infirm, and it ought not to. It does not put the young men of forty or forty-five, in the comparative strength and vigor of manhood, upon the pension-roll at the same time that it does the old men of seventy, bowed with all the infirmities and weaknesses of age, and it ought not to. But it treats all with absolute equality and equity. It says to every soldier of the Union, "when you reach the same period of life, the same condition of infirmity and weakness, the same wants, incident to old age, then you shall become the wards of the Republic—each in his turn, each at the same age, each under the same conditions and the same disabilities."

About

149,000 WOULD START UPON THIS PROCESSION THE FIRST YEAR,

and from 20,000 to 100,000 would enter it each year for the next fifteen years. The average age of the soldiers of the late war is now between fifty-one and fifty-two years. In a little more than ten years the average age will be sixty-two, the limit fixed by the bill. How does this compare with the age at which service pensions have been granted to the soldiers of the Republic in other wars? The war of the Revolution closed in 1783, although the last serious fighting in that war occurred in 1781. The first general service-pension bill for soldiers of the Revolutionary war was passed in 1828, or forty-five years after the close of that war. The average age of the soldiers of the Revolutionary war at its close was about twenty-eight years, as that war continued seven years. In 1828, when their service pension was granted, the average age of the soldiers of that war was between seventy-three and seventy-four years.

The war of 1812 closed by the treaty of Ghent in 1814, although the battle of New Orleans was fought on January 8, 1815. The first service pension to the soldiers of the war of 1812 was granted in 1871, fifty-seven years after the close of that war. The average age of the soldiers of the war of 1812 at the close of that war was twenty-six years. The average age of the soldiers of that war when their first service pension was granted was eighty-three years.

The war with Mexico closed in 1848. The sixty-two-year service pension, the same as this act, was granted to the soldiers of that war in 1888, or forty years after the close of the war. The average age of the soldiers of the Mexican war at its close, as nearly as can be estimated, was twenty-six years. The average age of the soldiers of the Mexican war when their "sixty-two-year bill" was passed was sixty-six years. No general service pension has yet been granted to the soldiers of that war, forty-two years after the close of the war. Taking these three wars together, the Revolutionary war, the war of 1812, and the Mexican war, and the first service-pension bills for the soldiers of those wars were passed at an average period of forty-seven years after the close of those wars, respectively. Taking the average age of the soldiers of these three wars when their service pensions were granted, seventy-three, eighty-three, and sixty-six years, and

THE AVERAGE AGE OF THE SOLDIERS

of these three wars when their first service-pension bill was passed was seventy-five years. In contrast with this we are now but twenty-four years from the close of the war of the rebellion, and the average age of the soldiers of that war is only between fifty-one and fifty-two years, a difference of twenty-two years in the average length of time from the close of the war and a difference of twenty-two years in the average age of the men. I submit, therefore, to the candid and reasonable judgment of my comrades in arms that they should not yet be impatient for the passage of a general service bill.

But there is another consideration that should not be forgotten, and that is that there is less need of a general service pension now than after any of our former wars. There is more general comfort and competence than ever before. In my own Grand Army post, at home, are many of the leading business men of the community. There are among them lawyers, physicians, merchants, capitalists, lumbermen, machinists, farmers, real-estate owners and operators, municipal and and county officers.

In fact, I seriously doubt if an equal number of men can be found in the community, except by careful selection, that would embrace a better average of wealth and comfort in my city than the members of the Grand Army post. They are honored and respected by all men, and there is no finer body of men or more patriotic. They are men who went into the Army, not for money, but from patriotism. Many of them were disabled in the service by wounds or disease. Most of such have disability pensions, and many of them who have not have claims pending. I know of some of the most gallant of them, some as brave as any, some who have suffered as much as any, who have never even claimed the pensions undoubtedly due them. What is true of my own post I believe to be true of most of the posts of the district which I have the honor to represent. They, as a class, are

A BODY OF PATRIOTIC MEN

who do not intend to ask anything that is unreasonable, but some of whom—perhaps through the influence of the newspapers specially devoted to the urging of a general service pension and the constant reiteration of their claims by orators who have no responsibility for the appropriation of the money and who think more of the applause of the moment than of the wisdom of the policy they advocate, or of its effect upon the Government, or upon the men most concerned—have come to believe it not only feasible, but also their immediate due, that every man who served in the late war should be at once pensioned therefor.

Now, Mr. Chairman, I believe that there are no better friends of the soldiers than the men who served with them and are now members of this House, nor any who are more anxious to do the fullest and most complete justice to the men who took up arms for the preservation of national life. I am well aware of the temerity of my position when I say that I do not think that the time has yet come for

A GENERAL OR UNIVERSAL SERVICE PENSION

except on arrival at a fixed age, be it sixty-two years or a less age. My position has never been otherwise. Up to the time when I entered Congress and for years after it, no considerable body of the Grand Army, and more particularly no national encampment, had ever declared in favor of such a service pension. In fact, it had, on the contrary, again and again declared against it. Having myself given three years of my life to the service in every capacity from a lieutenant to the commander of a brigade; having myself suffered wounds, for which I have never asked pension or other consideration, but which I hold as badges of honor in the service of my country; having devoted a very large share of my life for the past seven years to the service of the soldiers of my district and of the country; having voted in this House for every pension measure, large or small, that has come before it for the benefit of the disabled and of the needy and of the dependent widows, orphans,

mothers, and sisters; having myself, together with others, introduced the bill for the increase of the pension of widows, and for the widows' arrears, for the increase of the pensions of those who had lost a limb in the service, and, in short, having supported every bill that has been before this House in the interest of our veterans, whether for pension, or pay, or bounty, I trust that I may speak with frankness and candor, without misconstruction or misunderstanding of my motive in regard to this measure, and without the charge that I am disloyal to the interests of my comrades.

The sixty-two-year bill introduced by me was, so far as I am aware, the first service-pension bill introduced in this House. As I have already said, it was then

THE MOST LIBERAL PENSION BILL

that had ever been considered by the House. I adhere to it and support it now for the reason that I believe it to be the most liberal bill that can possibly become law at this session of Congress and because I desire to see a more liberal measure than any that is now upon the statute-book reported and passed; and the fact that the Committee on Invalid Pensions has within a few days decided to report a bill which embodies this sixty-two-year service-pension feature, and which, as I understand, is to be made the leading feature of pension legislation in this Congress, assures me that the judgment of that committee, whose loyalty to the soldier can not possibly be questioned, agrees with my own views. This is not a new position with myself. In a speech which I had the honor to deliver in this House on the 12th day of July, 1888, on the pension question I took the same position that I do to-day, that a general service-pension bill ought to wait until we have taken care of the disabled and of the dependent and of those unfortunates upon whom the solemn shadow of the poor-house and the hospital has already fallen. The strong and the able-bodied and the well-to-do ought not to crowd to the front and push away from the doors of the Pension Office their weaker and less fortunate brethren. In that speech which was circulated by thousands throughout my own district and by hundreds of thousands throughout the country through the agency of the Congressional committee, I used the following language:

AGE DISABILITY.

And it may be well considered whether, as the weakness and infirmities of age come to these men, an age limit may not be established, upon arrival at which the proof of any other disability may be dispensed with. Let that age be, say, sixty-two years, as in the Mexican pension bill, and let the amount of the pension be made the same as the pension paid to soldiers of the Mexican war, $8 per month; then as they arrive at that age they would consecutively go upon the pension-roll. The youngest of the soldiers of the war are now about thirty-eight years of age; it will therefore be not less than twenty-four years before the last of them will reach the disability age. Meanwhile the older soldiers will be passing away and vacating their places on the pension-roll as rapidly as the younger ones come on, and the result will not be to largely increase the amount required for pensions, but, on the contrary, it will, after a few years, rapidly diminish. I have introduced such a bill at this session but it has not yet been reported. Having thus provided for the disabled and the aged and those unfitted for self-support, I would say to my comrades who are disabled neither by age nor disease, and who are fully capable of caring for themselves, let us not crowd to the front and get in the way of the crippled, the infirm, and the aged, and those upon whom the shadow of the poor-house has fallen; but let us stand back until our less fortunate comrades have been provided for, and when age or disease or infirmity overtakes us we shall receive the same benefits as they. I would advise my comrades to take as their motto, "One thing at a time, and that the most needed thing."

Therefore, when my constituents, and especially my comrades of the Grand Army, voted to return me to this Congress by far the largest majority they had ever given me, they did it

WITH THE FULL KNOWLEDGE AND UNDERSTANDING

of my views and sentiments in regard to this question. But, Mr. Chairman, I desire here and now to state some of the objections that appear to me to a universal or general service-pension bill.

First. It is essentially unjust and unequal. It puts the old and the young, the rich and the poor, the able-bodied and the wholly disabled on an absolute level.

Second. It will place upon the pension-roll more than 100,000 men who never saw a day's service in the field, never saw a rebel or heard a hostile shot. I refer to those who enlisted in the year 1865 and who never reached the front before the close of hostilities, and those who served as "home guards" in the several States. I have heard it estimated by very competent authority that this number who would be pensioned by a general service-pension bill would reach even 200,000.

Third. It is contrary to all precedent. It has not yet been as long within twenty-two years since the war of the rebellion as the average date when other service pensions have been granted, and there is the same difference in the average age of the surviving veterans. If pensioned at sixty-two they will still be twelve years inside the average.

Fourth. The majority of

THE VETERANS THEMSELVES HAVE NOT ASKED FOR IT.

Only about one-third of the survivors of the war belong to the Grand Army of the Republic, and not until the last three years could even a majority of that one-third be induced to indorse a general service pension. It was first done at the St. Louis encampment of 1887, and it was then a natural reaction from the feeling against the veto of the dependent pension bill in the Forty-ninth Congress. Again and again prior to that time the attempt had been made to procure the indorsement of that organization of the service pension, but never could a majority be secured in its favor. It is not believed that to-day the majority of veterans are in favor of pensioning men who saw no service at the front, who incurred no danger, but were merely upon the rolls for a period of ninety days.

Fifth. The proposed Grand Army service-pension bill, although called a "per diem bill" is not a per diem bill, as many suppose, except as to the excess of $8 per month. I have before me a copy of the Grand Army "per diem pension bill," so called, furnished by the pension committee of the Grand Army of the Republic.

Section 1 provides as follows:

That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll of the United States the name of any officer or enlisted man who shall have served ninety days in the Army, Navy, or Marine Corps of the United States subsequent to the 4th day of March, 1861, and prior to the 4th day of March, 1866, and having been honorably discharged, said pension to commence from and after the passage of this act and to continue during the term of life of said officer or enlisted man.

Section 2 provides:

That the rate of pension for such service shall be at the rate per month of 1 cent for each day of service rendered in said Army, Navy, or Marine Corps of the United States: *Provided, however*, That in each and every case where the service so rendered was less than eight hundred days the pension shall be at the rate herein established for the service of eight hundred days. * * * *And provided further*, That all pensions granted under this bill shall be in addition to any pension granted for disability under any general or special act.

It will be seen, therefore, Mr. Chairman, from the foregoing that this bill gives a minimum pension of $8 per month during the continuance of his life to every officer and man who served at the rendezvous for ninety days, and who never did a day's service at the front in his life, and only the same $8 a month to the veterans who served at the front for eight hundred days, and who may have passed through a score of hard-fought battles and endured all the hardships and privations of the campaign. This is inequality, and

INEQUALITY IS INJUSTICE.

The gallant veterans of a score of battles and the drafted man of ninety days' service are placed upon the same footing. I appeal to the old veterans, whether disabled or not, to say whether this is justice.

Again, the millionaire and the poor man who has nothing but his hands with which to gain a livelihood are put upon an equality. The man who has ample means and has no need whatever for the bounty of the Government receives the same consideration as the man who has no resource but his daily labor. No difference is recognized between the young man of forty or forty-two and the decrepit old man of sixty-five or seventy who is feebly tottering "over the hills to the poor-house." I submit to my comrades that this is not equity and is not worthy of a just Government.

Sixth. Once more, this bill proposes pensions of at least $8 per month for all who served for ninety days at any time prior to March, 1866. The service may have been rendered after the war was closed, after Lee had surrendered, and after the rebel army had disbanded, and yet they get $8 a month, precisely the same as the man who served the full period of eight hundred days.

Seventh. The passage of the general service-pension bill does not dispense with any of the present work of the Pension Office, because it would not change in any regard the disability pensions now provided for, but expressly provides that the service pension shall be in addition thereto. This is undoubtedly correct and just.

Eighth. It would

INDEFINITELY POSTPONE THE ADJUDICATION

of the half million claims now pending in the Pension Office for invalids, widows, orphans, and their dependents. The Pension Office, with its vast force of examiners, surgeons, and others, including examining surgeons, amounting in all to more than 4,000 men, can not possibly keep up with its present work. On June 30, 1889, the number of original claims pending was 243,920. The number of claims for increase was 235,088, making a total of 479,008. At the present time this number has increased to an even half million claims, so that, instead of diminishing, the number of pending claims is constantly upon the increase. I insert here a statement taken from the report of the Committee on Invalid Pensions, showing the number of claims pending in the Pension Office, both original and for increase, and showing that the total of claims pending on June 30, 1887, was 374,354, and that the number pending on June 30, 1889, was 479,008, an increase of more than 100,000 in two years.

Original pension claims pending, filed, admitted, and rejected during the three years ending June 30, 1889.

	Year ending June 30—		
	1887.	1888.	1889.
Pending	265,259	233,768	243,920
On rejected files	144,477	191,442	210,589
Total pending and on rejected files	409,736	425,210	454,509
Filed	72,476	75,726	81,220
Admitted	56,194	60,252	51,221
Annual value admitted	$5,287,695	$5,777,741	$5,378,490
Rejected	11,892	46,965	19,147
Disposed of	67,086	107,227	71,068

Increase pension claims pending, filed, admitted, and rejected, and pensions restored during the three years ending June 30, 1889.

	Year ending June 30—		
	1887.	1888.	1889.
Pending	109,095	180,680	235,068
Filed	107,651	148,276	163,020
Admitted	32,107	45,716	71,080
Annual value admitted	$2,912,591	$2,271,445	$4,229,794
Rejected	32,342	31,115	37,532
Disposed of	64,449	76,831	108,612
Pensioners restored	2,707	2,028	1,754
Annual value of pensions restored	$209,042	$153,565	$154,087

The question now is

WHICH OUGHT TO RECEIVE THE FIRST CONSIDERATION?

the claims already pending, most of which are for disability pensions and for increase of disabilities from wounds, or a new general service-pension bill for the able-bodied, which comes under none of these heads. For my own part, my motto in this matter has always been "one thing at a time and the most needed thing first," and, when we have disposed of the thing that is most needed, then we will be ready to take up and consider the next most necessary.

Ninth. The last reason that I shall give why a general service-pension bill ought not to pass at the present time is that the income of the Government is not adequate to meet it, and the passage of such a bill would create an immediate deficiency and would compel either additional taxation or the contracting of a new national debt. Complaints come to us from all directions already of the burdens of taxation, and I fear that any increase in taxation at this time or an increase of the national debt for the purpose of paying universal service pensions would produce such a reaction against the whole system of pensions as might endanger pensions already granted.

If we accept the tables of Dr. Ainsworth, above given, as correct as to the number of surviving soldiers, there would be 1,285,000 to be pensioned at the minimum sum of $8 per month and upwards. Eight dollars a month would represent two years two months and ten days' service, on the per diem plan, and every man who served a less period down to ninety days would receive the same, while every one who served more than 800 days would receive the additional pension at the rate of a cent for each day's service. The man who served three years would receive $10.95 a month. The man who served four years would receive $14.60 a month. It is estimated by those well qualified to judge that the average service pension under this law would be about $10 a month, or $120 a year. If this be accepted as a correct estimate, the annual cost of the so-called per diem pension bill would be

$154,000,000 PER YEAR.

The annual pension appropriation bill amounts to $98,427,000, and this without reference to the new legislation passed at this session. If we call the present annual expenditure for pensions, including the natural increase of the roll, $100,000,000, and the new expenditure on account of the per diem pension bill $150,000,000, both of which are moderate, it will give the total cost at $250,000,000 a year, which is more than the annual cost of the war during any year up to 1863 and more than the cost of the greatest standing army in Europe by at least $65,000,000.

As a friend of the soldiers and as a friend of pensions I do not believe that it is practicable or that it is possible for this country to undertake so large an expenditure.

We have already provided by law for all who were disabled in the service, either by wounds or disease, and who still suffer from such disabilities. We have provided for all the widows and orphans of those who fell in the service or who have since died from disabilities contracted in the service. We have provided pensions for the mothers and fathers who were dependent upon the deceased soldiers. We shall, I think, without doubt provide for those who are now disabled from gaining a livehood, without requiring them to prove that the disability was contracted in the service, and for all who have reached or may hereafter reach the infirmities of age as fast as they arrive at the limit established in the Mexican pension law.

And now what will remain? Only those who were not disabled either in the service or out of the service, and those who are neither dependent nor aged—in short, only those neither disabled nor needy. Pensions to such would be contrary to every principle on which pensions are granted. The very

FOUNDATION PRINCIPLE OF THE PENSION SYSTEM

from the beginning of the Government until now has been a loss incurred in the service of the Government, a sacrifice made for the common good, a need which the ex-soldier is not able to supply by reason of infirmity, either from wounds, disease, or age. No general service pension has heretofore been granted to the soldiers of any war until the pensioners had reached an average age of at least sixty-six years.

There is one more consideration to which I desire to call the attention of my old comrades in arms, and that is that the service which we rendered to the country was the highest possible duty of patriotism. No greater obligation can rest upon any citizen than the duty of defending the Government of his country in the hour of its trial. This was a duty which we rendered gladly and patriotically. The Government promised us no pensions for this service unless we were disabled or suffered a loss in the service; but the Government did promise that if in its service we became disabled we should receive pensions in proportion to the disability. That promise the Government has upon its part fulfilled as sacredly as any government in the world ever fulfilled a promise; and if every man entitled thereto has not received his pension it has been because he has failed to furnish the evidence required by law or because of some infirmity in the administration of the law.

But let us not make the mistake of supposing that the Government is something distinct from the people. The Government is the people. The Congress which makes the law are the representatives which the people themselves send. They make such laws as the majority of the people demand. The pension laws as they exist to-day are the embodiment of the wishes of the people as made known through their Representatives. It is true that one part of the country is not interested in this question of pensions except as they pay their proportion of taxes to provide the revenue. The representatives of that section are allied almost solidly with the Democratic party. This fact has made it impossible to enact the dependent pension bill into law while that party was in power, which would have relieved most of the actual suffering and want among the veterans.

But what are the objections to the sixty-two-year pension bill? It is said, in the first place, that it will benefit but few, that the veterans would all be dead before they reach that age. How incorrect this idea is will be seen from table number 3, which shows that 894,917 of the survivors will live to reach that age, excluding all pensioners now receiving pensions of $8 per month or more, or, including those receiving pensions of $8 a month or more, 918,361 will reach the age of sixty-two. Certainly this is a very respectable number. There were already on the rolls January 1, 1890, 373,102 invalid pensioners.

Mr. Chairman, I am in favor of the sixty-two-year limit, first, because it is

A LIMIT ALREADY ESTABLISHED BY LAW

in the case of the Mexican war pension bill and in the case of the retired-list of the Army, and because it is the lowest age limit at which a service pension has ever been granted by this Government for any war.

Secondly, I am for it because it is strictly and absolutely just that the soldiers should be treated alike and equally, that they should receive the benefit of a pension when they arrive at the same age, at the same degree of infirmity, and the same condition of need, and because it is not just, as I have before stated, that some should receive a pension at forty, and others at fifty, and still others not until they arrive at sixty-five or seventy, or even a greater age, which they may have already reached.

Let us take the case of a boy who enlisted in the spring of 1865 at the age of 16. He is now about forty-two years of age, in the prime of manhood. He was borne upon the rolls for ninety days. He never left the recruiting rendezvous. He never encountered either danger or hardship. His present expectation of life is about twenty-eight years. Under a general service-pension bill it is proposed to give him a pension at $8 a month, or $96 a year, as long as he shall live, or $2,508 for services that he never rendered, for danger that he never encountered, and for disability that he never incurred.

In almost every State there were more or less regiments that never left the States in which they were organized. They were "home guards." There was at least one such regiment in my own State. They never went beyond the State line. They never encountered an enemy. They never saw a rebel. They never heard a hostile shot and they never encountered the hardships of the campaign; and now under the general service-pension bill these 1,000 men would be placed upon the pension-rolls for life, and their comrades, who saw three or four years of service in the field, with all the hardships of the campaign and the dangers of the battle, would be required to contribute to the taxation which pays them this "service" pension. Will any one contend that such a pension law would be just or an equitable one?

Thirdly, I am for the sixty-two-year bill because

IT IS WITHIN THE BOUNDS OF POSSIBILITY.

I believe that the man who advocates and undertakes for the old veterans that which is possible, that which is within the power of the Government to do, is a better friend of the soldier than those who clamor for the impossible, knowing it to be the impossible, knowing perfectly that there is no probability of success, simply to make capital, with the result of producing discontent, irritation, and disappointment at home.

Mr. Chairman, I have been an advocate of more liberal pensions ever since I entered this House. No bill granting increased pensions to the disabled, to widows, to orphans, fulfilling the sacred promise made by Abraham Lincoln "to care for him who has borne the battle, and for his widow and orphans," has ever come into this House that it has not had my voice and vote. Let us fulfill that promise first. Let us first care for those who bear the scars of battle or the marks of wasting disease, or the weight of the infirmities of age; and in due order the younger, the able-bodied, the well-to-do, shall in their turn receive

the like consideration. The world will not excuse us, the future will not hold us blameless, the men who are infirm and incapable of self-support and the soldiers' widows who toil for daily bread will not forgive us, if we permit them to be jostled from the doors of the Pension Office to make room for the strong, the young, and those of ample means. Pensions are for the disabled, the infirm, and the needy; not for the strong, the able-bodied, and the independent.

APPENDIX 1.—*The Grand Army per diem pension bill.*

[Proposed by the national pension committee of the Grand Army of the Republic.]

A bill granting per diem service pensions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll of the United States the name of any officer or enlisted man who shall have served ninety days in the Army, Navy, or Marine Corps of the United States subsequent to the 4th day of March, 1861, and prior to the 1st day of March, 1866, and been honorably discharged; said pension to commence from and after the date of the passage of this act, and to continue during the term of life of the said officer or enlisted man.

SEC. 2. That the rate of pension for such service shall be at the rate per month of one cent for each day's service rendered in said Army, Navy, or Marine Corps of the United States: *Provided, however*, That in each and every case where the service so rendered was less than eight hundred days the pension shall be at the rate herein established for a service of eight hundred days: *And provided further*, That all persons whose claims are pending in the Pension Office or before Congress may, by application to the Commissioner of Pensions, in such form as he may prescribe, receive the benefits of this act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act: *And provided further*, That all pensions granted under this bill shall be in addition to any pension granted for disability under any general or special act: *And provided further*, That rank in the service shall not be considered in applications filed thereunder.

SEC. 3. That the period of service shall be computed from the date of enlistment in the United States service to the date of discharge therefrom: but no pension shall be granted under this act to or on account of any person who deserted prior to July 1, 1865, and who remained absent from his command thereafter and received no discharge, until he shall have obtained a certificate of honorable discharge from the service from which he deserted.

SEC. 4. That any agent, attorney, or other person instrumental in prosecuting any claim under this act, who shall, directly or indirectly, contract for, demand, receive, or retain for his services or instrumentality in presenting and prosecuting such claim a greater sum than $10 (payable only upon the order of Commissioner of Pensions by the pension agent making payment of the pension allowed), or who shall wrongfully withhold from a pensioner or claimant the whole or any part of the pension or claim allowed or due such pensioner or claimant, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for every such offense be fined not exceeding $500 or imprisonment at hard labor not exceeding two years, or both, in the discretion of the court: *Provide* , That no fee whatever shall be allowed to any person whomsoever in any case where an invalid pensioner is granted an increase under the provisions of this act.

SEC. 5. That section 4716 of the Revised Statutes is hereby modified so that the same shall not apply to this act: *Provided*, That this act shall not apply to those persons under political disabilities.

SEC. 6. That all laws or parts of laws which conflict with the provisions of this act be, and the same are hereby, repealed.

APPENDIX 2.—*The Cutcheon service and disability bill.*

A bill (H. R. 3869) granting pensions to certain soldiers and sailors of the United States in the late war who have attained the age of sixty two years, or who are disabled from gaining a livelihood, or who are dependent, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person specified in the several classes enumerated in section 4693 of the Revised Statutes of the United States, and the amendments thereto, who actually served in the military or naval service of the United States, as mentioned in said section, for the period of sixty days in the war of the rebellion, and was honorably discharged from said service, or was actually engaged in a battle in said war, in the service aforesaid, and was honorably discharged from said service, who at the date of application under this act shall have attained the age of sixty-two years, or who shall have become disabled, in whole or in part, physically or mentally, from gaining a support by any cause not the result of his own immoral conduct or vicious habits, and who shall also have no means of support except his own labor, and also the widow of every such soldier, sailor, officer, or enlisted man who shall not have remarried since his decease, shall be placed upon the pension-roll of the United States, and shall be entitled to receive a pension as herein provided, without being required to prove that such disability was incurred in the service and in the line of duty.

SEC. 2. That such pension, if based upon disability, shall commence from the date of filing the application therefor as hereinafter provided, and shall continue during the continuance of such disability, and shall be at the rate of $12 per month for a total disability to perform any manual labor, and pro rata for any less degree of disability. Such pension, if based upon age only, shall commence from the time when the claimant shall have attained the age of sixty-two years, and shall continue during the natural life of such pensioner, and shall be at the uniform rate of $8 per month. Such pension, if based upon widowhood, shall be at the rate of $12 per month, and shall commence from the passage of this act, and shall continue until the death or remarriage of such widow.

SEC. 3. That no person now a pensioner of the United States, or who at the passage of this act shall have a claim for pension pending under existing laws, shall be entitled to receive a pension under this act until such person shall have executed, acknowledged, and filed with the Commissioner of Pensions an election in writing to accept the provisions of this act, and forever renouncing any pension such person may be receiving or might receive under any other act or law; and no person shall receive more than one pension at the same time under any or all laws of the United States relating thereto.

SEC. 4. That before the name of any person shall be placed upon the pension-roll under the provisions of this act application shall be made therefor, in writing, by the claimant, setting forth under oath the grounds upon which such pension is claimed; and such application shall be supported by competent proof of the right of such applicant to such pension, under such rules and regulations as the Secretary of the Interior may prescribe; and any person who shall knowingly take any false oath in any material matter in any application or proceeding under this act shall be deemed guilty of perjury.

APPENDIX 3.—*The Morrill service and disability bill.*

A bill (H. R. 8297) providing for a service pension for the soldiers of the rebellion, and their widows, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of any officer or enlisted man of sixty-two years of age or over, or who shall hereafter reach that age, who shall have served ninety days or more in the Army, Navy, or Marine Corps of the United States during the war of the rebellion, and shall have received an honorable discharge therefrom, said pension to commence from the date of the application therefor and to continue during the term of the life of said officer or enlisted man, at the rate of $8 a month.

SEC. 2. That all persons who shall have served ninety days or more in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom, and who are now, or may hereafter be, suffering from mental or physical disability equivalent to the grade now established in the Pension Office for the rating of $8 per month, upon due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States at the rate of $8 per month, and such pension shall commence from the date of the filing of the application in the Pension Office after the passage of this act upon proof that the disability then existed, and shall continue during the existence of the same: *Provided*, That those who are now receiving pensions under existing laws, or whose claims are pending in the Pension Office, may, by application to the Commissioner of Pensions, in such form as he may prescribe and approve, showing themselves entitled thereto, receive the benefit of this act, and nothing contained in this act shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act: *Provided, however*, That no person shall receive more than one pension for the same period.

SEC. 3. That if any officer or enlisted man who served three months or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged, has died, or shall hereafter die, leaving a widow over the age of sixty-two years, such widow shall, upon due proof of her husband's death, be placed upon the pension-roll from date of her application, at the rate of $8 per month, to continue during her widowhood.

SEC. 4. That if any officer or enlisted man who served three months or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged, has died, or shall hereafter die, leaving a widow without other means of support than her daily labor, or minor children under the age of sixteen years, such widow or minor children shall, upon due proof of her husband's death, without proving his death to be the result of his army service, be placed on the pension-roll from the date of the application therefor, at the rate of $8 per month during her widowhood, and in case of the death of the widow, leaving a child or children under the age of sixteen years, such pension shall be paid such child or children: *Provided*, That said widow shall have married said soldier prior to the passage of this act.

SEC. 5. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting pension claims under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claims a sum greater than $5, which sum shall be payable only upon order of the Commissioner of Pensions by the pension agent making payment of the pension allowed, and any person who shall violate any of the provisions of this section, or who shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension or claim allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not less than $100 nor more than $500 or be imprisoned at hard labor not exceeding two years, or both, at the discretion of the court.

APPENDIX 4.—*Report of the Committee on Invalid Pensions on the Morrill service-pension bill.*

Mr. MORRILL, from the Committee on Invalid Pensions, submitted the following report (No. 1160), to accompany H. R. 8297:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8297) providing for a service pension for the soldiers of the rebellion and for their widows, and for other purposes, submit the following report:

The first section of this bill proposes to place on the pension-rolls all of the surviving soldiers of the late war of the rebellion who are now sixty-two years of age and who served ninety days or more in the Army or Navy, and the remainder as fast as they arrive at that age. This proposition is strongly opposed on the ground that there is no precedent for granting a service pension so soon after the close of the war. While it is true that service pensions were not granted to the survivors of former wars until a longer period of time had elapsed, yet the fact remains that the very principle upon which a service pension at the age of sixty-two years is based is that at that age the soldier is presumed to be past the age of labor and unable longer to engage in the active duties of life, and on that account needs the aid of the Government that he fought to defend and maintain.

If this theory be accepted for the true basis of a service pension, then the question of the length of time which has elapsed after the close of the war does not materially enter into the consideration of the question. A law should be placed on the statute-books as soon after the close of the war as any of the soldiers have reached the required age. The veteran can never more be sixty-two years of age than on his sixty-second birthday, and if a pension is to be granted to him on the theory that at that age he needs the aid and assistance of his Government, the law ought to be enacted as soon as any considerable number of the soldiers of a war reach that age. If it is urged that a longer time should be permitted to pass, so that the number of the survivors may be the less and the cost to the Government thereby lessened, your committee would reply that such a proposition is utterly unworthy of consideration by the Representatives of a great Government.

The second section of the bill provides for those who, not having arrived at the age of sixty-two years, are suffering from disabilities which incapacitate them from pursuing the ordinary avocations of life, and thus render them equally disabled from earning a livelihood as those who have reached the age named in the first section of the bill, and are therefore equally needing and equally entitled to the aid of the Government. It does not require the applicant to show that he received the disabilities in the service, but it is a broad declaration on the part of the Government that it will generously care for its brave defenders in their hour of need.

The third section of the bill provides for the widows of the soldiers who have reached the age of sixty-two, and carries to the old veteran the assurance that whenever he is taken from his family the Government shall continue to care for her who shared his joys and his sorrows during the remainder of her life.

The fourth section of the bill provides a pension for all widows of soldiers in-

respective of the cause of death of the husband, provided it is shown that they are dependent upon their own labor for support.

The committee have exhausted every source of information at their command in their efforts to obtain reliable data on which to estimate the probable cost under the provisions of this bill. After a patient and thorough examination they are satisfied that the figures submitted by the Commissioner of Pensions, which are hereto attached, are approximately correct. The bill if enacted into a law will place upon the pension-rolls nearly 300,000 of the old and disabled veterans of the war, about 80,000 widows of their deceased comrades, and will increase the pensions of nearly 90,000 soldiers who are now receiving less than $8 per month. The estimated cost is $39,625,316 for the fiscal year ending 1891, and there would be a probable increase in the cost for five years of from $3,000,000 to $5,000,000 per year. Large as this sum may seem, your committee firmly believe, from the numerous and hearty indorsements which this bill has received from all sections of the country, that this additional burden will be cheerfully borne in caring for those brave defenders of the Union and their widows who now so greatly need the helping hand of the Government which they by their sacrifices and sufferings defended and preserved.

This bill does not propose to change in any way the existing pension laws, and those who received wounds or other disabilities in the service can, therefore, if they prefer to do so, make their applications and receive their pensions under the present law. Believing that it will bring relief to thousands of poor and disabled men and women who are entitled to their country's gratitude, and that it is a simple act of justice to those who so generously made sacrifices that their country might live, your committee recommend the passage of the bill with the following amendments:

Strike out in line 7, section 1, the words "shall have."

Strike out in line 1, section 2, the words "shall have." Insert the word "shall" after the word "provide" in line 9, section 2.

In line 2, section 3, strike out "three months" and insert "ninety days."

In line 11, section 4, after the word "death" insert "or remarriage."

In line 12, section 4, after the word "children," insert "of the soldier or sailor."

In line 13, section 4, after the word "children," insert "until the age of sixteen."

APPENDIX.

Memorandum giving the number of survivors of the war for the Union, as shown by the records of the War Department; also giving facts connected with the Pension Office service; also estimate of the probable cost of H. R. bill No. 8297, providing for a service pension and other purposes, for the fiscal year 1891:

Number of soldiers enlisted during the war for the Union, excluding re-enlistments		2,213,365
Number killed in battle and by other casualties and who died of disease to July 1, 1865	364,116	
Estimated number of deaths of soldiers discharged during the war to July 1, 1865	25,284	
Number of desertions	121,896	
		511,296
Number of survivors of the war July 1, 1865, less deaths and desertions		1,702,069
Number of survivors July 1, 1865, less deaths and desertions, who were subject to the usual laws of mortality	1,116,069	
Number of survivors July 1, 1865, who because of wounds and other disabilities were subject to a higher rate of mortality equal to twelve years' shortening of the expectation of life	586,000	
Number surviving July 1, 1890, who are probably subject to the ordinary life tables	831,069	
Number surviving July 1, 1890, who are subject to a greater death rate	415,000	
Total number of survivors July 1, 1890		1,246,069
Number of survivors on the pension-rolls January 1, 1890		873,102
Number of survivors not on the pension-rolls January 1, 1890		372,967
Number of survivors 62 years of age and upwards July 1, 1890		143,920
Number of survivors 62 years of age and upwards now on the pension-rolls		63,427
Number of survivors 62 years of age not drawing pensions		80,493
Number of pensioners on rolls drawing less than $8 per month July 1, 1890		150,836
Number of pensioners 62 years of age who will be entitled to an increase of $3.67 per month		25,642
Number of pensioners under 62 years of age drawing less than $8 per month who would probably be entitled to an average increase of $3.67 per month		62,579
Number of invalid claims pending January 1, 1890		182,955
Number of invalid claims on rejected files January 1, 1890		99,878
Number of widows' claims pending January 1, 1890		74,228
Number of widows' claims on rejected files January 1, 1890		38,660
Number of dependent mothers and others on rejected files January 1, 1890		9,414
Number of invalid claims pending which will probably be allowed under section 2		107,234
Number of invalid claims on rejected files January 1, 1890, which would probably be allowed under section 2		43,937
Number of widows' claims on rejected files January 1, 1890, which will probably be allowed		34,797
Number of survivors not included in above figures		641,223
Number of them who would probably apply for pension		64,122

Estimate of the appropriation required for fiscal year 1891 to meet the expenditures contemplated by H. R. bill 8297, providing for a service pension, etc.

90,493 survivors 62 years of age, at $96 per annum	$7,727,328
25,642 pensioners 62 years of age, who would be entitled to an increase of $3.67 per month	1,129,273
39,263 widows who will probably be entitled under the law, at $8 per month	3,769,248
Cost of proposed service pension for fiscal year 1891	12,625,849

Estimate of the appropriation required for fiscal year 1891, to meet the expenditures contemplated by H. R. bill 8297 providing for a service pension, etc.

90,493 survivors sixty-two years of age, at $96 per annum	$7,727,328
25,642 pensioners sixty-two years of age who would be entitled to an increase of $3.67 per month	1,129,273
39,263 widows who will probably be entitled under the law, at $8 per month	3,769,248
Cost of proposed service pension for fiscal year 1891	12,625,849

Recapitulation of claims which would probably be allowed under sections 2 and 4.

Pending invalid claims	107,234
Pending widows' claims	38,660
Rejected invalid claims	43,937
Probable number of new applications	64,122
Total	253,953
At $96 per annum	24,379,488
62,579 pensioners under sixty-two years of age now on rolls at less than $8 per month who will probably be increased $3.67 per month	2,755,779
Cost of proposed service pension as above	12,625,849
Total appropriation required	39,625,316

Number of survivors who will probably be placed on the rolls under this act in 1891	295,780
Number of widows who will probably be placed on rolls	64,302
Number whose pensions would be increased during the same period	88,221
Total	448,309

The number of survivors not included in above calculation and who will arrive at sixty-two years of age is as follows:

Years.	Number.	Yearly rate.	Amount.
1892	14,819	$96	$1,422,624
1893	16,255	96	1,560,480
1894	17,946	66	1,722,816
1895	19,938	96	1,914,048
1896	22,251	96	2,136,096
1897	24,949	96	2,395,104
1898	28,098	96	2,697,408
1899	31,746	96	3,047,616
1900	35,946	96	3,450,816
1901	40,760	96	3,912,960
1902	46,236	96	4,438,656
1903	52,397	96	5,030,112
1904	59,254	96	5,688,384
1905	69,252	96	6,648,192
1906	63,803	96	6,123,728
1907	29,223	96	2,805,312
1908	3,704	96	355,584
1909	535	96	51,360
Total	577,201		

Admission of Idaho.

SPEECH

OF

HON. ISAAC S. STRUBLE,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 3, 1890.

The House having under consideration the bill (H. R. 4562) to provide for the admission of the State of Idaho into the Union—

Mr. STRUBLE said:

Mr. SPEAKER: Before proceeding to discuss some of the questions relating to the admission of Idaho, which have been raised in opposition to the constitution presented by that Territory, I wish to call attention briefly to a demonstration made on the floor of the House on yesterday by the handsome, able, and eloquent gentleman who represents the Territory of Arizona in this Congress. I noticed that some of the new members on the other side of the House, when my friend, Mr. SMITH, was talking, looked as if they were astonished and surprised beyond measure that it could be true, as alleged, that a Republican committee of this House, in a Republican Congress, with such glowing, glittering, convincing facts as were thrown out by the gentleman from Arizona in the course of his remarks at that time, could possibly have failed to bring in a bill for the admission of that Territory in advance of or together with the bills already considered and adopted and in advance of or together with the bill which we are now considering.

I do not wish to be guilty often, Mr. Speaker, of citing a Democratic precedent in justification for Republican action. Heaven forbid! But I have in my hand a report which was filed in the last Congress by the distinguished gentleman from Illinois—the industrious, capable, I must say, patriotic chairman of the Committee on the Territories at that time [Mr. SPRINGER]—proposing the admission of Arizona, Idaho, and Wyoming into the Union. Such a bill was actually presented, but how early, Mr. Speaker, do you suppose that that indefatigable, industrious, everywhere-present-and-always-here chairman of the committee [laughter] filed the report from the Committee on the Territories in that case? It is worthy of consideration. Let us see. This bill was presented early in the Fiftieth Congress, but it was not until the 13th day of February, 1889, just nineteen days before the adjourn-

ment of that Congress, that it was reported from the committee; and yet we have seen him throw up his hands to-day and have heard him exclaim in tragic manner that he would have desired, that he did desire to see Arizona and Idaho admitted into the Union during the last Congress!

This, Mr. Speaker, is but a sample, an illustration of some of the characteristics, possibly some of the weaknesses, of this experienced statesman, my friend from Illinois. Think of it, Mr. Speaker and gentlemen, only nineteen days before that session of Congress adjourned, when it was fast approaching dissolution, when it was in the grasp of pressing public business, demanded by the country, he filed his report on these Territories, which report could have been filed during the first session of the Congress, when the consideration of that bill could have been had early; and yet we find it put off and off and off, until about a half a month only remained of the session. This is a fair and uncontradictable illustration of the extent of interest felt by the gentleman in the admission of Arizona, Idaho, and Wyoming. If he desired enabling acts for any or all of them, then his manner of making the same apparent was, to say the least, peculiar.

Now, I wish to say in further reply to my friend from Arizona [Mr. SMITH] that the Committee on the Territories have been industriously at work; they have been hard at work. They have proposed to the House legislation in the shape of important bills reported from the committee; they have asked a great deal of the time of the House; in fact, we have asked more allowance of time of the House than we have felt like asking in justice to other committees. But we have continued at work; we have not sought to delay our work, and do not propose to disregard the proper claims or merits of any Territory having bills before the committee.

But, Mr. Speaker, when we come to consider the question of Arizona and look into the report of the Governor of the Territory to the Secretary of the Interior, we find that she is lessening in her vote and population; that she cast nearly one thousand votes less in the last election, in 1888, than in 1884; that she is in an unfortunate financial condition; so much so, in fact, that her bonded floating debt amounts to over $650,000, with outstanding warrants $100,000, and the county, Territorial, and city indebtedness exceeds $2,900,000. And yet here is a condition of things on which my friend from Arizona has urged that a bill proposing the admission of that Territory ought to be put on the Calendar in advance of or at same time as bills providing for the admission of Wyoming and Idaho. Here is a condition of things, I say, and of a serious nature, that confronts us at the very threshold, and one which, in my judgment, is worthy of serious and deliberate consideration.

But, sir, I contrast with this theatrical spectacle of yesterday the dignified, gentlemanly, statesmanlike position taken and maintained by the gentleman from New Mexico [Mr. JOSEPH] on the floor to-day in remarks concerning the Territory represented by him. I contrast that in favor of the latter, and with a degree of complimentary criticism in favor of the gentleman from New Mexico who addressed the House to-day, as compared with the performance on yesterday by the gentleman from Arizona.

Now I wish to call attention to the question presented for our deliberation. This discussion is fast drawing to a close; in a few moments the House will vote on an important proposition in relation to the enlargement of this great nation. We are to add to or reject another star from the great firmament of nationality; we are to pronounce in favor of the constitutional right of another hundred thousand people or we are to deny them that right in the face of facts entitling that people to our highest consideration.

I agree with my friend from Kansas [Mr. PERKINS] in his remarks in respect to the attitude of our colleague upon the committee Mr. MANSUR, of Missouri. I agree with him that this gentleman who framed these minority views, so ably presented from that standpoint, had a laborious time in his argument on yesterday. I sympathized with him then and do now. He is a man not only of large frame, but of large and generous heart; he is a man of keen and broad conscience; he is a man who does not wish to yield too much to partisanship, but to do the right thing at all times and under all circumstances. I believe, sir, that this excellent gentleman has been led away on this one point of the constitutionality and propriety of dealing with Mormon people in the manner provided in the constitution now before us.

Mr. Speaker, my friend and other gentlemen on that side have avowed their opposition to this institution of polygamy. They have asserted over and over again they abhor it; and I presume there is no doubt they so feel. But it seems to me if they had that intense conviction of conscience which this subject justifies and demands they would not hesitate so much as to the precise question of detail in the administration of the law. Recognizing, like others, the monstrous evil embodied in this bigamous system, it seems to me they would be willing to go to any reasonable length required in the direction of intensifying the legislation of this country with a view to the effectual suppression of this monstrous Mormon doctrine of polygamy.

Now, sir, what has been the policy of Congress toward this institution? It commenced away back in 1862, by what might be called mild legislation, defining bigamy in the Territories and providing punishment therefor; also limiting the power of religious institutions in the Territories to hold real estate. It sought to abate the practice of polygamy in the Territories. But all to no avail; it was found that that law was not sufficient, and more comprehensive measures were enacted. Finally the Edmunds bill, which was regarded a very stringent measure and sufficiently so to suppress this vice, was enacted into law in 1882.

This statute amended section 5352 of the Revised Statutes, defining and punishing bigamy, by declaring that certain acts in the former law which were held to constitute bigamy, together with certain other acts described, were in this law of 1882 held to constitute polygamy. Section 3 marked an advance on previous enactments by providing "that any male person, in a Territory or other place over which the United States have exclusive jurisdiction, who hereafter cohabits with more than one woman shall be deemed guilty of a misdemeanor, and on conviction" shall be punished by a fine or imprisonment, or both fine and imprisonment, in the discretion of the court. But a more important advance than any before is found in section 5 of this act, making any person in polygamy or theretofore guilty of this offense, and also any one who believes it right for a man to be in polygamy, incompetent to sit as a juror in any prosecution for bigamy, polygamy, or unlawful cohabitation.

By section 8 of the law a most radical step forward was taken by the denial of right of suffrage and office-holding, whether elective or appointive, or any place of public trust, honor, or emolument in, under, or for any Territory or place under the United States. Finally, and by the last section of this statute, a further sweeping change was made by the abolishment of all registration and election officers of every description in the Territory of Utah and providing for a registration, canvassing, and returning board to be appointed by the President with the advice and consent of the Senate, which board is still in existence.

Notwithstanding the comprehensive and penal character of this law, it required but a few years to demonstrate its insufficiency for the purpose intended, and the Forty-ninth Congress passed what is known as the Edmunds-Tucker act, a law, in numerous of its features, so far in advance of any other enacted prior thereto that it may well be denominated a new departure in the policy of national legislation on this subject.

It is too lengthy for review as to many of its details, but it will be remembered that among its prominent features are those annulling acts of the Utah Assembly incorporating the Mormon Church and other statutes passed by that body in the interest of the Mormon cause and directing the Attorney-General of the United States to institute proceedings to forfeit and escheat to the United States the property of corporations in Utah obtained or held in violation of the laws of Congress.

That part of this law of 1887, however, most pertinent to the question now before the House is found in section 24, requiring as a precedent to the right of every male person in Utah to register or vote at any election in said Territory, that he shall take and subscribe an oath or affirmation before the registration officer of his voting precinct to the effect—

That he is over twenty-one years of age, and has resided in the Territory of Utah for six months then last passed and in the precinct for one month immediately preceding the date thereof, and that he is a native-born or naturalized (as the case may be) citizen of the United States, and further state in such oath or affirmation his full name, with his age, the name of his lawful wife, and that he will support the Constitution of the United States, and will faithfully obey the laws thereof, and especially will obey the act of Congress approved March 22, 1882, entitled "An act to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," and will also obey this act in respect of the crimes in said act defined and forbidden, and that he will not, directly or indirectly, aid or abet, counsel or advise, any other person to commit any of said crimes.

Mr. Speaker, it affords me pleasure in passing to say that I think the wise and excellent statesman from Virginia, Mr. Randolph Tucker, the chairman of the Judiciary Committee of the House, added much to his fame as a legislator by his able and successful leadership in that body in the contest for the enactment of the statute to which I have just adverted.

But, sir, if I am not in error this is the only instance in the history of the country in which a Democratic legislator achieved the least fame in leading an aggressive legislative campaign against Mormon polygamy and the iniquities of the Mormon Church; and it is plainly evident that no Democratic member of this House has determined to follow Mr. Tucker's example. On the contrary, it will be found that acquiescence is general over there in the leadership of another Democratic statesman [Mr. SPRINGER], which on this subject is in marked contrast with that of the distinguished chairman of the Judiciary Committee of the House in the Forty-ninth Congress.

Returning to the consideration of the Idaho constitution, I maintain that it merely follows the last United States statute on the point of polygamy, in requiring an oath in advance of voting, with the addition of a proposition which has since the enactment of the law of 1887 been sustained as proper on this subject by courts in Idaho and Utah, and which, as I contend, the Supreme Court of the United States has squarely sustained in the recently decided case of Davis *vs.* Beeson, appealed

from the Idaho supreme court. Here is the language on the point under debate:

In our judgment, section 509 of the revised statutes of Idaho Territory, which provides that "no person under guardianship, *non compos mentis*, or insane, nor any person convicted of treason, felony, or bribery in this Territory, or in any other State or Territory in the Union, unless restored to civil rights; nor any person who is a bigamist or polygamist, or who teaches, advises, counsels, or encourages any person or persons to become bigamists or polygamists, or to commit any other crime defined by law, or to enter into what is known as plural or celestial marriage, or who is a member of any order, organization, or association which teaches, advises, counsels, or encourages its members or devotees or any other persons to commit the crime of bigamy or polygamy, or any other crime defined by law, either as a rite or ceremony of such order, organization, association, or otherwise, is permitted to vote at any election, or to hold any position or office of honor, trust, or profit within this Territory," is not open to any constitutional or legal objection.

With the exception of persons under guardianship or of unsound mind, it simply excludes from the privilege of voting or of holding any office of honor, trust, or profit those who have been convicted of certain offenses, and those who advocate a practical resistance to the laws of the Territory and justify and approve the commission of crimes forbidden by it. The second subdivision of section 504 of the revised statutes of Idaho requiring every person desiring to have his name registered as a voter to take an oath that he does not belong to an order that advises a disregard of the criminal law of the Territory, is not open to any valid legal objection to which our attention has been called.

I now give in full the language of the Idaho constitution to which objection is made, from which it will appear that the framers of the constitution substantially copied the existing statute on the subject of the qualifications of voters. Section 3 of article 6 of the Idaho constitution is as follows:

SEC. 3. No person is permitted to vote, serve as a juror, or hold any civil office who is under guardianship, idiotic, or insane, or who has at any place been convicted of treason, felony, embezzlement of the public funds, bartering or selling or offering to barter or sell his vote, or purchasing or offering to purchase the vote of another, or other infamous crime, and who has not been restored to the rights of citizenship; or who, at the time of such election, is confined in prison on conviction of a criminal offense; or who is a bigamist or polygamist, or is living in what is known as patriarchal, plural, or celestial marriage, or in violation of any law of this State or of the United States forbidding any such crime; or who, in any manner, teaches, advises, counsels, aids, or encourages any person to enter into bigamy, polygamy, or such patriarchal, plural, or celestial marriage, or to live in violation of any such law, or to commit any such crime; or who is a member of or contributes to the support, aid, or encouragement of any order, organization, association, corporation, or society which teaches, advises, counsels, encourages, or aids any person to enter into bigamy, polygamy, or such patriarchal or plural marriage, or which teaches or advises that the laws of this State prescribing rules of civil conduct are not the supreme law of the State; nor shall Chinese or persons of Mongolian descent, not born in the United States, nor Indians, not taxed, who have not severed their tribal relations and adopted the habits of civilization, either vote, serve as jurors, or hold any civil office.

It is perfectly apparent to my mind that this constitutional condemnation not only of polygamists, but of the Mormon Church as an organization which teaches, advises, counsels, encourages, and aids persons to enter into polygamy has been upheld by the highest judicial tribunal of the land. The additional element of the prohibition of the constitution forbidding service on juries is already a part of the United States statutes, being found in section 5 of the Edmunds act, so called, as I have already shown; therefore this can not reasonably be urged as establishing a substantial difference between the Idaho statute and the constitution on which it is proposed to admit the State.

The decision by the Supreme Court in Davis *vs.* Beeson will no doubt be sufficient to convince any one not determined on entertaining a contrary view that it is competent for a Territory to deny suffrage to members of the Mormon Church, but I desire as matter of judicial history, as well as of interest, to remind the House that since 1887 two of the courts in our Territories, presided over by eminent men in their localities, have passed upon this question of the character of this Mormon Church. The question has been brought squarely before them whether this church in deed and in fact is a criminal organization, and in both of those cases it has so decided. One of them was decided in Utah by Judge Anderson, an eminent citizen of Iowa and a distinguished jurist, and he held after a careful review of the question that this church does teach men that crime is a religious duty and it is thereby a criminal organization.

Mr. SWENEY. And he a Democrat, too.

Mr. STRUBLE. Yes, and he a Democrat and an appointee of Mr. Cleveland, and here is his summing up of the case:

The Mormon Church teaches—

First. That it is the actual and veritable kingdom of God on earth, not in its fullness, because Christ has not yet come to rule in person, but for the present he rules through the priesthood of the church, who are his vicegerents on earth.

Second. That this kingdom is both a temporal and spiritual kingdom, and should rightfully control and is entitled to the highest allegiance of men in all their affairs.

Third. That this kingdom will otherthrow the United States and all other Governments, after which Christ will reign in person.

Fourth. That the doctrine of "blood atonement" is of God, and that under it certain sins which the blood of Christ can not atone for may be remitted by shedding the blood of the transgressor.

Fifth. That polygamy is a command of God, which, if a member obeys, he will be exalted in the future life above those who do not.

Sixth. That the Congress of the United States has no right under the Constitution to pass any law in any manner interfering with the practice of the Mormon religion, and that the acts of Congress against polygamy and disfranchising those who practice it are unwarrantable interferences with their religion.

NOT FIT CITIZENS.

Can men be made true and loyal citizens by such teachings, or are they likely to remain so, surrounded by such influences? Will men become attached to the principles of the Constitution of the United States when they hear the Government constantly denounced as tyrannical and oppressive? It would be as unreasonable to expect such a result as it would be to expect to gather grapes from thorns or figs from thistles.

It has always been and still is the policy of this Government to encourage aliens who in good faith come to reside in this country, to become citizens; but when a man of foreign birth comes here and joins an organization, although professedly religious, which requires of him an allegiance paramount to his allegiance to the Government, an organization that impiously and blasphemously claims to be the Kingdom of God, to control its members under His immediate direction, and yet teaches and practices a system of morals shocking to christian people everywhere, and under which the marriage of a man to two or more sisters, or to a mother and daughter is sanctioned, an organization that sanctions blood atonement as a means of grace and murder as a penalty for revealing the secrets of its ceremonies, and which for nearly half a century has refused to acknowledge the supremacy of the United States or render obedience to its laws, it is time for the courts to pause and inquire whether such an applicant should be admitted to citizenship.

The evidence in this case establishes unquestionably that the teachings, practices, and aims of the Mormon Church are antagonistic to the Government of the United States, utterly subversive of good morals and the well-being of society, and that its members are animated by a feeling of hostility towards the Government and its laws, and therefore an alien who is a member of said church is not a fit person to be made a citizen of the United States.

The application of Frederick W. Miller, Henry J. Owen, John Berg, Charles E. Clissold, Niels Anderson, Carl P. Larsen, Thomas M. Mumford, John Garbett, and Arthur Townsend to become citizens is therefore denied.

THOMAS J. ANDERSON,
Associate Justice Supreme Court and Acting Judge Third Judicial District.

The other decision was made by Judge Berry in Blackfoot, Idaho, in October, 1888, in the case of Wooley *vs.* Watkins, the only question being whether the Mormon Church is a criminal organization. It appears that in this case it was claimed that a reformation had taken place in the church. On a full hearing and argument Judge Berry, after summing up the facts, said:

I therefore conclude that the Church of Jesus Christ of Latter-Day Saints, commonly known as the Mormon Church, is an organization whose teachings and doctrines are within the inhibition of this law—

Speaking of the election law of Idaho—

that it is a criminal organization; that its doctrines and teachings have not been repealed, abrogated, or changed in this Territory, so as to in any way affect such organization in this Territory or elsewhere, and that membership in such organization is inconsistent with the right of such members to vote under the law.

The judgment in this case was affirmed on appeal to the supreme court of the Territory (22 Pacific Reporter, page 106). Following this, as I have shown, Judge Anderson in Utah met the same issue, and, as will be seen from his decision, in a direct and unmistakable manner entered judicial condemnation of the Mormon Church.

Now, the argument I wish to urge at this point is this: That whatever tenderness, whatever conservatism you gentlemen on that side of the House may have experienced, whatever may have been your reluctance to enact this rigid legislation in the endeavor to suppress the vile and iniquitous system of polygamy, the legislation in the Forty-ninth Congress has proved ineffectual, and since that time the courts in those Territories and lately the Supreme Court of the United States have sustained the rigorous propositions embodied in this Idaho constitution.

I appeal to gentlemen on that side of the Chamber, with these judicial adjudications made since the Forty-ninth Congress passed that law, with their professed abhorrence of the iniquitous system of polygamy, and their professed desire to legislate for the best and highest interests of the people of this Republic, I appeal to them whether they will hesitate to-day in going with us, supported as they are by these three decisions, each made by an eminent Democrat, holding this class of legislation to be constitutional and proper.

I do hope—though I think it may be hoping against the inevitable—that there will be few gentlemen on that side of the Chamber, in view of the necessity that exists for this legislation and in view of these adjudications and their reasonableness—I do hope, I say, that there will be but few, if any, gentlemen who will stand up here and say, "We are against polygamy always, but we can not vote for its suppression as proposed by this constitution." This constitution has been sustained in nearly its extremest provisions by respectable courts. Its constitutionality is no longer a question of speculation. It is no longer a question of conjecture. It is no longer a question of doubt. It is beyond all doubt. And now, for one, I feel like appealing to you gentlemen to go with us in support of this bill and aid in striking another blow at the vice of these people.

Gentlemen object to this constitution and say, in substance, they oppose it because it does not provide the machinery and details of legislation or the processes by which the guilty shall be deprived of the right to vote or how they shall be denied the suffrage.

Why, Mr. Speaker, these gentlemen know very well that in forming a constitution the framers can only deal in abstract principles. The constitution is not a thing of legislative detail. It is one of fundamental principles, and that is all that the framers of such an instrument should undertake to do, namely, to lay down general principles for the government of the people in the jurisdiction over which the constitution is to obtain.

This constitution, like all others, I may say, provides for the passage of laws to effectuate the principles it enunciates. By section 15 of article 21 it is provided that—

The Legislature shall pass all necessary laws to carry into effect the provisions of this constitution.

Now, sir, our Democratic friends, as I have said, complain that the

details of legislation are not embodied in this constitution in a way to enable them to see whether outrages are to be perpetrated by the people of this State in years to come in the administration of their laws. But they have upon the statute-books of Idaho a law, which has been referred to here, which does deal with the question of details. It provides in substance that a voter on complying with the law in respect to taking the oath and registering may vote, and his oath simply declares that he is not a polygamist or a member of a polygamous society advocating that or any other crime. On compliance with this law he may deposit his ballot, and the consequence of the violation rests in a criminal proceeding that may be instituted against him if he shall be guilty of perjury.

I say, Mr. Speaker, that upon no reasonable hypothesis, upon no common-sense view of the case, upon no view that appreciates the intelligence of the people occupying this Territory, will it be presumed that the Legislature of Idaho, even under this constitution, will enact anything but a reasonable statute of details to effectuate this fundamental principle of the organic law.

But, sir, I must pass on, for I find I shall not have time to develop some of the points upon which I would like to speak. To go again to the character of the Mormon Church, let me say that it is a criminal institution any one must admit, I think, who will read section 132 of the Mormon book, entitled "Doctrines and Covenants," being an alleged revelation to Joseph Smith on the subject of polygamy. It will be found on pages 423, *et seq.* of that book, and purports to have been made on July 12, 1843, and opens up in the following style:

1. Verily, thus saith the Lord unto you, my servant Joseph, that inasmuch as you have inquired of my hand, to know and understand wherein I, the Lord, justified my servants Abraham, Isaac, and Jacob, as also Moses, David, and Solomon, my servants, as touching the principle and doctrine of their having many wives and concubines:

2. Behold! and lo, I am the Lord thy God, and will answer thee touching this matter:

3. Therefore, prepare thy heart to receive and obey the instructions which I am about to give unto you: for all those who have this law revealed unto them must obey the same:

4. For behold! I reveal unto you a new and everlasting covenant: and if ye abide not that covenant, then are ye damned; for no one can reject this covenant and be permitted to enter into my glory.

5. For all who will have a blessing at my hands shall abide the law which was appointed for that blessing, and the conditions thereof, as were instituted from before the foundation of the world;

6. And as pertaining to the new and everlasting covenant, it was instituted for the fullness of my glory; and he that receiveth a fullness thereof must and shall abide the law or he shall be damned, saith the Lord God.

* * * * * * *

19. And again, verily I say unto you, if a man marry a wife by my word, which is my law, and by the new and everlasting covenant, and it is sealed unto them by the Holy Spirit of promise by him who is anointed, unto whom I have appointed this power and the keys of this priesthood, and it shall be said unto them, Ye shall come forth in the first resurrection; and if it be after the first resurrection, in the next resurrection, and shall inherit thrones, kingdoms, principalities, and powers, dominions, all heights and depths—then shall it be written in the Lamb's Book of Life that he shall commit no murder whereby to shed innocent blood, and if ye abide by my covenant and commit no murder whereby to shed innocent blood it shall be done unto them whatsoever my servant hath put upon them, in time and through all eternity, and shall be of full force when they are out of the world; and they shall pass by the angels and the gods which are set there, to their exaltation and glory in all things, as hath been sealed upon their heads, which glory shall be a fullness and a continuation of the seeds forever and ever.

20. Then shall they be gods, because they have no end; therefore shall they be from everlasting to everlasting, because they continue; then shall they be above all, because all things are subject unto them; then shall they be gods, because they have all power and the angels are subject unto them.

21. Verily, verily, I say unto you, except ye abide my law, ye can not attain to this glory.

* * * * * * *

26. Verily, verily, I say unto you, if a man marry a wife according to my word, and they are sealed by the Holy Spirit of promise, according to my appointment, and he or she shall commit any sin or transgression of the new and everlasting covenant whatever, and all manner of blasphemies, and if they commit no murder, wherein they shed innocent blood, yet they shall come forth in the first resurrection and enter into their exaltation, but they shall be destroyed in the flesh and shall be delivered unto the buffetings of Satan unto the day of redemption, saith the Lord God.

27. The blasphemy against the Holy Ghost which shall not be forgiven in the world, nor out of the world, is in that ye commit murder wherein ye shed innocent blood, and assent unto my death, after ye have received my new covenant, saith the Lord God; and he that abideth not this law can in no wise enter my glory, but shall be damned, saith the Lord.

The following clearly teaches and encourages crime:

61. And again as pertaining to the law of the priesthood: If any man espouse a virgin and desire to espouse another, and the first give her consent; and if he espouse the second, and they are virgins, and have vowed to no other man, then he is justified; he can not commit adultery, for they are given unto him; for he can not commit adultery with that that belongeth unto him and to no one else.

There are more paragraphs of this alleged revelation that might be of interest, but these suffice for the purpose in view. It will be seen that the men who will take plural wives and obey this so-called law are to be above the angels in heaven, are to be as gods. If they obey as is commanded in this revelation, they shall have this supreme position in the world to come, besides having all that earth can afford.

Mr. Speaker, it is to my mind horrible that a church should be tolerated that imposes upon the consciences of its men and women the doctrine that if they would have the best that God can give them, here and elsewhere, if they would be saved beyond any question, it they would rule as kings and priests they must commit the crime of polygamy. That doctrine has been preached day after day and year after year by the apostles, the head men of this church; and, as I have said, they have exemplified it by their practice. Still my friend from Missouri [Mr. MANSUR] says, "It does not make any difference about that, because only a few of those people practice polygamy."

Ah, Mr. Speaker and gentlemen of the House, the "few" are the highest, the most exalted in the church; the "few" are those of most power in business and in spiritual things; the "few" are the men who are to have the best on earth and the greatest promise of heaven. And shall we say that an institution of this kind, the head, the president, the apostles, the influential men of which have their wives to the number of anywhere from two to twenty or more, does not amount to much after all, and this, too in the face of a pretended declaration of God that their example must be followed if their membership would attain the great things in this life and the next? Do you wonder that the courts have held this institution to be criminal? Do you wonder that Judge Anderson so held, that Judge Berry so held? Do you wonder that Judge Field, speaking the unanimous voice of the Supreme Court of the United States, has practically said that this is a criminal institution?

Mr. Speaker, my time is about to expire. I should have been glad to be permitted to pursue in a more leisurely way the line of argument I have marked out. In conclusion I now appeal to this House—both sides of it—to do right upon the pending bill, and in so far as this body can go in that direction to admit Idaho into the Union, for her people have upon this important problem, the one uppermost in this debate, as well as every other essential qualification for statehood, shown themselves worthy to receive such judgment at our hands.

Samuel Sullivan Cox.

REMARKS
OF
HON. CHARLES S. BAKER,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 19, 1890,

On the resolutions of respect to the memory of Hon. Samuel Sullivan Cox, late a Representative from the State of New York.

Mr. BAKER said:

Mr. SPEAKER: Inspired by a sentiment which is world-wide, we have to-day laid aside the active duties of legislation to afford an opportunity to his former associates to testify to their esteem and appreciation of the man and distinguished legislator and to spread upon the record evidence of the exalted place held by Samuel S. Cox in the estimation of his countrymen.

It has been well said that sentiment underlies everything that is beautiful, grand, or true in life. It is the foundation and keystone of governments and is the inspiration of all poetry. It has driven nations to war and invited the white-winged dove of peace to restore goodwill among men. Sentiment has caused the overthrow of empires and given birth to republics. Inspired thereby, men and women have endured persecution with joy, the dungeon with gladness, and suffered martyrdom, gaining at once mortal fame and eternal bliss. Without sentiment there would be no sunshine in life, the home and the family circle would be stripped of that beautiful faith in the divine promise of a reunion in the better land.

Under the sweet and elevating influence of sentiment the promises of Holy Writ have been made to encircle, like a band of light, the whole world and led heathen nations to embrace christianity in lieu of barbarous practices. It gave us the story of the Prodigal Son and Calvary. It is the inspiration of divine law and the enacting clause of human decrees. Without it legislative enactments would be but dead letters. Its beautiful promptings constrain us, when one of our number has passed through the Dark Valley, to pause in our labors and pay tribute to his virtues and forget, if there be any, his errors. On this occasion not only we, his late colleagues, but our nation and other nations unite in tender and loving tribute to a pure and noble man. He possessed the rarest graces of mind and heart. He lived and labored so that all those graces will continue to bless the world through time.

Mr. Speaker, like all his associates in the Congresses in the past three decades, I feel constrained to spread upon the pages of history the highest tribute of man to man. It was my privilege to become an acquaintance in the Forty-ninth Congress. I had known and honored the man for many years. Then he made me feel that he was my friend, and by that warm and genial nature which made him loved of all his fellows won my friendship and esteem. I concur in every word that has been said in his honor on this occasion; and would that I possessed the ability to paint in more lasting colors the beautiful flowers that have been here laid upon his grave! What a rich legacy he leaves to the dear one who survives!

My desire is briefly to emphasize the value and helpful character of the services given by Mr. Cox in his capacity as a member of this House in the last Congress in securing statehood for the Dakotas, Montana, and Washington. In the Fiftieth Congress Mr. Cox was, with myself, assigned to serve on the Committee on Territories, but, owing in a large measure to his duties as chairman of the Committee on the Eleventh Census, he soon retired as a member of the important committee which was to deal with the new States, assuring me, however, of his hearty co-operation to the end that those States should be admitted at the earliest possible moment.

Faithfully and ably did he fulfill his promise, as the record shows, going even to the point of incurring the severe criticism of his political associates. He was greater than his party, and by his lofty and patriotic statesmanship insured victory and won a monument of fame and praises from all the people of the great Northwest. We were both invited to visit the Dakotas in the summer after the adjournment of the Fiftieth Congress. He was permitted to go, and the people at Huron had the privilege of hearing an oration from him July 4, copies whereof he sent me. In a letter to me, dated Washington, April 4, Mr. Cox made allusion to the proposed trip to Dakota, a letter characteristic of him, and so like himself that I am constrained to quote. He says:

I have been speaking around the country some since adjournment, but have gotten back to my home in Washington again. I sent you one or two copies of some remarks which I made, bound up in green with a golden harp. You can touch the harp at your leisure, and bring forth any harmonious sounds that you think suitable to the sentiment on page 30.

At the instance of Mr. Cox, I had moved in the closing hour of the Fiftieth Congress his resolution for a committee on the part of the House to represent Congress at the then approaching centennial to be celebrated in New York City April 30. On the 24th of March Mr. Cox wrote me as follows:

WASHINGTON, *March* 24, 1889.

MY DEAR MR. BAKER: You perhaps may have noticed that in the proceedings of the last day of the session just closed (see RECORD of March 5, page 2965) you were named for the committee on behalf of New York State to attend the centennial at New York City on the 30th of April next. I do not know what part I may take in it. I do not know that I shall take any part. But I would like you to be on hand to represent the State, and if I am not in the city of New York it will be because I will be off on some lecturing excursion to which I am invited out West. I am invited to go to Huron, Dak., to orate on the 4th day of July next. I have not accepted. I judge the invitation is getting a little old, but I will find out about it. What are your arrangements for the summer? It would be nice if you were out there.

Yours, with respect,

S. S. COX.

In his letter of April 4, he refers to the centennial, from which I quote, humor and all:

I saw Mr. John A. King to-day, who has charge of this end of the centennial matters which comes off at New York on the 30th instant. He said every arrangement would be made to make it pleasant for you and your confrères on the committee of Congress. There are 42 members and delegates to attend the dinner. But I do not believe more than half of them will be there, and some of them very likely will not have such appetites as to frighten the gentlemen regulating the festivity and the dancing on the occasion. I told Mr. King that you would be on hand, and I think you will have to take charge of it as there is no special chairman, unless it be the first named from Alabama, and Brother OATES will not be there, but General WHEELER may. Of course General WHEELER, so far as regards ponderosity, would out-rank you. So you must be prepared to defer to these small men on some occasions.

On the 10th of June my good friend remembered to write me, saying: "I am preparing to go west for the 4th of July in Dakota, and propose to advise you," concluding with the words, "I will be in Dakota (Huron) on the 4th of July sure." This was the last of a pleasant correspondence commencing February 8 preceding, when in a pleasant note he sent me for my wife, in fulfillment of a previous offer, a "bit of embroidery made by the hand of little Turkish refugees who are moving on Asia out of Europe," concluding, "if you will accept it I shall be very happy."

Mr. Speaker, when the wires flashed over the world the sad tidings of the death of him whose memory we honor, every person whose good fortune it was to know him personally lost a friend, the country a statesman and patriot, and the world one whose life and labors will prove a benediction to generations yet unborn.

Died in the vigor of manhood,
Gone in the strength of his years,
Ere the shadows had lengthened to twilight,
Or the pathway been blinded by tears.
Rich with the ripened affection,
Matured and perfected by time,
With hopes that had reached the fruition,
Life seemed a rhythm sublime.

Like a ship in the midst of the ocean,
With banners and streamers afloat,
With unseen islands beneath it,
And unseen shoals all about.
Not a ripple gave hint of the danger;
Not a cloud in the blue of the sky
Told the story of coming disaster
That lurked in the tempest hard by.

In the noontide of life he has left us;
The crown and the goal have been won,
And the hands that have wrought for the Master,
With toiling and labor are done.
Farewell to the friend brave and tender;
Farewell to the love tried and true;
Death may sever, but can not efface it;
In heaven it will blossom anew.

Pensions.

SPEECH
OF
HON. DAVID B. HENDERSON,
OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On the bill (S. 389) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents.

Mr. HENDERSON, of Iowa, said:

Mr. SPEAKER: I will detain the House but a moment, as I am for legislation and not talk. During the Democratic Congresses the soldiers were given plenty of talk, some refreshing and much that was cruel, but they got no relief, excepting always the soldiers of the Mexican war. In this Congress we have been giving the soldiers bread, and we are doing it to-day and with liberal but a just hand.

He who will not support this bill to-day need never profess friendship for the Union soldier, his widow, and his orphans. He who attempts to antagonize it with other measures does so for personal or party ends (whether he knows it or not), and will strike at the hearts of the defenders of the Union.

This is a service and a disability bill. Its enactment into law will enable the country to say to its disabled defenders, "Not one of you is neglected." It goes further than any of us hoped for in the face of the cry for a reduction of the Federal income and in the presence of other just and absolutely needed demands upon the public purse.

If this bill passes, as it will, in spite of Democratic opposition, but with every Republican vote, the soldiers will have cause for rejoicing around the camp-fires throughout the land.

Pensions.

SPEECH
OF
HON. ORMSBY B. THOMAS,
OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On the bill (S. 389) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents.

Mr. THOMAS said:

Mr. SPEAKER: This bill does not suit me in a great many particulars; I would have preferred a per diem rated service-pension bill; but, sir, I am satisfied this is the best possible bill that can now be passed. Especially do I think so in view of the action of the other House of this Congress in relation to general pension legislation.

I regret that we can not do as full justice to the men who saved the country in time of its dire peril as we, in my judgment, should do; but, sir, this is a bill far in advance of anything that has heretofore been presented to Congress. It has not the bad features of the dependent pension bill passed by a Democratic Congress and which was vetoed by a Democratic President, but vetoed because the Democracy refused to help the poor and dependent.

This bill now before us gives relief to all that would have been benefited by the dependent pension bill, doing this in a way not to humiliate the soldier; and it goes much further and pensions all honorably discharged soldiers who have arrived at the age of sixty years. It also pensions the widows of soldiers when they have arrived at the age of sixty years or when they are in dependent circumstances, without regard to the cause of death of the soldier. In fact, this is a most excellent bill, one that could not be bettered, in my judgment, except that I think we should have gone a little further. But no friend of the soldier is willing to throw away the chances and advantages offered by this bill because it is impossible to get all he wants.

If this House should pass the per diem rated pension bill it would beyond doubt defeat any pension legislation for this session. Those who now press that bill upon us do not, in my judgment, do so because they are friendly to the soldiers, but to defeat any general pension legislation whatever. I venture to predict that when the Democratic side come to offer the per diem pension bill as a substitute for the pending bill, they will do it as a trick, not in earnest, but will attempt to put us in the wrong by some sort of maneuvering. I predict that after that kind of a substitute is offered the yeas and nays will be called, and the Democratic side will remain silent, not voting. This will be a more transparent trick, which will deceive no one.

I regret that an important measure like this should be made the football of politicians. The Republican party has always been and is still willing and anxious to do justice to the soldier. To-day, if this bill shall pass, two-fifths about of the entire revenue of the Government will be devoted to the payment of pensions to the soldiers and their widows and orphans.

And, sir, the Republican party do not propose to stop there. How is it with the Democratic party? No one could have been a looker-on to-day in this House without a conviction that the Democratic party was opposed to all increase of pension, and only desired to present amendments to this bill to embarrass and if possible kill it. This illustrates a characteristic difference between the two parties: One, the Republican party, stands out honestly and fairly with its propositions, doing the best it can. The other party, not having the courage to carry out its convictions, does by indirection what it dares not do in an open manner. No one will be deceived, and the soldier the least deceived of all by such conduct.

Pensions.

SPEECH
OF
HON. AARON T. BLISS,
OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On House bill 8279, known as the Morrill service-pension bill, as a substitute for Senate bill 389, known as the dependent pension bill.

Mr. BLISS said:

Mr. SPEAKER: As I sat here listening to the eloquent protests of my Democratic friends against the action of the Republican party in passing this Morrill bill instead of a larger measure I could not help wondering what had brought about this change of heart. Was it the result of the elections in 1888 or was it the fact that the House had passed out of the control of the Democratic party, and when there was no danger of their being held responsible for legislation they could indulge in the luxury of demagogism? While I myself personally am in favor of a service-pension bill and introduced such a bill in this Congress, I cheerfully vote for this measure in the belief that it is a step in the right direction, a step in the direction of substantial justice for the men who saved this Government.

But it comes with ill grace from gentlemen on the other side to criticise the gentlemen on this side for not passing a more radical measure when whatever has been done in the direction of pension legislation or whatever shall be done in the future has and will be done against the earnest and determined opposition of the majority of the Democratic party, excepting only the Mexican war service-pension bill, which was for the benefit largely of the men who, since their service in that war, had undertaken to destroy the Government. And during the long years of Democratic control of this House the only bill passed which approaches this one, the dependent bill, passed through the efforts and votes of the Republican party, with the help of a few loyal Democrats, was vetoed by a Democratic President. And yet the Democratic party will pose before the country to-day as the champions of the loyal soldiers of this country and shed crocodile tears because they are not given an opportunity to vote for a service or a per diem pension bill.

I venture to predict, Mr. Speaker, that when we come to vote on this measure the majority of the Democratic party will be found voting "no" or not voting at all, in the mad endeavor to defeat the bill by breaking a quorum, while the Republicans will be found to a man standing true to the pledges of the party. If the Democratic party is the true friend of the soldier they will be found voting for every measure that is in his interest, and if they can not get all they want now, take what they can and hope for more next time. That is my position. I do not consider that I compromise my position as an advocate for a service pension pure and simple because I vote for a measure that approaches it. I will continue to vote for every bill that goes to the relief of the veterans of the late war, and as each step is gained work for the next. I am satisfied that the end I seek can only be secured by gradual advance, and I do not propose to lose any advantage by sulking because I can not get all I want at first.

The gentleman from New York [Mr. TURNER] bases his opposition to this bill on the fact that he does not know where the money is coming from to meet its provisions. He figures with marvelous accuracy apparently, and tells us that the surplus will all be gone after we get through paying for public buildings and then there will be nothing left with which to pay the soldiers. I dispute that fact; but, admitting its truth, I do not agree that this Government is dependent upon its surplus. Did it have a surplus when it undertook to crush a gigantic rebellion? This Government has a credit equaled by none in the world, and if it is necessary we can draw upon that credit to redeem the promises solemnly made to these men when they were battling for the preservation of this grand nation. These men preserved the credit of this Government and made it what we find it to-day. Why then can we not stop paying the bondholders for awhile and issue more bonds, if necessary, to meet these just demands. Our bonds are selling to-day at an enormous premium. How would they be quoted to-day in the markets of the world if the beneficiaries of this bill had for a moment flagged in their loyalty and devotion to the nation.

If it is admitted, and it is admitted, that the soldiers of this country are the preferred creditors of this Government, then no question of the amount of money required to meet that obligation can be considered. This claim has remained too long unpaid, and it is time that Congress foreclosed this debt of honor, even if it takes the last cent in the Treasury. Who would attempt to quibble over the payment of any money obligation of this Government on the ground that it would require too many dollars? Who has ever had the temerity to offer a compromise with the bondholders? Are the men who loaned their money on the faith of the strongest Government of the world to be preferred to those who gave their hope of fortune, profession, health, and even life a willing sacrifice on the altar of country?

There is no method that could be devised to more quickly and surely relieve the present depressed condition of affairs than to pass this bill. The money appropriated would go to every town and hamlet throughout the United States and would quickly seek the natural channels of trade. The old soldiers are not hoarders of wealth, and the money paid to them would not be tied up in other enterprises, but would pass through the groceryman's till to swell the volume of circulating currency.

The old soldier did not learn to be penurious on $13 a month, paid in a depreciated currency. When battling for the life of our country they were not paid in gold; the credit of the Government was good enough for them. They accepted that credit once and by their deeds of valor raised the word of this great nation to a level with gold, and redeemed the Government's pledge to foreign and domestic banks, and now they ask, when they are no longer able to take care of themselves, that the people of this country shall redeem their pledges made to their defenders that as long as the Government endured they should never want.

The soldiers of this country miss the voice and influence of the greatest champion they have ever had either in or out of Congress. I refer to that matchless leader on the field and in the Senate, the late General John A. Logan. His voice was ever raised in their behalf. He knew by experience what they had suffered. None knew better than he how the experience of four years in the field sapped the vitality of men and shortened their lives; and he never faltered in his advocacy of what he considered simple justice to them. He was the typical volunteer and had stood side by side with his men, shared their sufferings, and led them in danger. In my humble way I prefer to follow his lead in pension legislation, and he found no bill too radical for him to support.

Pensions.

SPEECH
OF
HON. EDWARD H. FUNSTON,
OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On the bill (S. 389) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents.

Mr. FUNSTON said:

Mr. SPEAKER: I desire a few moments only for the purpose of explaining my vote more than for the discussion of the merits of this bill.

It is doubtless well known to the members on this side of the House that I have favored and worked most earnestly for a per diem service-pension bill. And now that I am about to support a measure having none of the per diem features in it I think it is due myself that I should give some reasons for supporting this measure.

Mr. Speaker, if I had my way in this matter there would be before the House at this moment a per diem service-pension bill, having none of the restrictions as to age and granting to each man a pension in accordance with the length of time of his service. I can see no other principle on which justice can be meted out to all and every man satisfied. The man who served his country four years certainly ought to have a larger pension than the man who served it only ninety days. This proposition seems so reasonable to me that I can not see how any man on this floor can dispute it. It is certainly self-evident and therefore needs no argument.

Now, as to restricting the beneficiaries to those who have reached or

shall reach the age of sixty-two, I can see no reason for this, unless it be that the committee hope that before many of the old soldiers have reached the age of sixty-two most will have gone where they need no pensions.

I am aware it is urged that a healthy man does not need help until he has reached the age of sixty-two. This is possibly true of those who are engaged in business other than manual labor. The lawyer or the doctor is doubtless at his best at or near sixty-two, and so also with the banker or teacher and those who hold clerkships. But it should be borne in mind that there are comparatively few old soldiers who are lawyers or bankers or teachers. They had no time to study law or banking or to make teachers of themselves. The days they might have spent in qualifying themselves for such places were spent on the march and on the tented field, so that to-day the great body of old soldiers are laborers on farms, in workshops, and engaged in various other vocations which require hard manual labor.

Will any man upon this floor assert that the common laborer who has toiled all his life with pick-ax and shovel and plow is at his best at sixty-two? Certainly no one cares so little for his reputation for good sense as to make any such assertion. Physiologists tell us that the human muscles begin to shrink and lose their elasticity at the age of forty. At the age of forty-five so little account is the man for the performance of hard labor in the way of long marches and the fatigue of the camp that the Government exempts him from draft. And yet this bill virtually says he is able to toil and sweat and earn his bread by the hardest knocks until he has reached the age of sixty-two. So much, Mr. Speaker, against the bill.

I have only said this much to justify myself in the efforts I have made for a bill which I believed was better than this one. Upon the whole, however, this is not a bad bill. The most we can say against it is that it is defective, because it does not go far enough in the right direction. The committee has already admitted this much by their consent to reduce the age to sixty instead of sixty-two. If it were safe to offer other amendments, which would improve the bill, I feel quite sure that the majority on this side of the House would be in favor of so doing.

There are two good reasons, however, why further amendments than the one reducing the age to sixty can not be made: First, because the Republicans of this House from all parts of the country have harmonized, or rather, I should say, compromised, on this bill; second, because any amendment of a material character, save the one agreed upon, would be changing the character of the bill, and, like changing front in the presence of the enemy, would be almost certain defeat.

Gentlemen on the other side have offered amendments which seem harmless in themselves, and doubtless when the previous question is ordered they will move to recommit, with instructions to the committee to bring in a per diem service-pension bill. We all understand what such movements mean. They mean delay and confusion and perhaps absolute defeat of all general pension legislation.

Why these amendments now to Republican measures if it is not to deceive the country and make believe that the Democrats of this House are in favor of a per-diem service-pension bill and the Republicans opposed to it or to load down the bill and defeat it? If that is the real sentiment of that side of the House why did they not pass or offer to pass a per diem pension bill in the Fiftieth Congress when they had not only a large majority in the House, but had the President also?

Mr. Speaker, we have the opportunity of placing at least 350,000 old soldiers on the pension-roll, and 80,000 widows, besides increasing the pension of about 90,000 soldiers who are now drawing less than $8 per month, and of providing for all of any age who are disabled from any cause.

Let us not be deceived by the "Greeks bearing gifts." Let us vote down every amendment from the other side and save what we have, though it be not all we desire.

Pensions.

SPEECH
OF
HON. WILLIAM J. CONNELL,
OF NEBRASKA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On the bill (S. 389) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents.

Mr. CONNELL said:

Mr. SPEAKER: This bill does not meet my entire approval, but I propose to support it. I for one am willing in this fight to stand by the side of such veterans as the gentleman from Iowa [Mr. HENDERSON] and the gentleman from Ohio [Mr. BOOTHMAN] and vote for this bill as the best possible legislation that can now be secured. I wish it were possible to obtain for the brave boys in blue who served their country in the dark days of our nation's peril the full measure of recognition which their valiant deeds and heroic services merit. I would gladly grant them a more liberal allowance than is now proposed.

I strongly favor the passage of a general service bill in addition to a liberal disability-pension bill. I do not propose, however, to join the ranks of the other side when I know that the opposition to this bill is insincere, and that the real purpose of the gentlemen on the other side is to delay and finally defeat all pension legislation. With but few exceptions those on the other side of this House who oppose the passage of this bill belong to one or the other of two classes. First, those who give honest expression to their sentiments by boldly declaring against any and all pension legislation which will increase the amount now being paid to the veterans of the late war of the rebellion. Second, those who dishonestly pretend as the reason for opposing this bill that they are in favor of a general-service pension bill without any limitation or restriction whatever.

Now, Mr. Speaker, if the gentlemen of the latter class were sincere, I with others on this side of the House would gladly join them. But we know that they are insincere, we know that the real purpose of their opposition is to defeat any pension legislation by the present Congress, and knowing this we do not purpose to aid or assist them in their unworthy purpose.

Pensions—"The Morrill Pension Bill."

"We go to the seat of government and we tell the men there to bring from its temple the scales of justice and put into one side the absolute need of the men who are in want to-day, and put into the other the promises of the men who are in office of all parties, so that the scales balance, and we will be content."—*General Alger, Commander-in-Chief of the Grand Army of the Republic.*

SPEECHES
OF
HON. ELIJAH A. MORSE,
OF MASSACHUSETTS,
AND
OF KANSAS,
IN THE NATIONAL HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890.

On the bill (S. 389) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents.

Mr. MORSE said:

Mr. SPEAKER: At the beginning of the present session of the Fifty-first Congress, under the call of States, I introduced a pension bill very similar in its provisions to the bill now under consideration.

I think the country owes a debt of gratitude to the Committee on Invalid Pensions for the exhaustive consideration which they have given this subject. They have given days, weeks, and months of time to listening to the testimony and to the consideration of petitions from soldiers and soldiers' organizations from every section of our great country, and as the result of this exhaustive and patient labor the Committee on Invalid Pensions have reported this bill. While it does not go as far as some desire and while it goes much further than others desire, on the whole it is a conservative, just, and liberal pension bill and will receive my most hearty and cordial support.

This bill redeems the promises made to the defenders of the flag in the hour of the nation's deadly peril, and will undoubtedly meet the approval and receive the indorsement of General Benjamin Harrison, President of the United States. It will bring immediate relief to 149,000 soldiers who are over sixty years of age, many of whom, not already pensioned, are suffering from their army service and increasing disability of years. This bill will bring immediate relief to a large number, thousands of soldiers' widows, who, under the provisions of this bill, will be entitled to a pension without being required to prove, and without being required to furnish impossible evidence, twenty-five years old, that their husbands died from disability contracted in the Army. It will bring joy and gladness to thousands of the classes I have mentioned. It will help to brighten the declining years of many a war-worn veteran who laid his all upon the altar of his country when traitors sought the life of the nation.

It is estimated by the chairman of the Committee on Invalid Pensions that it will require an expenditure of $40,000,000 per annum to meet the provisions of this bill. This money is by no means wasted. It is taken from the rich in the shape of duties and taxation on luxuries and given to the poor and needy. The money goes immediately into circulation, promotes trade, and enhances the prosperity of the whole country.

There are two objections to this bill: First, the charge that the bill is

extravagant and makes too large a demand upon the revenues of the country. To such I say that we live under the best Government on the face of God's green earth; we live in the most favored land that the sun shines upon. Other forms of government expend millions annually to maintain a standing army, to support men in idleness, to support men who produce nothing, except to live on the substance of the people. Shall this great nation begrudge a much smaller sum to pension her citizen soldiery, who with their sons would spring to arms at a moment's notice were the country or the Government in danger from foes without or foes within? No, Mr. Speaker, the money is large, but it is not extravagant, and it discharges an honest debt and obligation of the Government to the men who preserved it. The second objection comes from some of my comrades who favor a universal service-pension bill. A universal service-pension bill may come a few years later. This bill is a service-pension bill for men over sixty years of age, and I believe is all that the revenues of the country can stand at present; and I submit that we do not desire to go so far with pension legislation as to endanger the whole pension system of the country.

The Committee on Invalid Pensions produced this bill, as I have said, after the most exhaustive consideration, and I repeat that it is a just, wise, and conservative compromise of the conflicting views upon this subject.

In answer to the gentleman from New York [Mr. SPINOLA] and in answer to the distinguished gentleman from Illinois [Mr. SPRINGER], who are demanding the most extreme legislation in the interest of the soldiers I ask those gentlemen who profess such great love for the soldiers now, why they did not propose a service-pension bill when they had control of his House for years. And why did Grover Cleveland veto the soldiers' dependent pension bill of the last session? Thank God, we have a President now that does not go fishing on Decoration Day and will sign this bill. No, Mr. Speaker, our Democratic brethren, who have suddenly become the champions of extreme pension legislation, will not deceive the soldiers or the country. Their object in desiring to load this bill with extreme amendments, such as service pensions and reducing the age limit, is transparent. They desire to imperil the entire pension system of the country by these amendments. They desire to make the bill so obnoxious that the country will not sustain us on this side of the House in voting for it or the President in signing it. But they will fail of their purpose.

The soldiers of the country and the loyal and patriotic men of the country understand this question and will be satisfied with this measure. It will meet a large number of cases in my district of soldiers' widows, of disabled soldiers of all ages, and it will add cheer and comfort and sunlight to many of my comrades in the Second district of Massachusetts who have reached the age of sixty. In their name I desire to thank the Committee on Invalid Pensions who have given us this just bill, and I say the Republican party of the nation will score a great victory to-day, because it here and now redeems its promise made to the boys when the life of the nation hung trembling in the balance.

Pensions.

SPEECH

OF

HON. BINGER HERMANN.

OF OREGON,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890.

On House bill 8279, known as the Morrill service-pension bill, as a substitute for Senate bill 389, known as the dependent-pension bill.

Mr. HERMANN said:

Mr. SPEAKER: No question before this Congress is to-day so anxiously watched and so patiently waited for as this which proposes a further recognition of the rights, the demands, and the necessities of the patriotic survivors of the war for the preservation of the Republic.

We are confronted at the very threshold of the subject with a diversity of measures, each aiming, but only differing in extent, to accomplish a substantial benefit to the old veterans of the war.

What shall this be? How shall it be distributed?

We have, first, what is known as "the Grand Army per diem pension bill." This includes as beneficiaries all those who have served ninety days in the military or naval service of the United States and have been honorably discharged. It is not the same for all. It is, however, the most just and equitable, as it gives to each pensioner a pension proportionate with the actual services rendered by him to the country. The basis is one cent for each day's service rendered. This is the rate per month. There is, however, this liberal proviso: That as to all those serving for less than eight hundred days there shall be a perfect equality. The soldier serving ninety days shall receive as much as he who served eight hundred days. This far all are equal. This generous exception was evidently with a view of placing all the survivors of the war on the same plane with service pensioners of the Revolutionary war, the war with Great Britain in 1812, and the war with Mexico. Those having served a longer period than eight hundred days would receive a sum exceeding $8 per month in exact proportion as they rendered more days' service.

The per diem pension bill makes no provision for the widows of soldiers dying from disabilities not proved to have been incurred in the service; nor does it provide for the soldiers' minor children left under the same circumstances.

The Morrill service and disability bill as amended gives a service pension to all survivors of the war who have been honorably discharged and who served ninety days in the military or naval service of the Government, provided they shall have reached the age of sixty years. This pension is not contingent upon any disability. The mere proof of service and of honorable discharge is sufficient. It gives a further pension to those soldiers of any age who may be disabled from mental or physical ailment equivalent to the grade established for disability ratings of $8 per month. This disability need not have been incurred in the service. No proof will be required as to the origin of the disability; and all the trouble, time, and expense now unavailingly expended in the effort to supply testimony as to this requirement is avoided.

Thousands and thousands of the most deserving of our country's defenders, and those in most necessitous circumstances, are deprived of the pension provided by law simply because some hospital record has been destroyed, or some comrade has died, or another can not be found who can bear testimony to the incurrence of the injury or disease. All this the bill does away with. There are but two questions asked: Did you serve 90 days in the Army or Navy of the United States during the late war of the rebellion and have you been honorably discharged therefrom? Are you suffering from mental or physical disability equivalent to the grade now established for the rating of $8 per month? To the sick or disabled soldier of any age under sixty years now not pensionable this Morrill bill will give either $8 per month or nothing.

The same bill also advances another class of persons who are prevented under existing laws from the benefit of a pension. These are, first, the widows of soldiers dying from disabilities not incurred in the service The question now substantially asked of the soldier's widow is: Were you the lawfully married wife of the soldier at the time of his death? Did he die from any cause resulting from disability or disease incurred in his military or naval service? A failure to prove either of these conditions is a defeat to the applicant. It matters not how poverty-stricken, or how utterly aged, infirm, or how suffering or needy for medicine or food may be the faithful woman who watched and waited months and often years by the bedside of the sick and helpless soldier husband, or how in the sad and lonely days of the war she toiled in her scantily furnished home to sustain the little ones while the patriotic husband and father was absent on the far distant march or on the battle-field defending the integrity of his country's flag. The existing laws left these deserving women of the Republic to their own resources, the charity of their neighbors, or the alternative of the poor-house. The Morrill bill will remedy this great wrong. The widow of every soldier of the late war for the Union, dependent upon her own labor for support will become the guardian care of the nation. When she reaches sixty years of age the pension is hers whether she is dependent or not. And, secondly, in the event of her death the pension allowed her shall inure to the minor children under sixteen years of age.

These, then, are the two principal measures before Congress for consideration. The first-named is the more radical and far-reaching. The second is in the nature of a compromise and has the merit of providing for the soldiers' widows and orphans not now cared for by any provision of law.

As to the first, it is objected that it unjustly discriminates. The man who performed service in actual hostilities and who was on the march and suffered the privations and hardships of the campaign may receive less than the one who never even left the State in which he was recruited or never experienced any of the dangers of a campaign; that the one who may be a millionaire shall be placed on the same equality with the one who may be the beggar; that the one who may be the sick and disabled shall receive no more than the one who is robust and healthy; that the one who may be the younger shall receive the same as the aged and infirm; that the one who served one hundred days shall receive the same as the one who suffered the exposures of seven hundred days; that the thousands who enlisted in 1865, and after the war was practically closed, should obtain the same life pension as the one who fought in the thickest of the fray.

It is again objected that upon estimates made the per diem bill will create an expenditure of $154,000,000 as against $98,427,000 provided in the present appropriation bill. Another objection is that a general discrimination is made against the policy adopted in reference to the pensioning of soldiers in all other wars of the Republic. The old Revolutionary soldiers those of the war of 1812, and of the Mexican war were all denied a pension until years had elapsed, and then most had reached a certain period in age when the law assumed they were no

longer able to provide for themselves or to engage in the busy competitions in life. The Mexican pension act fixed a limit of sixty-two years. In favor of the Morrill bill it is claimed that it pensions all after sixty years of age, and when they will begin to need assistance, if at all, and that it relieves the soldiers' widows and orphans.

These, then, are the leading propositions, and these are the respective arguments for and against each.

Mr. Speaker, for myself I desire to express a partiality for the most liberal pension legislation which it is possible for this Congress to agree upon. I am one of those who hold to the belief that there is one debt this nation, however rich it may be, can never pay. This is the obligation we owe the patriotic soldiery of the war of the rebellion. As that was the greatest war of ancient or modern times, so was the prize contended for the greatest. In other wars of greatest magnitude, personal ambition, territorial aggrandizement, or political sovereignty was the subject of contest. In our struggle we fought for the life of the Republic, for freedom. What can be greater?

It counts little with me whether a man was old or young, rich or poor, robust or infirm, when he offered himself to the imperiled nation and placed his life at its disposal that free government might survive. I have no qualification and no condition to impose upon him now, after a quarter of a century since the war closed. He may not have served quite as long as his comrade, or he may not be quite as poor, or quite as necessitious, or quite as decrepit. It is enough for me, sir, after these many years, as I look upon his frosted head, and then behold the wondrous nation, with its overflowing Treasury of gold and silver, and its cities of fabulous wealth, and its proud flag with its forty-two stars emblazoned upon its folds, and then upon our 65,000,000 of prosperous and free and liberty-loving people—I say, sir, it is enough for me, when I look upon this marvelous scene, to reflect that none of this were possible had it not been for the brave men who rushed to arms when their imperiled country called.

And when I wander through the nation's beautiful and quiet cemeteries and sadly gaze upon the innumerable graves of those who died that their posterity might inherit the priceless legacy they won, I feel, sir, that it is not for me to distinguish as to those who survive, whether one is more deserving than another of the nation's gratitude. The obligation is to all. Let us pay to all. Let us cancel such of the debt as we can while they survive. They can exist but a few years longer, and soon the last one will be gone. The nation they preserved will go on forever.

Let it not be read in history that we hesitated in the days of our affluence to shower upon these men our richest offerings.

Many who are really antagonistic to this bill decline to support it because of the extra millions required to meet the proposed liberality of Congress. This may be a fitting reply from sordid money-changers, speculative importers of foreign wares, or from the haters of those who wore the blue, but the objection in its full extent is unworthy a grateful and patriotic people.

The Republican party has ever been the devoted and consistent champion of the soldier's interests. It promised its continued fidelity. A party pledge so sacred appeals to me for redemption as strongly as though it were the most honorable individual pledge, and as one member of that party which made its pledge to the old soldiers of the country, I desire to contribute my part toward its fulfillment to the fullest measure. So far it has done its part. The survivors of no other war were more liberally remembered by the nation.

The Revolutionary war closed in 1783. It was not until forty-five years after that a service pension was granted its survivors. The war of 1812 terminated in 1814. It was fifty years after when a service-pension law passed. The Mexican war closed in 1848. In 1887 a service pension was granted those who arrived at sixty-two years of age. This was thirty-nine years after the war. We now propose to pass a service-pension bill granting pensions to survivors of the late war who are or may become sixty years of age. This is twenty-five years after the war. It is true that we are far better able to do this act of justice within this shorter period than as to the previous wars. After the Revolutionary war we were poor. The war debts had to be paid, and following it came the war of 1812, which made us still poorer, and then, when we had paid off the old war debts, came the war with Mexico, followed by the greater war than all, the late war. Now, however, the nation more quickly repaired its misfortunes, and to-day we stand as the chief among the mighty and the rich powers on the globe. We can afford to enter upon a liberal pension legislation in less time than as to previous legislation.

We are also able to pay more liberal pensions. The entire amount of money paid in one hundred years on pensions to survivors of the old Revolutionary war was $38,500,000. This is less by $7,000,000 than one year's payment of pensions will be under the Morrill bill. The whole cost for pensions to survivors of the war of 1812 was $36,310,000. This was less than will be the expenditures under the present bill for one year. The pension cost of the Mexican war so far is $13,000,000. For all these wars we have a total pension payment of $87,810,000, not quite double what the Morrill bill provides for a single year to the survivors of the late civil war.

With the history of these three wars before us we are reminded, however, that they are nothing in comparison with the late war, either as to numbers employed, loss of life, number of battles, severity of conflicts, cost in money, or as to the number, discipline, bravery, and tenacity of the enemy engaged. Numerous battles were fought in our late war in which more men were killed in one engagement than were killed in all the battles of the Revolution or in any other wars of the nation.

It is said that 364,116 died prior to July 1, 1865. There still survive 1,246,089, and of these nearly one-third are on the pension-rolls. Exposures, wounds, and fatigues inflicted upon them more permanent injuries than were suffered by the soldiery of any other wars of the nation. This is especially confirmed by the rapid diminution of their ranks. Commissioner Raum estimates that during the next six years 200,000 of them will be gone! That in eighteen years 720,000 will pass away! Thus it can be realized how soon it will come when not one of the grand old army will remain on earth to remind us of the terrible days when the Union was convulsed in the throes of apprehended dissolution and liberty itself trembled in the balance.

In the face of such estimates it can be seen how soon it must be when the nation will no longer be burdened with pension appropriations for these patriotic men. Then let us be liberal while they do survive among us.

As, however, the great army of which these pensioners formed a part won its victories by reason of its unity, its organization, and its singleness of purpose, so we as a party have likewise achieved in legislation whatever has been gained for the soldier by a united effort and single purpose.

Neither the per diem nor the Morrill pension bill can pass unless struggled for by the united action of the Republican party. Those who in platform and in speech delight in characterizing the old soldiers as "coffee coolers," "bounty jumpers," and "bummers," when pensions are discussed, are not those upon whom the soldier can rely for generous legislation.

The numerous vetoes of the first Democratic President after the war, with their unfeeling allusions to the suffering old veterans, are still remembered. Even the general legislation for a dependent pension was treated with equal hostility. President Cleveland in expressing his objections to it, said:

> It is time to call a halt. We should go back to the original principle established by the fathers of the Republic, that of granting pensions only for wounds, disease, or death contracted while in the line of duty in the military service.

Contrast this sentiment with the broad, patriotic, and just words of the first Republican President, Abraham Lincoln:

> Let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans; to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

"To care for him who shall have borne the battle, and for his widow and orphans" is the text of the Republican party as to the old soldiers. Is has done much for them and it will continue to do much more.

The forty millions which we shall provide to-day could not have been secured without the aid of the Republican party. When the Democratic party were in the majority in the House no such liberal measure as the Morrill bill could for one moment be entertained. Even the dependent pension bill which passed with a united Republican vote was vetoed by a Democratic President and could not be passed over his veto in the face of his Democratic supporters. It will thus be understood that if substantial recognition comes to the old defenders of the Union it must come with the solid backing of the Republican party. Promises can be and are liberally made by the opposition at convention time and in campaigns, but "the proof of the pudding is in the eating." It is the quiet, significant vote which does the work. It is action, not speech, that is wanted. It is results, not promises, which count.

The position of the opposition on pension legislation is like their attitude on the war issues in the North during the great struggle. As Nasby said, "They were for the law, but agin its execution."

Now, then, in conclusion, what course is open to us? Shall we divide upon the two bills before us, some vote for a per diem pension and some for the Morrill bill, with Democratic filibusters and opponents to each, and thus defeat both? Is this what is desired? Or should we not rather unite and rally in solid file for that measure which we know we can unite upon and which is at present practicable?

The old soldiers around me on this floor, from those who were gallant commanders of armies to those who patriotically served in the ranks, all agree that at present, and in view of the exhaustion of the surplus in the Treasury, we had better accept the Morrill bill, and take forty millions, since we can not unite on sixty millions. They say we had better, by this bill, open the doors of the poor-houses of the nation and provide for the old soldier inmates. This we do. They say that we had better, by this bill, provide for those of the old soldiers who are not disabled, when they reach the age of sixty years, as then they will commence, if not before, to feel the infirmities which age brings on, and will be indisposed to wrestle with the more active duties of life. They say we had better announce as the principle and policy of the country, that hereafter no one who served his country in the late war and who

is mentally or physically disabled, from whatever cause or of whatever age or condition, shall be without a monthly allowance from the United States Treasury for the remainder of his days. This the Morrill bill provides. They say that we had better remove all obstacles, all technicalities and limitations to pensions to all soldiers' widows who are now compelled to earn their own livelihood. This the Morrill bill does. They say it is wrong that any soldier's orphan under sixteen years of age should beg when the old defender has gone, and so the Government becomes the parent. This the Morrill bill does. It provides for about four hundred thousand of the old Army who are now unprovided for, disabled, needy, and aged. Is not such a work fit to come from the gods? Is it not a magnificent vindication of the pledges of the Republican party?

What the Republican party promises that it performs. It has never made a pledge that it has not kept. At this session of Congress other legislation involving millions has passed as to those who have lost their limbs in the service, and before we adjourn we shall pass another measure which appeals in loud voice for the pensioning of the survivors of rebel prisons. The inmates of Andersonville, of Danville, of Libby, and Belle Isle will not be forgotten.

I hope ere long we shall see our way to remove the injustice of the repeal of the arrearage act, and thus place all on an equal footing.

And now, Mr. Speaker, since the Morrill bill brings such rich blessings to the most deserving and needy and is a measure upon which the entire party can and will unite and thus accomplish at one session what we have contended for in years, I feel it my duty, in obedience to the numerous requests I am receiving from my constituents for practical relief, to support this bill, and I do so heartily, cheerfully, and gratefully, looking to the future and hoping for such further legislation as it is possible to obtain.

I am proud to have an opportunity of thus recording myself in favor of such meritorious legislation. It is one step more in the redemption of a solemn pledge. It is one installment more paid upon the great debt which the nation can only try to liquidate, but never succeed.

Other nations have had their unselfish defenders and their brave soldiery, but in all history, for patriotic devotion, disinterested sacrifices, and sublime heroism, no age has recorded the superiors of our country's heroes in the late war. In the centuries of remote time the blessings they bequeathed to mankind will still be remembered in thanksgiving and in song.

And as we gaze upon their grassy mounds at Arlington, at Gettysburgh, at Antietam, and other places of last repose, we can well exclaim in the pathetic lines of the poet:

> Seek not for these a separate doom,
> Whom fate made brothers in the tomb;
> But search the land of living men,
> Where shall we find their like again?

Pensions.

SPEECH

OF

HON. JOSEPH E. WASHINGTON,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On House bill 8279, known as the Morrill service-pension bill, as a substitute for Senate bill 389, known as the dependent pension bill.

Mr. WASHINGTON said:

Mr. SPEAKER: I know full well that by many it is considered outrageous and even disloyal to speak in opposition to any sort of pension legislation. Especially is this so when the speaker comes from one of what are called the Southern States. In justice to myself, in justice to the tax-payers whom I represent, I can not suffer this bill to pass without entering my most solemn protest.

Sir, the advocates of this bill confess that it will entail an annual expenditure of between forty-five and fifty millions of dollars. They justify themselves in voting for it on the ground that it will place about five hundred thousand additional pensioners on the rolls. It includes all ex-Federal soldiers who served ninety days and are over sixty years of age, all widows who are dependent upon their daily labor for support or who may be over sixty, and all men who are now or may hereafter be suffering from any mental or physical disability, regardless of its cause. This, sir, I predict, will in less than two years place on the pension-roll all the surviving soldiers, all soldiers' widows, and all minor children under sixteen years of age. All who are not past sixty will, with few exceptions, find themselves disabled. Instead of fifty millions this bill will call for one hundred and fifty millions of dollars per annum before the close of the year 1892.

The last pension appropriation bill passed by this House to provide for the 489,725 persons who were on the pension-roll June 30, 1889, appropriated $100,000,000. This list is daily increasing, and should this bill not pass the amount necessary to meet the demands under the present law, by the 1st of January, 1891, will equal $125,000,000 per annum: Compute those now on the rolls and those to be placed on the rolls by this bill, and we will find that by 1892 there will be fully 1,000,000 pensioners, receiving the enormous sum of $275,000,000 per annum from the national Treasury. This is no fanciful flight of my imagination. The facts and figures will sustain my assertion. Let us add to this the retired-list of the Army, the Navy, and the judiciary, embracing those who without rendering any service are drawing princely fixed incomes from the people, and we will get some adequate idea of the burden the tax-payers, the farmers, and laborers are bearing on their shoulders.

Since 1861 up to December, 1889, there have been retired:

818 army officers who have received	$16,680,830
847 naval officers who have received	16,114,019
38 officers of Marine Corps who have received	465,317
22 judges who have received	385,299
1,735 officers retired, who have received	33,645,465

During the same time there has been paid $1,052,218,413.17 in pensions, making a grand total in twenty-eight years of $1,085,863,878.17. Picture it, think of it, realize it if you can, you farmers, mechanics, and laborers! This vast sum has been taken from you by taxation and given to a privileged class who labor not, neither do they spin; who produce nothing, who make absolutely no return for the princely income which they draw from the people.

It is now just twenty-five years since the close of the war of the rebellion. The average age of the surviving soldiers of that war is said to be fifty-one years. How does this compare with the age at which service pensions have been granted to the soldiers of the Republic in other wars?

The Revolutionary war closed in 1783. The first general service-pension bill for the soldiers of that war was passed in 1828, forty-five years after its close. The average age of the soldiers was between seventy-three and seventy-four years when the act passed. The war of 1812 ended with the treaty of Ghent, in 1814, although the battle of New Orleans was fought on the 8th day of January, 1815. No service-pension was granted to the soldiers of this war until 1871, fifty-seven years after its close. At that time the average age of the surviving veterans of the war of 1812 was eighty-three years. The Mexican war ended in 1848. A sixty-two-year service pension was grudgingly granted to the Mexican veterans in 1888, forty years after the close of hostilities, when the average age of the survivors was sixty-six. Forty-two years have now elapsed, and yet no general service-pension bill has been passed for the benefit of the soldiers of the Mexican war. Nothing has ever been done for the brave and hardy volunteers who fought in the Florida and Indian wars. Their rights and their appeals alike go unheeded.

Taking together the war of the Revolution, the war of 1812, and the war with Mexico, we find that the first service-pension bills for the soldiers of those wars were passed at an average period of forty-seven years after the close of those wars, and that the average age of the soldiers was seventy-five years when their service pensions were granted. In contrast with this, we are now only twenty-five years from the close of the late war and the average age of the soldier is only fifty-one. In other words, Mr. Speaker, this service-pension bill is forced to a passage twenty-two years sooner after the close of the war and the soldiers are twenty-four years younger on the average than at the passage of any similar bill in our history. This is not only liberality. Sir, this is prodigality. There is no reason for it; there is no excuse for it; the necessities of the old soldier do not require it.

Sir, as God is my judge, I bear no unkind feeling towards the defenders of the Union. I honor the patriotism and devotion of those who went forth at the call of duty and dared to die for what they believed to be right. Speaking for myself and for the young men of the South, those who, like me, have attained their majority and become citizens long years after the war closed—I say that we are willing to pay our part in order that every honorably discharged Union soldier disabled in the line of his duty may receive a fair pension. But twenty-five years after the close of hostilities is too soon to grant a service pension, as this bill practically does. When I hear gentlemen grow eloquent in picturing the poverty, the want, the suffering, and the disability of the ex-Union soldier, I can not refrain from drawing a mental comparison between him and the ex-Confederate. No such tales of woe and distress come to our ears down South about the ex-rebel or his widow and orphans.

Sir, the results of the war enriched the Northern States. The millions spent for supplies, the vast contracts of every kind, the enormous premiums realized in the purchase of Government bonds, all went to stimulate the trade and industries and fill the coffers of the people of that section. At the close of hostilities what a famous Union general said of the condition of the valley of Virginia was true of nearly every section of the South, but especially of those regions where the troops had passed, "that a crow flying over the country must carry his own rations or starve." The Confederate soldiers, with inferior arms and clothing, were subject to greater hardships and suffered as

much by wounds and exposure as their foes, yet there are no ex-Confederates in the poor-houses. There are no paupers or beggars among them. They are not clamoring for aid, and no one will ever ask it for them. With the exception of a very few, who are either totally blind or have lost both arms or both legs, they draw no pensions and receive no pecuniary assistance, either public or private.

Sir, in view of these facts I do not believe in the truth of the perennial wail of distress which blows over this House in the name of the old soldier! In my judgment the politicians who are playing the demagogue to be retained in office and the pension attorneys who are hungry for fees are responsible for most of this legislation. If it is to go on at this rate it will soon be a question between the old soldiers and the tax-payers and laborers, out of whose meager earnings come the public moneys.

This army of drones, of non-producers, will become a greater burden than the people can bear; then take care lest the people turn and wipe out all this legislation.

To talk of reducing taxation, whether by tariff or otherwise, in the face of such legislation as this is the wildest nonsense. Sir, we must begin to look about for other and new sources of taxation out of which to raise revenue. It can not be had under the tariff, because, as I understand it, the McKinley bill, upon which we are soon to be called to act, confessedly raises the tariff so high on all articles now being imported which can be produced in this country as to effectually and entirely exclude them, and thereby cuts off the revenue. Sir, we must resort to a tax on the incomes of the rich.

Had the soldiers not saved the Union the plutocrats of to-day would have been wiped out of existence. It is peculiarly proper, therefore, that they, out of their fixed incomes, derived largely from United States bonds, which are non-taxable, should be called upon to contribute to the support of the veteran in his declining years, rather than that the farmer and laborer, who, in the majority of instances, is as poor as the old soldier himself, should be compelled to contribute further from his scanty store. With their farms mortgaged for more than their present selling value; with the interest at a high rate to be paid, or a foreclosure of the mortgage to follow as inevitable as fate, and a consequent loss of home and shelter and the labor of years spent in improvements; with his crops all selling in the nearest market for less than the cost of production, how in the name of high Heaven is the farmer of the West and of the South to get the money to meet all these increased expenses and get clothes and educate his family?

If he is an old soldier he will take $8 a month out of one pocket, put it into the national Treasury, and then, minus the cost of collection and disbursement, receive it back in the shape of a pension into the other pocket. If he is not an old soldier he must pay his part of this enormous pension tax year after year, no matter if his wife and daughters go naked, no matter if his little ones never go to school, no matter if in his poverty he can never hear the word of God. By death alone can he escape the remorseless tax-gatherer.

In the name of that same humanity and justice which you so loudly invoke in behalf of the "old soldier" I beseech you to pause and consider the poor and oppressed farmer and laborer before you increase still further his burdens in the interest of a "privileged class."

Pensions.

SPEECH

OF

HON. G. W. ATKINSON,

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

Upon the Morrill service-pension bill.

Mr. ATKINSON, of West Virginia, said:

Mr. SPEAKER: I can see no proper reason why any Representative upon this floor, indeed any man who loves his country's flag, should not heartily support this bill. No patriot can oppose it except for one particular reason, and that is that it does not go far enough, that it is not as far-reaching in its scope as it should be, and therefore does not give to the citizen-soldiers of the late war that degree of protection which they deserve at the hands of a government they saved.

I confess, Mr. Speaker, I am one of those that believe in a general service-pension bill and am prepared to vote for it and defend it if such a bill were presented, or even if it were at all possible to secure its presentation with a reasonable hope of its passage during the present session of Congress; but every one knows that such a bill can not be presented and passed at this time; consequently to favor such a measure under the circumstances could only result in defeating the bill we are now considering, and thus prevent any pension legislation by the Fifty-first Congress.

The Morrill bill is meritorious as far as it goes and will bring immediate relief to thousands and tens of thousands of soldiers and soldiers' widows and orphans. It places upon the pension-roll, whether sick or well, every soldier and sailor who has reached the age of sixty years; also every soldier's widow of the same age; also all soldiers' widows and orphans who can establish their dependence upon their deceased husbands or fathers; and, lastly, it will enable all soldiers who are afflicted with disease of any kind to go upon the pension roll according to the degree of their disability, whether such disease can be traced to their army service or not.

Under this bill about 100,000 soldiers, who have reached the age of sixty, will go upon the pension-roll; also a large number of soldiers' widows who have likewise passed their sixtieth mile-stone will go upon the roll, and probably 200,000 rejected and pending claims will be allowed under this measure. The object, therefore, is to render relief to all soldiers sixty years of age, to all soldiers who are now diseased or disabled, without regard to their ages, and to all widows of deceased soldiers who were dependent upon their husbands for support.

The passage of this kind of a service-pension bill for our soldiers and sailors means more, Mr. Speaker, than the simple act of voting money for their support out of the national Treasury. Like the strewing of flowers every 30th of May upon the dead patriots' graves, it means a world of memories, a world of deeds, a world of tears, a world of sorrows, and a world of glories as unfading as the sun.

When the strong arm of rebellion attempted to pull down our flag, the Government at Washington said, "We must have a half million men who are willing to die to save the flag." The tens of thousands for whose benefit this service bill was introduced went out under that call. They went from nearly five hundred thousand homes—these citizen-soldiers.

How they went forth to die!
Pale, earnest thousands from the dizzy mills,
And sun-burnt thousands from the harvest hills,
Quick, eager thousands from the city streets,
And storm-tried thousands from the fishers' fleets.

How they went forth to die!
Heeding, yet shrinking not from the hot breath
Of the fire-angel in the front of death,
Seeing afar, yet meeting without fear,
The fever-angel lurking in the rear.

How they went forth to die!
Counting their lives as the unvalued dust
Trod by a nation, bearing on its trust,
Content if but their sunken graves should be
The foot-prints of the progress of the free.

Through five thousand five hundred and seventy-four battles they went, and through four weary years they bore aloft our flag at a cost of 44,000 killed in battle, 49,000 dead of wounds, 186,000 dead from disease and exposure, and 160,000 captured and made prisoners of war, of which number 61,000 gave up their lives in prison pens rather than desert the flag, which all prisoners had an offer to do. And in this great conflict 340,000 of "our boys" went down, but they went down to honored graves.

Such patriotism, such bravery, such endurance, such obedience, such self-sacrifice, such adherence to principle, such love of country, and such devotion to the unseen are unparalleled in the history of the world. These soldiers followed Grant and Sherman and Sheridan and Hancock from Forts Donelson and Henry to Vicksburgh, and from Vicksburgh to Atlanta, and from Atlanta toward the North again, and finally to Richmond and Appomattox. They cut in two the greatest rebellion in modern times, if not of all ages, and gave us one flag instead of two and gave us also a united country from ocean to ocean. This is why I say the passage of this bill means a million times more than the mere act of voting $60,000,000 a year out of the Treasury for their present relief.

I hold, Mr. Speaker, that we can not too highly value the services our soldiers rendered to the Government from 1861 to 1865. Indeed, sir, we owe them a debt that can not be paid in silver or gold or in brass medals or lofty eulogies. In their declining years we owe them a living, a competency large enough to make them comfortable and independent.

While on a brief visit to the great city of Boston a year or so ago I observed in the park called The Common a costly granite monument, upon which was the following inscription:

To the men of Boston who died for their country upon land and sea in the war which kept the Union whole, destroyed slavery, and maintained the Constitution, the grateful city has built this monument, that their example may speak to coming generations.

Mr. Speaker, that monument and inscription are expressions of true patriotism. That is how all true Americans should act and feel, not only toward the dead, but the surviving soldiers of the late civil war; and that is the feeling that will be cherished and expressed toward them after a few generations shall have come and gone.

The immortal Lincoln, in his great speech at Gettysburgh, expressed, in language that seemed to be on fire and is blazing yet, that sympathy and love which should be cherished within every American's breast when he said:

It is for us, the living, to dedicate ourselves to the great work which our soldiers, living and dead, have so far so nobly advanced. It is for us, the living,

to consecrate ourselves to the work remaining to be done, that from the graves of these heroes we take increased devotion to the cause for which the dead soldiers of the Republic gave the last full measure of devotion: that we here highly resolve that these dead shall not have died in vain, that this Union, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth.

Mr. Speaker, more than any other one thing, patriotism constitutes the State. From 1861 to 1865 our citizen soldiers, for whose benefit we are to-day enacting this service-pension law, were the Government. It was not the powers at Washington during that dark period that were the Government. It was the soldiers in the field. They were the State. High-raised battlements, or thick, massive walls, or proud cities, or starred and spangled courts do not constitute a State; but high-minded men who know their duties and their rights, and knowing dare maintain them; men who back the sovereign law and are loyal to its teachings; men who will crush the tyrant while they rend his chain, and, if need be, offer themselves as a sacrifice for their Nation's good and glory.

These, Mr. Speaker, constitute a State; and such were our soldiers in the late fratricidal war. They are our Nation's wards to-day, and a grateful people will see that they are cared for. I esteem it the greatest privilege of my life to be permitted to vote in the American Congress for a bill like this one, which will bring comfort to so many homes of the soldiers of the greatest war of history.

International Copyright.

SPEECH

OF

HON. AMOS J. CUMMINGS,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1890,

On the bill (H. R. 6941) to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights.

Mr. CUMMINGS said:

Mr. SPEAKER: Section 8 of the Constitution of the United States prescribes, among other things, that "Congress shall have power to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

Note here, sir, that the Constitution places the authors before inventors, and writings before discoveries. It at least puts both upon the same level.

Now, let us see what Congress has done under this authority of the Constitution. It has reversed the situation. It has placed the inventors ahead of the authors. It has not maintained them upon the same level. Favoritism is shown. The level is destroyed. Discoveries are preferred to writings. Letters patent under act of Congress are granted alike to American and foreign inventors.

But how about authors? Copyrights are granted to American authors, but denied to foreign authors. The patent business is reciprocal. Why should not the copyright system be the same? Why the distinction between the inventors and the authors? If it is right for American publishers to steal the work of foreign authors, why is it not right for American manufacturers to steal the discoveries of foreign inventors? Where is the distinction? Are the brains of a foreign inventor any better than the brains of a foreign author? If you recognize the mental productions of the inventors as private property, why not recognize those of foreign authors as the same by similar reciprocal legislation?

"Authors and inventors are among the greatest benefactors of mankind," said Henry Clay. He made no distinction between them, and he placed authors first. The Constitution makes no distinction. Why should the Fifty-first Congress make a distinction? Does this House fancy itself wiser than the great Kentuckian and the immortal framers of the charter of our liberties? You protect American inventors in foreign countries by recognizing foreign inventors in America. Why not protect American authors in the same way? The argument in favor of the inventors is certainly as effective if applied to the authors.

If authors and inventors are great benefactors to mankind, mankind ought to make returns to both for benefits received. This bill simply rubs out a distinction that is manifestly unjust. It is argued that it will raise the price of books. This is not strictly true. It may increase, in a small way, the price of books copyrighted hereafter, but it does not increase the price of the thousands of volumes of the standard literature of the day. But assume that it is true. I answer, so do the patent laws raise the price of inventions. If this argument prevails, then to be consistent you must do away with the patent laws. In that dilemma are those placed who oppose the passage of this bill.

Philosophers, authors, and inventors are of the same mental type. A philosopher or a scientist is almost necessarily an author. An inventor may be both or all three in one; yet you must class invention as inferior to philosophy or authorship. Bacon was a writer of philosophy. His fame is based upon such writings. He placed it there himself and his judgment stands confirmed. He died of a cold caught while stuffing a chicken with snow to see whether it would preserve it. The experiment was both new and successful. Under our laws as they now stand he might have been granted a patent for a refrigerator. The securing of such a patent would not have placed his achievement above his writings in fame and usefulness. Having protected him by a patent for his invention, would it have been just to confiscate his greater and more useful work as an author?

In every department of literature illustrations as forcible crowd for recognition. Everybody depends upon books for instruction and enjoyment. Even this House could not get on without them. Mark the gentleman from Georgia [Mr. CRISP] piling books of reference upon his desk as he prepares for a forensic contest over a contested election case. Thus forewarned his adversaries prepare for a flank movement. They know that with his books he will shake their citadel if he does not make it untenable. We all enjoy the display. It improves us all and the nation, too. Would the triumph be as great if he should throw the books aside and drive his way over the House with some battering ram or newly invented explosive?

Through their wonderful genius and excessive labor we associate, day and night, with the men and women of Shakespeare, Scott, Dickens, and Thackeray.

An author certainly ought to have his chance in every market. He has none at all where the moment his product is exposed it is seized and confiscated. The point for which I am contending is won in all fairness when you grant copyrights to our own authors. Nowhere is it written that we may steal from our neighbors or rob the stranger that is within our gates.

Even from a selfish point of view we should pass the bill. It is good American policy. It may not raise wages. It may not materially affect the price of books. But it gives employment and that should be the grand economic design. It would light anew thousands of composing rooms. It would cause hundreds of printers' devils to dance with joy. It would delight the hearts of thousands of pressmen, stereotypers, stitchers, and binders.

The union printers throughout the country are practically unanimous in urging it upon Congress. The International Typographical Union and its three hundred subordinate unions ask its passage. They comprise over forty thousand printers alone. Scores of pressmen's and stereotypers' unions favor it. They all say that its effect as a law will be to greatly stimulate book-printing in the United States. A vast amount of printing that naturally belongs here is now done on the other side of the water. It is done there for the American market. Shell-plates are sent over to this country at a low rate of duty and are scattered among the publishers here. Enact this law and all that book-making would come home to us.

The book-making center of the English world, it has well been said, would then move westward from London and take up its abode in our American cities. The reason is obvious. The market here is far more extensive than in England. We have a population of 65,000,000 people, a majority of whom are readers. The United Kingdom has a population of a little more than half this number. Not more than a quarter of them are readers. The market there for literature is limited. If this bill is passed the English author will soon learn that here is by far the richest market. Louis Stevenson has already learned it. He will readily comply with the provisions of the law in view of the benefits he receives. The printers simply ask him to leave enough of his profits here to pay for his printing. The result will be that the printing establishments in America will be enlarged and increased in number, and that work will be provided for thousands who are now idle. The American author who goes abroad for a cheaper publishing market will be compelled to patronize home industry. He can no longer scatter his cheap shell-plates over this continent at the expense of American printers.

There is nothing in the idea that the passage of this law will throw out of employment a large number of printers now engaged in reprinting the works of English authors. Nor will the law increase the price of standard literature. American publishers have already reprinted thousands upon thousands of volumes of the best English books without paying one cent to the authors. They will be printed here hereafter as cheap, if not cheaper, than heretofore. None of such works can have its price increased by this bill. It only affects works yet to be produced. Macaulay's History of England, Rider Haggard's and Hugh Conway's novels, Burnaby's Ride to Khiva, The Russians at the Gates of Herat, and thousands of similar works will be bought just as cheap hereafter as they are bought to-day.

When the reprinting of these works began there was great competition among American publishers. Each tried to overgrab and undersell the other. Each book was put in type a dozen or more times at different places. Of course this gave increased work to type-setters, stereotypers, electrotypers, pressmen, stitchers, and binders. But a change has taken place. The officers of New York Typographical Union, No. 6, say that the mine has petered out. To-day only scores of print-

ers are employed upon such work where formerly hundreds were at work. The books are now put in type by stereotype establishments known to the craft as "saw-mills." A book is really put into type only once. Then the stereotype plates are sold to different publishing houses, who issue separate editions and put different imprints upon them. Instead of the type being set in a dozen establishments as formerly, it is now really set in only one establishment and the plates are distributed to the others. They can be sold for far less than what it would cost to set the type once.

It is doubtful whether the passage of the bill would really increase the cost of new literature to the people. The increase in work for the publishers would create a healthy competition; that competition would be so great that books would probably be sold at nearly as low a rate as they are sold to-day.

Even if the price were somewhat increased there would be a compensating advantage. Heretofore many of the books have been printed in Europe. The paper, the presses, the ink, and the type have been made by foreign artisans. The work has been done by foreign typos, printers, and book-binders. By the provisions of this bill all will be changed. An immense amount of work that has been going to foreign artisans will be given to the trades of our own land.

The typesetters, the stereotypers, the electrotypers, the lithographers, printers, book-binders, and finishers will be benefited directly and enormously. To some this fact of itself would be a strong argument for the passage of the bill. Few realize what an army is engaged in these trades in this country. By the census of 1880 there were more than 86,000 persons engaged in printing, stereotyping, lithographing, and book-binding in the United States. The industry has increased with wonderful rapidity. It is estimated that there are now nearly 150,000 persons following these callings in this country. All will be greatly benefited by the passage of this measure.

There are no men whose interests have a higher claim to your fostering care and attention, no trade that deserves better of the public, none that performs greater service for smaller compensation, none that represents more progress, intelligence, and character. Its workmen are equally distributed throughout the country. It is a mighty small place even in the most remote Territory that has not at least one printing establishment.

You can buy American books enjoying American copyrights to-day almost as cheap as these English reprints. Edward Bellamy's Looking Backward can be had of any newsdealer for 50 cents, and Nationalist clubs are printing it for 28 cents per copy. The same may be said of Archibald C. Gunther's great novel, Mr. Barnes of New York. Competition for public favor and patronage ought to check exorbitant prices. It will be to the interest of the publishers to keep the prices as low as possible and thus increase the circulation of their publications. More money is made by large sales at small profits than by small sales at large profits. As for book trusts, the newspaper and the magazine would quickly ruin anything of that kind.

In time to come the tables may be turned. Americans may manufacture plates and books in this country and ship them to England.

So much for the selfish argument in behalf of the bill. To recur again to the moral argument:

The stealing of the works of either English or American authors is a national disgrace. It is more than unjust to the authors who produce the books. The theft itself is not always a clean theft. The authors are not only injured in pocket, but in reputation. For instance, John Habberton's Other People's Children was issued serially in New York before the publication of the whole work in London. Brander Matthews tells us that the earlier chapters were reprinted in London under the proper title, the remaining chapters being condensed into three or four pages at the end. This mutilated and incomplete edition was pushed into a ruinous competition with the authorized edition by Routledge & Co. Habberton had no redress.

Dr. J. G. Holland's Arthur Bonnicastle, printed in Scribner's Magazine, was similarly mutilated. His Miss Gilbert's Career was shamefully maltreated in England. Its title was altered and an attempt made to anglicize the story by substituting London for New York and changing a Fourth-of-July celebration into a commemoration of the Queen's birthday.

Another case is quoted by Mr. Matthews thus:

> Mr. Charles Dudley Warner tells me that he had arranged with an English house to issue Back-Log Studies, but about a week before the publication another English house issued a shilling edition under the same title, made up from papers that had appeared in Scribner's. About half of the work had not been published serially, and this half was of course omitted from the piratical edition. The matter reprinted from Scribner's was, to use Mr. Warner's own words, "padded out with other stuff of mine found in the magazine which had nothing to do with the book."

Another case cited is that of Professor William Matthews. He found in the "Friendly Counsel Series" of an English publisher an edition of his Getting on in the World, containing less than half the work, without a hint to the public of the mutilation to which it had been subjected. "Of the two offenses," said he, "theft is, I think, less vexatious than mutilation of the children of one's brain." Mr. Brander Matthews well adds, "The American pirate, as a rule, kills his man by a shot through the heart; but the British pirate often uses an explosive bullet and lets his victim linger in agony."

Dozens of similar cases are cited. Col. T. W. Higginson found a work of his that had been issued by a London publishing house under a new name. One-third of his chapters had been omitted. The book contained his name as the author, and he was severely criticised in the English newspapers for having omitted certain important considerations which had been carefully included in the authorized edition. The Westminster Review's criticism was founded on this garbled copy.

This shows what an American author may expect in England when he writes a serial story for Harper's, Scribner's, The Century, or any leading magazine or newspaper. This bill provides the only sure remedy. It is just both to the English and to the American author. This is a nation of readers and a great nation. It stands upon principle. It fought the greatest war of modern times for a principle. It has joined other nations in suppressing piracy and the slave trade. Now let it join other nations in suppressing the literary piracy that has so long been a reproach to it.

The Tariff.

SPEECH

OF

HON. JOHN SANFORD,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 9, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. SANFORD said:

Mr. CHAIRMAN: I regard the provisions of this bill as of grave importance to the agricultural and business interests of the whole country, and I would feel myself derelict in duty were I not to lend my voice to its support.

Free, open, and public discussion of questions of public concern has always been the true American policy, and in pursuance of this policy parties from different sections of the country, representing the nation's industries, were allowed to appear before the Ways and Means Committee, the better to enable it, if possible, to report a bill that would embrace a fair and equitable adjustment of the various schedules.

And when we consider the great number of apparently conflicting interests necessarily involved in any revenue measure of this character, it is not surprising that widely divergent opinions and at least a few extravagant statements should find expression. This seeming conflict of interests is more apparent, however, than real, and generally upon careful examination entirely disappears, and in this regard the committee is to be congratulated upon having secured a clearer and more rightful understanding among all these great interests involved and upon having been able to report a bill which should meet the approval of all.

In my consideration of this measure the first statement which I desire to premise is that the governmental policy of the United States should be to encourage the production, when practicable, of all raw materials used by our manufactories, and wool should be no exception to such general policy.

Dodge says that there are imports valued at $240,000,000 per annum of agricultural products which should be produced here, *i. e.*, sugar, animals and their products, fibers, fruits and nuts, barley, leaf-tobacco, and wines.

The people of all nations are to-day living, toiling, and endeavoring to achieve plain business success as well as individual and national greatness under some distinctive industrial policy. And the condition, happiness, and prosperity of every member of the human family largely depend upon the character of the financial and industrial policy of the government under which he lives.

Nations, like individuals, differ widely in capabilities, resources, and physical environments. What would be a wise and efficient policy for the people of one country might be ill adapted to the citizens of another. How important it is, therefore, that in determining upon a proper economic policy the people of the United States should neither be influenced by foreign example nor dictated to by foreign powers.

The character and extent of our landed territory, the nature and fertility of our soil, the effects and possibilities of our varied climate, the wants, circumstances, and aspirations of our people—these and other like patriotic considerations should alone aid and govern us in determining whether the protective policy of this country shall now be continued, perfected, and maintained, or whether, on the other hand, it shall be crippled, ruined, and abandoned.

The experience of the past demonstrates the necessities and possibilities of the future in national as well as private life. And our national experience in the present regard abundantly teaches us that whenever the farming interests of the country are depressed, that whenever the producers of our so-called "raw materials" are denied the home market for the products of their toil, just that moment the sale of manufactured products is correspondingly curtailed, labor is thrown out of employment, and the general business interests of the country suffer.

And in the light of the foregoing considerations it is just as essential to the highest national development and growth of the United States that varied and diversified industries should be built up and carefully maintained as it is that the manufacturing industry should predominate in England. In other words, the products of the farm, the mine, and the stock ranch in this country should be made to supply the mill, the factory, and the shop, and the finished products of these establishments will then in turn find a ready and increased market among the masses of the people.

These great industrial interests of our people are so closely intermingled and united that no one of them can be materially injured without the balance being thereby caused to suffer. Our National Government should be founded not merely upon a union of States, but upon what will become a stronger and more enduring basis as the years go by, namely, a union of the great industrial interests of our people. This is a common basis upon which every citizen of this Republic, North and South, East and West, should be willing to stand. When our national character is once thoroughly established upon such a basis, every American industry of consequence will prosper, the equilibrium of our industrial life through future years will be preserved, and the boundless capabilities of American soil, brain, and sinew will be developed. And with this development of the country's resources will come a continued growth and expansion of our home markets, to the magnitude of which the wonderfully alluring "markets of the world" will be as mere pigmies.

AN INSUFFICIENT SUPPLY OF WOOL IN THIS COUNTRY.

In pursuance of the policy I have just mentioned, then, why should not the wools, which are consumed and used by the mills of this country, be supplied to their fullest possible extent, at least, by the wool-growers and stock-raisers of the United States? Yea, more, why should not substantially all the wool which enters into the large quantities of woolen goods now imported, and which thereby displaces domestic wools to that extent, be produced in the United States? Allowing the same percentage of increase during the last ten years that was maintained during the ten years immediately preceding 1880, there are today 6,037,422 farms in the United States. And on the same basis of calculation these farms embrace a territory of 704,947,613 acres, and are owned, controlled, and cultivated by an agricultural population of nearly 9,000,000 people, or 20,000,000, counting men, women, and children.

In other words, more than two-fifths of the entire industrial population of the United States are engaged in agricultural pursuits, being nearly double the total number employed in manufacturing and mining combined. Of this great number of agriculturists, 1,020,728 are actual flock-owners, the majority of whom have families dependent upon them for support, which, together with the laborers by them employed, aggregate a population of nearly 4,000,000 who are directly interested in the wool industry. And, as the average acreage of each farm in 1880 was 134 acres, we may safely say that portions at least of 134,000,000 acres of farm lands in this country are now devoted to wool-growing and sheep husbandry.

To this should also be added a vast acreage of the public domain which is used for ranching purposes. The present value of the wool-growing and sheep-raising plant now owned by the farmers of the United States, consisting of lands devoted exclusively to this industry, barns, sheds, and other equipments employed in the management and care of sheep, is somewhat difficult of computation, but it has been approximately estimated to reach the immense sum of $408,291,200. In the light of these statistics is it the part of wisdom to longer continue to import large quantities of foreign wools, either in the raw or manufactured state, and thereby turn the producers of domestic wool from our mill and factory doors? Do not these figures show that the farmers of the United States are fully equipped, as far as numbers and resources are concerned, to produce substantially all the wools consumed by our own people; and, if so, why should we longer allow the wool industry to decline?

The fact is we have every material force, the farms and farmers, soil and climate, together with the energy and skill, necessary to produce approximately all the raw materials, and especially an increased proportion of the wools, now consumed in this country. Moreover, these statistics, showing the present magnitude and capacity of the wool industry, when considered in connection with our great agricultural resources in reserve, from which the present dimensions and capacity of the wool industry could and would be increased when the conditions are such as to warrant it, are sufficient to successfully refute the recent statements made by some of our tariff reformers to the effect that the United States can not grow wool enough to supply the wants of our people, no matter what duty is placed thereon. And in this connection I desire to call attention to the

PRESENT CONDITION OF THE SHEEP AND WOOL INDUSTRY IN THE UNITED STATES

in relation to its past development. This industry has been built up and developed under a protective policy. There has not been a pound of wool produced in the United States for the last twenty-three years, there has not been a pound sold by our farmers within such time, that has not been protected against foreign production and foreign competition from 2½ to 12 cents per pound. And what has been the effect of this policy? The result has been that this industry has increased, developed, and enriched our farming interests, until to-day wool-growing is one of the leading industries of the United States.

Let us look at the figures: In 1860, before the Morrill tariff was levied, the total amount of wool produced in this country was only 60,000,000 pounds. In 1-84 (when the highest production was reached, the effect of the act of 1883 not yet having been felt) the domestic clip amounted to 308,000,000 pounds. Thus the progress of this industry under proper protection was such that in 1884 we produced over five times the amount of wool grown in 1860 under little or no protection.

Again, in 1860 the amount of wool produced per sheep only averaged 2¼ pounds, while the present average weight of fleece reaches 6 pounds. Under the tariff of 1867 farmers were enabled to direct their attention to the careful breeding of sheep and the development of the finer grades, by crossing the various bloods, until not only have the most favorable results been obtained as to quality, but also the average weight of fleece has been more than doubled.

During this same period, from 1860 to 1884, the number of worsted and woolen manufacturing establishments in the United States increased from 1,263 to 2,689; the number of hands employed therein was augmented nearly fivefold, increasing from 43,738 to 210,024; while the amount paid out in wages was raised from $10,153,938 to $56,866,904. And at the close of the period named the average cost of woolen goods had not only been cheapened to the consumers from 25 to 30 per cent., but a producing industry had been developed that was paying into the pockets of our farmers the handsome sum of $91,168,000 every year.

EFFECT OF ACT OF MARCH 3, 1883, UPON WOOL-GROWING IN THE UNITED STATES.

Such were the growing condition and healthful influences of the wool industry in 1884. But as soon as the practical workings and effect of the act of March 3, 1883, were felt throughout the country there was a marked and harmful change. Under the general tariff revision of 1883 there was a reduction which amounted to about 3 cents per pound on the finer grades of wool and a reduction of one-half and 1 cent per pound, respectively, on low and high duty wools of the third class. And under this slight reduction the importations of foreign wool leaped at once from 52,049,467 pounds in 1883 to 84,703,931 pounds in 1884, being an increase of 65 per cent. within a single year. These importations of the foreign product have increased each succeeding year since 1883 until last year (1889) the enormous quantity of 126,487,729 pounds were imported.

In addition to this there was an unprecedented quantity of scoured wool imported last year under the name or guise of the various kinds of waste, the importations under this class and that of mungo, flocks, etc., amounting to 8,662,209 pounds and being more than double that of any previous year. There were also imported last year 3,616,326 pounds of woolen and worsted yarns, which swell the total importations of foreign wools into the United States for the year 1889 to 138,766,264 pounds. This is an increase in favor of the foreign producer of over 165 per cent. in the importations of raw wools alone within the short space of six years. During the same period the value of the importations of worsted and woolen goods has increased $10,129,027, which increase is equivalent to about 30,000,000 pounds of domestic wool in the grease.

But this is not the only unfortunate result of the reduction of the wool tariff in 1883. Not only have the importations of foreign wools increased to the extent named, but the amount of the home clip has correspondingly decreased, owing to the resulting lower prices and being displaced by the cheaper foreign product. In 1884 the flocks of the United States numbered 50,626,626 sheep, while in 1888 the total number of sheep in the country was only 42,599,079, showing a reduction of 8,027,547 head. The clip for the same year (1888) was 265,000,000 pounds, being 43,000,000 pounds less than the clip of 1884; that is to say, under the tariff reduction of 1883 the grower of domestic wools has been compelled to drive his own sheep to the slaughter-house, and in the face of an increased home consumption has been forced to witness the foreign acquisition and occupation of the home market and the sad and rapid decline of his own industry.

In contrast with this result, if no change had been made in the wool tariff in 1883 and the same rate of development which was then being made had been maintained until the present time—and there is every reason to believe that it would—we would now have in the United States 61,332,438 sheep, producing an annual clip of 366,994,628 pounds,

or nearly one-third more than the present production. This being so, should we longer silently witness this great decline in one of the most valued industries of the country, an industry to which, owing to the varied character of climate and soil, our country is especially adapted? Certainly not. The experience of the last six years has conclusively proven the necessity and demonstrated the wisdom of the provisions of this bill.

EVASIONS OF THE PRESENT LAW—NOILS, TOPS, ECT.

By the terms of article 4 of the schedule on wools in the bill now under consideration, all wools which have been improved by the admixture of merino or English blood are to be excluded from wools of class 3. And under article 6, which is an entirely new provision, such improved wools are to be classified for duty either as class 1 (clothing wools) or class 2 (combing wools), as the case may be. This provision is a fair one and ought not to be and, so far as I am informed, is not objectionable to manufacturers. It was inserted in the bill at the instance of the wool-growers for the purpose of preventing wools from being imported under the name and guise of third-class wools which are in fact intended for clothing purposes.

There have been a few attempts under our present law to import as third-class wools higher grades containing traces of blood and intended for other purposes. There is a wool denominated Adrianople, which is really a clothing wool, that is sometimes imported in this manner. But while I am referring to this feature I want to say that the great weakness of the present tariff act, whereby the grossest injustice results to the wool-growers of the United States, is found in the clauses relating to noils, tops, and the various kinds of waste. Since the act of 1883 became a law and under the rulings of the Treasury Department during the last Administration, not only have large quantities of scoured wool thus been imported under a low rate of duty, but also considerable quantities of third-class wools have been imported in a partially manufactured state in the form of noils and tops, which went directly into clothing and other articles, though only paying a duty of 2½ or 5 cents per pound.

In 1888 there were 6,552,473 pounds of wool in this condition (noils) imported into the United States from England alone, and 2,983 716 pounds from France, while it is estimated that 5,000,000 pounds of third-class wools were made into noils after being imported into this country, one-half of which was used for clothing purposes. So that it is safe to say that nearly 12,000,000 pounds of wools which paid third-class duties were used in 1888 for clothing purposes. These noils are not a raw material either, having gone through many different processes before reaching the condition of noils. And yet large quantities of pure scoured wool (tops) were imported last year under the head of waste and paid a duty of only 10 cents per pound.

Quite a number of English firms within the last year adopted the practice of breaking up these wool tops by process of machinery and mixing them with from 10 to 15 per cent. of genuine waste for purposes of shipment to the United States. According to the report of the United States consul at Bradford, made to the Department of State March 19, 1889, the total amount of waste from Botany (Australian) wool produced by the English mills last year which was available for shipment to the United States was 1,225,366 pounds. It is almost exclusively the product of this kind of wool that is shipped to the United States as wool waste, and yet the importations under the head of "wool waste" from England for the year 1889 amounted to 5,847,712 pounds. That, in substance, means that about 4,622,346 pounds of pure wool tops were fraudulently imported last year under the name and guise of waste and paid a duty of only 10 cents per pound, whereas they should have paid a duty of three times that amount.

The value of noils made from third-class wools, which now pay a duty of 5 cents per pound, will average from 20 to 30 cents per pound. It will thus be seen that these wools not only compete with and displace our finer grades of wool, but that by the factor of labor which they contain they have been advanced far beyond the natural state.

England and France did not grow a pound of the wool from which the noils were made that they sent into the United States in 1888, but these countries were thus enabled to get the product of their labor into the American market to the prejudice both of the grower of domestic wools and the labor which he employs. Under the provisions of this bill all noils will be required to pay a duty of 30 cents per pound, while tops will be held to have been advanced by process of manufacture and will be subjected to same duties as are imposed upon manufactures of wool.

Enact the provisions of this bill into law and you will no longer hear the wool-growers of the United States complain that wools imported under the third class are being used for clothing and other similar purposes; and such provisions will be of equal if not greater advantage to the producer of domestic wool than any direct increase in the rate of duty which it is proposed to give him by the terms of this bill.

TOTAL IMPORTATIONS OF WOOL, WORSTED, AND WOOLENS—PROPORTION OF THE HOME WOOL MARKET NOW ENJOYED BY FOREIGNERS.

In order that we may fully comprehend what is to be gained by further protecting and developing the wool-growing industry in the United States, let us for a moment look at the home field now occupied and supplied by foreign wools. The importations of wools and manufactures of wool for the year ending June 30, 1889, were as follows:

	Pounds.	Foreign value.
Wools of first class	29,224,522	$5,971,631
Wools of second class	6,871,606	1,586,294
Wools of third class	90,391,541	10,417,199
Clothing	903,662	1,974,977
Dress goods	22,821,047	19,466,474
Woolen cloth	8,852,542	9,475,678
Worsted and other manufactures of wool	17,651,328	16,136,901
Waste, mungo, flocks, etc	8,662,209	3,447,201
Yarns (woolen and worsted)	3,616,326	2,065,511
	188,994,843	70,538,557

The above total constitutes the largest importation of foreign wools and manufactures of wool ever made in the history of the United States! It has never been equaled in any one year since the Government was founded! Furthermore, on account of the partial or total manufactured state and highly cleansed condition in which the bulk of the foreign wools are thus imported, a much larger amount of domestic wool is thereby displaced than is disclosed by the foregoing figures. Nearly all wools of the second class (combing wools) being imported washed, the average shrinkage thereof would not be more than 20 per cent., whereas the average shrinkage of such wools unwashed is 40 per cent. Again, 20,756,141 pounds of third-class wools, consisting chiefly of Donskoi, paid the high duty last year. These wools are all washed off the sheep's back. The average shrinkage of such wools is only 13½ per cent., while the shrinkage of unwashed wools of the third class is 52 per cent.

I desire here to call attention to the heavy importation of woolen and worsted yarns last year, also to the large and unusual amount of wool imported under the head of waste. The importations of foreign yarns have increased 816 per cent. since the reduction of the tariff in 1883, while the importations under the head of waste during the same time have increased 772 per cent! These importations of waste have, in many instances, contained a large percentage of pure wool top, and will, together with the yarns imported, average the equivalent of three times their weight in uncleansed wool. Each pound of the manufactures of wool will average 3½ pounds of raw wool. Based upon the respective comparisons I have just made, therefore, the total importations of foreign wools for 1889 represent the following equivalent of unwashed domestic wool:

Importations.	Equivalent in domestic wools.
	Pounds.
Wools of first class	29,224,522
Wools of second class	8,168,889
Wools of third class	107,39,696
Yarns and waste, etc	36,835,605
All other manufactures of wool	175,800,026
Total foreign wools imported	*357,068,738
Domestic clip	250,000,000
Total home market	†607,068,738

* Value, $62,000,000.

† Of the estimated 2,000,000,000 pounds grown in the world, this would be 30 per cent., or nearly one-third.

These figures, then, plainly demonstrate what it is possible to gain by proper protection, namely: More than one-half of the wool market of this country, which is now being supplied by foreign wools, would thereby be denied to the wool-growers and herders of Australia, Uruguay, and New Zealand, and instead would be secured to the farmers and the ranchmen of the United States.

REMEDIES FOR OUR DECLINING WOOL INDUSTRY.

This brings us to consider how the present unfortunate condition of our wool-growing industry may be practically remedied. Not only should the further decline of this industry in the United States be stopped, and what has been lost during the last six years be regained, but the opportunity which it now presents to extend and enlarge an industry in which a great class of our citizens are already engaged, should not be allowed to go by default. Why longer pursue a policy that is virtually driving the farmers of this country out of the wool-growing business into other lines of agriculture which are already overcrowded and at the same time denying to the manufacturers and laboring men of the United States the privilege of making $52,000,000 worth of the goods which are now consumed by our own people? It is certainly inconsistent to longer insist upon reaching out after the markets of the world with the products of an industry in which we have not yet filled our markets at home.

By the terms of this bill the duty upon wools of the first class (clothing wools) will be 11 cents per pound, whereas the present duty upon all such wool, the value of which is 30 cents or less per pound (excluding charges), is 10 cents, and upon all costing more than 30 cents the

rate of duty is 12 cents per pound, but as nearly all this class of wool is imported at the low duty the increase in duty now proposed practically amounts to 1 cent per pound. This is a restoration of a little over one-third only of the reduction made by the act of 1883, and embraces a class of wools which come into direct competition with our American wools, as the great bulk of all the wools grown in the United States can be used for clothing purposes.

I am aware it is contended by certain manufacturers that it is absolutely essential to have certain grades and quantities of foreign clothing wools to mix with our domestic wools in order to produce a certain class of fabrics which the American market at present demands and which, it is claimed, can not be produced by the domestic wools alone. The soundness of this proposition, as a basis upon which to found a permanent national policy, in my opinion, may well be questioned by the wool-growers of the United States. True, in order to obtain the best results in certain fabrics and to meet the demands of so-called "fashion" it may often be necessary for the manufacturer to mix, in certain proportions, different kinds of wool, dependent upon the strength of fiber, degree of luster, and felting qualities possessed by each.

But in securing these various selections of wool for the purposes of such fabrics, the American wools present sufficient variety to substantially meet all practical requirements. In grades we produce every degree of fiber, from that of the very finest full-blood merino down to the low medium and common quarter bloods, while in length and strength of fiber, elasticity, luster and felting properties the character of our domestic clothing wools presents a wide and varied field indeed. These last-mentioned characteristics of wool depend almost wholly upon conditions of soil, climate, and the care and management of the sheep from which the wool is produced. And this, in a large measure, accounts for the great variety in the present character of our domestic wools, and argues well for further capabilities and accomplishments in the same direction, for no other country of the globe possesses such varied qualities of climate and soil as are found in the United States.

There is now a vast acreage of lands in the older States, extending from the Atlantic Ocean to the Missisippi River, which produce fine, bright clothing wools. The States of Ohio, Pennsylvania, Wisconsin, and Michigan, New York, West Virginia, New Hampshire, and Vermont, with their cultivated pastures and adaptability of climate and soil, produce wools of specially fine character, while many of the other States and Territories farther west, where the wild and native grasses have been superseded by agricultural grasses or where there are abundant natural pasturages, also produce good clothing wools. Of these last-mentioned States, portions of Missouri, Kansas, and Nebraska, California, Oregon, and Montana perhaps rank the highest in the production of fine, bright wools.

With this extensive home field from which to select clothing wools, it would seem that all reasonable demands of the market (however capricious) could certainly be supplied. And even granting that we do not now produce certain lustrous wools which are required in the manufacture of particular fabrics, such fact would by no means prove that wools of the character named could not be in a few years, with proper attention and encouragement, successfully produced in this country. On the contrary, the physical features of the United States and its varied qualities of climate and soil clearly demonstrate its capacity to grow all kinds of clothing wools.

In further proof of this statement let us look to the countries where these imported clothing wools are grown. There were imported last year directly from Australasia 10,137,788 pounds of first-class wools and 9,943,697 pounds were also imported from England which were chiefly grown in British possessions in Australasia, which importations together amount to two-thirds of the total importations of such wools from all other countries combined. In this connection I notice that some have recently claimed that the present tariff rates wholly shut out the wools of South America from the markets of this country, but as a matter of fact 5,666,328 pounds of clothing wool were imported from Uruguay during the year ending June 30, 1889.

Of all these importations, however, it is chiefly the Australian wools which are claimed to be of superior luster, and which, it is alleged, can not be produced in this country. These wools are grown principally in what is known as the "Hill district" of South Australia, in Victoria, and in New South Wales. Now, all these districts, and also Uruguay, are located between the thirtieth and fortieth parallels of south latitude, while the great body of the United States is located between the same parallels of north latitude, all of these districts, as well as the United States, being in the temperate zone. The pastures of Uruguay consist of the southern extension of the Brazilian table-lands—being high rolling plains—which abound in natural vegetation, but similar in character of soil to many portions of the southern and western parts of the United States.

Probably the most lustrous wools of Australia are produced in the district of New South Wales, upon the western slopes of the Australian Alps and Blue Mountains. The northwestern district of Victoria and portions of Queensland also produce wools suitable for the American market. These districts are of moderate elevation, fairly well watered and timbered, possess a warm, light, sandy soil, and the average rainfall is about 24 inches; but occasional droughts prevail which materially injure the quality and staple of the Australian wools. On account of the sandy nature of the soil, the absence of general cultivation, and the warm climate a very slight diminution in the ordinary rainfall causes much more disastrous results to pastures and to the character of the wool-clip in the districts named than the same loss of rainfall would entail upon the fields and flocks of the United States.

In fact, it is evident that there are no peculiarities of climate or soil possessed by Australia which are really essential to the production of fine, elastic, and lustrous clothing wools, that are not also found to prevail in many portions of this country. Moreover, the value for clothing purposes of all wools depends largely upon the felting properties which they possess. And these felting properties are almost wholly dependent upon two qualities, the fineness and softness of the fiber. As to the first of these qualities (fineness), we have the testimony of perhaps the highest scientific authority which this country affords to the effect that the American wools will favorably compare with any of the fine wools of foreign growth, except it be possibly a few of the Negretti wools of Germany.

I refer to a report made in 1886 under the direction of the Commissioner of Agriculture, by Professor William McMurtrie, of the Illinois University, a gentleman who has given this subject special attention and systematic study. Under the careful and skillful test made by the gentleman named, it was shown that the finest American merino wools reached the unusual limit of 2,539 fibers to the square inch, being equal to the maximum limit of the finest Saxony wools. While an examination of merino wools produced in various States from California to Vermont showed the general average to be much below the figure named, yet the above is sufficient to demonstrate what great degree of perfection it is possible to attain in the United States under existing conditions of climate and soil by proper and careful management. As against this showing a special report on wool and manufactures of wool issued by the Treasury Department in 1888 places the number of fibers to the square inch in the Australian merino wools from 1,920 to 2,400, being ranked a little below the ordinary merino, which in the same report is estimated at just 2,400.

Again, as to the second quality upon which felting proprieties depend (softness of fiber), an equally favorable showing is made by the United States when the character of its soil is compared with that of Australia and other foreign countries. The softness of the fiber is a quality of the highest importance in clothing wools and is not dependent upon the fineness of the wool, but the character of the soil and pasture upon which the sheep is allowed to graze has great influence upon the fleece in this respect. Light, calcareous soil has a tendency to produce harsh wools, and an extremely hot climate has the same effect, while a rich, loamy soil and moderate climate are conducive to a soft and silky fleece. For these reasons the fertile soil of the Mississippi Valley and the mild climate of the South and Pacific slope are especially adapted to produce good results, and many of the other and colder sections of the county with the facilities of feed and housing with which they are now equipped, yield even softer wools than the sections named.

Therefore, the only conclusion which can reasonably and logically follow is that the conditions of climate and capacity of soil are not wanting in the United States, whereby all kinds of clothing wools may be successfully grown. The fact is that within the parallels of latitude heretofore mentioned the degree of fineness of the fiber does not depend so much upon the section of the country in which such wools are grown as it does upon the condition of the animal producing the same, as to health, nutrition, and care which it receives at the hands of the owner. This is proven by the history of fine-wool sheep husbandry both in this country and in Europe.

The correctness of such statement readily appears when we consider that recent measurements of the fibers of wool produced in the famous flocks of Wells and Dickinson in 1815 show that such wools were even coarser than that of the long-wooled merinos of the present time. And to-day the fine merino wools of the same blood and from the same section of the country differ in fineness from 5 to 15 per cent., dependent upon difference in feed, protection from storms, and general care and management.

The existing rates of duty upon combing wools are 10 and 12 cents per pound, the dividing limit being fixed at wools valued at 30 cents. By the terms of this bill the duty on all wools of this class will be 12 cents per pound, which is practically an increase of 2 cents, as substantially all wools of this class have heretofore been imported at the low duty. The importations of this class of wools are not generally large, although the shipments have increased some since 1883, there being 6,871,666 pounds imported last year. The States of Ohio, Kentucky, Indiana, and Michigan, also many other sections of the country, are growing excellent combing wools, and not a pound of this class of wools should be imported.

So that, in view of the skill and reputation which our American flockmasters have attained in the management of sheep, together with the facilities of soil and climate possessed by the United States, the production of wool should certainly be encouraged by further protection in accordance with the provisions of this bill, and the heavy and increasing importations thereby be correspondingly curtailed.

The Silcott Defalcation.

SPEECH
OF
HON. CHARLES H. GROSVENOR,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 16, 1890.

The House having under consideration the bill (H. R. 4539) to provide for the speedy settlement of questions arising out of the defalcation of the late Sergeant-at-Arms, and making an appropriation to meet the deficit—

Mr. GROSVENOR said:

Mr. SPEAKER: When this question first arose I had the honor to make the first public declaration that, in my judgment, the late Sergeant-at-Arms was, to all intents and purposes, in law and equity, a disbursing officer of the Government, and that no defalcation of his created a barrier to the right of a member of Congress to be paid the lawful salary which the Government owed him.

In an interview which I gave to the Washington Post I used the following language:

I differ with the opinions expressed in the afternoon papers and with the current opinion on the street that the members of Congress will lose the money due to them as salary and which was stolen by Silcott. The ground upon which this claim is asserted is that the Sergeant-at-Arms is the agent of Congressmen and presents a receipted voucher at the Treasury Department upon which he draws the money, and that the Government, therefore, holds the receipt of the member for his salary.

This ground is not tenable. In the first place, the receipt is only *prima facie* evidence of payment and may be explained or contradicted. In the next place, the Sergeant-at-Arms is the constituted officer to make payment for the Government to the members of Congress. He is in no sense the agent of the Congressmen. No man can be held responsible for the acts of an agent that he is powerless to remove and whom he never originated.

Now, to illustrate: A member of Congress takes his voucher, approved by the Speaker and receipted by himself, on the 4th of the month and presents it at the Treasury Department. The Department officials will not pay him a cent. They say to him, "We don't deal with you. For twenty-five years our course of business has been to take vouchers and aggregate the amount represented, hand over the money to the Sergeant-at-Arms, and he disburses it."

The rules of the House provide that the Sergeant-at-Arms shall keep the accounts, pay mileage and salaries to members according to law. The custom and practice that the Treasury Department has established, which is equivalent to a statutory provision, provides that the members shall receive their pay through the Sergeant-at-Arms. There is nothing in the whole course of procedure that is equivalent to the appointment of the Sergeant-at-Arms as the agent of the members for this purpose. Not only so, but the bond of the Sergeant-at-Arms is given to the United States to indemnify it to the extent of $50,000 for the money which it hands over to him to be disbursed according to law.

I have no doubt that the Government, by its long course of procedure, has made a rule that will operate and will hold the Treasury liable for the repayment of this money. Nor is this all. Every dollar of this money was paid by the Treasury before the 30th of November, in violation of the established custom of that Department. Had it not been paid until the 30th of November the probability is that the defalcation would not have taken place.

But I take my position upon the other ground, that the member never appointed the agent and is nowise bound by his act; that the Government has established through the operations of the Treasury Department a system through which this payment was attempted. It handed over the money to its agent, who had given bond for the faithful performance of his duty, and the agent never has paid the obligation of the Government and that obligation never has been canceled.

This was the first outspoken declaration by any member of Congress in favor of the claim of Congressmen to be paid. Subsequently opinion among the lawyers of the House and of the country has become substantially unanimous that my position was the true one, and I regret that we can not have at once and without delay the sober judgment of a lawful tribunal of great lawyers, with life tenure of office, to say whether or not this Government can play the part of a three-card-monte dealer to cheat members of Congress out of their salary.

The action of the Treasury officials in putting in motion the clamor that members of Congress were to lose their money was a shocking innovation upon the preconceived ideas that I have of what is right and proper for a Government official in that capacity.

Were it necessary to do so, sharp criticism might be indulged in with justice against the payment of these vouchers to Silcott by the Treasurer on the day he did and in the manner he did, and I trust that a full and thorough investigation of the whole matter will be made and that we may fully understand and appreciate at whose door lies the actual fault and whose legal act it was by which this payment was made.

How did it come about that Silcott, on the 27th, 29th and 30th of November, was enabled to draw the large sums of money which he did upon illegal vouchers and before any such money was due to anybody? This may be simply a matter for the accounting officers of the Treasury, but it seems to me that it would be a proper subject of investigation by this committee. But my purpose at this time is simply to set myself right before my constituents in the attitude which I have assumed, and which is that I am entitled to be paid this money.

In the first place, there was due to me prior to the 4th day of December, 1889, $191.64. There was found in the safe of the Sergeant-at-Arms, independent of the proceeds of the November vouchers, $72,626.70 less $14,560, improperly and unlawfully paid to the National Metropolitan Bank. This money belonged to and was applicable to the payment of the balance due to members, and I was entitled to draw on that day out of the money in the hands of the Sergeant-at-Arms the whole amount, $191.64. Now, then, what else? On the 29th day of November Silcott drew upon a voucher signed by me, $416. The vouchers paid on this day began with DEHAVEN and ended with MASON.

The amount of money drawn on these vouchers was deposited in a bundle in the safe of the Sergeant-at-Arms and was found there untouched by the committee of investigation. There was the money, the exact $416 drawn upon my voucher. If Silcott was my agent to draw that money then he deposited it in the safe as my money and it belonged to me and nobody else, and I am entitled to draw it and apply it to my own use. What have I done to forfeit my right to it? If Leedom was a disbursing officer, as I say he was, then he has drawn money to pay my salary and has not handed it to me, and therefore the Government can not hold me responsible.

If he is a disbursing officer, as I say he is, then he has failed to pay me my salary and the Government is responsible for it over again. There is nothing complicated in all this; it is one of the simplest matters of business that could be conceived of. I want nothing in this matter but what is justly due me. I do not want a cent by any technical or sharp construction of the law, but I will not be driven by demagogues nor the utterance of demagogues to forfeit $607.64, when I know it is my money and justly belongs to me. What act of mine has forfeited it? When, where, and under what circumstances did I lose my right to be paid? I have done exactly what the Government insisted I should do. I have taken only steps that would be recognized by the Government as pertinent and proper. I have done that which the Government demanded as a condition precedent to my receiving my pay, and I am entitled to it, and, with all due respect to gentlemen who hold a different opinion, I am willing to submit my claim to any intelligent court in christendom.

Pensions.

SPEECH
OF
HON. JAMES KERR,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 30, 1890,

On the bill (S. 389) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents.

Mr. KERR said:

Mr. SPEAKER: It is with some diffidence I present my views on the question we have under consideration to-day. I recognize the fact that my term of service in the House has been of short duration, consequently I feel my inexperience and embarrassment, but nevertheless a full sense of my responsibility to the district I have the honor to represent, responsibility to my country, and justice to those men who bore the Stars and Stripes to final triumph at Appomattox and Jonesborough compels me to protest against the action of the Committee on Rules which by the resolution just reported and adopted has forced upon the House the immediate consideration of legislation involving the expenditure of about forty millions in money without time for deliberate consideration and debate, with only a limited opportunity for amendment.

It is not right. It is not fair to the people. It is not fair to the soldier. For weeks the mails to members have been loaded with petitions and letters protesting against the Senate bill and the bill reported by the House Committee on Invalid Pensions, known as H. R. 8297, miscalled a service-pension bill, which is now offered as a substitute. An attempt was made on Monday, April 7, to force this Morrill measure through the House under a suspension of the rules. Fortunately, the scheme did not succeed. The veterans and their friends throughout the country understand the motive which prompted that attempt to use the gag rule.

The majority party in the House sought to prevent the passage of a service-pension measure by not allowing discussion or amendment of the bill they reported. They are endeavoring to accomplish the same thing now. The Republican party in control of every branch of the Federal Government is forgetful of the promises made by its candidates and leaders at every cross-road, at every political meeting for the last five years, in which they promised liberal pensions to the boys in blue. Now they have the opportunity we find them dodging the issue.

When the Democratic party, through its leader, said to the veterans, "We are in favor of liberal legislation in your behalf; we favor a just and equitable pension law as a recognition and a reward for honorable service," the gentlemen on the other side of this House were zealous in

denouncing the Democratic party as inimical to the soldiers' interests. They said we were not honest; that we did not intend to carry out the promises we made.

Our answer was, you have promised more than you intend to carry out; you are attempting to use the Grand Army of the Republic and the veterans as a cat's-paw to regain power and secure control of the Government; once you have done this, the veterans may wait.

Now what is the situation? By a scratch we have the Republican party in power. In control of every branch of the Federal Government, with a complete working majority in the Fifty-first Congress, although some of this majority had been secured through the most outrageous abuse of political power, ignoring all rights, all justice, and the express will of the people, with rules to govern this body, adopted through brute force and enforced in partisan malice, there is nothing to prevent the majority party from carrying out every promise made to the soldiers of the country, but you are not doing it. Six months of the Fifty-first Congress have come and gone and nothing is done until to-day we have brought in here a measure that is not in line with the demands and wishes of the old soldiers and their friends, a measure from its title intended to deceive the veterans. They are asking for a service pension: you give them a fraud.

I have never heard of a soldier asking for the passage of this bill. Everywhere among the veterans is the injustice of this measure fully recognized. Nearly seven hundred thousand men enlisted in the Army under twenty years of age; none of these unless disabled can receive the benefits of this proposed law for fifteen years yet. Only a few of these bright, able, active young men fresh from the school, the farm, the workshop, many of them boys of tender age, unused to the hardships of life, whose sufferings and privations can never be told—only a few of these can ever hope to receive this pension; most of them will be in their graves long before the time when this proposed law can apply to them.

Statistics show that of one hundred men who start out in life with equal advantages in way of health only ten ever reach the age of sixty years. It is safe to say not more than one-twentieth of the boys in blue who enlisted under twenty years of age will be benefited by this bill. Some, it is true, may have been able to prove a disability and are pensioned already, but it seems to me the object of this bill is to deceive the soldier, to make him believe that an attempt has been made on the part of the Republicans to carry out at least some of the promises made when they were seeking the soldier's vote.

Mr. Speaker, the disguise is too thin to the majority party of this House. I wish to say your object is apparent. The soldiers of this country can not be fooled with chaff. This bill is a subterfuge and a cheat. It is the child of the pension agent, many of whom through the party in power have become leeches upon the soldiers of this country, sucking their life-blood, preventing the soldier from getting the proper legislation, for when simple justice is done, when the pension measures which the soldiers everywhere are demanding become laws, the occupation of the pension agent will soon be gone; hence his opposition. I have heard it said frequently that the party in power in this House are completely in the grasp of the Dudley pension combination element of their party, who will prevent the soldier from getting his just dues.

Now, Mr. Speaker, if this is true, the action of those in charge of the soldiers' interests will be the test. If, in obedience to the demands of those who have become rich at the expense of the veterans of this country, you do not full justice to those who left home, friends, and business in the flower of youth to defend this Union from disintegration, to preserve the unity of States, who fought the battles of the war and won its victories; if you do not full justice to these, you must take the responsibility.

When you get the answer, as you surely will in the next election, you can not complain that you were not admonished.

You have been voting liberal pensions to the brigadiers and the majors. It is time you were doing something for the rank and file. Call up the Pennsylvania service-pension bill, make it a law, and you will do justice to the soldier, which has already been too long deferred. Give the honest, faithful soldiers of the country a service-pension law, and you will soon scatter the horde of pension sharks that have been getting rich at the expense of the poor veteran, the soldier will be taken out of politics, and all classes will be satisfied.

Mr. Speaker, I hope we will not forget our obligation to the men who risked all for their country and, to-day enfeebled, are aged before their time. You have promised them a service pension; let us fulfill the promise. Take off the age limit; it is outrageous and is calculated to deceive. Careful statistics show the average life of a soldier to be fifty-six years; to pass a law pensioning him when he reaches sixty-two years of age is a fraud upon its face. It is a political measure, never intended to benefit the soldier. Away with it; give us an honest pension law. It has been argued that a general service-pension law will cost the Government too much money.

I have no doubt if all the schemes which are in this Congress to take the people's money, such as erection of Federal buildings, rivers and harbors, and hundreds of smaller appropriations looking to the benefit of certain members of Congress in their immediate locality—if all these become laws, if all these demands are satisfied, there will be nothing left for the soldier but some measure of this kind which can do him no good, a measure which is not equitable, just, or fair; a measure which seems to say to the soldiers of the country "The Government will give you a pension if you live until sixty-two and we feel safe in promising this because statistics show you can not live that long."

What a travesty of justice! To you who seem determined to put the soldier off with this delusion, all I have to say is the time will surely come when the soldier will sit in the committee of the whole on the question of who shall fill your places. When the votes are counted you will find it decided by the ballot you have been weighed in the balance and found wanting.

I regret very much the mad haste of the majority of the House, which gives no time for amendment and little for debate. I regret very much the rule of this House which prevents my voice from being heard fully on this subject and against this injustice to the honest soldiers of the country. But I rejoice, Mr. Speaker, that it is not yet in the power of Congress to prevent our appeal to the people.

Samuel Sullivan Cox.

REMARKS
OF
HON. JOSEPH WHEELER,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 19, 1890.

The House having under consideration resolutions of respect to the memory of Hon. Samuel Sullivan Cox, late a Representative from the State of New York—

Mr. WHEELER, of Alabama, said:

Mr. SPEAKER: When the shadow of death passed over the form of Samuel Sullivan Cox the world lost a profound thinker and a ripe scholar, our country a devoted patriot, Congress its brightest and most accomplished member, the people of the South a man ever ready to defend them against wrong and oppression, and the poor and lowly a champion who delighted to use all his great talents in their behalf. Genuine sorrow filled millions of hearts. A great, a good, a gifted man was no more. He whose life had been devoted to his country and to his fellow-men had left us forever. A volume of devotion and good deeds was finished, an effort in the cause of humanity had been accomplished.

He was an intellectual giant, an encyclopedia of information, and a monarch of words. In the forum and in debate he was imperial. In the thousand or more conflicts with the ablest men during the long period of his public life he was always victor. In the halls of Congress, like the most famous Roman gladiator, he was ever triumphant.

When in the history of our country have we seen so many virtues, such great and varied talents, such bountiful culture, and such lovable qualities all blended together? When has a man lived so universally loved, so devoted to friends, and so entirely without enemies as Mr. Cox? For more than forty years he stood amidst the storm of political strife under the calcium light of the severest criticism, and even his most scrutinizing opponents could never find a single act upon which they could lay the slightest foundation for censure.

Mr. Cox's ancestry were people of distinction and very high standing. His father, the Hon. Ezekiel Taylor Cox (born May 25, 1795, died May 18, 1873), moved from New Jersey to Zanesville, Ohio, early in the century, was State senator, clerk of the supreme court of Ohio, United States marshal, etc.

His grandfather was General James Cox (born October 16, 1753, died September 12, 1810); officer in the Revolution; speaker of the New Jersey Assembly; member of Congress at the time of his death.

His great-grandfather was Judge Joseph Cox (born August 18, 1713, died April 17, 1801), known as a man of strong mind and unblemished character.

His great-great-grandfather was James Cox (born August 18, 1672, died April 17, 1750), a large landholder and a man highly respected in the community.

His great-great-great-grandfather was Thomas Cox, who settled in Upper Freehold Township, Monmouth County, New Jersey, in 1670. He was one of the twenty-four original proprietors of the province of East New Jersey.

Mr. Cox, the sixth in descent of the persons enumerated, was born at Zanesville, Ohio, September 30, 1824. His quick, bright mind enabled him to acquire information very rapidly, and before he was eighteen he had so far completed his classical course that he was enabled to commence the study of law. At twenty-five he was the owner and editor of the Columbus Statesman, and from that early date he took a prominent stand among the men who shape and control the affairs of our Government. At twenty-nine he was the chairman of the execu-

tive committee of the Democratic party of Ohio, and won great distinction in the campaign of 1853, during which Mr. Medill, the Democratic candidate, was elected governor.

When scarcely more than thirty years of age the appointment as secretary of legation to Great Britain was tendered him, but he declined the honor. He afterwards accepted a similar position to represent the United States with the Peruvian Government.

At thirty-two he was elected to Congress, where he at once took a remarkable position for a new member and so young a man. He continued as a member of this body with but little interruption from that time to the day of his death, comprising a period of nearly a third of a century. He was a member of the national convention at Chicago in 1864 which nominated McClellan and Pendleton, the convention which nominated Horatio Seymour and Frank P. Blair in New York in 1868, and the convention which nominated Tilden and Hendricks at St. Louis in 1876. He was elected Speaker *pro tempore* of the House in 1876, and was minister to Turkey during the greater part of the first half of Mr. Cleveland's Administration.

When minister at Constantinople a severe hemorrhage brought the longing wish to place his family in the shelter of home. Accordingly he left the East at the end of an eighteen months' sojourn, after having, through great urgency and perseverance, consummated the treaty stipulations initiated years before by our Government. But, owing to the fact that treaties with Germany and other countries were under consideration, and complications might arise by a ratification at this time, this treaty was never acted upon by the United States Senate.

Shortly after Mr. Cox's resignation and return he received the decoration of the Order of the Mejidieh from his Imperial Majesty, Sultan Abdul Hamid, the decoration of the Order of the Shefakat having already been bestowed on the minister's wife in Turkey.

For nearly a third of a century Mr. Cox was a bright and shining figure in the affairs of the Government.

God places men in the various spheres of life to carry out His purposes; and the entire life of this statesman shows how essential his presence was to the great cause he served so well. His voice, his magic powers, his sympathy were always on the side of humanity. This was characteristic of the man. Whether Jew or Gentile, Moslem or Christian, foreign or to the manner born, black or white, slave or free, any man, if oppressed, found in Samuel Sullivan Cox a champion and defender. We remember his successful labors for the overworked of all occupations, for craftsmen of all trades and professions, and for the downtrodden of all climes and nations.

When the Irish were oppressed by the British Government, the heart and eloquence of Mr. Cox were enlisted in their defense. When passion and hatred pursued the people of the South, Mr. Cox, at the risk of political popularity, sometimes even of political existence, placed all his influence between them and threatening danger.

Who has not read and felt the pathos of these lines?

> Never, sister, never, was told by human breath,
> What they behold,
> O'er whom has rolled
> The one dark wave of death.

In the whirl and turmoil of busy life and the constant carnival of earthly ambition, these words rise up in our thoughts: "If a man die shall he live again?"

All hearts ask the same great question, some in fear and doubt, but all in hope; and there are few in which this hope does not crystallize into conviction. Not only will all men live again in another world, but great and gifted minds like Mr. Cox, who have impressed themselves upon the affairs of men, will live in their works, and the influence for good which they exerted during life will continue during years and centuries to come.

The effects of some of the labors of Mr. Cox will be felt during all time. Not while the sun shines above the mortals of this earth; not while flowers bloom and give forth their fragrance; not while the noisy torrents rush down the mountain side; not while the sluggish, sinuous stream winds its way from plain to sea will the efforts of Mr. Cox in behalf of the Life-Saving Service of the United States be unfelt or forgotten.

In a speech upon this subject, June 4, 1878, which has been regarded as one of the most effective ever delivered in Congress, he showed clearly his intense gratification at seeing the important work about to be established. Towards the close of his speech, Mr. Cox spoke of his long service and how in some respects it had not been satisfactory to him, stating how gladly he would at any time have laid down his commission and returned to other duties which so earnestly demanded his attention. He then closed his speech in these words, which I read from page 4094 of the RECORD, second session, Forty-fifth Congress.

But what little I have accomplished in connection with this Life-Saving Service is compensation "sweeter than the honey in the honey-comb." It is its own exceeding great reward. It speaks to me in the voices of the rescued; ay, in tears of speechless feeling; speaks of resurrection from death—

> In spite of wreck and tempest's roar,
> In spite of false lights on the shore;

speaks of a faith triumphant over all fears in the better elements of our human nature. It sounds like the undulations of the Sabbath bell, ringing in peace and felicity. It comes to me in the words of Him who, regardless of His own life, gave it freely that other lives might be saved.

Humanity and civilization should walk white-handed along with government. They strengthen and save society. In the perils which environ our country, from passion and prejudice, from old animosities and new irritations, let us do good deeds—pray hopefully that our vessel of state be free from leakage, collision, wreck, and loss. Send out the life-boat; fire the line over the imperiled vessel; free the hawser for the life-car, and then with stout hearts and thankful souls lift up our prayer to Him who holds the sea in the hollow of His hand.

Immediately after the close of this speech the bill was passed without, as far as the RECORD shows, one dissenting vote.

I remember years ago reading a sermon from an eminent divine of Boston, Mr. Cook, discountenancing a religion of sorrow and moaning. He said "Let it be a thing of sunshine, mirth, and happiness. Let religion and all connected with it be joyous. Let the walks which lead in the paths of God be the happiest which can be pursued." Mr. Cox's religious life reminded me of this sermon of years ago. He did not regard sadness and repining and making others sad as an acceptable demonstration of religious convictions. He was a christian who believed that being happy and making others happy and doing good to mankind was the part of a true christian, and during all his long life he was guided by these principles.

When quite young, Mr. Cox, in his open, frank manner, espoused the cause of Christ.

He was a devoted student of the Bible and knew much of it by heart. In his early boyhood he accomplished the memorable task of learning and reciting, almost without a mistake, the entire epistle of St. Paul to the Romans. In 1848, through the influence of Rev. T. J. Stockton, who, although himself a Methodist, counseled this step, Mr. Cox united with the Presbyterian Church at Cincinnati, under the pastorate of Rev. Dr. Fisher. On his return to his home in Zanesville, in 1850, his connection was transferred to the Putnam Church in that place, under the Rev. Dr. Addison Kingsbury, the venerable pioneer pastor of that church.

I have not, indeed few men, if any, possess the power of description to do even meager justice to the great ability and scholarly eloquence so often displayed by Mr. Cox. His oratory was calm and generally dispassionate, but at the same time forcible and convincing, and his advocacy of the cause he espoused was always fearless and determined. His methods were open and chivalrous, his generosity broad and deep and strong, his friendship true and enduring.

In all his debates he sought to conduct his arguments and controversies with the utmost consideration for the feelings of others; and although he finally became victor and brought all opponents to the ground, it was not done roughly, for like a skillful wrestler he preferred to see his foe fall lightly and by his gentle manner seemed to prepare a bed of roses for the reception of his vanquished rival.

Those who ventured to assail him were, however, never allowed to escape. His repartee, though devoid of bitterness, was nevertheless crushing in the extreme; yet there was none of that harshness which leaves a lasting sting. It is true that sometimes the attack on him was of a character to require and call for a severe retort, and all who ventured upon such a line of debate soon learned the temper and form of his trenchant blade. There were few who had the temerity to hazard such a conflict; but we all remember his discomfiture of the distinguished General Butler in the Forty-third Congress, and his crushing repartee to the humorous Mr. Horr, eight years later in the Forty-seventh.

A characteristic of Mr. Cox was his charming humor and brilliant wit, and many who expressed surprise that a man so able, cultured, pure, and gifted was not called to the highest office which it was possible for his admiring countrymen to bestow, believed that this remarkable wit was the only cause which retarded his advancement; but in this I think they were mistaken. His humor always did good and never harm. He seldom used this faculty merely for the purpose of amusing his audience, but put it into play when it was evident that by so doing a desired and frequently a very important object could be attained.

We all remember how often he quelled a storm in the House of Representatives by some pleasant witticism, almost instantly changing the scene from one of angry dispute to one of most pleasant hilarity.

It is a mistake to say that this detracted in any way from Mr. Cox's dignity or the great esteem which was universally felt for him.

I think the real reason why Mr. Cox did not receive the honors of office which would naturally have fallen to the lot of such a man was owing to his never seeking any such advancement.

That he would have honored the Presidency no one who knew him would for a moment doubt. No one of his time was better equipped than he with regard to all matters of government, and in general information and knowledge of politics and history the superiority of his attainments was remarkable.

I doubt if any member of either House of Congress ever equaled Mr. Cox as a worker. He delivered lectures, wrote and published most interesting books, including such valuable and popular works as Three Decades of Federal Legislation, Why we Laugh, The Pleasures of Prinkipo, and The Diversions of a Diplomat.

His whole public life showed that he was always guided by a conscientious conviction of duty. He was one of the few members who opposed the bill to increase and at the same time to give back salaries

to Congressmen; but his crowning effort was the establishment of the Life-Saving Service, which has already rescued some twelve or fifteen thousand lives and some tens if not hundreds of millions of do lars.

He also attended most scrupulously to every detail which devolved upon him as a Congressman, and with all this he found time to join with and assist Mrs. Cox in the social duties which pertained to the family of so eminent and widely known a statesman, as well as to obey frequent demands to attend dinners and banquets to which his presence seemed almost essential. This involved much intellectual effort, as a good and new speech was expected of Mr. Cox on all occasions of this character.

His wonderful ability to accomplish so much was due to unusual brain power, vivid imagination, perfect command of language, and remarkable memory, all supported by an energy and force which seemed irresistible. His rapidity of thought is illustrated by the article which gave him the sobriquet of "Sunset." It was written in less than twenty minutes, when he was still very young. I will give it as it appeared in the Ohio Statesman thirty-seven years ago:

A GREAT OLD SUNSET.

What a peculiar sunset was that of last night! How glorious the storm and how splendid the setting of the sun! We do not remember ever to have seen the like on our round globe. The scene opened in the west, with a whole horizon full of a golden interpenetrating luster, which colored the foliage and brightened every object into its own rich dyes. The colors grew deeper and richer, until the golden luster was transfused into a storm-cloud, full of finest lightning, which leaped in dazzling zig-zags all round and over the city. The wind arose with fury, the slender shrubs and giant trees made obeisance to its majesty. Some even snapped before its force. The strawberry beds and grass plots "turned up their whites" to see Zephyrus march by. As the rain came, and the pools formed, and the gutters hurried away, thunders roared grandly, and the fire-bells caught the excitement and rung with hearty chorus. The south and east received copious showers, and the west all at once brightened up in a long, polished belt of azure, worthy of a Sicilian sky. Presently a cloud appeared in the azure belt, in the form of a castellated city. It became more vivid, revealing strange forms of peerless fanes and alabaster temples, and glories rare and grand in this mundane sphere. It reminds us of Wordsworth's splendid verse in his Excursion:

> The appearance instantaneously disclosed
> Was of a mighty city, boldly say
> A wilderness of buildings, sinking far
> And self withdrawn into a boundless depth,
> Far sinking into splendor without end!

But the city vanished only to give place to another isle, where the most beautiful forms of foliage appeared, imaging a paradise in the distant and purified air. The sun, wearied of the elemental commotion, sank behind the green plains of the west. The "great eye in the heavens," however, went not down without a dark brow hanging over its departing light. The rich flush of the unearthly light had passed and the rain had ceased; when the solemn church bells pealed, the laughter of children rang out, and joyous after the storm is heard the carol of birds; while the forked and purple weapon of the skies still darted illumination around the Starling College, trying to rival its angles and leap into its dark windows. Candles are lighted. The piano strikes up. We feel it is good to have a home—good to be on the earth where such revelations of beauty and power may be made. And as we can not refrain from reminding our readers of everything wonderful in our city, we have begun and ended our feeble etching of a sunset which comes so rarely that its glory should be committed to immortal type.

While Mr. Cox was himself a statesman, while his real life-work led and held him among other statesmen whose duty it was to guide the public counsels of our country, he was yet no stranger to the calm pursuits of science, and, had not his career been determined by early association with the life of both father and grandfather, he would have devoted himself to those scientific or those literary pursuits to which his early inclination led him.

Knowing this, we can better understand the pleasure he derived from his duties connected with the Smithsonian, and can appreciate his sincerity in alluding, as he frequently did, to his association with the regents and learned scientists of the institution as a source of keen enjoyment to him.

It was upon the motion of Mr. Cox that the Board of Regents of the Smithsonian Institution elected as their chancellors Chief-Justice Chase in 1865 and Chief-Justice Fuller in 1889.

Mr. Cox was a firm supporter of the broad policy proposed by Professor Henry, which has been so long and successfully carried out by the Board of Regents of the Smithsonian Institution.

Undoubtedly the influence of his friend, Stephen A. Douglas, one of the regents when Mr. Cox entered Congress, had much to do in forming his mind and in shaping his course in regard to the institution.

His conception of the policy best adapted to carry out the object of the founder is strikingly shown in his eulogy of Mr. Douglas, in which he speaks as follows:

In February, 1854, Stephen A. Douglas, of Illinois, while a Senator from the State, was appointed one of the regents of the Smithsonian Institution, and continued a member of the board until the time of his death, on the morning of the 3d of June, 1861. From the pursuits of his life and the peculiarities of his course it might be thought that he was not well qualified to discharge properly the duty of a trustee of a fund intended for the increase and diffusion of knowledge among men. But this would be a mistake, for although he had given no special attention to any branch of science, yet his mind was of that comprehensive cast which enabled him duly to appreciate the nature of the bequest and the general principles of the different plans which had been proposed for carrying it into execution. It is true, as I am informed, that before he was elected a regent he had adopted the popular idea that the bequest was intended merely to diffuse useful knowledge among the people of the United States, yet when he came to study the precise words of the will of the founder and caught, as he immediately did, the peculiar idea of the object intended, namely, the extension of the bounds of science, and not merely the teaching of what is already known, he fully adopted the views on which the present organization of the institution is based, and ever after continued a warm advocate and an able supporter of the measures now in successful operation for the realization of the liberal and enlightened intention of James Smithson.

It is but natural that the shock of Mr. Cox's death was severely felt by this scientific Institution. Having served with him on the board, I can well testify to the high regard in which he was held by this body, which included men of the greatest distinction. Mr. William Walter Phelps, now our minister to Germany, was the colleague of Mr. Cox and myself during the preceding Congress.

At a meeting last January it became my painful duty to propose that a committee be appointed to prepare suitable resolutions upon the death of our associate. The record of the Smithsonian, made pursuant thereto, is in these words:

At a meeting of the Board of Regents held January 8, 1890, Mr. WHEELER called the attention of the board to the death of their late colleague, Hon. S. S. Cox, and on his motion it was—

Resolved, That a committee be appointed, of which the Secretary shall be chairman, which shall be authorized to prepare resolutions on the services and character of the late S. S. Cox, and to make the same of record.

The chairman announced as the committee the secretary, General WHEELER, Dr. Welling, Mr. LODGE; who reported as follows:

To the Board of Regents:

Your committee report that the Hon. S. S. Cox was first appointed a Regent of the Smithsonian Institution December 19, 1861, and that he filled that office, except for intervals caused by public duties, to the time of his death.

While he was a regular attendant at all the meetings of the board, he was ever ready to advance the interests of the Institution and of science, either as a regent or as a member of Congress, and although such men as Hamlin, Fessenden, Colfax, Chase, Garfield, SHERMAN, Gray, and Waite, in a list comprising Presidents, Vice-Presidents, Chief-Justices, and Senators of the United States, were his associates, there were none whose service was longer or more gratefully to be remembered, nor perhaps any to whom the Institution owes more than to Mr. Cox.

The regard in which his brother regents held Mr. Cox's accuracy of characterization, and his instinctive recognition of all that is worthiest of honor in other men, may be inferred from the eulogies which he was requested by them to deliver, among which may be particularly mentioned the one at the commemoration in honor of Professor Henry in the House of Representatives; but though these only illustrate a very small part of his services as a regent, your committee are led by their consideration to recall that his first act upon your board was the preparation and delivery of an address at the request of the regents on their late colleague, Stephen A. Douglas, and that on this occasion he used words which your committee permit themselves to adopt, as being in their view singularly characteristic of Mr. Cox himself:

"It was not merely as one of its regents that he showed himself the true and enlightened friend of objects kindred to those of this establishment. He ever advocated measures which served to advance knowledge and promote the progress of humanity. The encouragement of the fine arts, the rewarding of discoverers and inventors, the organization of exploring expeditions, as well as the general diffusion of education, were all objects of his special regard."

In view of these facts it is—

Resolved, That in the death of Hon. Samuel Sullivan Cox the Smithsonian Institution has suffered the irreparable loss of a long-tried friend, the Board of Regents of a most valued associate and active member during fifteen years of service, and the country of one of its most distinguished citizens.

Resolved, That the Board of Regents desire to express their deep sympathy with the bereaved family of the deceased, and that a copy of these resolutions be transmitted to the widow of their late associate.

It is hard to realize that the three strong men, Cox, Randall, and Kelley, who consecrated their lives to duty in this Hall and who at the close of the last session were firm and healthy and determined, should have gone from us forever. We look at the seats they occupied so long, and they are no longer there. A few weeks ago we met here to pronounce our eulogies upon Mr. Kelley; in a few weeks we shall quietly enter the Hall to do honor to Mr. Randall; and to-day the House holds a special session that its members may utter their heartfelt expressions commemorative of the virtues of Mr. Cox. He has crossed the river, the dark, placid, unfathomable River of Death. He has entered the Elysian Fields; he is resting under the shade of the trees. Peaceful be that rest. In life he was invincible; in death he is immortal.

Mr. Speaker, the obsequies of Mr. Cox have been touchingly described by other gentlemen during these services, but only passing allusion has been made to the beautiful addresses of Dr. Milburn, Dr. Talmage, and Dr. Deems. These exercises would not be complete without these tributes. I will therefore incorporate them as a part of my remarks.

At the church the procession was headed by the clergy, led by Charles E. Deems, D. D., LL.D., pastor of the Church of the Strangers, a church Mr. Cox frequently attended. He was followed by Rev. Dr. Milburn, Chaplain of the House of Representatives, accompanied by Rev. Dr. Talmage, of Brooklyn. Then followed the pall-bearers with the remains, and then the family and friends.

Dr. Deems read the sentences out of the Church Service:

I am the resurrection and the life, saith the Lord; he that believeth in Me, though he were dead, yet shall he live; and whosoever liveth and believeth in Me shall never die.

I know that my Redeemer liveth, and that He shall stand at the latter day upon the earth. And though after my skin worms destroy this body, yet in my flesh shall I see God, whom I shall see for myself and mine eyes shall behold, and not another.

We brought nothing into this world, and it is certain we can carry nothing out. The Lord gave, and the Lord hath taken away; blessed be the name of the Lord.

After the congregation were seated, Rev. Dr. Milburn read in a most impressive manner the fifteenth chapter of the First Epistle of St. Paul to the Corinthians, and after an anthem proceeded to deliver the following eulogium.

Rev. Dr. Milburn said:

Samuel Sullivan Cox, the humorist, the writer, the speaker, a servant of the people, an officer of the state, a most human-hearted man, has left us, and we, the city, the nation, are the poorer for his going. There was in him a vein of admirable wit united to an excellent understanding and a rare power of sympathetic speech, and these, with an indefatigable industry and dauntless energy and courage, early in life brought him to the front, and throughout his days kept him there, in a position of influence and power to which he was fully entitled. The country can ill afford to spare, in what should have been the maturity of his manhood, one so richly endowed by nature, labor, large and varied experience, whose soul was wedded to its honor and to the happiness, interest, and welfare of his fellow-men. As his friends, we mourn our irreparable loss, while the whole land sorrows for the departure of one of its most faithful, valiant, and devoted sons.

Sprung from a brave old Revolutionary stock, born in Ohio, one of a family of fourteen children, taught from his earliest days to work with persistence and energy, he gained a university education as the fruit of his own toil, and then enlarged his mind and quickened his sympathies by wide travel, making acquaintance with many climates, cities, of men, and governments, and thus prepared himself for the work he was to do. He first tried his hand as a writer for the newspaper press and also as the author of a book of travels, but soon entered the Capitol of the nation as a member of the House of Representatives, where his brilliant parts at once gained him distinction.

Throughout his Congressional career of nearly thirty years, he secured and maintained to the last the kindly regard, the warm admiration, and personal friendship not only of his political associates, but of the members on the other side of the floor, and in the bead-roll of his friends and admirers there will be found as many opponents as members of his own party. Trenchant and powerful in debate, he used the weapons of research, clear statement, argument, keen wit, and an ever-present humor, and wherever he inflicted wounds they were always salved by kindliness and mirth, and all canker was removed.

Earnest in his political convictions and ardent in their advocacy, he was yet more earnest and ardent in matters outside of politics that concerned the happiness of his fellow-men. Notable illustrations of this are found in our Life-Saving Service, of which he may be said to be the father, and in his championship of the cause of the hard-worked and underpaid clerks and carriers of the postal service. His best and highest public utterances, which had the whole force of his character in them, were in behalf of a larger toleration, a sweeter and more practical humanity.

When one reviews his work in Congress and knows the immense labors he performed there, in the profound study of all questions vital to the nation's welfare, in committees, on the floor, and at the Departments, it would seem enough to tax any man's utmost strength and fill his whole time; yet such was his unwearied industry and elastic energy that he managed to write book after book which have instructed and delighted great bodies of readers by their intelligence, vivacity, their wisdom, humor, and wit.

I must leave it to others, to his colleagues in Congress, to speak of his political services and the debt of gratitude the country owes his memory. This place is sacred to the consideration of character. How did he use those extraordinary talents which he possessed? Were they for himself supremely? A less selfish man than Samuel Sullivan Cox has never appeared in the political life of his country. He had a large heart, tender sympathies, a kind appreciation, and a power to interpret the character of all with whom he came in contact. Noble as was his head his heart was still nobler; and throughout his career he strove to help, to cheer, to befriend those who were in need of friendship. There was a light in his eye, a music in his voice, a grasp in the hand, a cheerfulness of speech, a heartiness of manner, which lifted burdens from the shoulders of those who came near him. His honor was unstained. Although he was connected with the politics of this city and of the country in their darkest hours, when corruption ran riot and the infamous scramble for place and pelf was common, the pitch never defiled him, his good name was never assailed even by the tongue of scandal. He bore himself with a lofty rectitude; his integrity was incorruptible.

Amid the dance of society, the roar of business, the greed for office and money, we pause beside this coffin in the stillness of this sacred place to recall the form and features of one whose nature was large enough to offer the generous hospitality of recognition and sympathy to all sorts and conditions of men, whether they were Roman Catholic or Protestant, Jew or Mohammedan, and who in the battle of life ever struck with all his might for the cause of the true, the right, the good. One who knew him best has assured me that his piety towards God was as genuine, deep, and reverent as his charity towards his fellow-men was large, unaffected, and fervent. He drew the inspiration of his conduct and character from the truths and faith of our holy religion.

We speak of our friend as dead. This casket contains his outer covering; the man himself lives. He looked with those eyes, spoke with that tongue, those lips, used those hands, for there was that within the body which employed these organs as instruments. The man himself has passed through the door, invisible to us, into a world not of ghosts, but a world of substance—of human forms. He has gone forth clothed with immortality, and stands to-day in the presence of his Father and his God, of his Savior and ours. He has carried with him all the fruits of his true and kindly words, brave and generous deeds, noble conduct and endurance; for in that sphere character alone survives, and every man shall find the place for which he has fitted himself on earth. We can not tell what things may be given him to do, but we are sure that his higher life in that glorious world unseen by us will be one of activity, of ministry to others, perhaps to us, in ways we can not understand. Shall not the blessed revelation of this truth, of the life and immortality brought to light in the gospel, bring comfort to our hearts, consolation to our sense of bereavement?

"Brief life is here our portion,
Brief sorrow, short-lived care;
The life that knows no ending,
The tearless life, is there.
Oh, happy retribution,
Short toil, eternal rest;
For mortals and for sinners
A mansion with the blest."

Shall not these truths irradiate our own lives, inspire our characters, helping us as they do to take the measure of life's values, to place in right proportion the world on this side the grave and on the other.

Will not the beautiful example of this man who the other day walked at our side, talked, worked, laughed, and wept with us, but is now beyond the stars, bring to our toil-worn brains and hea-ts peace this day? There will be little profit to us in gathering about this coffined form to pay this last office of love to the memory of our friend unless we go hence more reverent towards God and more kindly to our neighbor, reading the minds and conduct of others with a more charitable eye, and carrying ourselves with a more tolerant and affectionate bearing towards them.

This man bore himself to the age of three-score years and five, not only untainted by the world, but unworried with it. No frown of discontent, no scowl of misanthropy, was ever seen upon his brow, no complaint of the emptiness of the world or of its vanity was prompted by that cheery heart. He wrought for the welfare of others, and in so doing found his own, for love is its own exceeding great reward. Let us take this spirit with us from this hallowed place, and we shall depart truer and braver citizens, purer men, worthy to live, and not afraid to die.

Rev. T. De Witt Talmage, D. D., then delivered the following address:

The nation weeps. What a wide, deep, awful vacuum the departure of such a man as Samuel S. Cox leaves in the world! We shall not see his like again. It will be useless to try to describe to another generation who or what he was like. He was the first and the last of that kind of man. He was without predecessor and will be without successor. What a genial, gracious, magnificent soul he was! And every year he lived made to the world a new revelation of his admirable qualities. Within the past few weeks I traveled in his wake across the American continent, and I heard everywhere of the ovations he had received and the superb impressions he had made, cities and Territories and States casting their crowns at his feet.

And while these tempests are raging on land and on sea and the life-saving stations have rescued, within a few hours, the crews of thirty ships, we are called upon to perform the last office over the body of him who was the chief champion of that national benevolence for which every sailor on the seas feels thankful.

And was there ever a truer friend? Tell me, ye who live in the high places of the earth, and the poor who last night, while his body lay in state, wept over this casket! There is hardly any one here to whom he has not done a kindness.

Did he not speak for you a good word or write a generous commendation or give you the smile of encouragement in some exigency? How many people he helped; how many perplexities he disentangled; how many bright utterances he strewed in the pathway of others, no one can remember save the God who remembers all.

Firm as a rock, brilliant as a star, artless as a child, pure as a woman. God endowed him for a good purpose with a resiliency of wit, a faculty of impersonation and an irresistible mimicry and a dramatic power that were inexhaustible. How much the world owes to such a nature we can not tell. It is often a greater good to cause a laugh than to start a tear. We all cry enough, God knows, and have enough to cry about, and we need no impulse in that direction. But he who can scatter our gloom by innocent merriment has been to us an emancipator. Solomon was right when he said, "A merry heart doeth good like a medicine." Wit is of two kinds, that which stings and galls and angers and makes the eye flash and the heart burn; the other is that which illumines, sets free, strengthens for another contest, puts us in good humor with the world and makes us renounce our follies. The one kind of wit is the lightning that rives, but the other is the dew that refreshes. Of that last kind was the wit of our departed friend.

He never laughed at anything except that which ought to be laughed at. There were in it no innuendoes that tipped both ways; nothing viperine; nothing that would have been discordant to recall if he had died the next hour. Prince of innocent pleasantry, sanctified repartecist, our friend shall live in our memories like a sweet song too soon closed, like a banquet too soon ended, like a picture over which too soon the veil has dropped.

Good-by, old friend of years! Together we rejoiced in this world. Together we shall rejoice in a brighter world. You have gone because your work was ended. We toil on because there is yet something for us here to do. Come down to the gate and meet us when it is our turn to enter. Then on the emerald banks of the crystal sea we will walk arm in arm and talk over the scenes of earth by which we were disciplined for the raptures that never die. Spirit blest! I hail thee from this dark, autumnal hour on earth, thou of the June morning celestial!

My sister, bereft! God will help you in this sad hour. Lean hard on the everlasting Arm. Thank God that this genial soul was permitted to walk by your side so long, your pride and your joy, and be comforted that you did just as well by him as he did by you. Witness the long watchings of his two great sicknesses. Witness your lifetime devotion. Where he went you went all these years, and none of the enchanting places of foreign travel which he described by his graceful and potent pen were as bright or beautiful as the place where you shall meet him soon. He will not forget you any more than you will forget him.

"In this dark world of sin and pain
We only meet to part again;
But when we reach the heavenly shore
We there shall meet to part no more.
The hope that we shall see that day
Should chase our present griefs away."

Dr. Deems read the commitment service from the Book of Common Prayer, and closed the service with an extemporaneous prayer nearly as follows:

Almighty and most merciful God, our heavenly Father, who in Thy wise providence hast taken from our midst the spirit of our departed brother, we do most humbly bow to the holy will which has brought this great bereavement. We do most humbly and heartily thank Thee for the existence and career of our brother. We thank Thee for every good thing that came into his life. For his radiant childhood, his bright boyhood, and his energetic manhood, receive our humble thanks, good Lord. For all his intellectual and moral endowments, for his industry, patience, perseverance, and genial temper, for his success in striving to turn aside from evil ways, for his unselfishness, his genuine devotion to humanity, his love of his fellow-men, his patriotic devotion to his country, his ability to serve his fellow-citizens in so many and so important directions, for his example in leading a clean life in an environment in which so many have been corrupted, for the thousands of tears he has wiped from the eyes of widows and orphans and strangers and the oppressed and perplexed and poor, and for the thousands of smiles he has kindled on so many sad faces, we render Thee most humble and hearty thanksgiving, good Lord. For his home of unsullied purity and sunny love, for his position of conspicuous honor and usefulness, for the great hosts of friends by which he was able to surround himself from his boyhood to his death, for his reverence for the christian faith and the pleasure he had in its strengthening, comforting, and uplifting influence, we render most humble and hearty thanksgiving, good Lord.

And now, most holy Father, we beseech Thee to sanctify the sorrow which hath come with his death. Into the arms of immortal love take our dear sister, his bereaved wife. In the lonely hours when she listens and waits in vain for the familiar foot-fall and the sunny smile of his presence, and he does not come, and her heart grows lonely, speak to her in the accents of divine affection and say to her, "Thy Maker is thy husband." Let his departure be by Thy grace turned into a blessing to all his kindred, so that his memory may not be only a precious and fragrant treasure, but also a high and sustaining incentive to lives of goodness and purity. May all his friends and associates, in private and public life, feel that this fountain of beneficence being sealed, they must open their own lives for ampler usefulness.

And now, Lord, amid these surroundings, we pray that the silent beneficent influence of Thy Holy Spirit may be exerted upon the people in the Congressional district which Thy departed servant represented. Incline them to choose for his successor a man whose hands and whose heart are clean of falsehood, bribery, and corruption. Pour Thy Spirit upon our whole land and nation. Grant Thy grace to all our public men. Let there come from the grave of Thy

servant a call to them all to turn from every evil way to perfect holiness in the fear of the Lord. May all who make and expound and execute the laws of this land be inwardly devout servants of the living God and outwardly examples of justice, mercy, and truth. O Thou, who hast permitted this people to govern themselves, grant unto them the spirit of wisdom and of a sound mind. May they all learn that no man who is bad in private can be trusted to be good in public. May they never elevate to places of power and trust men who are false, cowardly, licentious, or profane. May the people have grace to select for their public servants men who fear God and fear nothing else in heaven or earth or hell; and so may we come to be that people of whom the nations of the earth shall say, "Blessed is the people whose God is the Lord." And so may the land which our brother loved, and for which he lived and in whose service he died, grow in all true greatness and be an example to the nations of all the earth. Hear us, Holy Father, we do most humbly beseech Thee, and answer the prayers of us, Thy servants, as may be best for us, granting us in this present world a knowledge of Thy truth and in the world to come life everlasting.

Glory be to the Father, and to the Son, and to the Holy Ghost, as it was in the beginning, is now, and ever shall be.

Our Father which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth as it is in heaven. Give us this day our daily bread; and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation; but deliver us from evil. Amen.

And now may the peace of God, which passeth all understanding, keep your hearts and minds in the knowledge and love of God, and of his Son, Jesus Christ, our Lord. And the blessing of God Almighty, the Father, the Son, and the Holy Ghost, be amongst you, and remain with you always. Amen.

Civil Service.

SPEECH
OF
HON. THOMAS R. STOCKDALE,
OF MISSISSIPPI.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 24, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9966) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes—

Mr. STOCKDALE said:

Mr. CHAIRMAN: I propose in what little I have to say on this question to indulge in no harsh criticisms. I have no animosity or feeling against the *personnel* of the Civil Service Commission. I do not propose to pronounce any strictures upon them. I am in favor of striking out this item in the appropriation bill, not with the view of emphasizing criticism, but because, in my opinion, it is simply a waste of money. And so far as the working of that commission is concerned, as it has developed itself before the country, it is powerless to do any good. But it is, as I believe, productive of injury to the public service and injustice to the people.

I have no interest in striking it down and have no disposition to do so if it can be shown to have done any good. But, believing, as I do, that it is a useless appendage to the administration of this Government, is undemocratic, in that it tends to build up a class of officers who are not directly accountable to the people, and agreeing with my friend from New York, General SPINOLA, that it is as now administered un-American, I do not believe in voting money to support it. The President of the United States is limited to a tenure of office of four years, Senators to six years, and members of this House to two, but you propose to make a perpetual tenure for the employés of the Government, over whom neither the Executive of the nation nor the people themselves shall have control.

The gentleman from Maryland bases the gravamen of his remarks upon the reason that there is a large number of people now upon the eligible list, and it is wrong not to "let them in." He arraigns the friends of this motion in the severest terms, because it would lessen the prospects of some of the great army of applicants "to get in." I admit that may be; but to whom does this Government belong? And that is a pertinent question at this hour Does it belong to the employés and office-seekers? Is it the legitimate prey of place-hunters? Has this civil-service reform arrived at that point where it dare not alter its methods for fear the applicants will be displeased or until they all get places, or does this Government belong to the people to manage as their own sovereign will may determine?

There are now, I am informed by the gentleman from Maryland, 100,000 people who have been examined by this commission. They are eligible for twelve months, dating from their examination. Not 2,000 will get places before the twelve months expire, and none of the Democrats; and then the commission will proceed to examine them again and give them certificates, to be again disappointed; and thus we keep these people, many of them worthy people, in a state of constant anxiety and unrest, and disqualify them for other business.

I say here is the mean act of this play, and we are playing the most contemptible part by keeping this commission before the people, making these examinations, and holding out false hopes to these people when we ought to have the courage and honesty to tell them that there are not places for them, or at least we can avoid deluding and decoying from their homes, under false pretenses, other citizens, by giving the commission a rest for twelve months. In answer to this, it will be said that people who want to apply for examination have the right to do so and may get places, and that is perhaps true under the administration of the law, but if the law was carried out, not only in its spirit, but in its plain provisions, it would not be true. The law provides:

Third. Appointments to the public service aforesaid in the Departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

Mr. Chairman, is there anybody that does not know that this provision of the law is utterly disregarded in practice and that the far-off States have very few people in the Departments?

I presume it is safe to say that the territory within easy reach of Washington, with less than one-fourth the population of the United States, has half the Government employés in this city, and that such inequality is increasing under the administration of the commission.

If I am correctly informed as to the number of Government employés in the Departments from the gentleman's State, it amounts to about 1 for every 423, whereas it ought not to be more than 1 in 3,400 of the population. Just what proportion of the population of this District is in Government places is not known. I am told that the easiest mode of ascertaining is by counting what are out. To give the other States and Territories their quota on that basis would require the commission to increase the number of Government employés in Washington to 117,000.

If they would, on the other hand, undertake, as they are in honor and in obedience to their oaths bound to do, to require these near States to give way until the far-off States are made equal with them what a revolution there would be in this great area between the mountains and the sea. Gentlemen from surrounding States would weaken in their zeal and be less eloquent in their advocacy of the law and in encomiums upon the commissioners, and the applause in the galleries would be milder. Yet it might impress gentlemen west of the mountains and south of the Potomac with more respect for both.

Ingenious excuses for violating this law are but arguments for its repeal, for a law that may be properly violated ought not to exist.

It would seem that the chief end of this commission, according to its adherents, is to get people into Government places. Its greatest champion on this floor, the distinguished and eloquent gentleman from Maryland [Mr. MCCOMAS], made an earnest appeal for it a while ago, as follows:

What is the result of this proposition? For seven years under the existing law and by its invitation you have sent a hundred thousand men and women and young girls from the farms and villages up to the cities of the country where you have held your examinations; and they have been placed on the eligible list—one hundred thousand of them last year—many of them poor. They are hoping that you meant what you said when they went to be examined. They found that 22 per cent. of those examined had been placed on the rolls of Government employment last year, and they thought that they had one chance out of four this year of appointment if you should keep your pledge. They are relying on your honor, your party's honor, to give them the opportunity which was promised them under the law. Now you propose to say, "We will starve out the commission." These people have spent their money, their toil; they have stood their examinations in vain, because the Government is going to repudiate its pledge. If you now strike out this appropriation you practically abolish the law; and none of these people can get in. You do not leave one opening by which a single person not now in the service, although eligible, can enter it under this law.

I do not criticise the gentleman. If he has the ability to sway Congress to assent that he and a few others shall furnish the employés for the Departments here and they furnish capable people, we can hardly expect him to desist. The responsibility is with us, and our constituents should hold us responsible for making this large appropriation to carry on this institution when we know the result will be to add another 100,000 to the eligible list, and who we know can not get places unless places be created for them. The people of the country ought to ask us, and probably will, is it honest to deceive these people in that way and is it honest to appropriate the money of the Government to perpetuate the deception?

You say this commission is intended to remove the service from partisan influence. That is, you expect a commission of the strongest partisans, appointed by a partisan President in the interests of his party, to be strictly non-partisan.

It is said also that the fact that no more than two commissioners shall be adherents of the same political party is a safeguard, but two is a good working majority in a body composed of three.

It has been several times announced in this discussion, with a good deal of muscular effort at sincerity, that this commission is the means of maintaining a merit system. I am heartily in favor of having meritorious people in office and I am as heartily in favor of the people having something to say as to the merits of their employés. In all conscience, they should at least choose those who are to sit in judgment on the qualifications of their employés.

The commissioners are appointed by the President. The President and all his advisers are always partisans of the strongest type. The President can remove any commissioner at will, and this is the tribunal to which the people are referred as the source from which to expect the limpid stream of pure and unbiased non-partisan patriotism. Why, Mr. Speaker, it is only necessary to read the law to ascertain that its

framers had no confidence that it would be efficient. It provides as follows:

Fourth. That there shall be a period of probation before any absolute appointment or employment aforesaid.

And this is perhaps the wisest provision of the law.

I never saw the original draught of the bill. It may be that this provision was inserted as an amendment by some good Methodist to exercise the wisdom of that church on this institution; knowing the uncertain and often deceptive character of examinations, they put the applicant on probation, so as to ascertain through the evidence of his works whether he is equipped for the high duties of a member of that great organization.

So here dependence was not put in the examinations, but the applicant must be put on probation, that he may show forth by his works whether he is capable, and by his walk and conversation whether he is honest, so that it is the head of Department who determines the fitness after all, and the only effect and real office of the commission is to confine him in his selections to a favored few whom they have provided by necessarily imperfect and often farcical examinations. No matter that they may know people outside far superior to any of those on the eligible list—men and women eminently fitted for positions and worthy withal, pursuing their avocations on the Western Slope, in the great surging Northwest, and in the glorious South, who have not the time nor money to get on the eligible list and come to Washington and sit in these galleries and wait for employment.

It is said they may be examined at home, and then await there a summons to appear in Washington and take possession of an office. Yes, and they might just as well wait for Gabriel unless some Senator or Congressman interceded—the very thing the commission assumes to avoid.

It is asserted that the Government can not make a single appointment without the commission, and hence this appropriation should be mode. In the first place, I do not assent to that proposition. I believe appointments could be made out of the 100,000 on the list, and I think the Government could pinch along on that for a year; and, if it is true, the Government will not suffer, as the Departments are all full to overflowing; and if the Government has placed itself in so ridiculous an attitude as that Congress could and should amend the law in that regard.

Gentlemen will be surprised when they find the minority will not be insignificant on this vote, and they will be more surprised when a vote shall be taken on a bill to remodel the law, for then we will be in a greater majority than they are now; not because the country is opposed to reform in the civil service or has abandoned the hope of accomplishing it.

In voting against this appropriation I do not desire to be understood as pronouncing against civil-service reform. I am as heartily in favor of reform and improvement in the civil service of the United States as any gentleman on this floor, and God knows it needs both, and for that reason I am in favor of pausing here and remodeling the plans of this commission, which, after seven years' trial and the expenditure of large sums of money, has failed to do either.

I simply say that the Civil Service Commission, giving them credit if you desire for an honest effort, have proved unable to accomplish the end in view; that the plan upon which they proceed and will proceed is itself a failure; that when we appropriate this money we give it to perpetuate a failure; and, believing that, as I do, I have no right to vote away the money of the people for such a purpose.

Had I ever believed in the plan pursued by this commission I would regard it far more consistent to abandon it after seven years' failure than to pursue the same course for fear of acknowledging a mistake. We will never convince the people that we are infallible by canonizing a palpable blunder. I am asked what I would do; return to the old system? I can say that I would not fear the old system. I would not object to an opportunity to put a lot of good and capable Mississippians in good places in the Government service, and thus increase its efficiency and raise the standard, even at the inconvenience of some incumbents who are said to be credited to Mississippi and who could not find the State if they were turned loose to-morrow.

But there is one thing we could do; we can amend this law so as to make the way unmistakably plain, if it is not already so, and leave no excuse for violations of it. If we are to have a commission, let them be admonished that they are to obey and not defy the law nor evade it. For it seems that this law, when it says "Appointments to the public service aforesaid in the Departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census," is not plain enough for the commission to understand or they have not respect enough for the law or the people to obey it.

Let us amend the law so that each State shall have its own board of examiners, appointed by the President if you will, but from the citizens of that State. And I would go further and have the quota of the State apportioned among the Congressional districts, or judicial districts if that is preferred, with an examining board in each, and that when a vacancy occurred in the future from that State it should be filled from that State or district, and that the proposed incumbent be taken from the head of the list as to grade in his State and district. If it be thought necessary to examine him again here, and he fail, let the next highest be taken from that district.

Let the examinations be reasonable in view of the service the applicant wishes to enter, as the law now requires, and not ask an applicant for letter-carrier what is the oldest republic in the world, and test the capacity of a copyist by asking how many bones there are in the human body, and of a book-keeper by his knowledge of the arterial circulation. I would provide also that no appointments shall be made from States nor the District having now an excess over their proportion until the States having less than their share shall be equalized. I would make the appointments for a term, and not perpetual.

I would then provide a penalty for violation of any of the provisions to be enforced by the courts, and I am in favor of withholding this appropriation until that is done; for by making the appropriation now to last a year from next July we sanction the former course of this institution when we know that it is inefficient and in disregard of the law. To withhold this appropriation will not affect the law in its provisions against political assessments and undue influence of officers over employés and corruption in office.

It is said, and this is the argument most strongly urged by gentlemen who have many friends in office and are about to get in more, and doubtless it has influenced many good people, that the employés must have a life tenure because the management of the Government should be free from party influences. Then why not make the higher as well as the lower offices of the same character? Surely heads of Departments need to be free from bias as well as their subordinates. And if they, why not the President? That, Mr. Chairman, is the inevitable tendency of this scheme, and it already develops the usual symptoms of such doctrine, to wit, supercilious disregard for the wishes of the people. I prefer to obey them.

This law was doubtless enacted with good intentions and for a wise purpose, but it is plain that it has failed to accomplish that purpose; whether it is the fault of the law or the machinery provided to execute it, the result is the same. It does not follow that people who have lost confidence in this plan of accomplishing reform, and therefore decline to consent to waste money on it further, thereby abandon the hope of accomplishing reform by some other and better means. On the contrary, we want to reform the reformers until they recognize that they are the servants, not the masters, of the people, and that this Government belongs to the country, and not to a locality.

The States limit their officers to terms. They sometimes elect the same men many times over, but they remind their officers periodically that they must come back to the people and account as to their conduct, and that a further lease of power depends on efficient service; that it is not a continuance, but by a new commission granted by their sovereign will. Ever since Washington, with a crown glittering before his face, within his easy reach, surrendered back his sword, taught the people that they were greater than even he, and that the sovereign power was safe only in their keeping, the American people have regarded with suspicion any scheme looking towards removing public officers or officers beyond their reach, thereby destroying the representative capacity and accountability to their masters.

The people of the United States as well as the States have thus far seen to it, by means of the rigid rules of the Constitution, that all their rulers shall at fixed periods come down from their exalted places and disrobe themselves, and if they desire to return they must have not extension, but a new expression of the sovereign will. It is an innovation on this cherished American doctrine to inaugurate life tenures for fifty thousand people.

I recognize the fact that it would be disastrous to the service to change the whole force at once, but we need not be alarmed lest the people have lost their common sense. No such foolish thing was attempted in the whole life of the Government before the passage of this law. What I say is that there should be no vested right in their offices or places, no life tenure; let them be appointed for a term, according to the American doctrine, and reappointed, if their services are required, but no doctrine of perpetual tenure. It is undemocratic and un-American and useless.

We need no royal commission to control the entrance to the Government Departments, with power to determine whether American citizens are capable to attend to their own business; no lord chamberlain to carry the keys of the castle.

If the Civil Service Commission and the life tenure are such blessings to the subordinate service, why not apply it to heads of those subordinate departments, who ought to know more and who are responsible for their proper management, and to the Commissioner of Pensions, of the Land Office, Assistant Postmasters-General, Auditors of the Treasury, chiefs of bureaus, etc. No one would consent to that move; yet there is more reason for it, and this doctrine tends to that and beyond it later on.

Why do we not apply it to ourselves in the House and Senate? We elect a Doorkeeper, Sergeant-at-Arms, Clerk, and Postmaster, and they appoint their respective corps of assistants, and generally upon the recommendation of Congressmen. Why not make requisitions on the commission for all these? Would we have better service? I pre-

same most of these bright little gentlemen who wait upon us so politely and pleasantly and intelligently were appointed upon the recommendation of Congressmen. Could the commission have furnished a better corps of pages or better staffs for the officers of the House?

Mr. Chairman, this system, if continued, will increase to alarming proportions an evil already upon us and make it permanent. To illustrate this I will quote from the RECORD a part of the statement of the gentleman from Ohio in charge of this bill [Mr. BUTTERWORTH], made before the House on Tuesday.

He spoke as follows:

Hence, they go on what might be properly termed a civil pension-list, in which capacity they retain their employment and draw their pay. But that is not all. We have in other Departments old soldiers who have borne themselves conspicuously and well, and who bear on their bodies the evidence of good service to the country, often utterly unfitted, by reason of age or other incapacity, from discharging the duties of the positions they hold. They may be pensioned and at the same time are drawing a very large salary; but to disturb one of these is to unsettle the very foundations on which the Government seems, at least, to rest. [Laughter.] So here again we have an explanation of why it is that a great increase of force is necessary, where the numbers employed would indicate abundant ability to take care of the work.

So long as that condition of affairs exists the Government officials find it impossible to deal with the vexatious questions that arise. It occurs also that some man who is utterly worthless, but has influence enough behind him to secure any position on earth, and towering close to the better land [laughter], is often kept, for there does not seem to be power enough in the Government to supplant him with a man equal to the emergency. Hence I believe that the Government is to-day paying, here in Washington, from one-half million to one million of dollars to civil pensioners.

It seems that this is the first committee, so far as I know, who had the enterprise and courage to discover and expose these abuses in the Departments, to say nothing of the civil-service-reforming commission.

Scientists may discover the ethics that will justify it to the conscience of high Government officials to certify under sanction of their high positions to Congress that they must have more force or the public business must suffer, and never mention the fact that they have force enough if it were efficient, but to plain men not schooled in that sort of lore it would indicate symptoms that with some encouragement might develop into a case of fraud.

Government officers have no right to dispense public money except for services rendered nor to give bounty. It is the province of Congress and the Executive to squander the public money. What a high state of cultivation the sentiment of civil-service reform has arrived at, when troops of Congressmen go to Government officers to deter them from discharging men who are utterly worthless and insist that they draw salaries, and multitudes of church members and ministers flock to the Departments to deter officers from discharging their duties and induce them to pay out money not earned and which they know can not be earned.

There are strong reasons why some more efficient means than this commission should be employed and that the people should take this matter in hand and make such practices impossible. I do not demand that the aged people be dealt with otherwise than kindly, but I do say that the worthless incumbents ought to be discharged before their worthlessness develops into gout and they become pensioners on the Government on account of long services. These worthless people are not only drawing salaries not earned, but they are encumbering desks and occupying rooms that worthy people and efficient servants ought to occupy, thus causing double loss to the Government. And I say further that, whatever money is expended for the support of worthy people who have spent their lives in the service of the Government, the people who furnish that money have a right to know it, and to a voice as to how it shall be done. Better pension them at once, but for the dangerous precedent, than to give $1,800 salaries and furnish them desks in Department buildings that are needed for active men in buildings already crowded. It will soon be so that we will have to enlarge these expensive buildings.

I desire to call the attention of the House and the country to this condition of the public service. If this feature has come insidiously into the service while employés could be changed at will, what will the present system do where all are expected to remain for life, and must be pensioned in the end? A civil-service pension-list never ought to be adopted in this Government. Pensions to soldiers will expire by limitation of life in seventy-five years, but a civil-service pension-list will forever increase.

All this can be avoided by the plan I suggest, by making the civil service conform to the general plan of this Government and appoint the various staffs of the Departments for a term of years as officers are elected for a term, and then whoever make themselves valuable may be reappointed as officers are re-elected. Then there would be an incentive to render efficient service. The competition then would be in the rendering of valuable service to the Government instead of competitive examinations that have already become the laughing-stock of the country, and a life tenure which always tends to inefficiency in service and to inaugurate civil pensions and a unanimous desire and effort for higher salaries.

I have no reason to doubt the correctness of the information furnished the House that 22 per cent. of those on the eligible list last year got places, and there are 100,000 applicants on the eligible list now, 25 per cent. of whom have a reasonable chance to get in this year. This law, with the commission in full control, has been in operation about seven years. Presuming that the Administration whose accession to power, its friends boldly assert, was caused by its promises scrupulously to observe the civil-service law would not turn out faithful or competent employés, the conclusion is that a number equal to 22 per cent. of the applicants were discharged last year for incompetency; surely not for political reasons. Twenty-five thousand more are to be discharged and their places filled this year. Now, I say if so large a number of incompetent employés were in Government places this system of reform has degraded the service to an alarming extent.

On the other hand, if the Administration has turned out, say, 22,000 competent employés, and is about to turn out 25,000 more to fill their places with fresh appointees, not likely to be its enemies, then we have an illustration of "non-partisan civil service," labeled "reform." This comports with the definition given by the distinguished gentleman from Ohio, that civil-service reform means "to turn Democrats out and put Republicans in." There will probably be a transposition of terms when the Administration changes.

I do not assume the rôle of censor, nor to advise the Administration, nor to penetrate the depths of the philosophy of the commission; but I have the right to say and vote in the name of the people I represent that they shall not be made to furnish the money to continue the performance of this roaring farce. It is not worth the tickets.

I do not oppose proper appropriations when there is some substantial benefit to be secured, but I do insist that the House ought not, by making this appropriation, to give its sanction to a defective system and a worthless plan of administration that lead straight to usurpation and concentration of power and to the upbuilding of a colossal scheme of civil pensions, to the demands of which there will be no bounds and to its existence no end.

I do not complain of the people who are in the Government service and who got there without deception or fraud, nor those who seek places in the same manner. There is enough of human nature in us all to restrain harsh criticism of people who seek lucrative and easy places with a good prospect of life tenure and comfortable retirement when age comes to them, particularly when we ourselves have invited them.

I simply desire to test our own conduct by a fair and just criticism. Not they but we are intrusted with the keys to the national Treasury and the right to open and close the vaults. The embassadors of a sovereignty that is without peers in the world, intrusted for a time with the business as well as the rights and honor of the nation, must answer back to the people whether we have been faithful or recreant to that exalted trust. And it seems to me that if we want to make a record that will bear the scrutiny of the increasing intelligence of this great country we should avoid the appearance of evil and scrupulously avoid and refuse to foster any system that is likely to be an incubus upon posterity.

I have the utmost regard for the intellect and patriotism of the great leaders here. Confident in their strength, they doubtless feel that they can safely allow this plan to be operated further and change it at will; but whoever has read carefully the history of legislation will concede the dangerous power of precedent. Even now this measure is not argued on its merits; but platforms are held up *in terrorem* before legislators, and the motion will likely fail when, as I believe, the real sentiment of a majority of the House is that this law should be remodeled and the Civil Service Commission abolished in the interest of reform.

I do not fail to remember that gentlemen from great wealth centers proclaim with confidence that out of such abundant wealth we can afford to be lavish. On the great Southern plantations there used to be one very rich man and five hundred or a thousand people who owned nothing, but produced all the wealth of the one. That same thing exists now in a far more absolute sense throughout the manufacturing and mining regions of the North. The English Government exists on that plan, and this Government will soon be there.

We are daily more rigidly barring out English products because they are made by England's laboring poor, whom we style paupers, yet England has more wealth than any nation in the world and sends her money here by ship-loads to invest in our best property. Many of the manufactories and mines that we protect with so much affection are owned by Englishmen. They bring their pauper labor here and we protect that, and the English owners look on well pleased with their own colossal fortunes and our colossal folly.

Our railroad lines are bonded to English capital. They are buying up the industries that we have fostered at the cost of the people. Ask one of these great owners and he will tell you England is the best government in the world. For him it is. For those who have life positions in the government service it is. They sneer at America. You ask the laboring poor, who with stiffened fingers eat their frugal meal and shiver with cold, die without pensions, and they express a different opinion.

That this Government is tending swiftly in that direction no intelligent observer can doubt. Scout it as you will, and it will stand up before you and grow larger and uglier to the tax-payers and handsomer to the tax-consumers. I do not apprehend any change in the form of the Government. The wealth-owners do not desire that. Why should they? They have possession now, and the people obey them. They

can sound a tom-tom, as they are doing now in the tariff bill, and the people will run to them and do their bidding.

The English Government has less power and her legislation is less arbitrary than ours. The wealthy class enjoy the fruition of life with fuller freedom than any other people. Another class, while unrestrained by law, are ground beneath an oppression as relentless as fate, not by the power of royalty, but by the resistless power of omnipotent gold. For that power civil-service pension-rolls, however long, would have no terrors. Its friends do not pay them, and they know that the more money the Government spends the less trouble will the surplus give and the higher the tariff will go.

I represent a portion of that class of people who get but few Government places under the present system and derive no benefits from the panacea protection. The agriculturists and the log and timber men have no part or lot in it. They are not forgotten, however; they have the privilege of furnishing the money to carry on the Government and there their part ceases. They are in the condition of the man who was being tried in Amite County in my State on a charge of gaming. A droll fellow was on the stand as a witness and testified that a game of cards was played upon a deer-skin by some gentlemen of a fishing-party on the Hamochilto River. The district attorney sternly asked:

Q. Was this prisoner present?
A. Yes.
Q. Did he sit by the deer-skin?
A. Yes.
Q. Was he handling the cards?
A. Yes.
Q. Was there any money on that deer-skin?
A. Yes.
Q. Now, answer me truthfully. Had the prisoner any interest in or anything to do with that money?
A. Not after it was put up.

The farmers, and planters, and timber-men, and stock-men are compelled by the power of the Government to put up money by the millions, but there is so much jugglery around this Washington deer-skin that is to them the last of it. Other men fatten and riot on what is wrongly taken from them.

There are no eight-hour days for the farmer or the planter. He can not go at 9 in the morning to his work in a magnificent building and return at 4 p. m. to rest from the fatigue of seven hours of vigorous sitting down on cushioned chairs. But his voice is heard in the gray of the morning. The earliest rays that dart athwart the earth find him already in motion driving the plow; the heat of the rising day beats on his bronzed cheek, the vertical rays beat severely down upon him, but he does not falter. The red glare looks back upon him as the sun goes down, still toiling with undaunted courage.

With what glee do the Shylocks watch him for the profit that is in him. Foreigners and foreign capital come to this country and build great factories and work large mines with foreign pauper labor to run them, and the farmers are taxed to protect them. Yet when they ask some relief in the shape of a system of cheap money every moneyed influence in the land is shaking the Constitution in their faces. Enormous taxation, tariffs always on a rising scale, high transportation, and expensive boards of trade, all heaped upon them, which they are expected to bear cheerfully, but as soon as they dare to promulgate a scheme by which they may be enabled to control their own products, the result of the labor of their hands, the balance of the country is against them.

Strange to say that, in face of the fact more than half of the brain power of this county is produced by the farming classes, they have endured so much. But I have noticed that within the last few years the supercilious laugh at the pretensions of the farmers is getting off the faces of monopolists to same extent, and a shade of anxiety is creeping on. There is a voice heard in the land; it is not the voice of the turtle, but comes from the throat and lungs of a giant. At last these greatest of all people have concluded to utilize their strength in their own defense and are perfecting their organization and enlarging their knowledge; and their voices are being heard in these Halls.

The agriculturists have been trodden down in all countries and become the tenants of the lordly, but the American farmer is exhibiting symptoms that indicate that those who have grasped and held him so long have not in their clutches the amiable lamb to be shorn, but are about to arouse a lion to be feared.

I say the "greatest of all people;" why? Let us read the facts.

Every other class of people acknowledge that they are incompetent to make a living by their own prowess and beg the fostering care of the Government. They acknowledge that they have not the capacity to succeed on equal terms with other countries, and the Government is called upon to interpose its strong arm to save them from competition. Then look what the farmers do. They stand out against the world. They compete with the world. They not only compete with the pauper laborer of Europe, which other men confess themselves unequal to do, but they are compelled to contribute to the support of these imbecile industries and save them from bankruptcy, and yet they live with no protection and no one helps them. At least the cotton-planter has not one cent of benefit of any tariff. On the contrary, everything he touches is taxed for the benefit of others. Now, then, do they simply live under all this unjust burden or do they cut a figure in not only the prosperity, but the very existence of the commerce of the country and the wealth of the nation?

Every man will admit that if the balance of trade were against us permanently the country would soon be bankrupt and the people impoverished and discontent and misery follow. Who keeps the balance of trade in our favor? Not the protected industries that we have fostered and pampered for one hundred years, but the unprotected farmers. Our imports vary from $600,000,000 to $700,000,000 annually and our exports generally exceed that amount.

Of the $700,000,000 in round numbers of exports, over $500,000,000 are agricultural products, nearly one-half of which is cotton products. Take away from our exports the products of agriculture, with the imports the same, and the balance of trade would be against this country by $500,000,000 annually, and would swallow up all the coin in the country in two years. These are the people who battle against adversity, against the competition of all the labor, pauper or otherwise, and against the unfriendly legislation of Congress, and with half the country picking at their pockets, without protection, save the country from bankruptcy all the time, and but 7,000,000 of them all told. If they but knew their power and could organize so as to exert it, they would be oppressed less.

If Congress is determined to have a surplus and let it lie idle, why not let the people use it at a low interest? It is said it will injure the farmer. I do not believe any perfect scheme has been evoked yet, but a practical one may be framed. How anxious gentlemen are to be guardians for farmers. Yes, withhold a good dinner from the hungry for fear they will eat too much, and give it to gourmands. I desire to say, in my judgment, the farmers are able to take care of themselves; at least they can not make it much worse. Other people have been attending to their business for them until they are driven to the wall; they believe it is time to fight, and are going to fight, and will strike straight out from the shoulder, to our surprise, one of these days, unless we cease to pile these burdens upon them.

Their tone is different now; they do not beg for recognition; they do not even complain, but demand. They are grasping at the reins; they will plow through these halls one of these days and weed out the concern if we do not heed them. I want to say a word here for the colored cotton-planter. After all he has endured—cotton tax of $13.50 a bale extorted from him the first year he sets up for himself as an American citizen; $11.50 the next year, all he buys enormously taxed—now it is proposed to destroy the sale of his cotton-seed oil by a prohibitory direct tax—not for revenue, we do not want that, but are trying to reduce it—but this is purely to destroy one of the industries of the colored people to give a better sale to white men of the North for their products—I say colored people especially, because they are more apt to sell cotton seed than white men.

Who will pension the old, old man when age, strange freak, brings out upon his deep-black head and face the snow-white hair? When with stiffened limbs and back and bowed head he sits in his humble cabin door and cons over the last quarter of a century? On his five bales in 1866 he paid the Government $67.50; $57.50 in 1867, and at least $100 a year in unjust taxes upon his purchases all those years of toil, $2,625 in all. He will soliloquize "That is a heap of money for one old darky to pay. I might have a good home now. I am about to lay down the shovel and the hoe. I would like to rest. Seems to me I have done enough for Uncle Sam. My little pile of cotton seed would buy a barrel of flour and some pounds of coffee, but Congress has taxed it more than it can stand, and the old man must get up and work some more; but I think those rich gentlemen might let up on the old darky this once."

The Tariff.

SPEECH
OF
HON. DAVID B. CULBERSON,
OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 10, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. CULBERSON said:

Mr. CHAIRMAN: The consideration of the tariff bill furnishes a proper opportunity to discuss the relation of the Republican tariff system, as exemplified under the operation of the existing tariff, to agriculture, and to investigate the causes of the financial depression which exists among the farmers of the United States, and to suggest such remedies for the removal of the causes of the depression as may seem proper. I do not suppose that any one will question the statement that the farming interest of the United States is greatly depressed and that the farmers in some sections of the country are no longer able to earn profit

upon their labor or even to realize an adequate and comfortable support.

The evidence before this Congress is abundant to show that no other great industry presents such evidence of depression and decay. The remarkable decline in the prosperity of all those engaged in agricultural pursuits is peculiar, significant, and distressing.

In view of the fact that more than one-half of the people of the United States are engaged in agricultural pursuits, that this great industry produces more than ten billion dollars' worth of products annually, and furnishes over 80 per cent. of the entire exports to foreign countries, and especially in view of the fact that agriculture is the basis of all national and individual wealth, it is the highest duty of all legislators to explore all the fields of inquiry and ascertain, if possible, the causes which have produced the decline in the prosperity of this great industry and apply such remedies as may be found within the legislative authority of Congress.

I do not believe, Mr. Chairman, that the distressed condition of agriculture is attributable to chance or accident or to any want of proper management, industry, or intelligence on the part of the farmers; for, despite the most abundant crops and the most careful economy and frugality, year by year a deeper gloom and decay are spreading over the farms of the country and farmers grow poorer as the years go by. I shall endeavor to give my convictions of the causes of this deplorable condition and point out what remedies, in my judgment, should be applied.

Agriculture, for more than a quarter of a century, has been made the victim of legislation designed to favor and to enrich favored classes and corporate interests. During all that time there have been constant and cruel exactions under the forms of law upon the earnings of those engaged in agricultural pursuits, to build up special classes and favored industries. A fair field and an equal opportunity to reap the rewards of industry have been denied to agriculture, while other industries and other classes of our population have secured the encouragement and aid of legislation in the advancement of their interest at the expense of those employed in agriculture.

EFFECT OF THE TARIFF ON AGRICULTURE.

Mr. Chairman, the Republican theory of tariff taxation, as shown by existing law and emphasized by the bill under consideration, is to adjust the rates of import duties without regard to the amount of money necessary to be raised to meet the actual, necessary expenses of the Government, economically administered, but solely with regard to the protection of certain favored industries against reasonable competition from abroad. In other words, the Republican policy demands a tariff for protection with incidental or accidental revenue.

The effect of the existing tariff is, and the result of the proposed revision must be, to enrich those who are engaged in manufacture in this country by compelling the people of the United States to pay a price for their products enormously enhanced by the amount of the tariff tax upon similar products manufactured abroad; that is to say, because foreign products are excluded from American markets by a prohibitory tariff duty or permitted to be imported into this country upon only paying a high rate of duty, American manufacturers may in the first instance charge such price as they please for their products and in the other instance may add the import duty on an article similar to their own products on the price of their products.

In the debate upon the tariff, in 1884, I showed from a table, carefully prepared, that the "protected manufacturing industries" in the United States during the year 1882 received from the people $556,938,637 in excess of what the products would have sold for had there been no import duties upon similar articles manufactured in foreign countries. During that year the people of the United States paid $700,000,000 on account of import duties on foreign products. Less than $200,000,000 of that amount really found their way into the Treasury, and the balance, $556,938,637, went into the pockets of the American "protected industries" as enhanced profits, by reason of the tariff, on the sale of their products.

What was true then is approximately true to-day. It appears, therefore, that the Republican theory of tariff taxation not only gathers from the people from sixty to one hundred millions of dollars in excess of the actual and necessary requirements of the Government, but in addition thereto remorselessly takes from the people three times the amount actually paid into the Treasury as import duty by reason of the enhanced value of domestic products. I will not stop to show how the spirit of the Constitution is violated by such a system, and how, under a legal fiction, it escapes the denunciation of the courts, but I shall content myself with showing how the system affects agriculture.

The pretense for this remarkable system of spoliation and oppression is that by excluding foreign manufactured products by a prohibitory import duty or tax or by restricting the importation of such products by a high rate of duty the domestic manufacturers will be encouraged to supply the people of the United States with all the manufactured products required, and thus the United States will become a great manufacturing nation and independent of all the world for its supply of manufactured products.

The employés of these protected industries, who, like other people, are required to pay the enhanced prices for clothes and other necessaries of life, do not revolt against the injustice done them because they labor under the delusion, industriously encouraged by the barons, that their wages are higher by reason of the tariff.

Those engaged in agricultural pursuits are told that this system withdraws from the fields a vast amount of labor and provides work for millions of people who otherwise would have to till the soil for sustenance, and that in consequence of the enlargement of the manufacturing industries an enlarged and liberal home market for agricultural products would be provided. The tariff taxation is so adjusted that those least able to bear its burdens are the most oppressed by it. The absolute necessaries of life carry higher rates of taxation than its luxuries.

Those engaged in agriculture, comprising more than half the people of the United States, therefore, contribute more to pour into the coffers of the "protected industries" the $500,000,000 gathered from enhanced prices than all the balance of our population, which includes the millionaires and lesser capitalists. And all for what? A home market for the products of domestic manufacturers and a home market for agricultural products, regulated by the price for which our surplus agricultural products are sold in foreign markets, depressed by competition from all countries and depreciated by the unfriendly and restrictive tariff rates of our Government.

No more striking illustration of the disastrous effects of a high protective tariff upon agriculture can be presented than a comparison of the results of agriculture under a Democratic or revenue tariff with those under a high protective tariff or Republican tariff. It will be remembered that from 1850 to 1860 a Democratic tariff approaching very near a revenue tariff was in operation, and from about 1860 to 1880 we had a high protective or Republican tariff, with rates far less in some respects than those fixed by existing tariff laws or such as are recommended by the bill before the House.

I take the following figures from the compendium of the census of 1880:

The value of all the farms in the United States, as shown by the census of 1850, was $2,271,575,426, in 1860 the value was $6,645,045,107, in 1870 the value was returned at $9,268,803,861, and in 1880 the value was estimated at $10,127,096,776.

It follows from these figures that during the decade from 1850 to 1860 the rate of increase in the value of farms was more than 100 per cent., from 1860 to 1870 the rate of increase was less than 40 per cent., and from 1870 to 1880 the rate of increase in value was less than 9 per cent.

It further appears from the tables to which I have referred that the value of all the live-stock in the United States in 1850 was $544,180,586, in 1860 the value was $1,089,329,915, in 1870 the value was $1,525,276,547, and in 1880 the value was returned at $1,500,464,609.

The rate of increase from 1850 to 1860 was over 100 per cent., from 1860 to 1870 less than 40 per cent., and from 1870 to 1880, instead of an increase in the rate, the total value declined more than $25,000,000.

It will be observed that there was a very rapid increase of the wealth of the country generally from 1850 to 1860, and in that prosperity the great farming interest largely participated. This era of general prosperity was during the existence of a Democratic tariff. Imports were large and exports correspondingly so. But mark the result and effect of the Republican tariff upon agriculture. From 1860 to 1880, with more than twice the amount of capital invested and many thousands more people employed, the farmers were not able to add to their wealth as much in twenty years as they did in ten years under a Democratic tariff. In 1860, as the census shows, the farmers owned more than half the wealth of the country. In 1880 they owned only a quarter of the wealth.

I beg to call special attention to the fact that the one-half of the population not engaged in agriculture increased their wealth by more than $23,000,000,000 from 1860 to 1880, while the agriculturists increased their wealth by a little less than $4,000,000,000. Again, from 1860 to 1870, under the Republican tariff, the nine leading manufacturing States increased their wealth 173 per cent.; from 1870 to 1880, over 200 per cent., while for the same time nine of the leading agricultural States showed an increase of 66 per cent.

If these figures prove anything, they show that every great industry in the United States, except agriculture, grows prosperous under the operation of a high protective tariff, while under a Democratic revenue tariff general prosperity abounds and blesses all industries.

They show that agriculture, the greatest of all industries, employing more than half of all our population, the very foundation rock of all our wealth, the great reservoir of patriotism in this country, the mainstay of freedom and free institutions, furnishing $10,000,000,000 worth of products with which to feed and clothe the people of all lands, is always blighted, depressed, and robbed of its earnings by the operation of a high protective tariff.

How are such results accomplished?

The answer is not difficult. Under the Republican tariff those employed in agriculture are compelled to pay on an average 47 per cent. more than the actual value of every manufactured article used by them. This per cent. over the actual value of the product represents the enhanced price of the product by reason of the tariff and is a bounty paid by the consumer to the domestic manufacturer. This may be illustrated by the following figures, which are authentic:

Under the existing tariff the American farmer pays the domestic manufacturer $7.76 per dozen for axes, while the same American manufacturer ships the same axes abroad and sells them for $6.75 per dozen.

A plow for which the American farmer is charged by the American manufacturer $11 is sold by the same manufacturer to foreigners for $8.40. For a gang-plow the American manufacturer charges the American farmer $58.80, while he sells the same plow abroad for $52.92. For a dozen shovels the American manufacturer charges his neighbor $9.20 and sells the same to foreigners at $7.86.

I might consume an hour in itemizing outrages of a similar character perpetrated upon our farmers under the operation of the Republican tariff.

The effect, Mr. Chairman, of a protective tariff also is to limit and restrict the farmers to the markets in the United States. It is true that there is no law that forbids the exportation of farm products, but when they are exported they can not be exchanged on fair terms for manufactured products needed by farmers, because the high rate of duty imposed upon the products makes it unprofitable or undesirable to import them. The result is that our surplus agricultural products are sold in the unfriendly markets of the world, against the competition of all countries, for cash, and if the farmer, as he must, uses manufactured products, they must be bought abroad, and when imported pay the high duty demanded, or he must buy them in the home market with the price enhanced by the amount of such duty.

The Republican party contends that the building up of home manufactures gives the farmers a home market for their products, and therefore they ought not to complain at the restrictions on foreign trade or at the increased price they are compelled to pay for home manufactures. It is true that the home market for agricultural products is enlarged by the increase of manufacturing industries, but under the policy inaugurated by the Republican party in respect of immigration and grants of land to railroads, vast areas of land have been devoted to agriculture within the last twenty-five years, and the result has been that the capacity of the home market for agricultural products is wholly insufficient.

The supply of products exceeds the demand of the home market and the foreign markets being practically closed against them, agricultural products have fallen below the cost of production. The home market being insufficient to consume the agricultural products, the surplus must go abroad for a market or perish in the barns and warehouses. The price or value of agricultural products in the home market is fixed by the price paid for the surplus products in foreign markets, and thus the farmer is deprived of a free and honest market for his products at home or abroad.

The Republican party, as if to mock the distress of the farmers and if possible deceive them, propose by the bill under consideration to increase the duties upon imported agricultural products. The farmers of the United States have been deceived so long by the cry of a home market for their products, it is expected that the delusion will be continued by the hypocritical solicitude for their welfare which is found in this bill. What protection can be given American farmers against foreign competition when in fact, practically, they have no competition.

During the last fiscal year our farmers exported 69,592,929 bushels of corn and only 2,388 bushels were imported into the United States. Three hundred and twelve thousand one hundred and eighty-six bushels of corn meal were exported and only 396 bushels were imported. The exports of wheat amounted to 46,414,129 bushels and the imports to 1,946 bushels, and our exports and imports of other articles mentioned were as follows: Oats, exports, 624,226 bushels; imports, 22,324 bushels. Rye, exports, 287,252 bushels; imports, 16 bushels. Flour, exports, 9,374,803 barrels; imports, 1,155 barrels. Apples, exports, 942,406 barrels; imports, none. Apples, dried, exports, 22,101,579 pounds; imports, none. Bacon and hams, exports, 400,224,646 pounds; imports, 272,130 pounds. Beef, mutton, and pork, exports, 286,991,121 pounds; imports, 215,575 pounds. Lard, exports, 318,242,990 pounds; imports, only 1,073 pounds. Tallow, exports, 77,844,555 pounds; imports, 34,931 pounds.

These figures, which can not be questioned, show the utter impossibility of relieving the condition of American farmers by imposing higher duties upon the importation of farm products. I do not know, of course, how the provisions of this bill providing for an increase of the rates of import duty upon farm products will strike the Southern and Western farmers, but they should be regarded by them as a device, a sham, and a cheat. The fact that the Republican party stoops to a device of this sort to mislead the farmers is conclusive proof of their guilty knowledge of the wrong and outrage inflicted upon that class by a protective tariff.

Do not all men know, Mr. Chairman, that nations deal with each other upon the basis of mutual exchange of products? The imports of merchandise into the United States during the last fiscal year amounted to $745,131,652, and they were paid for mainly by surplus agricultural products exported to other countries. The records of the Treasury Department show that for the same year we exported $503,049,648 worth of agricultural products, as follows: Breadstuffs, $123,876,061; provisions, $104,122,444; raw cotton, $237,775,270; tobacco, $18,901,068; and live animals, $18,374,805.

When our Government erects a wall around itself and forbids the importation of the products of foreign countries except upon the payment of enormous duties, can it be expected that foreign countries, which are denied the privilege of our markets under reasonable duties, will open their markets to the surplus products of our farmers upon a free or liberal basis?

If the Republican party really desires to help the farmers—and I believe they would if they could do so consistently with their political obligations to the protected industries—why not give them free salt, free lumber, free sugar, and reduce the cost of their clothing, their agricultural implements, their household and kitchen furniture, and other necessaries?

If the tariff system was reduced to a revenue basis, exportations of all kinds of products would increase as importations increased, trade and commerce would be emancipated from the thralldom of high protective rates of duty, and general prosperity would return and bless our people as in the days of a Democratic revenue tariff.

There are some other causes, Mr. Chairman, which, in my judgment, have contributed to the prevailing financial depression among the farmers.

No country can prosper without a free, full, sound volume of circulation. It is conceded by all (except those interested in the results of an insufficient volume of money) that the volume of money in circulation is absolutely inadequate to conduct the vast business of the country. The authorized money of the country, consisting of gold and silver or their representatives, gold and silver certificates, legal-tender notes, and bank notes, does not amount to more than $1,426,000,000. Of this amount about $500,000,000 are absolutely withdrawn from the channels of circulation and are held in reserve or hoarded, either in the Treasury of the United States or in the banks and depositories of the country. Our population is reasonably estimated at 65,000,000.

To meet the requirements of the trade and business of this great population less than $1,000,000,000 is relied upon. Why should this condition exist?

The Congress of the United States has full power and dominion over the currency of the country, and no one questions the duty of Congress to provide and maintain a volume of circulation adequate to the requirements of business. Congress possesses the power not only to coin money (gold and silver), but it also has the power to invest the Government's promises to pay money—Treasury notes—with the legal-tender capacity of gold and silver, and force their circulation as money.

There is, therefore, no excuse for an inadequate volume of a circulating medium which can be based upon a want of authority to provide it. The Democratic party has not been able to control all the law-making power of the Government at any one time since the war; but for the greater part of that time the Republican party have had undisputed control of them. I repeat the question, Why is it that the volume of circulation is dwarfed and stinted?

The correct answer to this inquiry involves another question, What interests are promoted and advanced by an inadequate volume of currency? The banks, moneyed corporations, dealers of all kinds in money, and the rich are always most prosperous when money is dear, when it commands high interest, and when property is cheap. The effect of a stinted volume of currency is to make money dear and property cheap. It would seem, therefore, that the moneyed interests of the country are always benefited by a limited and impoverished volume of currency and as a rule always oppose a liberal volume of circulation.

The farmers of the United States, generally, are comparatively poor. Their earnings for the most part are made up from the proceeds of their annual crops. They are interested in remunerative prices for their products. They do not deal in money. They are not buyers of property, and consequently they are the chief sufferers from the effects of an inadequate volume of money.

For the purpose of promoting the interests of the favored classes, without regard to the claims of agriculture, the volume of money is reduced and maintained at the point most favorable to the aggrandizement of capital and the increase of its profits.

Why is it that the niggardly sum of two millions of silver dollars only are coined each month, when under the same authority four millions per month might be coined? Why is it that banks are required to hold money in reserve when bonds might be made to serve the same purpose? Why is it that $100,000,000 in bonds were sold ten years ago to raise $100,000,000 in gold, to be stored away in a corner of a vault in the Treasury Department upon the absurd pretense that such a sum would be needed to redeem greenbacks, when the law requires them to be reissued as money? Why are $40,000,000 of public money belonging to the surplus fund, so called, loaned to the banks without interest or other consideration?

The answer to these questions is plain. If $4,000,000 in silver was coined per month; if the one hundred millions of gold held for the redemption of greenbacks were applied to the interest-bearing debt of the United States; if the forty millions now in the vaults of favored banks without authority of law were withdrawn and applied to the payment of the public debt; if all the surplus money unnecessarily gathered from the people and hoarded in the Treasury were applied, as it should be and as the law contemplates and authorizes, to the payment of the public debt, the Treasury Department would be correspondingly relieved of the despotic supervision and control of Wall street and the volume of money in circulation would be correspondingly increased.

Farm products, indeed all property, would advance in value and the unreasonable interest for money demanded in the districts outside of the money centers would be reduced.

Truly, the condition of the farmers is startling and anomalous. They are surrounded by a tariff wall and cut off from foreign markets. Within this wall they are robbed of their earnings by the protected industries, and for the want of a market at home and a liberal volume of circulation they are forced to sell their products below the cost of production or permit them to perish on their hands.

Next to the iniquitous and oppressive system of tariff taxation, I do not know of any other cause which has contributed to the depression of the American farmers in so large a degree as the financial policy of the Republican party. It is susceptible of the clearest demonstration that the financial policy of the Republican party, like its tariff policy, has been designed in the interest of favored classes and corporations. No party ever organized in this country was ever under more binding obligations to corporate influences and the power of associated wealth, and no party ever kept its faith or performed its obligations to them with more fidelity than the Republican party.

But for the power of money, contributed, for the most part, by protected industries, by corporations and syndicates, that party would long since have been driven from office in all the departments of the Government. The act of 1869 was a grave and an unforgivable outrage upon the people. In the interest of capital and the wealth of the country it converted a currency contract into a coin contract, and thus poured into the pockets of the bondholders $500,000,000 profit, the difference between the value of the bonds in currency and coin.

I have no time to review in detail this policy, but I desire especially to call attention to what I regard as the grossest outrage ever perpetrated upon a free people by any legislative body. I allude, of course, to the clandestine demonetization of silver. It was, indeed, a great financial crime against the interests of those engaged in agricultural pursuits. Not satisfied with the immense powers, privileges, and immunities bestowed upon them by law, the banks deliberately and secretly conspired with other capitalists to break the financial peace of the country by demonetizing silver and to gather a golden harvest from the fruits of the crime. Silver was cheaper than gold, and besides it interfered with bank notes in the channels of circulation. It was the money of the poor.

The farmers esteemed it, the laborers loved it, and it helped to swell and liberalize the volume of circulation. For these offenses it was doomed to die. The Republican party, if it did not play the rôle of executioner, afterwards recognized the crime and refused to avenge it by remonetizing it with free coinage. The holders of Government bonds reaped an immense harvest by the conversion of the bonds from coin to gold bonds, and the banks pushed their notes into the vacancy in the circulation caused by the withdrawal of silver.

One-half of the metal money of the country was thus stricken down and retired from circulation and gold enthroned as the only standard of value in the country. The effect of this legislation upon the agricultural interest of the country was most appalling and still lingers among the farmers as a continual blight. The values of agricultural lands and all agricultural products declined. The effect of the blow still remains, and although silver has been remonetized under the auspices of the Democratic party, its limited coinage is a menace to agricultural prosperity and a crime against labor.

In 1875 the Republican party, intent upon accomplishing its avowed policy to make gold the only metal money and bank-notes the only paper currency, as it was preparing to vacate the seats of a majority in the House of Representatives, cast a Parthian arrow at the outstanding legal-tenders. By a provision in the resumption act, the Secretary of the Treasury was authorized and directed to destroy legal-tenders as they found their way into the Treasury. Thus the scheme of contraction in the interest of favored classes had been accomplished so far as law could provide for it.

The Democratic party, always true to the interest of the people and hostile to all class legislation, although in a hopeless minority in both Houses of Congress, stood like a wall of adamant against the legislative spoliation and wrong of the memorable decade from 1865 to 1875.

The Democratic party controlled the House of Representatives from December, 1875, until December, 1889, except one term, the Forty-seventh Congress. Although the Republican party controlled either the Senate or the Executive Department during all that time and made it impossible for the Democracy to accomplish the legislation desired, yet by persistent effort we repealed some laws enacted in the interest of favored classes and modified others of the same character.

The Democratic party reduced the expenses of the Government more than $30,000,000 during the Forty-fourth Congress and improved the administration of the affairs of the Government in all its branches. After a desperate struggle, continued from 1876 to 1878, we forced the remonetization of silver and compelled its coinage in not less than two nor more than four millions each month. The Republican party refused to remonetize silver unless the Democratic party would accept the proviso providing for limited coinage. The beneficent effects of this partial recognition of the rights of the people, and especially of those engaged in agriculture, can not be estimated.

The Democratic party is in favor of the free coinage of silver and will do all that can be done to accomplish that result in behalf of the people.

The Democratic party secured the repeal of the law providing for the destruction of legal tenders and secured for the people $346,000,000 of them as a perpetual auxiliary to the volume of currency. The unjust Republican tariff system was strongly intrenched and fortified in the Senate, but the Democratic party in the House and Senate have never ceased struggling to modify and change it, in order, as far as possible, to relieve those engaged in agriculture of its unjust burdens and cruel exactions. While the volume of circulation is, in my opinion, wholly inadequate, the country is indebted to the Democratic party for whatever addition there may have been made to it by the limited coinage of silver.

If the farmers of the United States, as they have the power to do, would drive the Republican party from power and place the Democratic party in possession of the law-making department of the Government, they would soon be relieved of the burdens unjustly and wrongfully imposed upon them in the interest of favored classes and protected industries by the Republican system of tariff taxation, class legislation would be swept from the statute-books, the financial policy of the Republican party would be overthrown, and that prosperity which follows exact and equal justice in legislation would be enthroned throughout the country.

I firmly believe, Mr. Chairman, that all the ills, all the injustice, and all the financial depression which afflict the agricultural interests in the United States may be traced to class legislation enacted under the auspices of the Republican party.

I am not surprised at the murmurs of discontent which come to Congress from those who are engaged in agricultural pursuits. Their condition is peculiarly distressing, and since the class legislation of Congress has, in a large degree, brought this condition to them, it would seem proper to refer their complaints to Congress and ask for relief.

There are several bills pending before Congress which have for their object the relief of agriculture. I had the honor, with others, to introduce two of them, one providing for the recoinage of silver and one to apply to the payment of the public debt $75,000,000 of the $100,000,000 held as a redemption fund with which to redeem legal tenders. If these measures can become laws more than $100,000,000 will be added to the volume of circulation at once. A bill has passed both Houses of Congress at this session designed to crush out trusts so far as Congress can safely deal with the subject. This will result to the advantage of agriculture. Another bill, known as the compound-lard bill, is supported generally by the Representatives of Northern and Western agricultural constituencies and opposed by the Representatives from the cotton States. It ought not to become a law.

It is based upon the principle that Congress may aid by means of the taxing power one industry at the expense of another industry. Farmers who produce hog lard have found out that Southern farmers make an excellent quality of lard by compounding hog fat with cotton-seed oil. Under the pretense that compound lard is deleterious to health they ask Congress to place an internal-revenue tax upon it for the purpose, really, of increasing the profits upon hog lard. Ordinarily Congress is besieged in the interest of powerful syndicates, corporations, and manufacturers for legislation that will enable them to advance the profits of their business at the expense of those engaged in agriculture.

But this bill is an exception to the general rule. It seems that Western and Northern farmers would destroy compound lard by a tax in order to increase the value of hog lard. Thus one class of farmers war upon another.

Another bill in the interest of farmers is now pending in Congress. It is proposed by it to tax the business of dealing in futures in agricultural products. How far, if at all, this business depresses the price of the product dealt in does not seem to be settled. But as there can be no constitutional objection to it, it will likely be passed as an experiment, with the hope that its results will be beneficial.

Mr. Chairman, there is another bill pending in Congress commonly called the "agricultural subtreasury bill." This measure, it seems, is attracting the attention of the Farmers' Alliances very generally, and in many instances these organizations have approved it. It is no pleasure to a representative from an agricultural district to oppose a measure designed to relieve agriculture from financial depression. On the contrary, every doubt is resolved in favor of such measures, and it is only upon the clearest conviction of duty that opposition is made.

After some consideration of this bill it seems to me that if those who are engaged in agricultural pursuits would carefully consider its provisions they could not fail to arrive at the conclusion that it is unconstitutional in principle, unwise in policy, and violative of the fundamental principle upon which the National Farmers' Alliance and Industrial Union was formed.

The principle upon which this measure is based may be stated substantially as follows: That it is the duty of Congress to provide for the warehouses contemplated, for the managers, officers, and employés necessary to conduct them, and to supply the manager of each warehouse with a sufficient quantity of legal-tender Treasury notes with which to advance to the owners of cotton, wheat, corn, oats, and tobacco, who

may desire to store such products or either of them, 80 per cent. of the value of the product deposited, a warehouse receipt made negotiable to be given to the depositor, the deposit may continue for twelve months; if not sooner redeemed to be sold for cash at auction and when money is realized, either by redemption or sale, the expenses, etc., are to be paid and the money remitted to the Secretary of the Treasury, who shall destroy the same.

THE PRINCIPLE OF THE BILL IS INDEFENSIBLE.

The Government of the United States is one of limited powers, specifically defined, and the Congress has no authority to legislate unless authorized by some one or more of the enumerated powers.

The power to borrow money is expressly conferred upon Congress, but the power to loan money, either with or without interest, or to advance public money, upon or without security, is not conferred.

The framers of the Constitution wisely provided the power to borrow money, as emergencies for the use of large sums of money might arise, when it would be impossible or impracticable to provide it by taxation; but they never contemplated the necessity of providing a power to authorize Congress to loan the public money.

Such power would be inconsistent with the theory of the Government. The money necessary to carry on the Government is raised under the taxing power conferred upon Congress. Congress has no authority to raise money by taxation for any other purposes than those specified in the Constitution.

To take by taxation from one citizen more money than his proportionate share of taxes necessary to defray the actual expenses of Government for the purpose of loaning it to another, or for building warehouses in order to make the business of another citizen or class of citizens more profitable, is as repugnant to the Constitution and the theory of the Government as it is abhorrent to justice and good morals.

The Democratic party was organized upon the fundamental principle that the General Government was one of limited powers only, and should exercise no power except such as was conferred upon it by the Constitution or necessarily implied from a granted power. It has always denied the authority of Congress to take the property of one citizen for the purpose of bestowing it upon another, or to promote by legislation the business of any individual or class of persons at the expense of the public. The depressed condition of agriculture now is the result of class legislation, and it would be strange indeed if there could be found any considerable number of farmers who would advocate the adoption of the principle of this measure, which involves a tax upon the people for the purpose of bettering the condition of persons who may chance to own either of the products named.

This measure violates the fundamental principle upon which the National Farmers' Alliance and Industrial Union co-operate with the Knights of Labor. I take from the St. Louis Republic the platform of principles agreed upon by the committees representing the National Farmers' Alliance and Industrial Union and the Knights of Labor.

It reads as follows:

UNION OF FARMERS AND KNIGHTS AT ST. LOUIS.

Agreement made between the undersigned committee, representing the National Farmers' Alliance and Industrial Union on the one part, and the undersigned committee, representing the Knights of Labor on the other part, witnesseth:

The undersigned committee representing the Knights of Labor, having read the demands of the Farmers' Alliance and Industrial Union which are embodied in this agreement, hereby indorses the same on behalf of the Knights of Labor, and, for the purpose of giving practical effect to the demands herein set forth, the legislative committee of both organizations will act in concert before Congress for the purpose of securing the enactment of laws in harmony with the demands mutually agreed. And it is further agreed, in order to carry out these objects, that we will support for office only such men as can be depended upon to enact these principles into statute law uninfluenced by party caucus.

The demands hereinbefore referred to are as follows:

1. That we demand the abolition of national banks and the substitution of legal-tender Treasury notes issued in sufficient volume to do the business of the country on a cash system; regulating the amount needed on a per capita basis as the business interests of the country demand; and that all money issued by the Government shall be legal tender in payment of all debts both public and private.

2. That we demand that Congress shall pass such laws as shall effectually prevent the dealing in futures of all agricultural and mechanical productions, pursuing a stringent system of procedure in trials as shall secure the prompt conviction and imposing such penalties as shall secure the most perfect compliance with law.

3. That we demand the free and unlimited coinage of silver.

4. That we demand the passage of laws prohibiting the alien ownership of land, and that Congress take early action to devise some plan to obtain all lands now owned by aliens and foreign syndicates; and that all land now held by railroads and other corporations in excess of such as is actually used and needed by them be reclaimed by the Government and held for actual settlers only.

5. Believing in the doctrine of equal rights to all and special favors to none, we demand that taxation, national or State, shall not be used to build up one interest or class at the expense of another. We believe that the money of the country should be kept as much as possible in the hands of the people, and hence we demand that all revenues, national, State, or county, shall be limited to the necessary expenses of the Government economically and honestly administered.

6. That Congress issue a sufficient amount of fractional paper currency to facilitate exchange through the medium of the United States mail.

7. That the means of communication and transportation shall be controlled by and operated in the interest of the people, as is the United States postal system.

For the better protection of the interests of the two organizations it is hereby agreed that such seals or emblems as the National Farmers' Alliance and Industrial Union may adopt will be recognized and protected in transit or otherwise by the Knights of Labor, and that all seals and labels of the Knights of Labor will in like manner be recognized by the Farmers' Alliance and Industrial Union.

Signed: S. B. Erwin, chairman; U. S. Hall, secretary; J. D. Hammond, B. H. Clover, J. R. Miles, N. A. Dunning, J. D. Hatfield, D. K. Norris, R. F. Peck, W. S. Morgan, P. M. Blunt, M. Page, W. H. Barton, S. M. Adams, J. B. Alexander, Stump Ashby, R. C. Betty, J. H. Turner, A. S. Mann, committee on demands of the National Farmers' Alliance and Industrial Union. T. V. Powderly, A. W. Wright, Ralph Beaumont, committee representing the Knights of Labor. St. Louis, December 6, 1889.

I beg to call the attention of the House to the fifth section of this declaration of principles.

It is pure democratic doctrine and is worthy of the great organizations which represent agriculture and labor.

If we test the subtreasury bill by the great principle embodied in the fifth section of the platform it will be seen that the principle of this measure violates that declaration of principle. I have said, therefore, that when the alliances come to consider this bill by the side of the constitution and the principles of their organization it will be repudiated by them.

The principle declared in the fifth section of the platform "demands equal rights to all and special favors to none." Under the provisions of the bill any person (he may not be a farmer) who may chance to own cotton, corn, wheat, oats, or tobacco may secure the aid of the Government in the manner prescribed. A special favor is conferred upon those only who may own the products named. The Government is obliged by the bill to help that class only. The persons who may chance to own any other product are denied the aid of the Government. Can this be fair and exact justice to all farmers—to all classes? Surely not.

If one citizen or class of citizens may obtain aid from the Government to increase the profits of business why may not any other citizen or class of citizens obtain like aid? And, if so, why may not the Government be converted into a general tax-gatherer for the purpose of promoting the private business of the people?

The platform further declares:

We demand that taxation, national and State, shall not be used to build up one industry or one class at the expense of another.

The money necessary to construct the buildings which (because no plans are given and no limit fixed to their cost) may require anywhere from fifty to five hundred millions of dollars and the money necessary to pay the army of partisan Federal office-holders under the bill and to make good the loss the Government may sustain by the failure of depositors to redeem, certainly will have to be raised by taxation upon all the people. This measure, therefore, would oblige the Government to tax the people to raise money for the benefit of a certain class, namely, those who may own any one or all of the five products named in the bill. They may be farmers, or they may be speculators who have cheated the farmer out of the products, or it may be the members of a trust who may have obtained the products by oppressive means. The bill is therefore clearly obnoxious to the demand of the Alliances in respect of taxation.

The measure, if it should become a law, will establish a most unwise policy, unjust to the people and to the Government. If the Government receives the products, the bill requires it to hold them twelve months, unless sooner redeemed. If speculators, as they may do, should buy up the negotiable receipts issued by any of the warehouses, why may not the people who do not own any of these products, and who buy them as they are needed, be forced to pay exorbitant prices for even the necessaries of life? In such case (and it is reasonable to suppose that such cases will constantly occur) the Government would be made the instrument of the grossest extortion.

It is provided by the bill that the Secretary of the Treasury shall furnish each manager with a sufficient amount of legal tenders to furnish the owners of the products who may desire to store them 80 per cent. of their value. The very lowest estimate I have heard made as to the amount that would be required under the bill is a billion of dollars. It is contemplated that this amount of Treasury notes will be needed for six months in each year, when, as supposed, they will be returned to the Treasury, or their equivalent, in lawful money, and whatever money is returned, whether it be the new issue of Treasury notes or Treasury notes now outstanding or gold or silver, must be destroyed.

What effect will be produced upon the business of the country by casting into the channels of trade annually a billion or more dollars of legal-tender Treasury notes with a broader legal-tender function than possessed by existing legal-tenders, for the purpose of supplying the necessities of those who own the products mentioned in the bill, while the products are locked up in a Government warehouse awaiting higher prices than an unfettered market would justify? No one can undertake to answer the question. Evidently conservative trade and commerce would be paralyzed, an era of the wildest speculation would be inaugurated, and the country strewn with the wrecks of fortunes.

With a billion or more dollars' worth of agricultural products—breadstuffs, if you please—stored away in the warehouses of the Government, with no authority reserved to the Government within twelve months to place the product on the market, what will become of the poor farmers who may not own such products or those who live on the proceeds of their daily toil, and how may the absolute wants of the millions of people who are unable to buy the necessaries of life, except from day to day or from month to month, be supplied? The Government,

with all its great power, stands guard over the necessaries of life and is powerless to prevent suffering or extortion without breaking its contract with its depositors.

Some of the zealous and ablest advocates of this system assume that there is no difference in principle between a loan of the credit of the Government to national banks upon the deposit of United States bonds and the loan upon agricultural products contemplated by this bill. And since the Supreme Court of the United States has decided that the laws authorizing the establishment of national banks were constitutional, no constitutional objection can be consistently urged against this scheme. And it is also insisted, with apparent plausibility, that the plan of relief proposed by this measure is not inconsistent with the principle involved in the law that authorizes the owners of distilled liquors to deposit them in warehouses under the supervision of the Government for a period of not exceeding three years, for the purpose of enabling the owner to postpone the payment of the taxes until his products becomes salable.

These laws are presented as precedents to justify the favorable action of Congress on the subtreasury bill.

The Democratic party opposed the passage of the laws authorizing the national-banking system and also opposed the law authorizing the extension of the system passed by a Republican Congress in 1882, not upon the ground that Congress had no authority to authorize the establishment of a bank, for that had been settled by the Supreme Court in 1819, but upon the ground that the benefits, advantages, immunities, and powers conferred upon these associations in respect of issuing bank-notes, control of the volume of circulation and the like, and the guaranty of the payment of their notes by the Government were in the nature of class legislation, in that peculiar and valuable advantages which could not be enjoyed by all and might be employed by the beneficiaries to oppress the public were conferred upon a class of the population.

For such and like reasons the Democratic party arrayed itself against the system. But the Supreme Court in 1875 decided the laws to be constitutional upon the ground that the Congress had authority to authorize the establishment of national banks as instruments to be used to aid the Government in the administration of an important branch of the public service.

The court held that they are "appropriate means" to that end, and that Congress was the sole judge of the necessity of employing such instruments to aid in the administration of the public service.

The aid that national banks are claimed to render the Government in the administration of public affairs is not confined to the execution or to the carrying into effect any one power conferred upon Congress, but to several. For the purpose of these remarks, however, it is sufficient to say that the banks, as is claimed, furnish employment and demand for the bonds of the Government, and therefore aid in maintaining its credit; they furnish solvent depositories for public money to be applied and used for the public service throughout the country, and they aid the Government in maintaining a safe and solvent medium of exchange.

These are some of the offices performed by the banks to the Government, and they are stated not for the purpose of approval, for I have always opposed the system and voted against its extension. I believe that the Government alone should issue and control the volume of circulation, and that no corporation should be permitted to dictate or regulate the volume of circulation, but I have enumerated these instrumentalities for the purpose of showing that there is no analogy between the system and the one proposed by the subtreasury bill.

What important branch of the public service could the proposed system aid the Government in administering? Would the partisan warehouse managers furnish safe and solvent depositories of public moneys to be applied and used in all the branches of the public service throughout the country? What aid could this system render in upholding the public credit? Absolutely none. But the advocates of the system may insist that it would aid the Government in getting into circulation a billion or more dollars once in each year with which to handle the crops. That is not the object of the system. The purpose is to house the crops, to suspend the markets for crops, and to place them (so far as the products named are concerned) out of the reach of the poor or the necessities of the people until the price is enhanced by necessity. It will hardly be assumed that the Government will need in the administration of any branch of the public service the aid of an instrumentality or system that will paralyze all industries, starve the poor, and promote merciless extortion. The laws providing for bonded warehouses present no analogy to the proposed system; substantially they provide that distillers (not the Government) may furnish warehouses for the storage of distilled liquors; they may be deposited for any period not exceeding three years upon the owner giving bond to pay the taxes when the product is withdrawn. The Government pays the gauger or storekeeper his salary to prevent fraud, but no money is advanced to the owner of the product by the Government.

Whenever a gallon of distilled spirits is produced it is at once liable to a tax of 90 cents a gallon; but because it is unsalable and unfit for use when new the Government does not enforce the collection of the tax if the product is placed in a bonded warehouse until the product is withdrawn for sale and consumption. No product is withdrawn until the tax is paid and interest thereon for the time it was stored at the rate of 5 per cent. per annum.

It would seem upon the face of the transaction that it was obnoxious to objection as class legislation, but when it is remembered that distilled spirits constitute the highest taxed product in the world, the tax being six times greater than the cost of the product; that the Government derives from it many millions of dollars revenue each year; that it is unsalable when new; that the product is not one of the necessaries of life, but a luxury, so to speak; that the interests of all the people are promoted by conserving this fruitful source of revenue, the advantages of the system, it will be seen, are not confined to a class, but the Government and the people share them. There is therefore no analogy between the system proposed and the bonded-warehouse system.

Mr. Chairman, the evils which have resulted, the oppression and wrong which have been inflicted, the distress and poverty that have been brought upon one class of our population, embracing more than one-half of all the people, while other classes have prospered and become enriched from unequal and unjust legislation, can not be removed, redressed, or modified by enlarging the scope of such legislation or by increasing the number of individuals or classes who are to become the beneficiaries of such iniquitous policy. The lawful method, the true, honest, and patriotic mode of redressing the wrongs and removing the evils which have resulted to agriculture from class legislation is to restore the Democratic policy of equality and justice in legislation.

Favoritism in legislation, policies, and systems that promote the success and gain of one individual or class of persons at the expense of another, ought to be made odious and impossible. The right to what an individual earns in the sweat of his face or by the labor of his brains, subject only to the just demands of Government for his proportionate share of the burdens of good government, should be held inviolable and sacred. The power to enforce this principle rests with the people.

For more than one hundred years the Democratic party has struggled to maintain this great fundamental principle of free institutions. While other parties have come and gone, it numbers in its ranks more than half the voters of the United States. Founded upon the eternal principles of equal and exact justice to all, it is imperishable. If the farmers of the United States will resist the schemes and policies which seek to commit them to the pernicious doctrine that Government may rob one citizen under the forms of law to enrich another, and stand by the great party of the people in its grand struggles to secure equal laws, equal burdens, and equal justice for all men, the despotism of class legislation will soon be broken and overthrown and its beneficiaries and promoters driven from power and place. When that time comes, and not until then, prosperity for all will abide in this country and those engaged in agriculture will enjoy the fruits and earnings of their labor, freed from taxation imposed to enrich other classes and from policies that despoil the value of their products to promote and increase the gain of others.

The Tariff.

SPEECH

OF

HON. CHARLES T. O'FERRALL.

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 13, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenues and equalize duties on imports—

Mr. O'FERRALL said:

Mr. CHAIRMAN: In the last Congress I gave at length my views in regard to the tariff, and drew the line as sharp as I could between a tariff for the purpose of maintaining the vast monopolies of this country, as advocated by the Republican party, and a tariff to meet the expenses of Government economically administered, as advocated by the Democratic party.

Even if my time was not limited I would not undertake now to go into extended observations on this question.

I feel, however, that it is my duty, representing as I do in part a people so greatly affected by this bill, to direct my attention to a few features of it.

In the Forty-ninth Congress, sir, there were four bills introduced by distinguished gentlemen on the Republican side of the House in favor of the repeal of the internal-revenue tax on tobacco and fruit distillations. In the Fiftieth Congress there were not less than twelve similar bills introduced by nine different Republican members of that House,

favoring the repeal of the internal-revenue tax on fruit distillations and tobacco.

Several of these bills were introduced by gentlemen not unknown to fame: one of them by the distinguished gentleman from West Virginia, who was recently the Republican candidate for governor [Mr. Goff]; another by the distinguished gentleman from the State of New York, who has since been elected to the Senate [Mr. HISCOCK]; another by the distinguished gentleman from Tennessee [Mr. HOUK], still a member of Congress, and another by the distinguished gentleman from Pennsylvania [Mr. BAYNE], now a member of the Committee on Ways and Means.

In the canvass of last fall in Virginia, and in every canvass for years, gentlemen from abroad as well as local speakers belonging to the Republican party promised the people that if the Republican party came into power the tax would be taken off of tobacco and fruit distillations and that the distiller of fruit and grower of tobacco would be relieved from the annoyance of the hated form of the internal-revenue spy around their tobacco barns and distilleries. But, sir, does this bill take the tax off tobacco and fruit distillations?

An examination of it will show that it retains the tax on fruit distillations just as it has been for years; that it reduces the tax on tobacco to 4 cents a pound. All these professions and promises and pledges by the Republican party have shrunk to this little measure. It has been said, sir, "He's mad who trusts in the tameness of a wolf, a horse's heels, or a boy's love;" and I would add he is mad who trusts in the professions, promises, or pledges of the Republican party. I am glad to say, however, that, notwithstanding these professions, promises, and pledges, the great mass of the distillers and tobacco-growers of the State of Virginia were not lured into the ranks of the Republican party. [Applause on the Democratic side.]

If they could have relied even upon the professions, promises, and pledges of this party, they were too true to the principles of Democracy to barter them for any price. [Applause.]

But to show further the insincerity of the Republican leaders I refer to the fact that in the last two Congresses the present Speaker of this House, who then occupied a seat on the floor, in season and out of season, was earnest in insisting that the taxes to which I am referring should be repealed and that their repeal should be separated from the tariff and acted upon as an independent proposition. Now, the reduction of the tax on tobacco comes along in the body of the tariff bill, and the Speaker declines to recognize any member to move, under a suspension of the rules, the passage of a bill to accomplish that which he so earnestly and persistently favored in the Forty-ninth and Fiftieth Congresses.

Yes, the reduction of the tobacco tax is put in the middle of the tariff bill and we find a complete somersault upon the part of the distinguished Speaker and his Republican followers.

I hear it whispered, however, that the reduction of the tax on tobacco is made part of the tariff bill to catch the votes of Democratic members representing tobacco-growing sections. Well, sir, speaking for myself I will say that I will never be caught by that gudgeon. In fact, speaking candidly—for in my representative capacity I never have withheld and never shall conceal my opinions—if this bill destroyed every vestige of the internal-revenue system I would spurn it as an unclean thing and condemn it as a wrong upon the toiling millions of this land. I would not swallow a cupful of poison to get a lump of sugar at the bottom.

I would not vote for all the iniquities in this bill if by my refusal the internal-revenue system would be made an hundred times more odious than it is. I would not vote to perpetuate the present high tariff, much less vote for the proposed higher tariff, upon the farmers of this country, now so ground down and oppressed, laden, and burdened that each one of them in the anguish of his soul is exclaiming—

I was not made a horse,
And yet I bear a burden like an ass—

if by my vote the whole internal-revenue system would be torn up by the roots. [Applause.]

The constituency which I have the honor to represent are too intelligent to be gulled and bamboozled by the reduction of the tobacco tax and the increased tariff on farm products.

They will understand that even under the present tariff the importations of all farm products in 1889 amounted to only about $12,000,000 and that the tariff on them did not reach $2,000,000.

This bill increases the tariff on horses, cattle, sheep, and hogs.

It will be interesting and instructive to inquire here what relief this will give to the farming interests.

We have had no census since 1880; so we must necessarily resort to it for information as to the number of horses and mules, cattle, sheep, and hogs in the United States for that year.

I here give a table compiled from the census reports:

Horses and mules	12,170,296
Beef cattle and cows	35,925,511
Sheep	35,192,074
Hogs	47,631,700

By reference to the tables presented by the Committee on Ways and Means with the bill under discussion it will be found that the importations for the fiscal year 1889 are stated as follows:

Horses and mules	50,141
Beef cattle and cows	56,031
Sheep	398,906
Hogs	1,453

Now I have given the number of these farm animals in the United States in 1880 and the importations in 1889. Of course the number of animals had greatly increased in the nine years; our population had grown and our farms had multiplied. Between 1870 and 1880 horses increased about 30 per cent., cattle over 50 per cent., sheep about 30 per cent., and hogs nearly 50 per cent.; so at this rate of increase we must have had last year in round numbers at least 15,000,000 horses, 55,000,000 cattle, 45,000,000 sheep, and 70,000,000 hogs.

Taking now the importations in 1889, we will find that our Republican friends propose to relieve our farmers from the immense competition resulting from these importations of three horses in the thousand, one steer or milch cow in the thousand, eight sheep in the thousand, and two hogs in one hundred thousand.

Oh, what competition that is and how important it is to protect our farmers from it! The gentlemen who talk thus to the farmers of this country must do it without reflection or else they are endeavoring to toy with a great and vital question and laughing in their sleeves at their imagined success in duping and deceiving the men whose time they suppose is so occupied in keeping the sheriff from their doors that they can not study matters of national legislation.

But, Mr. Chairman, I want to proceed further in this line, for I intend so far as I can to strip this bill of its miserable gauze and expose it to the light of day.

Here is another table compiled from statistics:

Products.	1889.	
	Bushels raised.	Bushels imported.
Wheat	490,560,000	1,946
Corn	2,112,892,000	2,388
Oats	751,575,000	22,324

I have not at hand statistics as to the rye, buckwheat, and potato crops, except for the year 1884, and I will give them and the importations for the year 1889:

Products.	1884.	1889.
	Bushels raised.	Bushels imported.
Rye	26,637,594	16
Buckwheat	7,668,954	55,160
Potatoes	208,164,425	883,385

Now come our protection friends and with all the unction of their souls declare that the burdened and oppressed farmers must be saved from the ruinous competition of the poorly clad and ill fed pauper labor of Europe. It will never do, say they, to allow 4 bushels of wheat in the million, 1½ bushels of corn in the million, 3 bushels of oats in one hundred thousand, two-thirds of 1 bushel of rye in the million, 8 bushels of buckwheat in the thousand, and 4½ bushels of potatoes in the thousand to come from foreign countries to compete in our home markets with the products of our oppressed agriculturists. This outrage which Europe is perpetrating upon the agricultural interests of this country, where protection to home industries has been the creed of the Republican party, calls for prompt and vigorous action upon our part, is the hypocritical cry of the Republican party.

But we can not stop yet, Mr. Chairman. The American smoke-house, poultry-house, hennery, dairy, and bee-hive must be saved from the ravages of the foreigner, say our Republican friends. We must protect our bacon, beef, mutton, and pork, our poultry, eggs, butter, cheese, and honey; we must increase the tariff on them.

Well, now, let us consider this, though really it is hard to pursue this line with patience.

By a calculation it will be found from the figures given by the Committee on Ways and Means that in 1889 every one thousand American mouths masticated 4 pounds of foreign bacon, every one thousand American mouths ate 3½ pounds of foreign beef, mutton, and pork, every one thousand American mouths worried down 2½ pounds of foreign poultry, each American mouth enjoyed the luxury of three foreign eggs; every five thousand American mouths got away with 7 pounds of foreign butter; each American mouth ate 2 ounces of foreign cheese, and

every 1,250 American mouths sweetened their palates with 1 gallon of foreign honey. [Laughter and applause.]

Was it ever imagined that the Republican leaders would resort to such flimsy means to sustain the outrageous fraud which their party has been practicing for years upon the farming and laboring interests of this country? They seem to realize the fact that unless they can continue to deceive they are forever doomed, and with a recklessness that knows no bounds they are pursuing a course which will only hasten the day of the inglorious destruction of their party.

Sir, I read from the report of the Committee on Ways and Means these words:

> The committee have given months of investigation to the existing conditions of agriculture and matters connected therewith. This great industry is foremost in magnitude and importance in our country. Its success and prosperity are vital to the nation. No prosperity is possible to other industries if agriculture languish. In so far as the fostering care of Government can be helpful it must be faithfully and forcefully exerted to build up and strengthen agriculture.
>
> That there is widespread depression in this industry to-day can not be doubted. Every remedy within the scope of practical legislation known to your committee has been recommended in the proposed measure to meet the urgent requirements of the situation.

The Republican party herein declares through its leaders that it has exhausted itself in its efforts to give relief to the widespread depression of agriculture.

Then, sir, may heaven save the farmers, for as long as Republican rule continues they will be but "hewers of wood and drawers of water." They will read this bill for themselves; they will closely study its provisions in every line. They will see that so far as they are concerned it is a sham and an attempt to juggle with their rights. They will see that it proposes to protect them against nothing, while it draws from their pockets their hard earnings to enrich the favored few, the monopolists who responded so freely to the calls for funds in 1888 and submitted so gracefully to the "frying" process of the Republican managers.

They will read for themselves that while the bill, under the pretense of protecting them, increases the tariff on farm products, protecting them against a phantom, a shadow, a will-o'-the-wisp, nothing that has soul or body or existence—I mean foreign competition—if they desire to import stock for breeding purposes, unless it is registered, or any of the cereals for experimental purposes, they must pay an increased rate of duty.

They will read that while muriatic acid and sulphuric acid, which enter so largely into the fertilizers which they are compelled to use, have been heretofore on the free-list, this bill fixes a duty upon them and imposes a tax of more than $2,500,000 a year.

They will understand for themselves that the bill seeks to quiet their clamors and hoodwink them by increasing the tariff on foreign farm products, which, as I have shown, do not cause any more ripple in the waters of trade than a pebble cast into the ocean, and which do not affect them any more than a fly on an ox's horn disturbs his comfort.

They will see for themselves that under this bill the tariff is increased on their clothing, their furniture, and upon many articles of prime necessity, and additional burdens laid upon them for the benefit of their task-masters.

Is this statement too strong? Let us see. In the time allotted me I can only refer to a few of the many items upon which the rate of duty is increased:

Articles.	Ad valorem.	
	Present rate.	Increased rate.
	Per cent.	*Per cent.*
Anvils	33.50	41.87
Furniture	30.00	35.00
Unbleached cottons, general increase of	.....	5.00
Cotton thread	47.22	49.60
Cotton stockings and hose, general increase.		
Ready-made cotton clothing	35.00 / 40.00	50.00
Oil-cloth	40.00	66.50
Woolen yarns:		
One grade	70.32	112.70
Another grade	67.71	123.81
Another grade, average	69.38	103.93
Woolen cloths:		
One grade	74.06	130.45
Another grade	67.07	146.99
Blankets:		
One grade	66.97	93.62
Another grade	69.70	110.84
Women's and children's cotton dress goods:		
One grade	68.00	88.37
Another grade	60.03	88.37
Women's and children's wool dress goods:		
One grade	85.25	110.33
Another grade	71.36	92.76
Ready-made woolen clothing	54.98	84.72

Just here I can not resist the temptation which this item, as well as the former item of ready-made cotton clothing presents, to make the inquiry whether the finger-marks of John Wanamaker, manufacturer, wholesale and retail dealer in ready-made clothing, Philadelphia, Pa., and Postmaster-General of the United States of America can be discerned in this bill.

What increased profits over the present enormous profits these provisions will bring to the manufacturer of ready-made clothing; how plethoric will become his pockets. What matters it to him when contributions are levied by the Republican party for campaign purposes. "You tickle me and I will tickle you." You legislate in my interests and I will put up the money to perpetuate the power of my party—benefactor. What is the sum of $400,000 for campaign purposes to the house of John Wanamaker, when there can be such a return as this bill makes to his coffers? There are millions in it.

The farmer may sweat the more and the laborer may toil the more; the poor sewing woman may continue to make pantaloons at 20 cents a pair for the house of Wanamaker, and furnish her own needles and thread, in her dingy city garret; the poor may suffer and the hungry beg bread from door to door, but what of that? Monopolies flourish, the rebels of the South and "Southern brigadiers" are kept under subjection, Democrats are not permitted to destroy "home industries," campaign funds are abundant, and the Republican party is happy.

But let us go on:

Articles.	Ad valorem.	
	Present rate.	Increased rate.
	Per cent.	*Per cent.*
Cloaks, jackets, etc.	60.00	82.10
Carpets:		
One grade	48.92	65.23
Another grade	53.94	71.92
Do	58.88	82.36
Do	56.41	82.25
Do	59.54	81.42
Do	45.65	64.55
Do	44.39	65.01
Do	58.61	61.83
Do	40.00	50.00
Hats for men, women, and children, made of fur	30.00	55.00
Umbrellas	40.00 / 50.00	45.00 / 55.00
Granite used for monuments	20.00	50.00

And here I want to read a letter which may throw some light upon this increase:

CHARLOTTESVILLE, VA., *April* 3, 1890.

DEAR SIR: We understand an effort is being made to advance the duty on foreign granite importations which will exclude their use for monumental purposes, and in connection with others interested in these products I beg to enter a protest, and ask for your earnest assistance in keeping the present rate of duty on monumental work as it is now provided for, namely, 20 per cent. ad valorem.

The bulk of red granite produced in this country for cemetery purposes is quarried in Maine. It is used principally for building purposes, as the color fades and the lettering does not show well, which renders it undesirable for cemetery purposes. An advance of duty on monumental work would to a certain extent affect my interest and confine my sales to the gray granites exclusively, shutting off sales that could be made by the use of imported granites.

There would also be a sameness in the appearance of the cemeteries, caused by the exclusive use of gray granites, which are only beautified by a variety of colors, of which our domestic quarries do not yield the supply. I am in no way partial to selling foreign granites in preference to the American, but would like to give my customers a variety to select from.

You can readily see from the above that my business would be seriously impaired if any increase of duty is brought about. I shall be pleased to give you further information should you desire it, and to hear from you that you will present my protest.

Yours, very truly,

L. M. BOWMAN.

HON. CHARLES T. O'FERRALL.

Now, this gentleman states a fact which I did not know: that the bulk of red granite comes from Maine. I shall make no comment on this fact. It is sufficient for me to say that it comes from Maine; that may account for the increase. It comes from Maine. Maine quarrymen must have increased profits, though they be drawn by levying an additional tribute upon the headstones and monuments erected by the hand of affection in our cities of the dead.

But I can not dwell longer. Suffice it to say that all through this bill these increased rates appear, when the people in 1888 by a majority of 100,000 of the popular vote declared for a reduction of duties.

I have stated plain facts, so that they may be understood and considered. I have made no attempt at rhetoric, for it appears to me that in the discussion of practical questions too frequently substance is sacrificed for beauty of expression, the fruit is covered up by the foliage.

This bill will no doubt pass, Mr. Chairman, as it came from the hands of its framers. It will soon be before the country for its judgment. What that judgment will be I entertain no doubt.

Agriculture stands here demanding relief from legislative oppression.

From every direction the cry is heard that the tiller of the soil, the producer of this land, is struggling to maintain his very existence. He comes here and asks this Congress to relieve him of the weight of tariff taxes and to take from his shoulders the burdens imposed that he may be a free man, and not a slave; that he may possess that which his own bone and sinew and muscle work out of the ground; that the fruits of his own labor may go into his own pocket, and not into the till of the monopolist, and that he may come out from the darkness of despair and bask in the sunshine of prosperity.

How is his cry met? It is met by giving him a stone when he is asking for bread; it is met by mocking him in his calamity by telling him, "We will give you more protection," when protection never can reach him; it is met by increasing his burdens and tightening the grip of the Federal tax-collector on his throat; it is met by our Republican brethren on this floor with an air of indifference that seems to say, "We can get along without you. In 1888 we tried the experiment of rallying the protected classes around our colors and victory perched upon our banner, and henceforth you may burn your corn for fuel for want of a market; you may hoard your wheat for want of a demand, or sell it for what it may bring; you may shift for yourself, for we have enlisted the grand army of protectionists and favored classes, monopolists and cormorants, and have at our backs a manufacturing oligarchy with its millions and billions to draw upon and to furnish the sinews of war. Why need we care for you? You are poor, our backers are rich. You must work every day to keep the wolf from the door and you have no time to organize and fight us; our supporters have plenty of time to organize and fight our battles. Go your way, for we must be off to eat, drink, and be merry with those we have made happy by our bill with its high-sounding title, 'to reduce the revenue and equalize duties on imports, and for other purposes'"—principally "for other purposes." [Applause.]

Ah! Mr. Chairman, kings have thought they had the world in a sling, and feasted and reveled in their supposed power, but they fell at the hands of those they had oppressed and their crowns were trampled under the feet of those they had wronged.

Sir, I make this reference to show that arrogant and cruel power, however great, will sooner or later come to grief; that oppression, however well guarded, will sooner or later meet its bitter reward; that wrongs inflicted, however mighty the hand that inflicts, will sooner or later be avenged.

Peace has her avenging angel as well as war; the ballot in peace is as mighty as the sword in war. The farmer will be the avenging angel of his own wrongs and the ballot will be his sword.

He has sought at the hands of this Congress relief from tariff burdens. Instead of relief, weight has been added to weight.

He has asked for an increase of the circulating medium and an enlargement of the silver coinage of the country, that there may be money to buy what he has to sell. So far the majority party on this floor have turned a deaf ear to his request, and it is said they are so divided between the farmer and the money-holder, between the farmer and the capitalist, between the farmer and the "gold bug," that a reconciliation is beyond hope.

The Republican party on this floor has assumed full, complete, and absolute control of measures and legislation. No Democrat can have recognition to lead any movement in the interest of the suffering millions of this land. Moneyed power is the power in this House, and the interest of the gold kings and monopolists is supreme.

Disguise it as you may, cover it up under all the finely spun theories and envelop it in all the sophistries you please, the fact stands out in bold relief and can be read, as if written in blazing letters, that the agricultural interests of this land are languishing unto death, and yet the Republican party sits here and not only refuses to lend them a helping hand, but strikes down the Democratic hand whenever extended to raise them up from the mire into which they have been cast by laws enacted by the Republican party.

Just for a moment, Mr. Chairman, let us glance at the reports of crops and prices for the years 1888 and 1889:

CORN.

Raised in 1888	bushels...	1,987,790,000
Value		$677,561,580
Raised in 1889	bushels...	2,112,892,000
Value		$597,918,820

Here we find that while the crop of 1889 was 125,102,000 bushels greater than 1888 it is worth $77,642,760 less.

WHEAT.

Raised in 1888	bushels...	415,868,000
Value		$385,248,080
Raised in 1889	bushels...	490,560,000
Value		$349,491,707

The crop of 1889 was 74,692,000 bushels more than in 1888, but the money realized for it is $35,756,323 less.

OATS.

Raised in 1888	bushels...	701,735,000
Value		$195,424,240
Raised in 1889	bushels...	751,575,000
Value		$171,781,008

In 1889 this cereal crop amounted to 49,840,000 more bushels than in 1888, but it brought to the raisers $23,643,232 less money.

RECAPITULATION.

Crops raised.

	Bushels.
In 1889:	
Corn	2,112,892,000
Wheat	490,560,000
Oats	751,575,000
Total	3,355,027,000
In 1888:	
Corn	1,987,790,000
Wheat	415,868,000
Oats	701,735,000
Total	3,105,388,000
Excess of crops of 1889 over 1888	249,639,000

Values.

In 1888:	
Corn	$677,561,580
Wheat	385,248,080
Oats	195,424,240
Total	1,258,233,859
In 1889:	
Corn	$597,918,820
Wheat	349,491,707
Oats	171,781,008
Total	1,119,191,535
Reduced value of these crops of 1889	139,042,315

This is indeed a sad picture and a gloomy prospect for the farmer of this country, a country in natural advantages the marvel of the world. The "home market" theory is a mockery to him. The cry, "You must build up and maintain home industries," sounds to his ear like his death knell when he scans these statistics, feels in his pocket and finds it empty, consults the price-list and sees his products quoted at starvation figures, listens to the demand made upon him for his fertilizer bills, and reads with a burning brain the mortgage upon the land which he has watered with his sweat and upon the roof under which dwell his household gods. [Applause.]

Mr. Chairman, I observe your gavel raised to command me to suspend, for my time has expired. Just one word more.

Dark are the clouds that hang now over the head of the husbandman in every State and in every section of this land, blessed by God, but blighted by the Republican party; favored by heaven with its refreshing dews and genial sunshine, but scorched by Republican legislation. [Applause.]

But if my voice could reach the darkened home of every tiller of the soil; if it could reach every homestead in the far West, with its every acre upon which grows a stalk of corn, a spear of wheat, or a blade of grass under mortgage I would say to the depressed soul, "Be of good cheer, keep a resolute heart, pull steady, pull hard, press your demands, stand by your colors and fight for your rights, and from the leaves of the coming autumn will be weaved your chaplet of triumph over the combined forces of money power, greedy monopolists, and blood-sucking protectionists, all marshaled under one grand Republican leadership." [Applause on the Democratic side.]

The Tariff is a Tax.

SPEECH

OF

HON. GEORGE W. FITHIAN,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 9, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. FITHIAN said:

Mr. CHAIRMAN: I can excuse the gentleman from Iowa [Mr. KERR], for what he said in the opening of his remarks, for the many good things he said in the latter part of his speech I shall hardly pardon him, however, for using one sentence that he employed a few moments ago. He said, "I protest against taxing one American industry for the benefit of another." Now, I had intended to use that sentence in my own speech, and I hardly think it fair for the gentleman from Iowa to make use of material that I had intended to embody in my own remarks. [Laughter.] But I am glad to see the gentleman showing signs of coming over to the right side of this important question.

He makes a mistake, however, when he says that the Democratic party, if it was not for the leadership of gentlemen from the South who have been leading the Democratic party astray, would come over to the wholesome doctrine that he announces. The Democratic party has not been led astray. It stands for the reduction of the tariff to a revenue basis, and that doctrine it always has and always will maintain. I am glad to know that the people of the grand State which the gen-

tleman represents are coming over to the Democratic party and to the right side of the tariff question. [Applause on the Democratic side.]

Mr. KERR, of Iowa. They are right; but they are not coming over to the Democratic party. [Laughter and applause.]

The CHAIRMAN (Mr. MCKENNA). The Chair will say to the galleries that those who are there are present by the courtesy of the House, and it is unbecoming to make any demonstration, either of approval or disapproval. The Chair hopes it will not be repeated.

Mr. FITHIAN. The gentleman from Iowa says that the people are not coming over to the Democratic party. Is he blind to the fact that in the last campaign in the State of Iowa we elected a Democratic governor? [Applause.]

Mr. TURPIN. He meant they had already come. [Laughter.]

Mr. FITHIAN. Is he aware of the fact that we came within a few votes of carrying the Legislature?

Mr. KERR, of Iowa. Will you yield for a question?

Mr. FITHIAN. Certainly.

Mr. KERR, of Iowa. Do you not know you did not come as near to carrying the Legislature as you did in 1883?

Mr. FITHIAN. Well, it was so close I do not want to draw any lines of distinction. But anyway, Mr. Chairman, the fact is patent that the whole Northwest is leaving the fold and the doctrines that have been announced by the Republican party, and are coming over to the side of tariff reform in this country. [Applause on the Democratic side.] The sentiments that the gentleman expressed are not in accordance with his party's position.

Mr. KERR, of Iowa. Why, I quoted the Republican platform.

Mr. FITHIAN. That is true, but you dissented.

Mr. KERR, of Iowa. I approved of it.

Mr. FITHIAN. You did?

Mr. KERR, of Iowa. Certainly.

Mr. FITHIAN. Well, then you can have it that way. Say that you did approve of it. Now, if you dissent from the bill presented by your own party and you stand on the platform on which you went before the people in 1888, then it seems that you have either left the party as it was in 1888 or you have left it upon the principles upon which it stands now. You can take your choice. [Laughter.]

Mr. KERR, of Iowa. Well, we will see how it stands before we get through with it.

Mr. FITHIAN. Well, it will not stand at all, my friend. For when the next election comes around your party will be flat on its back. [Laughter on the Democratic side.]

Mr. KERR, of Iowa. You made a similar prediction two years ago, and the result is that you are flat on your back now. [Laughter.]

Mr. FITHIAN. You will not be able to stand at all, then. You will have to be propped up. Do you claim that it was the policy of the Democratic party in regard to the public lands some fifty years ago that has created the present hard times and placed mortgages upon the farms of the people of the West? [Applause.]

Mr. KERR, of Iowa. Was it a Democratic President or a Republican President who said that silver coinage and greenback currency were the greatest enemies to the prosperity of the country?

Mr. FITHIAN. Answer my question first and then I will yield to you.

Mr. KERR, of Iowa. And did you not vote for him after he made that statement?

Mr. FITHIAN. If you want to evade my question, all right.

Mr. CUTCHEON. That is a simple question.

Mr. FITHIAN. I do not know, nor do I care, what some one else has said, but for myself I am in favor of free and unlimited coinage of silver; but, if my memory serves me right, it was a Republican President that signed the bill demonetizing silver, and I have no recollection of any Democratic President signing any such bill. In the platform of the Republican party in 1888 you said that you condemned the policy of the Democratic Administration in its efforts to demonetize silver. Now you have both Houses of Congress and the President, why do you not give us free coinage? [Applause on Democratic side.]

After you had demonetized silver in 1873, it was only restored to limited coinage by the act of 1878 being passed over the veto of a Republican President. [Applause on the Democratic side.]

"Kettle should not call pot black." [Applause.]

Now, the gentleman refers to the policy of the Democratic party upon the public land question way back in the fifties, and to that he attributes all of the immense indebtedness and farm mortgages that are plastered all over the Western farms of the country, and as an instance cites the Illinois Central land grant. The facts about the Illinois Central land grant will not sustain the gentleman in his position.

The land granted to the Illinois Central Railway Company was ceded in the first instance by the Federal Government to the State of Illinois, and the Legislature of that State by act granted it to the Illinois Central Railway Company, but a provision was inserted in the charter of the railway company which secured from the company 7 per cent. of its gross earnings as revenue to the State. This grant, unlike Republican land grants, was not without consideration to the people. The wise provision which was inserted in this charter by the Democrats now annually yields a half million of dollars of revenue to the State, and the constitutional convention of 1870, fearing to trust future Republican Legislatures, to prevent the repeal of this provision of the charter, inserted in the constitution of the State the section which I will now read:

No contract, obligation, or liability whatever of the Illinois Central Railroad Company to pay any money into the State treasury, nor any lien of the State upon or right to tax the property of said company in accordance with the provisions of the charter of said company, approved February 10, A. D. 1851, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority, and all moneys derived from said company, after the payment of said debt, shall be appropriated and set apart for the payment of the ordinary expenses of the State government and for no other purposes whatever.

Will the gentleman say that the policy of the Democratic party in regard to the public lands in 1850, or at any other time, had anything whatever to do with placing mortgages upon the farms of Kansas, Illinois, or Iowa, or upon the farms of the people of Ohio? Certainly not. No one could take a position of that kind and sustain himself in good sound reason and good sound common sense.

Mr. CUTCHEON. Will the gentleman yield for a question?

Mr. FITHIAN. Certainly.

Mr. CUTCHEON. Under the grant or cession to the State of Illinois from the United States Government could the State have done anything else with the lands in question except to grant them to the Illinois Central Railway Company or to some other railroad company which constructed a road between the points designated? Was not the State merely a trustee for the lands?

Mr. FITHIAN. I am not disposed to debate that question with the gentleman, for it makes no practical difference. The lands were ceded by the United States to Illinois, and granting that it was for the purpose of making the State a trustee, yet a provision was incorporated in the charter of the railway company which has secured to Illinois so long as time lasts 7 per cent. of the gross earnings of that railway company, which goes into the treasury of the State as a part of its finances. And that wholesome provision has yielded and is still yielding annually from $450,000 to $500,000 a year as revenue to the State. And, notwithstanding this, the Republican machine of Illinois taxed the people of that State last year 53 cents on the hundred dollars for State purposes. And, sir, in the constitutional convention of 1870, the majority of which was Republican, the section which I have read was adopted as a part of the constitution of the State of Illinois, providing that said charter "shall never be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative authority."

I believe this was the only land ever ceded by the National Government to any railroad company or any other corporation of the State of Illinois. Now, I would like for the gentleman to explain how this policy of the Democratic party has placed a single mortgage upon the farms of the people of Illinois and upon the farms of the people I represent. There may be some reason he can give, but I ask him now to give an explanation of this statement which he has made that is so far from the facts and so far from the truth. The gentleman talks about measures for the relief of the farmer, and says, finally, that he is in favor of protection. What kind of protection is he in favor of? Is he in favor of that protection to the manufacturers of agricultural implements in this country whose implements are bought and used by the farmers that he represents, and bought and used by the farmers that I represent, that enables them to charge our farmers higher prices upon their implements than they, the manufacturers, are charging today to the foreign farmers and to the export trade?

I desire to read, Mr. Chairman, from a speech made by Hon. BENJAMIN F. SHIVELY in this House on the 16th day of May, 1888, in which he said:

In my district, sir, there are over one thousand manufacturing establishments, large and small. The prosperity of these industries is bound up with the prosperity of the whole country. Were the pending measure of a violent, reactionary, or revolutionary nature, I, acting under a primary obligation to my constituents, should oppose it. But, sir, it is not such; while on the other hand the exactions of excessive taxation and the burdens of unequal laws fall with peculiar weight on a vast majority of my people. We have the largest wagon, carriage, and plow factories in the world.

On these articles there is a duty, but it affords no protection commensurate with the exactions collected from these manufacturers in way of increased cost of raw material. Plows manufactured in South Bend, Ind., are to-day turning the soil in England, Ireland, Scotland, and Wales; after paying increased prices for iron, steel, lumber, and paint, our manufacturers carry their product into a free-trade market and defy the pauper labor of the world.

* * * * * * *

For instance, our plows go into the British Isles and into many countries of Continental Europe. It is safe to say that some product of American manufacture may be found for sale in every city of Europe. To my knowledge, vehicles manufactured in the city in which I have the honor to reside may be found to-day in Cape Town, South Africa, on the streets of Sydney and Melbourne, Australia, in all the principal cities of Mexico, and even in Persia, to say nothing of the South American trade. Now, will it be claimed that a tariff which increases the cost of the lumber, iron, and steel in these vehicles to our manufacturers does not place the latter at an absolute disadvantage in every foreign market where their products are offered for sale? Are not these clear cases where American enterprise, American pluck, and American skill have pushed their products into the markets of the world, not by virtue of, but in spite of, obstructive legislation?

The Tariff Reform, published at 52 William street, New York City, publishes a list of agricultural implements and machinery which are being exported from the United States, with the price in the home market to the American farmer and the price to the foreigner. This

list includes plows, harrows, cultivators, seed-drills, corn-planters, road-scrapers, rollers, mowing-machines, horse-rakes, corn-shellers (both hand and power), grinding-mills, corn and cob mills (run by steam power and by hand), cider and wine presses, root-graters, hay and feed cutters, grain-separators, fanning-mills, horse-powers (snaps and treads), farm-engines, churns, wheelbarrows, and in fact all classes of machines used by our farmers, from which I quote as follows:

THE "FARMER'S HOME-MARKET" HUMBUG.

Of all the humbugs that have persistently buzzed about the ears of the American voter the worst is that one whose song has ever been of the great "home market" afforded the farmer by protection. It has lived on in face of the fact, confirmed by every passing year, that from the day when we became a nation to the present there has never been a time when there was the slightest prospect that for a generation to come, under any imaginable tariff or other "protection," it would be possible to consume in this country the agricultural products which, if our farmers were to continue reasonably prosperous, we must produce.

There has never been a decade, though we have had high protection now for nearly thirty years, when, after deducting that part of his products which the farmer consumes or must keep in stock for seed or other purposes, the remainder, for which he must find a market abroad, has not been greater than during the preceding decade. With all that is said about the insignificance of our foreign market, and though our population was greater in 1889 than ever before, and our wheat crop not so large as in some years previous, yet one-half of the farmer's surplus had to find a market abroad; and the same is true of cotton and tobacco to an even greater extent.

The "home market" tune has found trusting listeners, even though the aggregate number of those engaged in manufacturing is so small—and, with the improvements of machinery, is so constantly growing smaller—in comparison with the population it supplies with goods, that, even if we prohibited foreign imports and our manufacturers supplied all the goods we use (they now supply nearly 94 per cent. of them), the greatest possible number of workingmen they could employ would not materially lessen the present necessity of a foreign market for our agricultural products; while any idea that the proximity of manufacturing centers helps even the farmers dwelling near by is negatived by the universal experience, most conclusively so in the States of Connecticut, New Jersey, and New York, where the greatest depression in agricultural interests has steadily progressed at the same rate as the most extraordinary development and prosperity of manufacturing communities.

In the face of experience and reason, there must be some extraordinary cause for the persistent vigor of this humbug. That cause appears to be this: That though the claim that protection secures the farmer a home market is utterly untrue, it has nevertheless been urged, and is yet being urged, by those who are on the one hand pecuniarily interested in keeping it afloat and on the other are themselves so situated as to be easily and actually led to believe the falsehoods thus kept in circulation. In other words, protected manufacturers, imagining themselves the most important portion of our people and knowing what a good thing it is to have the rest of our citizens compelled to buy of them under penalty of heavy fines, not unnaturally take it for granted that what is good for them must be good for everybody else.

THE REAL HOME MARKET AND THE WAY IT IS WORKED.

The suggestions above made are strikingly corroborated by the fact that our famous Home Market Club, which has for years shared with the Protective Tariff League the burden and expense of the high-tariff propaganda, is composed exclusively of manufacturers, is situated at Boston, is supported by an assessment upon its members "in proportion to the capital" invested by each in his business, and during the Presidential campaign of 1888 was managed by a salaried Englishman, to whom, as he officially reported, was intrusted the delicate duty of concocting and circulating such matter as, in his judgment, would best tend to make Irish voters mad.

With the hint afforded by the existence of the Boston Home Market Club it is easy to surmise the character of the real home market protection affords, and not hard to guess who gets the profits therefrom. And an examination into the facts develops just what might be expected, which is this: That our manufacturers take advantage of our tariff to keep the price of their goods in our home market not merely much higher than they could do if there were no tariff, but much higher than they themselves would be able and willing to produce and sell the same goods for if they were not protected at all—of which the most conclusive proof is that our export trade is large and steadily increasing in almost every branch of protected American manufacture; and that so generally as to be practically universal it is the practice to sell these protected manufactures at a much less price than our own people are forced to pay, thus conclusively proving that they need no protection whatever.

It is not the object of this pamphlet to argue the injustice of this practice. To any one who needs argument on this point logic would hardly be useful. As to the fact there is no doubt. The following testimony from authoritative sources—in each case that of a believer in tariff protection—is as conclusive as testimony can be:

It is sometimes looked upon as wise to ship goods out of the country at cost rather than break the regular price for which such articles sell in the country in which they are produced.—*New York Press*, October 22, 1889.

Just why American manufacturers will sell machinery and other goods from 10 to 30 per cent. cheaper in Europe than they will sell them to be used at home is rather puzzling; but any one curious in the matter can easily enough find out that many of them do this. It may be necessary to cut prices to secure trade from abroad, but it is likely to strike the American purchaser as being a little rough on him.—*American Machinist*, September 26, 1889.

So soon as an industry has attained the position where it can more than supply our home market and has to send its goods abroad, where they come into with those of foreign manufacturers, it is evident that they are either giving the foreigners the benefit of lower rates than they do our own people or that they are able to get along at home without any protection from foreign manufactures. It is not fair that our people should be made to pay more than foreigners for the products of our own land.—*Engineering and Mining Journal* (protectionist), March 15, 1890.

Objection is made in many quarters to an increase of American trade outside the home market. The opposition, however, is chiefly confined to two classes: First, those who manipulate the home market so as to make it more profitable than any export trade could possibly be, and for that reason would rather not sacrifice prices to open competition. * * * In each case the motive is reprehensible; those who sell in the home market only do not care to demonstrate that they can sell at free-trade prices.—*Age of Steel*, 1890.

In the calendar year 1889 there were exported from the United States of agricultural machinery and implements as follows: Horse-powers, $14,010; mowers and reapers and parts thereof, $2,332,296; plows and cultivators, and parts thereof, $956,545. A total of $4,246,076, or an increase of nearly 100 per cent. over our exports of 1880.

In the same year we exported hardware to the value of $6,246,220. How these exports are brought about the following pages will show. The reader will not fail to see why our high-tariff advocates have changed their arguments from "protection to infant industries to place them on their feet" to "perpetual protection for its own sake."

It must not be understood, however, that the writer has any objection to the export trade. On the contrary, he would be glad to see it thrive even under the present conditions, and he would be much more pleased to see it treble and quadruple, as it would with free raw materials. It is, however, the consideration of this export trade that throws light upon the manufacturers' "home market" and justifies the constant pressing of the question "Why should our manufacturers be aided by our laws to charge our citizens more for the same goods than they do foreigners?"

One has only to glance at the list of articles exported, as given in the Iron Age every week, to see to what extent we are exporters of hardware. One fact will force itself so prominently before the reader that its force can not escape his notice. It is a recognized fact among all those engaged in the export trade in American manufactures that it is just those articles of whose cost the labor item makes up the largest proportion that can be exported for profitable sale abroad; and, on the other hand, that it is just those of whose cost the item of raw materials is the largest that we can not sell abroad in competition with foreigners. In other words, our experience demonstrates that under "protection" labor is cheaper and raw materials dearer here than elsewhere in the world.

There can be no force in the contention that the lower prices for export are brought about by our system of drawbacks on articles exported made wholly of foreign raw materials; for there are numerous examples in which extra discounts are given to the foreign trade on goods into which foreign material could not possibly enter. In addition to this, the laws are so rigid and strict governing the payment of drawbacks, the regulation that nothing but foreign material shall enter into the composition of the article on which the drawback is to be given and the retention of 10 per cent. of the duty by the Government make the provision of no advantage to American manufacturers, and as a consequence they do not avail themselves of it. The following, from the New York Tribune of April 7, 1890, is the explanation of Mr. Farquhar, of York, Pa., one of our heaviest exporters of agricultural machinery:

"In alluding to it (the drawback provision of the Revised Statutes) I must call attention to the embarrassments which encounter the manufacturer who would take advantage of the 'drawback' privileges allowed him by law and which combine to make these provisions almost a dead letter. The least of these is the fact that the 'duty' is not 'refunded,' but only a portion of it—90 per cent. Then the regulations which are required by the Treasury Department to guard against frauds, the necessity of proving that the imported goods in each article exceed half its value, the limit of time in which drawbacks can be claimed, the danger of having orders countermanded by continual delays, practically involve so much annoyance and precious time as to eat up all the profits there were in the drawbacks even when the material was as much as 30 per cent. cheaper in England than here."

THE PROOF OF THE PUDDING.

There are two journals published in New York which are devoted exclusively to the export trade in American manufactures. These are the American Mail and Export Journal and The Australasian and South American. Both are issued monthly, and, while containing items of interest to the manufacturers, have as their chief department a price current which gives the lowest price at which the goods advertised can be obtained from the manufacturers, either through commission houses or by direct correspondence. The prices quoted in these journals are declared to be the rock-bottom prices for articles in small quantities, such as by the piece, dozen, case, etc. For large quantities "special" rates are frequently advertised and in fact generally given.

The Australasian and South American publishes its prices current as a part of the regular issue of the journal; in the case of the Mail and Export Journal it is issued in the form of a supplement. Neither of these journals is allowed to circulate in this country. When inquiries were made at the offices of publication, the reason given for this was because the prices quoted for export were considerably lower than the large dealers could get the articles for for sale in this country.

One other journal, the Engineering and Mining Journal, publishes in its issue on the first of each month a price current with the discounts to the export trade only.

What the papers aim to accomplish is shown by the following quotations:

[The Australasian and South American.]

PRICES CURRENT OF AMERICAN EXPORTS.

The quotations and discounts given herewith have been carefully revised and corrected up to date of issue; they may be consulted as practically reliable and represent the prices at which goods are being sold.

In the interests of American merchants and manufacturers, as well as for their own advantage, we request foreign buyers to give this list their careful attention and to compare the prices it furnishes with the cost of competing lines of goods of similar character supplied by European merchants. Prices quoted herein are free on board New York or Boston.

[Engineering and Mining Journal. Export supplement. New York prices current. Discounts are for export only.]

These journals aim to act as a medium between consumers abroad and manufacturers here. Further than this, large agencies have been established in the best markets of foreign countries. Such are Surra & Co., of Buenos Ayres, Argentine Republic, who, as their advertisement states—

"Represent American manufacturers of agricultural machinery, farming implements, windmills, etc.; hardware, paint, and oils; saddlery, railway, telegraph, and telephone supplies; machinery, oils, furniture, carriages, tapestry, jewelry, organs, china, glass, etc. Every class of North American goods"—and G. Waldron Blake & Co., in Australia, who claim "to work thoroughly the Australian colonies and New Zealand by competent travelers." They solicit "catalogues, together with letter giving bottom export prices, free on board New York (which will be strictly confidential)."

Through such agents as these large sales are made, but the greater part of the manufactured goods sold abroad are sold by the export houses in Boston, New York, and Philadelphia. In order that they may get the low export prices, these houses must show bills of lading, etc., so that manufacturers may be assured that the goods have been actually exported.

In looking over these periodicals and their advertisements for the export trade, one is struck, first of all, by the fact that the articles advertised for sale abroad comprehend almost every imaginable class of our own "protected manufactures," which their makers are thus keeping for sale in the free-trade markets of the world in unprotected competition with the English, French, and German manufacturers, and this, too, at so great a profit to themselves that they are willing to pay the enormous expenses of extra advertising and transportation, from which they are free in this country.

The following, from the very best of authority, sums up the situation:

It is a mistake to suppose that our goods are much dearer, as a rule, than those supplied by other countries. As a matter of fact, they are often cheaper, without taking their superior qualities into consideration, this being the case particularly with the articles on which Chili has undertaken to reduce the duty.

Nor are we under very serious disadvantages when the question of trans-

portation arises. There are nearly always ships loading in New York and Boston for ports on the west coast of South America, and the rates of freight obtained make the shipping business a paying one, so that any number of vessels required would be quickly put on.

As it is, we are supplying the bulk of the railroad supplies and equipment used in Chili, and an equally large proportion of the telegraph plant. Our sewing-machines, printing machinery, mining machinery, wood and metal working tools, agricultural implements, light hardware, woodware, etc., are popular and selling well, although we could very materially increase our trade in these lines by a more careful regard for what the buyers require. The approaching exhibition of mill machinery should open up an exceedingly profitable trade with the United States, if our manufacturers would only take the trouble to secure proper representation, for it is unquestionably held as much for the purpose of attracting American exhibitors as for anything else.

We have increased our trade with Chili for the past two months 100 per cent. as compared with the same period last year, and we can keep this rate of increase up without trouble, if we will only try to supply Chilian buyers with just what they want, in place of endeavoring to make them take what we have to sell. The preliminary work has been successfully completed, but we must exercise some judgment in reaping the harvest.—*Australasian and South American*, March 1, 1890.

Below are given, under the wood-cuts illustrating the respective articles exported for sale, the rates at which each is sold (*a*) to American citizens in our "protected" home market and (*b*) to "unprotected" foreigners. The figures have been in every case obtained from the manufacturers themselves, and in most instances are based upon a comparison of three documents: the regular price-lists, the "domestic discount sheet" to the trade, and the "export discount sheet" as furnished by each manufacturer. In order to be even more than fair, we have also reduced the home-market price as given by us below that indicated by the domestic discount sheet whenever we have found upon inquiry that for any reason the goods were obtainable at less prices.

We have neither attempted nor avoided the disclosure of the individual firm or company whose prices we use as examples, nor must it be considered that criticism is intended by us of the business methods of any one. So long as the opportunity for these practices remains what our high tariff has made it and so long as any large portion of our manufacturers are disposed to take advantage of it, others must do the same or be driven out of business. For even if rivalry in the home market alone is in question, a manufacturer having the advantage of a profitable export trade can drive from the field one not so fortified.

Foreigners are favored by American manufacturers in the following ways:

a. In some cases the favoritism to foreigners consists in an offer to pay freight from the manufactory either to the foreign country or to the seaboard, while the greater price to the home consumer includes nothing but the goods themselves at the place of manufacture.

b. In many cases the prices quoted for export and for the home trade are the same, with the same discounts, except that the retail price to foreigners is fixed at the same figure as the wholesale price here, which is a concession to the foreign trade averaging from 15 to 20 per cent.

c. Most frequently of all, however, a definite excess of discount from "list prices" is given on condition that the goods be exported, and this in addition to (*a*) or (*b*) above.

The last class of instances (*c*) is the only one developed in the following pages.

It seems to be time that somebody should explain how it is, if our tariff is necessary to enable our manufacturers to compete with English, French, and German rivals in our own markets—whither foreigners have to pay extra transportation and our manufacturers do not—that they are spending so much money in advertising in order to get a chance to compete with the same foreigners in free-trade markets outside, to which our manufacturers have to pay as much or more freight than foreigners.

Cultivators (protective duty, 45 per cent.).

	In home market.	To foreigners.
Wheel hoe, cultivator, rake, and plow	$11.00	$8.40
All-steel horse hoe and cultivator, with wheel	8.00	6.75
All-steel, plain cultivator, with wheel	7.20	4.50

The above prices to the exporters as well as for sale here are for single articles. For export the cultivators are delivered "free on board" ship at New York. They are sold in all the markets of the world, and catalogues describing their merits are printed in English, Spanish, German, French, and Portuguese.

Horse rakes, tedders, and potato-diggers (protective duty, 45 per cent.).

	In home market.	To foreigners.
Lock-lever hay rakes	$15.00	$14.21
Self-dump hay rakes	18.00	17.12
Hay tedder	26.00	25.25
Potato digger	8.00	6.75

The above are the prices to the home trade for large consignments, but to the foreign consumer for single machines.

Plows (protective duty, 45 per cent.).

	In home market.	To foreigners.
Plows, two-horse, chilled, 9-inch cut	$5.60	$5.04
Same, all steel	8.40	7.56
Two-horse, chilled, 10-inch cut	6.30	5.67
Same, all steel	10.50	9.45
Two or three horse, chilled, senior	7.70	6.93
Same, all steel	14.00	12.60
Two or three horse, chilled, junior	7.35	6.61½
Same, all steel	14.00	12.60
Two-gang plows, four horses, all steel	58.80	52.92

The above prices are the best offered by the manufacturers to the large home dealers for goods delivered on cars at the factories and to the exporters without reference to quantity taken for goods delivered free on board at New York.

As is the case with cultivators, so with plows. American-made implements are sold in all parts of the world. Some manufacturers have a very large trade with England.

Shovels (protective duty, 45 per cent.).

	In home market.	To foreigners.
Shovels, cast steel, long handles, round point, No. 1, per dozen	$9.20	$7.86
No. 3 per dozen	9.80	8.37
Cast steel, D handle, round point No. 2 do	9.60	8.21
No. 3 do	10.00	8.55
Spades, cast steel, D handles, No. 2 do	9.20	7.86
No. 3, cast steel, long handles do	9.80	8.37

These are the prices for home and export trade of the shovels manufactured by one of the most prominent members of the famous Home Market Club of Boston. Other manufacturers of shovels offer similar discounts. One firm in particular, whose advertisement has a very prominent place in the Australasian and South American, gives a discount on its list prices to the "home market" of from 15 to 25 per cent., while for the export markets its discount is 33⅓ per cent. For export all goods are delivered "free on board" at Boston or New York.

Hardware and tools – Hammers, wrenches, and braces (protective duty, 45 per cent.).

	In home market.	To foreigners.
Round hammers, No. 5 per dozen	$4.37	$4.05
No. 7 do	4.18	3.82½
No. 8 do	3.64	3.37
Solid cast steel, adze eye, nail, 7-ounce do	3.75	3.37
1 pound 4-ounce do	4.50	4.05
Machinists', ball pane, 1 pound do	6.00	5.40
2 pound 8-ounce do	10.00	9.00
Wrenches, black, 10-inch do	5.82	4.36
Bright, 10-inch do	6.75	5.08
Mechanics' wrench, black, 10-inch do	5.24	3.92
Other wrenches, bright, 10-inch do	4.65	3.99
Nickeled, 9-inch do	7.27½	6.75
Polished ratchet brace, 8-inch sweep do	12.09	10.80
12-inch sweep do	14.10	12.69
Polished patent brace, 8-inch sweep do	4.20	3.50
11-inch sweep do	4.80	4.00
Bit braces, 7-inch sweep do	9.45	7.58
12-inch sweep do	13.50	10.83
Spofford, 7-inch sweep do	7.20	6.36½
14-inch sweep do	12.60	10.64
Sleeve brace, 12-inch sweep do	13.50	10.83

Axes (protective duty, 45 per cent.).

	In home market.	To foreigners.
First quality, bronzed per dozen	$7.76	$6.75
Beveled do	8.24	7.20

Other qualities and sizes at similar prices. The above prices to the home trade are for spot cash for axes delivered on cars at the factory; for export the axes are delivered in New York.

Last month the ax-manufacturers of the United States formed a "trust" under the name of the "American Ax and Tool Company." The trust was formed by the consolidation of fourteen of the largest manufacturing concerns in the country. Concerning it the Iron Age of March 27, 1890, says: "The general feeling among the trade is that the ax-makers have formed a very strong 'association,' and have complete control of the market, or so nearly so that the outside makers will have scarcely any appreciable effect on prices.

"It is found that scarcely any orders can be placed with outside manufacturers who are not under the control of the American Ax and Tool Company. The trade will do well to notice the changed condition in this line of goods as regards the higher prices now ruling and the strong probability of their maintenance for some time to come. On first quality goods an advance is now made of $1.75 to $2.25." A further advance is contemplated.

Hatchets, sledges, etc. (protective duty: Hatchets, 45 per cent.; sledges, etc., 2½ cents per pound).

	In home market.	To foreigners.
Hatchets, shingling and lathing, No. 1 per dozen	$4.56	$3.80
No. 2 do	5.13	4.27
Claw, No. 1 do	5.13	4.27
No. 3 do	5.70	4.75
Broad, 7½ inches do	10.25	9.22
Sledges, cast steel, 5 pounds and over per pound	.081	.073
Blacksmiths', 5 pounds and over do	.081	.073
Anvil tools, top swedges do	.15	.135

Top fullers, flatters, set-hammers, cold chisels, railroad-track chisels, hot chisels, etc., are quoted at the same prices per pound as top swedges for the home and export trade, respectively.

Anvils, vises, and gaskets (protective duty: Anvils, 2c. per pound and gaskets 45 per cent.).

	In home market.	To foreigners.
Anvils weighing from 100 to 800 pounds ..... per pound...	$0.081	$0.072
Vises, solid box, No. 25	5.13	4.32
No. 100	9.40	7.92
No. 150	15.39	12.96
No. 200	23.94	20.16
Gaskets, corrugated copper..... per square inch...	.014	.008

The McKinley tariff bill proposes to raise the duty on anvils. If it passes, anvil-manufacturers may probably be able to lower the price for export.

Sad-irons and fluting-machines (protective duty, 1¼ cents per pound).

	In home market.	To foreigners.
Sad-irons, nickel plated..... per dozen, set...	$16.20	$13.50
Knox fluting-machines, 8-inch	3.90	3.24

Similar discounts on Crown, Eagle, and American fluting-machines.

Kitchen hollow ware (protective duty, 1½ cents per pound).

	In home market.	To foreigners.
Flat-bottom kettles	$1.40	$0.85
Round-bottom kettles, 10½-inch	1.83	1.10
Spider, 8-inch	.35	.27
Spider, 12-inch	.91	.55
Griddle, 10½-inch	.56	.34

Similar favorable prices to the export trade are given on all other kinds of hollow ware. The above are taken as samples only.

Ice-cream freezers, apple-parers, and meat-choppers (protective duty, 45 per cent.).

	In home market.	To foreigners.
Ice-cream freezers, 6 quarts, Gem	$2.45	$2.32
Blizzard	2.10	1.99
Apple-parers ..... per dozen...	4.50	3.50
Meat-choppers, No. 10 ..... each...	2.32	2.10
No. 42.. ..... do.....	11.62	10.50

Wringers, etc. (protective duty 45 per cent.).

	In home market.	To foreigners.
Wringers, length 10 inches by 1¾ inches diameter..per dozen..	$26.67	$24.00
12 inches by 1¾ inches diameter..... do.....	40.00	36.00
Other sizes and styles at proportionate prices.		
Clothes-dryers..... do.....	6.67	6.00

Thermometers (protective duty, 45 per cent.).

	In home market.	To foreigners.
Thermometers, 7-inch..... per dozen...	$1.00	$0.90
12-inch..... do.....	1.60	1.44

Britannia and plated ware (protective duty, 35 per cent.).

For what is called hollowware, such as tea-sets, cake-dishes, etc., listed at $10, the home dealer pays $5.40, but the buyer for the foreign market pays only $4.61 for the same articles.

On knives, forks, spoons, and other flatware listed at $10, the price to the dealer in the "home market" is $4.36; but a buyer for export, regardless of the quantity he may take, pays only $3.73 for the same articles.

The largest manufacturers of these goods have consolidated their interests and in this way control prices as well as though a trust had been formed. That the public generally may not become aware of this, the goods are sold with the stamps of the old companies, as though no change had taken place.

Lanterns and oil-cans (protective duty, 45 per cent.).

	In home market.	To foreigners.
Buckeye, No. 3..... per dozen...	$5.75	$5.60
No. 4..... do.....	5.25	5.00
Lift lanterns..... do.....	4.25	4.00
Glass oil-cans, 3-gallon..... do.....	3.50	2.15

Pulleys, trucks, and blocks (protective duty: Trucks, 45 per cent.; pulleys and blocks, composed wholly of wood, 35 per cent.; composed wholly or partly of iron, 45 per cent.).

	In home market.	To foreigners.
Trucks, No. 4*	$4.89	$4.00
Blocks for rope strap, 13 inches and over	5.40	4.60
12 inches and under	5.00	4.50
6 inches and over	5.40	4.60
Dock blocks	7.00	6.30
Iron strap blocks, metalline bushed	7.00	5.40
Iron bushed	6.00	5.40
Lizards or bull-eyes	7.00	6.00
Sheaves, iron bushed	6.00	5.00
Plain iron	5.40	5.00
Metalline bushed	7.00	6.30
Swivel blocks, metalline bushed	7.00	6.00
Wrought-iron blocks, iron bushed	6.00	5.40
Metalline bushed	7.00	6.30

*On all trucks the discount to the home trade is 40 per cent.; to the export trade, 50 per cent.

Indurated and other fiber ware (protective duty, 35 per cent.).

	In home market.	To foreigners.
Standard fiber-ware water pails..... per dozen...	$4.00	$3.40
Dairy pails..... do.....	4.50	3.80
Fire pails..... do.....	5.00	4.20
Measures, 1 peck..... do.....	4.00	3.40
½ peck..... do.....	3.50	2.92
Indurated fiber-ware spittoons, large..... do.....	18.00	14.40
Buggy pails..... do.....	3.60	2.88
Milk pails..... do.....	5.85	4.68
Water tubs, 23 inch..... do.....	20.25	16.20
Keelers, 7 inches deep..... do.....	12.15	9.72
Milk pans..... do.....	2.70	2.16
Water-coolers, 3 gallon..... do.....	24.00	19.20
Water-coolers, 15 gallon..... do.....	90.00	72.00
Water-coolers and filters, 10 gallon..... do.....	141.00	115.20

Scales (protective duty, 45 per cent.).

	In home market.	To foreigners.
Grocer, ¼ ounce to 62 pounds	$6.00	$5.40
Meat and butter, ¼ ounce to 62 pounds	7.00	6.30
Platform, 1,000 pounds	25.50	22.95
3,000 pounds	62.50	56.25
Dormant, 2,500 pounds	52.50	46.25
5,000 pounds	85.00	76.50
Hay scales, 3-ton capacity	87.50	78.75
20-ton capacity	225.00	202.50

Rules, levels, and planes (protective duty, 45 per cent.).

	In home market.	To foreigners.
Rules, boxwood, 4 folds, No. 3 ..... per dozen...	$1.60	$1.44
Ivory, 4 folds, No. 57..... do.....	14.40	11.66
Planes, wood, smooth	1.08	.97
Jack	1.35	1.21½
Jointers	2.52	2.27
Iron, smooth	1.76	1.58
Jack	2.03	1.82
Jointer	3.51	3.16
Plumbs and levels, 12 to 18 inches ..... per dozen...	3.40	2.55
24 to 30 inches, brass tipped ..... do.....	6.80	5.10

Shears, screw-drivers, awl and tool sets (protective duty, 45 per cent.).

	In home market.	To foreigners.
Shears, Victor, 4-inch..... per gross...	$3.00	$2.66
11-inch ..... do.....	12.06	9.88
Clipper, 5 inch..... per dozen...	1.05	0.77
11-inch..... do.....	2.43	1.78
Diamond shears, 9-inch..... do.....	1.80	1.62
Acme, 10-inch..... do.....	1.82	1.48
Tailors' japanned, 12-inch. ..... per pair...	3.60	2.40
16-inch..... do.....	8.40	5.60
Nickel-plated, 12-inch..... do.....	4.50	3.30
16-inch..... do.....	10.50	7.70
Screw-drivers, 2-inch..... per dozen...	0.47½	0.37½
Other sizes at proportionate prices.		
Awl and tool-sets, No. 1, 10 tools in handle..... per dozen...	8.10	5.50
No. 2, combination set..... do.....	12.15	8.50

On trimming shears, ladies' scissors, paper and bankers' shears, and pruning shears, similar favorable prices are given to the export trade.

Locks and rat-traps (protective duty, 45 per cent.).

		In home market.	To exporters.
Locks and padlocks, No. 1, brass padlocks	per dozen	$7.20	$6.00
No. 85	do	9.00	7.50
No. 29	do	12.00	10.00
Scandinavian locks, No. 119	do	.72	.60
No. 120	do	.81	.67½
No. 130	do	.99	.82½
No. 140	do	1.17	.97½
Malleable iron:			
No. 9	per dozen	.87½	.67½
No. 14	do	2.80	2.16
Other varieties are sold at similar discounts.			
Rat-traps, 6-hole metallic traps	per dozen	.75	.50
Rat-killers	per gross	18.50	15.00

Bolts, augers, and bits (protective duty: Bolts, 2½ cents per pound; augers and bits, 45 per cent.).

		In home market.	To foreigners
Common or agricultural carriage bolts:			
Length, 2 inches; diameter, ⅜ inch	per 100	$0.58½	$0.46
Length, 3 inches; diameter, ⅜ inch	do	.68½	.54
Length, 4 inches; diameter, ⅜ inch	do	.79½	.62
Philadelphia carriage bolts:			
Length, 2 inches; diameter, ⅜ inch	do	1.00	.85
Length, 3 inches; diameter, ⅜ inch	do	1.16	.98½
Length, 4 inches; diameter, ⅜ inch	do	1.36	1.15½
Tire bolts with forged nuts:			
Length, 2 inches; diameter, ⅜ inch	do	1.00	.71½
Length, 3 inches; diameter, ⅜ inch	do	1.16	.82½
Length, 4 inches; diameter ⅜ inch	do	1.36	.97
Augers and bits:			
Carriage bits	per dozen	4.05	3.42
Auger bits, under ¼ inch	do	4.05	3.42
¼ inch and above	per square inch	.21½	.18½
Hand-rail bits	do	.27	.22½
Carpenters' augers, ¼ inch and above	do	.21½	.18½
Millwrights' augers, ¼ inch and above	do	.33	.30½
Gas-fitters' augers, ¼ inch and above	do	.27	.22½
Post-makers' augers, ¼ inch and above	do	.21½	.18½
Car-builders' bits, over ¼ inch, 9-inch twist	do	.31½	.26½
16 inches	do	.40½	.34½
Pump augers	each	18.00	15.20

NAILS, TACKS, ETC.

Protective duty is specific, namely:

Tacks ..... 2½ and 3 cents per pound.
Nails ..... 4 cents per pound.

In the case of tacks the schedules are so extensive and cover such varied assortments that it is not practicable to give them in detail. The prices charged to American consumers and those at which the same goods are sold to foreigners may, however, be thus compared. The same "list prices" are issued as the basis in each case. To American consumers the discount on carpet-tacks of Swedes iron or steel or American iron, blued, tinned, or coppered, are 70, 10, and 2 per cent. To foreign consumers the discount is 70, 10, 10, and 2 per cent., and ¼ cent per pound allowance for freight, or, as given by some firms, 70, 25, and 2, which is an equivalent, delivered free on board ship.

On other varieties the basis of discount, both for home and export trade, varies from 40 to 75 per cent., but on all the extra discounts quoted above are given to the foreign trade; that is, for tacks listed at $10 (2 dozen papers of tinned iron tacks, weighing 24 ounces per paper), the American consumer is charged $2.65 and the foreigner only $2.20. Similar favorable prices to the export trade are given on cut nails, finishing nails, and other varieties. These are the prices charged the wholesale merchant in this country who takes large lots, but to the foreign trade the prices are given whether the quantity taken be small or large. Abroad, our tack-manufacturers must meet competition from those of England and the Continent; at home, protected from foreign competition by tariff duties, they have entered into agreements to fix the prices at which their goods are to be sold, which prices they adhere to.

Horse-nails.		In home market.	To foreigners.
Essex horse-nails, No. 6	per pound	$0.17	$0.14
No. 8	do	.15	.13½
No. 10	do	.14	.12½
Lyra horse-nails, No. 6		.12½	.10½
No. 8		.11	.09½

Screws and rivets (protective duty is specific).

		Cents.
Screws, 2 inches or over in length	per pound	6
1 inch and less than 2 inches	do	8
Over ½ inch and less than 1 inch	do	10
½ inch and less	do	12
Rivets	do	2½

One of the very closest combinations engaged in any branch of the iron trade controls the production and price of wood-screws as far as the home market is concerned. The manufacturers keep up prices here at their will, protected as they are by the above duties. The price-lists are so complicated that we have formed a general average, as follows: Screws which cost the home dealer $10 net can be obtained for the export for $6.66, or one-third less, provided that a bill of lading is shown the manufacturer to assure him that the goods have been actually exported and that consumers here have not profited by his generosity to foreign consumers.

The manufacture of rivets is also controlled by a combination here, and while it makes the home dealer and consumer pay high prices the exporter and foreign consumer are very favorably treated. Rivets listed at $10, for instance, are sold to the largest home dealers for $5.55, but to the exporter, regardless of quantity, for only $4.50.

Post-hole-diggers and hardware specialties, etc. (protective duty, 45 per cent.).

On all such goods as screw-clamps, saw-vises, pulley-hooks, jackscrews, barn-door-hangers, and other hardware specialties of similar description, which cost the large home dealers a net price of $10, for instance, the exporter gets a discount of at least 10 per cent., and consequently pays only $9.

		In home market.	To foreigners.
Post-hole-diggers	per dozen	$15.00	$12.33
Tree-protectors	do	9.00	8.04

Cartridges (protective duty, 45 per cent.).

Cartridges which are sold to the American dealer for, say, $10 can be bought for export at a discount of nearly 50 per cent., or for about $5.

In the manufacture of cartridges, as in other things, strong combinations are in control and protected by the duty, and the "sheet-copper trust" can charge the American consumer such prices as the manufacturers choose to exact.

MACHINERY.

Lathes, drills, saws, etc. (protective duty, 45 per cent.).

	In home market.	To foreigners.
Circular saw	$30.00	$25.55
Scrdll saw	7.50	6.35

Similar favorable prices are given to the export trade on other iron and wood-working machinery. Some manufacturers give even better prices than the above to the export trade. American-made lathes for iron-working are used all through England, and there are houses in England which deal exclusively in American-made wood and iron-working machines.

Type-writers (protective duty, 45 per cent.).

A type-writer which costs in this country $100, or, if the buyer has already purchased three, $90 for each additional one he may buy, can be bought for export for $60.

Grinding mills and brick machinery (protective duty, 45 per cent.).

	In home market.	To foreigners.
Farm mill, diameter of buhrs, 14 inches	$80.00	$57.40
18 inches	78.00	73.80
Feed grinder, No. 1	37.04	27.50
No. 2	41.38	31.14
Portable mills, 30-inch	180.00	166.00
42-inch	270.00	245.00
Brick machines	472.50	447.00
Repressing machines	121.50	116.95

On molds, mold sanders, trucks, barrows, etc., similar favorable prices are given to the export trade.

Sewing-machines (protective duty, 45 per cent.).

	In home market.	To foreigners.
Best make machines	$24.00	$21.00

The above are the prices charged wholesale dealers for one of the tread machines. This machine is sold at retail by agencies in England for $32.00 and in the United States for $45.

	In home market.	To foreigners.
Medium machines	$22.00	$17.50
Fine machines	27.50	20.75

A cheaper machine manufactured in the United States is sold to the home dealer for $18 and to the exporter for $12.

A prominent manufacturing company sells the machine for which it charges the American dealer $20 for export to South America for $5.

This system of charging American buyers higher prices for their machines than buyers in England is not confined to a single company, but is characteristic of them all.

Forges and blacksmith's tools (protective duty, 45 per cent.).

	In home market.	To foreigners.
Forges, portable, 18-inch bellows	$17.00	$16.00
22-inch bellows	25.50	24.00

Similar discount for stationary forges.

For tongs, etc., which cost the home dealer a net price of $19, the price to the exporter and the foreign consumer is 10 per cent. less, or $9.

Demagogues may try to convince the farmer that he will receive his benefits by the proposed increased duty on his agricultural products, but sensible farmers will no longer be deceived.

Had the framers of the present bill wished to do the farmers a substantial benefit, they would have reduced the duty or placed agricultural implements that are used by every farmer upon the free-list. The manufacturers of agricultural implements take advantage of our tariff duty to keep the price of their goods much higher to the American farmer than they are manufacturing and selling to the foreign farmer. In the year 1889 there were exported from the United States of agricultural machinery and implements as follows:

Horse-powers, $14,010; mowers and reapers and parts thereof, $2,332,296; plows and cultivators and parts thereof, $956,545—a total of $4,246,076. In the same year we exported hardware to the value of $6,246,220. These exported products of American manufacturers were sold to foreign buyers for less than they are sold to our farmers. Where is the justice in a law that will allow our manufacturers to charge our citizens more for the same goods than they do to foreigners?

Two newspapers are published in New York devoted to the export trade and agricultural machinery and implements. Neither of these journals are allowed to circulate in this country, and when inquiries were made at the offices of publication, the reason given for this was because the prices quoted for export were considerably lower than the large dealers could get the articles for for sale in this country. The Engineering and Mining Journal publishes in its issues on the first of each month a price current with discount to the export trade only. The Australasian and South American, in its issue of March 1, 1890, writing in regard to the export trade in agricultural and other American manufactured articles, gives the whole situation.

In the early history of this country the great and overshadowing argument from a protection standpoint was expressed in the words, "Protection to infant industries." The reasoning of all the prominent protectionist writers was based on this argument. It was the universally adopted dogma among protection advocates and those not disposed to acknowledge the validity of any reasoning in accordance with any theory of freer exchange of products of the people of one country with the people of another. This dogma has been adhered to long after the conditions to which it fairly applied belonged to the past. Conditions have changed. It is unfair in arguing this question to-day to suppose that the condition of things in the earlier history of the country exists at the present time.

If we, as a people, had made no progress in the art of inventing and if the country were now first beginning to attempt manufacturing, there would be more force in this position; new inventions and new discoveries have become the common property of all. Nor can it be claimed with any degree of truth that these new inventions and new discoveries are the legitimate result of protection, for we are keeping pace with the world in all the new ideas of thought, the new inventions, and the new discoveries. and making the same wonderful progress peculiar to American vim and enterprise under the low-tariff period as we have made under a high-tariff period.

The assertion often made by protectionists that our development as a nation is due to our protective policy is fallacious and misleading and the contrary is more likely true, that we have developed in spite of this policy that has been a burden to many industries and certainly a great burden to the masses of the people. It is common among the more ignorant who espouse the cause of protection to point to some article that was formerly turned out by hand, and before invention supplied us with the improved machinery for its manufacture, and say that the price has been reduced by protection, when in fact protection had nothing to do with it. In the consideration of this question we should not fail to inquire: What is the cost of production of the article at this time?

When you figure the cost and then add to it a reasonable profit, you have the price at which the article could and should be sold to the consumer. The question is not what the article may have cost at some past period in the history of our country, but the question is, what is the cost of the article to-day? No one would suppose that we would be plowing our land with the old wooden mold-board plows had it not been for protection. We would be using the same improved plows as we now have without protection, and we would evidently be getting them much cheaper. The manufacturers of all kinds of implements would be supplying these articles to the farmers of my own State of Illinois as cheaply as they are selling to the foreign farmer.

We have often heard of the astute tariff expert, and I can imagine I see one now in my district talking to a crowd of farmers in a country school-house, explaining to them the great benefits of protection and how it lowers the price of commodities to the consumer. I hear him ask the question: "What is the tariff on your shirtings?" and answer the question himself that it is 7 cents a yard. "Now, what did your shirtings cost you?" and answer, "5 cents a yard." Of course, the farmer who had been thinking of changing his vote and in the future casting his ballot for a reduction of the tariff after hearing this knock-down argument would have all the tariff reform ideas crushed out of him.

This bit of tariff wisdom is only equaled by the other class of tariff experts that are to be found loafing on the streets or found in our country stores in our country villages, who, with the wisdom of a Solomon, will explain to Republican farmers, when they come to have their faith renewed and to buy some sugar in blackberry time, that the enormous increase in the price of sugar was due to the great demand created by the blackberry crop. The same tariff experts will tell the farmers that binding-twine has "gone up" because there was a shortage in the crop of the material from which it is manufactured. They take great care to say nothing about the tariff duties upon such articles that enable trust combinations to impose high prices upon the consumer. Henry J. Philpott, in his work entitled "Tariff Chats," referring to a speech of Senator PLATT, made in the United States Senate, gives a complete answer to this kind of argument.

Senator PLATT said:

The protectionists insist that whenever a duty is laid which protects the American manufacturer, competition among home producers always has and always will bring down the price of the domestic article, approximately at least, to use the President's language, to the price of the foreign article on which duty is laid, less the duty. The President ought to have known this, as it seems to me. Did he or his "better half" ever buy calico? If he did, he must know that while the tax, as he calls it, the duty, as the protectionist calls it, is 6 cents per square yard on calico, he can buy the American article for less than that at retail stores here in the city of Washington.

Mr. Philpott, by way of answer, says:

I heard this story when I was a boy, but there never was any chance to run it down and corner the man who started it. I have been waiting ever since for some responsible person to make a similar argument in a tangible shape. Now, here we have something definite to which we can make replication. What have we to say to that? There is an old conundrum which runs like this: "Good morning, Mary," said her teacher, "where are you going with your brother Johnnie?" "Mistaken," said Johnnie, "she is my sister, but I am not her brother." The question is, what was Johnnie? And the answer is that Johnnie was a liar. This seems to be an unimpeachable answer, but it is not. The boy or man who tells one falsehood is not necessarily a liar any more truly than one swallow makes a summer.

It is not true that the duty on calico is 6 cents a square yard and it is not true that you can buy it at retail for 6 cents a square yard. The tariff on this class of goods is purposely made as complicated as possible so that as few people as possible shall be able to understand the tariff. On goods having less than 100 threads to the square inch, counting warp and filling, which would certainly include any 6-cent calico, the duty is 4½ cents per square yard. But you can not get 50 by 50 calico for 6 cents a square yard. You may get it for 6 cents a running yard, but such calico is only 22 inches wide. Hence you pay more than 9 cents a square yard, and while you might not get it 4½ cents cheaper in England you would certainly get it some cheaper.

Of the colored cotton goods that pays 6 cents a square yard we actually imported in 1886 two and a half million yards and paid 12½ cents for the cloth and 6 cents, of course, for the tax. That made these goods cost us wholesale 18½ cents and at retail perhaps 25. These are the nice lawns and the like which our wives and daughters like to wear. They are not calicoes at all. To speak of them as such is to perpetrate, whether intentionally or unintentionally, a falsehood. To prove this, cut out a square inch of the best calico you can get, not bias, pick it to pieces and count all the threads both ways. See if there are two hundred of them. I have tried it.

The tax on the running yard of actual calico of the common grade and width is not 6 cents, but 2¼ cents. A gentleman who has sold scores of thousands of yards of calico at retail in both countries and is now in the business tells me that, quality and width considered, there is at least 1½ if not 2 cents difference in the price between this country and England. This is one of the cases where the manufacturer is not able to realize the whole amount of the protection apparently afforded by the duty. In such cases very little, if any, of the goods are imported.

When protectionists want more protection or when election time comes round, they become very solicitous over the condition of the "poor, down-trodden laboring man." It is only at these times, however, that they bother themselves about the condition of the laborer, unless it be when he strikes for better wages, and then they meet him, not with outstretched arms of sympathy, but with Pinkerton men and Winchester rifles. Of all the false, deceitful, lying shams that were ever palmed off on a credulous people this has the least sense and the least reason at the back of it, and the man who makes the statement that a high protective tariff is beneficial to the laboring man is entitled to the belt over the home-market liar. To show that the present tariff was not made for the benefit of the laborer and that the increased duties proposed in this bill are not for his benefit, I quote the following table:

Table compiled from the Tenth Census by Mr. Seaton, Superintendent, showing value of various manufactured products, per cent. of labor-cost, rate of duty existing and proposed.

Industries.	Value of product.	Labor.	Percentage of labor.	Present tariff.	Proposed rate.
Carpets	$31,792,802	$6,835,218	21.5	46.31	60.68
Cotton goods	210,950,383	45,614,419	21.6	35.64	*38.00
Bolts, nuts, etc	10,073,330	1,98 ,300	19.7	32.00	30.00
Nails and spikes	5,629,240	1,255,171	22.3	52.00	41.00
Iron pipe, wrought	13,292,162	1,788,258	13.5	74.00	62.00
Oil, castor	653,900	44,714	6.8	220.00	125.00
Oil, linseed	15,393,812	681,677	4.4	44.00	33.00
Screws (smallest)	2,184,532	456,342	20.9	72.00	84.00
Wool hats (cheap)	8,516,509	1,893,215	22.2	68.00	111.00
Woolen goods	160,606,721	25,836,392	16.1	71.00	90.00
Worsted goods	33,549,942	5,683,027	16.9	67.00	†103.00

*Clothing made 50 per cent. †Some worsteds increased to 130.

There is no tariff on laborers. We have absolute free-trade in labor. The thing that the manufacturer has to buy and the one thing that the

laboring man has to sell, namely, labor, is on the free-list. The manufacturer wants protection for himself, and little is he concerned about protection to labor.

Hon. William D. Kelley, of Pennsylvania, in the House of Representatives, when reminded that there was no tariff on labor, said:

Yes, men are on the free-list. They cost us not even freight. * * * We promote free trade in men, and it is the only free trade I am prepared to promote.

Mr. Charles S. Hill, statistician of the State Department, is a pronounced protectionist. In his argument before the tariff commission he says that our manufacturing product in 1882 was $8,000,000,000, made by 5,250,000 hands, and that for the same time the product of England was $4,000,000,000, made by 5,140,200 hands. In submitting this statement he says:

Here is the positive proof that American mechanics in the aggregate accomplish exactly double the result of the same number of British mechanics.

The American employer does not pay high wages for the work he gets done, but, on the contrary, gets his labor cheaper than does any one else in the world.

In 1878 our then protectionist Administration had its consuls report as to the condition of labor in the several foreign countries to which they were accredited. In 1878 Hon. WILLIAM M. EVARTS, then Secretary of State, now (protectionist) Senator for New York, summarized those relating to European countries in his report on the State of Labor in Europe, May 17, 1878, at pages 36, 37, and 38, of which he says:

The average American workman performs from one and one-half to twice as much work in a given time as the average European workman. This is so important a point in connection with our ability to compete with the cheap-labor manufacturers of Europe, and it seems at first thought so strange, that I will trouble you with somewhat lengthy quotations from the reports in support thereof:

DENMARK.—Another evil is the diminished worth of wages, the descending quantity and quality of work now obtained by employers for wages higher than those paid ten years ago.—*From the report of the consul at Copenhagen.*

FRANCE.—At his work the French laborer or mechanic lacks the energy of the American of the same class, and the amount of work executed by him is much less in the same number of hours. The hours of labor are from eleven to twelve, but an average American workman will accomplish as much in nine hours.—*From the report of the consul at Bordeaux.*

GERMANY.—I am satisfied that an ordinary workingman in the United States will do as much again as will one in this district, in the same time.—*From the report of the consul at Chemnitz, Saxony.*

An active American workman will do as much work in a given time, at any employment, as two or three German workmen.—*From the report of the consul at Leipsic.*

There can be no question that, speaking in general terms, the quality as well as the quantity of the work of the German artisans is inferior to that produced by the Americans. The workman here is inclined to be sluggish, and what he accomplishes is relatively small.—*From the report of the consul at Sonneberg.*

For the first time our manufactures are now assuming international proportions. At a time of universal depression we have met those nations which hold a monopoly of the world's markets, met them in their strongholds, and established the fact that American manufactures are second to the manufactures of no other nation; and that, with a proper and patriotic understanding between a capitalist and laborer, we can command a fair share of the buying world's patronage, and command that patronage with larger profits to the capitalist and higher wages to the laborer than can be made or paid in any other country

One workman in the United States, as will be seen from the foregoing extracts, does as much work as two workmen in most of the countries of Europe.

Mr. Sargent, the great hardware manufacturer, notes the general result of his observations abroad:

I found among the manufacturing districts in England that as a general rule, although the workmen there get much lower wages than ours when counted by the day or week, yet when counted by the piece or by the results of labor, their employers pay them higher wages than we pay in America. I found, on investigating the cheap labor of Japan, China, and India, that on account of the very small product per man labor in those Asiatic countries is generally dearer than in America, although the common laborer gets in those countries only from 10 to 20 cents a day. As a manufacturer I would not fear, under free trade, the competition of foreign cheap labor, so long as cheap labor stays where it is, foreign.

All of which only confirms what Mr. Blaine, our high-protectionist Secretary of State, already said in his report on the cotton-goods trade of the world, dated Department of State, Washington, June 25, 1881, pages 98 and 99:

Owing to the different arrangements of the English and American tables of wages, it is difficult to give comparative analyses thereof which would show at a glance the difference in the wages of the operatives of both countries.

The wages of spinners and weavers in Lancashire and in Massachusetts, according to the foregoing statements, were as follows per week: Spinners, English, $7.20 to $8.40 (master-spinners running as high as $12); American, $7.07 to $10.30.

Weavers, English, $3.84 to $8.64, subject, at the date on which these rates were given, to a reduction of 10 per cent.; American, $4.82 to $8.73.

The average wages of the employés in the Massachusetts mills are as follows, according to the official returns: Men, $8.30; women, $5.62; male children $3.11; female children, $3.08. According to Consul Shaw's report, the average wages of the men employed in the Lancashire mills on the 1st of January, 1880, was about $4 per week, subject to a reduction of 10 per cent.; women, from $3.40 to $4.30, subject to a reduction of 10 per cent.

The hours of labor in the Lancashire mills are fifty-six, in the Massachusetts sixty per week. The hours of labor in the mills in the other New England States, where the wages are generally less than in Massachusetts, are usually sixty-six to sixty-nine per week. Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor.

As to calico-printing we have similar testimony. Mr. David A. Wells (tariff reformer) says:

In Lowell, Mass., printers get as much as $4.50 per day. In Germany wages in similar establishments are not more than one-third as much.

Not merely can Lowell manufacturers under such circumstances compete with the Germans, but it is admitted by the owners of the most extensive print-works in Germany that it is now useless to attempt to compete in the sale of these goods with the American manufacturers in neutral markets. Such an apparently incredible result comes about thus: In Lowell, one printer, paid $4.50 per day, with a helper at $1.50 per day, can turn out 20,000 yards per day, printed with three or four colors, or 12,500 yards printed with from eight to twelve colors. No such results are attainable in Germany; and in view of the daily production of such an immense product it is a matter of no market account whether the wages paid for tending the printing machinery are $6 or $3 per day, or three-one-hundredths or two-one-hundredths of a cent per yard if apportioned to the product.

And Mr. Robert P. Porter, formerly secretary of the National Protective League, the high-tariff editor of the Press, and Harrison's Superintendent of the Census, wrote thus in an article in The Galaxy, December, 1877:

The mistaken system of imports has done much to limit the field for our production. The Government, in attempting to protect American industries, has introduced into our tariff laws many features that oppress our manufactories, close important markets, and thereby diminish the healthy demand for labor.

It is not necessary to call attention to the prostration of the woolen mills. What has all the Government nursing done for them? Mr. Mitchell, the British judge at Philadelphia in the class of "wool and silk fabrics," in his recent report, says: "The hours of labor in America are sixty-six per week, against fifty-six and a half in England, and the wages average 25 per cent. more than in this country. But the cost of living in America is considerably higher, and I do not think the operatives are in any better position at present than with us."

And yet for years the mistaken cry has gone up that American operatives wanted protection against the pauper workmen of the Old World!

In boots and shoes the comparative cheapness of American labor is even more surprising. Mr. Howard Newhall, writing in Harper's Magazine in 1885, takes the history of the hide from the cow and follows it through all its mutations into the finest products of manufacture. This is not an article on wages, but it contains a paragraph on wages. He says:

American ladies' shoes, wholesaling at $1.50 per pair, cost for labor of making 25 cents. English ladies' shoes, wholesaling at $1.50 per pair, cost for labor of making 34 cents. American men's shoes, wholesaling at $2.60 per pair, cost for labor of making 33 cents. English men's shoes, wholesaling at $2.60 per pair, cost for labor of making 50 cents.

While, from the high-tariff Press of October 22, 1888, we quote:

The report of Consul Schoenhof, at Tunstall, giving the comparative cost of making steel rails in Pennsylvania and England, has just been made public.

The employés in American steel mills average $14.05 per week, which is fully two-thirds higher than the average earned by Englishmen employed in the same class of work. A comparison of the output of one mill in each country is then given. It is found that in Eastern Pennsylvania the total output is 4,500 tons per week, that the number of men employed is 1,048, and the output averages 4.3 tons per man. The average day wages in America is $2.17½, the cost of labor per ton of all employed in the American mill being $3.04.

In the English mill the average output is 1,500 tons; the total number of men employed is 600, making the average output per man 2.5; the average per day is $1.33. The cost of labor per ton to all employed in the steel-mill averages from $2.80 to $3.08.

In weaving of ingrain carpets Mr. Schoenhof reports:

Number of yards turned out by one weaver on power-looms:	
In America	180 to 240 yards
In England	72 to 120 yards
Rates paid per yard:	
In America	4 to 5½ cents
In England (power-loom)	4½ cents
In England (hand-loom)	10 cents

And Mr. Herwig, the well known labor organizer, of Philadelphia, adds:

The actual earnings of carpet-weavers in this country do not exceed the earnings of carpet-weavers in England. Besides that, the labor cost is not over 8 cents a yard here, while, taking everything like a fair estimate, the cost in England is 15 cents a yard. The estimate is easily arrived at and figures out exactly 15 per cent—that is, 8 cents on a carpet selling at 50 cents a yard. Many carpets, of course, sell above that without having incurred extra cost, while many sell below that at wholesale. I am prepared to give my detailed figures.

In hardware, Mr. J. B. Sargent, of New Haven, Conn., one of the largest manufacturers of hardware in the world and the largest single employer of labor in his own State, says:

I have found by personal investigation among the manufacturing districts of England and on the continent of Europe that although the workmen there get much lower wages than ours when counted by the day or week, yet when counted by the piece or by the results of labor their employers pay them higher wages than we pay in America.

The development of his business forced this conclusion upon him. He found that, in spite of a tariff whose protective features barred the entrance of the bulk of his goods into foreign markets, the finer grades of his wares found frequent outlet abroad. This was conspicuously the case with goods requiring the least raw material and the greatest amount of labor. The only deduction he could draw from this drift of trade was that raw material was higher here than abroad and that labor was cheaper.

He made a trip to Europe in 1873 to investigate this matter. With a business man's directness of method, he went right among the manufacturers and the workingmen for his facts. In that search he discovered why his fine goods entered foreign markets. It was because he could offer them cheaper; they cost him less.

In trying to introduce American goods to foreign markets the rule I have laid down was found to hold good: In articles requiring a large amount of labor and a comparatively small amount of raw material we can hold our own with any foreigners; where the raw material is large in proportion to the labor, the Englishman is on top.

Mr. Sargent took up a chain-bolt. The body of the bolt is nicely finished. It passes through four hands before it is done and the labor on the product is 88 cents per gross. He said that German labor on such a bolt would certainly cost 88 cents per dozen One man was engaged in turning brass knobs which came to him from the casting to be polished. He had a neat machine and knew how to handle it, and he could turn seven knobs a minute. A German who could turn seven an hour in the old country would be doing good work.

As to agricultural implements, we quote again from the New York Press, of October 3, 1888:

On the other hand, as a rule, the manufacturers of agricultural implements in the United States are able to get very satisfactory prices for their goods abroad, and generally in excess of prices received in our home market, and in most cases they get cash before the goods leave New York City, while in this country reapers are usually sold on one, two, and in some instances three years' time. The reason why American manufacturers are enabled to get higher prices for their goods over those manufactured abroad is because of the superiority of our implements. The free-trader is slow to admit this, but nevertheless it is true.

We pay twice as much for labor in this country as is paid abroad; therefore we get twice as good results from that labor. Labor which receives poor pay brings poor results.

The Press says, that "the free-trader is slow to admit this, but nevertheless it is true." If true, what does it demonstrate? Does it not prove that the American workmen who turn out the superior implements should have the benefit of the protection, and not the manufacturer? If it is true that American manufacturers are enabled to get higher prices for their goods over those manufactured abroad on account of the superiority of the American implements, is the American manufacturer in any danger from foreign competition, and could he not sell American manufactured implements to American consumers as cheap as he sells to export trade?

As to yarn-dyeing, Mr. F. A. Herwig, in an interview published by the New York Herald, says:

You see that man [pointing to a man on the opposite side of the room]. He is a dyer. He is a victim of skill and ingenuity, according to some of our statisticians. In Belgium it will take thirty-two hands to turn off 1,300 pounds of dyed yarn in a day. There they get 50 cents a day each, or $16 for 1,300 pounds. Here two men, working what is called a 'kettle' together, turn off from 1,000 to 1,200 pounds of yarn a day. Here they receive $2 a day each (though in some few places, such as the Dobson dye-house, the pay is not quite so high—$7.50 to $8.50 a week). You will remark that for $4 the employer here gets almost as much work done as would cost $16 across the water. Or put it this way: In the United States it costs at the rate of 40 cents per 100 pounds: in Belgium, $1.25 per 100 pounds.

And so through the entire list, proof as positive as Holy Writ, to one who wants to know the truth, it could be added that in the manufacture of every conceivable article that is made in this country the labor-cost of producing the article is cheaper than in any other country in the world. The truth is that protection has nothing to do with the price of labor. The price of labor is controlled by the law of supply and demand; and the laborers of America compete with the free labor of the world. While they may earn more wages in a day than the foreign laborers do, in point of cost of production their labor is the cheaper. They are compelled to earn more than the foreign laborer because their cost of living is greater. The laborer, like the farmer when he sells his products, must compete with the world; but when both the farmer and the laborer buy their necessaries they must buy in a protected market at protection prices.

To convince any one who is laboring under the delusion that high-tariff increases the wages of American laborers, I invite them to Europe—to the older countries—and ask them to examine the scale of prices there. In England, which is a free-trade country, or rather a revenue-tariff country, we find that higher wages are paid than in the countries of Europe where the protective system prevails; and wages in England have advanced 50 per cent. since protection was abandoned and free trade has been adopted in its stead.

The following table of wages paid weekly in the different European countries is to be found on page 2398, volume 2, of the report of the United States Tariff Commission:

Occupations.	Germany, protection.	France, protection.	Belgium, free trade.	England, free trade.
Bricklayers	$3.45	$4.00	$6.00	$8.12
Masons	4.00	5.00	6.00	8.16
Carpenters	4.18	5.42	5.40	8.25
Painters	4.00	4.90	4.20	7.25
Plasterers	4.85	.....	5.40	8.10
Blacksmiths	3.90	.....	4.40	8.12
Cabinet-makers	4.95	.....	4.80	7.70
Dyers	3.30	.....	.....	7.00
Weavers	3.00	.....	.....	5.40
Grinders in glasswork	4.87	.....	.....	10.92
Common laborers	2.60	.....	3.00	5.00

As early as in 1828 the opinion was expressed by many manufacturers that the mere cost of manufacturing was not greater in the United States than in England; that the American manufacturer could produce at as low prices as the English if he could obtain his wool at as low prices as his foreign competitor.

Mr. Shepherd, of Northampton, the manufacturer of woolen goods at that time, said:

The difference in price of cloths in the United States and in England would be the difference in the price of wool, as in my opinion we can manufacture as cheap as they (the English) can.

In the same connection another manufacturer says:

The woolen manufacture is not necessarily established in this country, but I know no reason why we can not manufacture as well and as cheap as they can in England, except the difference in the price of labor, for which, in my opinion, we are fully compensated by other advantages. Our difficulties are, not the cost of manufacturing, but the great fluctuations in the home market caused by the excessive and irregular foreign importations. The high prices we pay for labor are, in my opinion, beneficial to American manufacturers, as for those wages we get a much better selection of hands and those capable and willing to perform a much greater amount of labor in a given time. The American manufacturer also uses a larger share of labor-saving machinery than the English.

We produce less than half the amount of wool we annually consume in the United States. Even if a tariff gives the wool-grower a better price than he would receive without it it is a bad law that gives a few benefits at the expense of the many. All laws should be framed with the view of accomplishing the greatest good for the greatest number. It may be doubted whether a high tariff brings better prices for our domestic wools. The weight of evidence is against it, as is shown by the following article from the New York Evening Post in reply to an article of the Philadelphia Manufacturer, a protection organ:

[New York Evening Post.]

The Philadelphia Manufacturer has been asking the Evening Post with more or less frequency how it is possible that the admission of foreign wool free of duty can cause an advance in the price of domestic wool and at the same time lessen the price of woolen goods. That free foreign wool has actually had the effect to advance the price of domestic wool is shown by the statistics. Under the tariff of 1857, nearly all the fine wools of South America, and the Cape of Good Hope, and many of those grown in Australia, and all Canadian wools were admitted free of duty. This condition lasted till 1862, when very moderate duties (15 per cent. ad valorem) were imposed on wool. The period of highest duties on wool did not begin till 1867. The prices of domestic wool during the five years of practically free wool, beginning with 1857, and the five years under the present tariff, ending with 1888, were as follows:

FREE WOOL.	Cents.	TARIFF OF 1883.	Cents.
1857	53	1884	37
1858	45	1885	34
1859	59	1886	34
1860	54	1887	34
1861	44	1888	32

So it appears as a matter of fact that free foreign wool may be accompanied by high prices of domestic wool, while heavily taxed foreign wool may be accompanied by low prices for the domestic article. No journal that calls itself Manufacturer needs to be told that foreign wools are required for mixing with home-grown wools, and that when the former can not be had the demand for the latter declines.

As to the price of woolen goods under the two régimes, we should say that in a case where the manufacturer has free access to all the raw materials, even though the price of one moiety of those materials were higher by 25 per cent., he might still produce a cheaper article than in a case where the other moiety of his raw material was taxed 50 per cent. Having answered the Manufacturer's conundrum, we beg leave to ask what that paper means by saying in its latest issue, that of April 16, that the new (McKinley) tariff bill, with its increased wool duties, "will thrust the American wool clip once more upward and the prices of American wool once more downward?" Is that what you call backing your friends, the wool-growers, Delano, Harpster, and Lawrence?

Corroborative of this the following from a speech of Senator ALLISON will not be without interest. No one has stated the case more clearly than Senator ALLISON:

I will say, with regard to the duty on wool and woolens, that I regard it, not as an intentional fraud, but as operating as though it were a fraud, upon the great body of the people of the United States. I allude to the wool tariff, a law the effect of which has been to materially injure the sheep-husbandry of this country. In a single county in the State of Iowa, between 1867 and 1869, the number of sheep was reduced from 22,000 to 18,000 in two years; and what is true of that county is true to a greater or less extent of other countries in Iowa; and during this time the price of wool has been constantly depreciated.

As the law now is, the tariff upon fine wools of a character not produced in this country is 100 per cent. upon their cost. The tariff upon woolens of the same class is only about 50 per cent., so that the finer woolen goods are imported and the coarser fabrics. Before the tariff of 1867, our manufacturers of fine goods mixed foreign fine wools with our domestic product, and were thus able to compete successfully with the foreign manufacturer of similar wools. But being prohibited from importing this class of wools, these fine goods can not now be produced in this country as cheaply as they can be imported. Consequently, mills that were formerly engaged in producing these goods have been compelled to abandon business or manufacture coarser fabrics. If they could afford to manufacture those fine goods, they would make a market, which we do not now have, for our fine wools to be mixed with other fine wools of a different character from abroad. This want of a market, as I understand it, is the reason why our fine wools now command so low a price. There is no demand for them at home, and we can not export them in competition with fine wools grown in other countries.

Dr. E. P. Miller, writer on economic questions, of the protection school, lately published a pamphlet entitled Facts About Wool and Woolens. His testimony on this subject is important and is as follows, page 10:

A significant fact in connection with this subject is this: In 1833 wool under 8 cents a pound was admitted free of duty; the price of fine wool in January of that year was 35 cents a pound, while in January, 1834, it was 70 cents, a rise of 15

cents per pound; the price of coarse wool in January, 1833, was 33 cents a pound; in April it was 38 cents; in July, 40; in October, 45; and in January, 1834, it was 48 cents a pound, showing an advance of 15 cents a pound in one year after putting wool on the free-list. Again, in 1857, when wool valued at 20 cents a pound or less was put upon the free-list, although it fell off a little in 1858, it was 2 cents a pound higher in January, 1859, than in January, 1857.

In 1824, after thirty-five years of free wool, the price of fine wool in January was 68 cents and in April 70 cents a pound. In May of that year a tariff of 15 and 20 per cent. was placed on wool, but the price instead of going up went down, for fine wool sold in July at 55 cents; in October at 60 cents; in January, 1826, at 55 cents; and in January, 1827, at 36 cents. Again, in 1842, after ten years of nearly free wool, a tariff was placed on low-priced wool, and in January of that year fine wool was sold at 48 cents and coarse at 25 cents per pound. After the increase of tariff in 1861, wool, like all other articles, went up in price, owing to general inflation of prices resulting from the large volume of paper money circulated during the war.

After the tariff act of March, 1867, the highest in the history of the country, the price of wool declined instead of advancing, for it sold in January, 1866, at 70 cents; in January, 1867, at 68 cents; in April, at 60; in July, at 55; in October, at 48; and in January, 1868, at 43 cents a pound; in April, at 50; in July, at 46; and in October, at 48, a decline in one year of 20 cents a pound.

It may seem strange that the tariff on wool has had the effect to reduce the prices on domestic wool, but it seems that such is the fact. In the consideration of this question it must be borne in mind that no one country produces all of the different kinds of wools that are needed in the manufacture of all grades of goods. Even if we produced in this country sufficient quantity of wool to supply the demand, yet we would have to import foreign wool to mix with the domestic article in manufacturing different grades of cloth used by our people. Free raw wool would stimulate manufacturing, which would thereby create a greater demand for domestic wool and that demand would create better prices. Woolen goods would be made cheaper, the consumption of woolen goods would be increased, which would increase demands for labor and thereby increase wages. This would be a benefit to all, and, the greatest blessing it could bestow, it would give the poor people of this country cheaper clothing and would drive from the market the worthless shoddy.

The following from Mr. Hazard, of the Peacedale Manufacturing Company, explains why a high tariff has failed to give our domestic wool higher prices. After giving a table with the prices of wool for a number of years, he says:

A simple examination of this table will show that there has been no definite connection between the price of wool and the tariff. There have been high prices under low tariffs and low prices under high tariffs. The best average prices of the whole period, omitting 1871 and 1872, were obtained under almost free trade in wool in the four years 1851–1850, inclusive. No other consecutive four years gives as good an average. Immediately after the passage of the tariff of 1867 there was a marked fall in price. Then there was a rise for four years, culminating in the high prices of the wool famine of 1871 and 1872. Since then there has been an almost continuous fall, with prices considerably below the average of the low-tariff period.

The two years 1871 and 1872 were exceptional. The high prices indicated an actual scarcity of wool. The wool clip of the country had fallen to a point where it could not supply the actual wants, and in the next two years, 1872 and 1873, we imported very nearly as much foreign wool as we had imported in the previous seven years.

Scarcity was then the cause of the high prices of 1871 and 1872. But if it is claimed that these prices were the legitimate effect of the tariff, as the tariff had produced the scarcity, let the claim be granted. The tariff was impotent to maintain them. In 1873 there was a heavy fall, and the course has been downward, with few interruptions, ever since.

The tariff of 1867 has, then, most certainly failed to give the wool-grower a high price for his wool. We must be careful not to attribute the bad results which followed the passage of the tariff of 1867 solely to that act. There were doubtless other contributing causes. But we were upon very safe ground when, having found that, following the passage of that tariff, sheep were slaughtered, the product of wool decreased, and prices of wool did not rise, we infer from these facts that the enactment of the tariff of 1867 failed to foster and encourage the growth of wool, and failed to insure high prices for wool. It was expressly designed to encourage the wool-grower, and it had no such effect.

The reason of this failure is not far to seek. It is perfectly clear that wool-growers are dependent on wool-manufacturers for their market. If woolen goods can not be sold at a profit, wool must decline in price until they can be. The absence of prosperity among manufacturers is a sure indication of a bad market for wool. The fact of this dependence of wool-growers on wool-manufacturers can not be too strongly insisted on, and it must always be borne in mind in any intelligent discussion of the subject. It was through the wool-manufacturers that the tariff of 1867 injured the wool-growers. The country did not produce wool enough for its wants. It did not produce the kinds of wool required for certain fabrics, and suddenly the cost to the manufacturer of all imported wools was largely advanced. The mills could not run without these imported wools. Those mills which had used a certain mixture of domestic and foreign wools were forced either to buy their domestic wool for less or advance the price of their fabrics. A struggle was thus begun by manufacturers to put down the price of wool and put up the price of goods, and such a struggle was entirely inconsistent with prosperity. The wool-growers necessarily had a bad market.

Mr. Hazard's conclusions are verified by the authority of every accessible expert. Mr. George William Bond, of Boston, recognized as the highest authority on wool in this country, has been relied upon by the Treasury to fix the prices and grades of wool for the customs service, and has always had the confidence of the protectionists. He affirms, first, that the average prices of wool to the grower have been lower under the high-tariff policy of 1867 than they were under the comparatively low tariff which had prevailed for ten years previously; and that since the enactment of the tariff of 1867 there has been a marked and general decline in the price of wool; also that "our fine wools have always been higher, other things being equal, when we were able to freely import wools of other countries at a low duty or no duty at all."

The use and consumption of wool commences with us all at the cradle and only ends with the grave.

Of all the countries of the world the United States uses the greatest amount of fine woolen goods. This is demonstrated by the fact that of late we have imported per annum some $45,000,000 worth of woolen goods, mainly of fine cloths. Our capitalists are the most enterprising, our machinists the most skillful, and our labor the most intelligent. And yet of all the world this is the one country that does not and can not manufacture fine woolen goods, and it is the one country which is the largest customer for the French, German, and English manufacturers. In short, the positive evils of our legislation are such that not merely what should be our home market for American wools is lessened by the fact that a great portion of varieties of wool manufacturing can not be advantageously carried on here, but the manufacture of the very grades of goods of which we are the most extensive consumers in the world has been taken away from our manufacturers and given to foreign establishments.

It is scarcely necessary to suggest that the variety of woolen fabrics is almost infinite, ranging from the coarsest horse-blanket and drugget to fabrics that vie with silk in fineness, elegance, and costliness. Hence it follows, as a matter of necessity, that if the manufacture is to be carried on under the most favorable conditions—if it is to be diversified and prepared to adapt itself promptly to the successive variations in market demand consequent on the frequent changes of fashion, the manufacturer must have every facility for selecting and obtaining his raw material. And consequently every manufacturing nation in modern times, except the United States, has recognized that the best protectionit could give alike to its wool-growers and wool-manufacturers—for, the only market for the wool-grower being the wool-manufacturer, the prosperity of the former must depend upon the latter—would be to give the manufacturer the largest opportunity for obtaining such wools as his interest taught him were desirable.

We import a large amount of foreign-manufactured woolen goods, which statistics show is increasing. Suppose wool were put on the free-list, then these goods that are now imported could and would be manufactured by our own people. They would compete no more with home-grown wools than they do now, but the American wool manufacturer would get the profit of working these wools which the foreign manufacturer now receives and American workmen would have the benefit of the labor. The American manufacturer to compete with the fabrics of other nations, in the endless variety demanded by our times, must have the power of selecting a portion of his raw material from the world's sources of supply. The sudden and exceptional demand for more or new raw material must be supplied by importation. A writer on political economy says:

To-day England, France, and Germany enjoy practically a monopoly of the trade of the world in woolen manufactures. They are the only countries of the world that export woolen manufactures in excess of their importations of raw wool. In other words, these countries, by admitting wools free, have created a demand for their home wools in excess of the total amount of all wools required to clothe their people; and, after giving their laborers additional employment, export more wool than they have imported. The United States, on the other hand, by putting a high tariff on raw materials, has not merely destroyed our export trade, but so throttled our manufactures as to ruin the market for domestic wool and give to the English, French, and German manufacturers the cream of our markets for cloth. Our tariff, therefore, at once deprives our farmers of their market for wool and gives to English, French, and German operatives the employment that naturally belongs to American workmen.

Under our present tariff shoddy manufacturing flourishes. Free wool would make us the center of the world's wool manufacture and would therefore make wool in our markets worth more than anywhere else.

As remarked by Hon. John E. Russell:

Prior to 1857 we had a nominal duty on wool, and the fortunate experience of the country in every department of industry and enterprise under the tariff of 1846 led to the further reduction of the tariff in 1857. The whole delegation from Massachusetts here and at both ends of the Capitol voted for it. In that revision wool under 20 cents a pound was made free.

The effect upon wool was immediate. It went up and in 1859 it was as high as it has ever been in our history, and the manufacturers of Massachusetts and Rhode Island made more money than they ever did in any year of their business. They flourished together because their interests were identical.

No vote of mine would ever be given consciously against the interest of the American farmer, but I would take the duty off of wool, for I believe that in less than a year the price of wool would advance because the woolen manufacturer, freed from the tax on two-thirds of his raw material, would be better able to buy the other third.

President Grant stated the true economic view of this question in his annual message for 1874 in saying:

The introduction free of duty of such wools as we do not produce would stimulate the manufacture of goods requiring the use of those we do produce, and therefore would be a benefit to home production.

And again, in his message for 1875:

These duties [on raw material] not only come from the consumers at home, but act as a protection to foreign manufacturers of the same completed articles in our own and distant markets.

There is a persistent pressure by manufacturers for the specific duty because it conceals from the people the amount of taxes they are compelled to pay to the manufacturer. The specific duty always discriminates in favor of the costly article and against the cheaper one, and therefore it imposes a heavier burden as it goes down from the highest-priced articles to the lowest. This discrimination is peculiarly oppressive in woolen goods, which are necessaries of life to all classes of people. In order that this fact may be clearly seen and comprehended, we append a table taken from the First Annual Report of the Commissioner of Labor (page 251):

Price per yard of Leeds (England) woolen and mixed goods, duties, etc.

Name.	Description.		Price at factory.	Duty.						New York cost, not including packing, carriage, freight, insurance, etc.
				Rate.		Amount.				
	Width (inches).	Weight (ounces).		Per pound.	Ad valorem per cent.	Per pound.	Ad valorem.	Total.	Per cent. price at factory.	
West of England broadcloth	60	77	$3.60	$0.35	40	$0.372	$1.440	$1.812	50.3	$5.412
Fine worsted trousering	28	11	1.62	.35	40	.241	.648	.889	54.9	2.509
Imitation seal-skin (mohair and cotton)	50	31	4.50	.35	40	.678	1.800	2.478	55.0	6.978
West of England beaver	58	25	3.36	.35	40	.547	1.344	1.891	56.3	5.251
West of England all-wool Moscow	58	29	3.60	.35	40	.634	1.440	2.074	57.6	5.674
Fine worsted coating	56	24	2.88	.35	40	.525	1.152	1.677	58.2	4.557
Fine worsted trousering	28	12	1.42	.35	40	.263	.568	.831	58.5	2.251
Indigo blue Cheviot coating	58	28	2.40	.35	40	.612	.960	1.572	65.5	3.972
Low worsted coating (worstedface, woolen back, cotton warp)	50	24	.82	.18	35	.270	.287	.557	68.0	1.377
Low worsted trousering (woolen back)	28	11	.48	.24	35	.105	.168	.333	69.4	.813
Ottoman (worsted face, woolen back, cotton warp)	50	27	.82	.18	35	.304	.287	.591	72.0	1.411
Matelasse (worsted face, woolen back, cotton warp)	50	28	.84	.18	35	.315	.294	.609	72.5	1.449
Mantle cloth (worsted face, woolen back, cotton warp)	50	24	.68	.18	35	.270	.238	.508	74.7	1.188
Wool, fancy suiting	54	25	.94	.35	35	.547	.329	.876	93.2	1.816
Cotton-warp cloth	50	15	.54	.35	35	.328	.189	.517	95.7	1.057
Fancy coating	54	23	.78	.35	35	.503	.273	.776	99.5	1.556
Fancy Cheviot	54	25	.82	.35	35	.547	.287	.834	101.7	1.654
Wool, fancy suiting	54	22	.70	.35	35	.481	.245	.726	103.7	1.426
Diagonal Cheviot	54	25	.76	.35	35	.547	.266	.813	107.0	1.573
Common blue Cheviot coating	52	25	.72	.35	35	.547	.252	.799	111.0	1.519
Cotton-warp Moscow	52	35	.96	.35	35	.766	.336	1.102	114.8	2.062
Cotton-warp cloth	52	25	.64	.35	35	.547	.224	.771	120.5	1.411
Cotton-warp twilled Melton	54	16½	.42	.35	35	.361	.147	.508	121.0	.928
Cotton-warp Moscow	52	30	.74	.35	35	.656	.259	.915	123.6	1.655
Cotton warp cloth	50	13	.32	.35	35	.284	.112	.396	123.7	.716
Fancy overcoating (cotton warp)	50	34	.82	.35	35	.744	.287	1.031	125.7	1.851
Cotton-warp reversible	50	31	.74	.35	35	.678	.259	.937	126.6	1.677
Fancy overcoating (cotton warp)	50	32	.76	.35	35	.700	.266	.966	127.0	1.726
Cotton-warp coating	50	17	.40	.35	35	.372	.140	.512	128.0	.912
Imitation seal-skin (calf hair, mixed with wool, cotton warp)	50	28	.56	.35	35	.612	.196	.808	144.3	1.368
Cotton-warp coating	50	23	.46	.35	35	.503	.161	.664	144.3	1.124
Cotton-warp Melton	50	13	.24	.35	35	.284	.084	.368	153.3	.608
Cotton-warp serge Melton	50	15½	.26	.35	35	.339	.091	.430	165.4	.690
Reversible diagonal (cotton warp)	50	29	.48	.35	35	.634	.168	.802	167.1	1.282
Reversible nap (cotton warp)	50	29	.44	.35	35	.634	.154	.788	179.1	1.228
Cotton warp reversible	50	30	.45	.35	35	.656	.157	.813	180.7	1.263

This table states the description of the goods, their width in inches, and the weight per yard of each kind; the price of the goods at the factory; the rate and the amount of duty per pound and ad valorem, and the total amount of duty levied under the compound rate; and also the per cent. which the total duty is of the price per yard at the factory in England.

This table is well worthy of careful study. The startling inequalities in the rate of duty to be paid in this country becomes apparent. The highest-priced goods named in the table is West of England broadcloth, worth $3.60 per yard in Leeds, the specific duty being 35 cents per pound and the ad valorem duty 40 per cent.

Sugar up to and including No. 16 Dutch standard is put on the free-list, and the bill proposes to pay the sugar-growers in this country a bounty of 2 cents per pound upon all sugar produced until July 1, 1905. Last year the grades of sugar now made free yielded to the Government $54,894,181 in revenue. From now on sugar-growing is to become an annual charge upon the people. In 1888, the last year for which we have complete returns, the sugar product of this country was 37,585,587,700 pounds; and if there should be no increase in the production under the bounty system, the sum which the people would have to pay each year as a bounty to the sugar-growers would be $7,520,000, or $113,000,000 up to 1905.

The object of the bounty is to encourage the production of home grown sugar, and it is claimed that in a few years it will result in increasing the domestic product equal to supply the whole demands of home consumption. In addition to the home product we imported and consumed the last fiscal year 2,700,421,302 pounds of sugar, not above No. 16 in color, making an annual consumption of the domestic and imported article of 3,076,277,079 pounds. If the system results in our sugar-growers producing all the sugar required for home consumption, at the present rate we would be compelled to pay the sugar-growers annually a bounty of $61,325,426, and as the consumption will no doubt increase with the increase of population it may likely entail an annual charge on the people of $70,000,000 a year.

This bill also provides a bounty to those engaged in silk culture. Free sugar is a good thing, but I would not stop at any grade if I were dealing with it. But what right has the Government to tax the farmers of Illinois upon all other articles they use to raise revenue to pay a bounty to sugar-growers or to those engaged in any other industry?

What right has the Government to exercise its paternal care over one industry at the expense of another? Why should the farmers of my district be taxed to pay a bounty on sugar and silk culture and not have included in the Government's charity wheat, corn, oats, tobacco, wool, hay, wine, potatoes, turnips, cabbage, and, in fact, include all the fruits of the earth and all the products of the mill, the looms, and the mines, and everything that grows in the sunlight of heaven and everything that is extracted from the dark caverns of the earth? Each and all these products and the busy millions toiling to produce them are as much entitled to the aid of the Government they all help to support as are the growers of sugar or those who are engaged in the culture of silk, and if this bill should become a law it will not be long until every industry will be asking a Government bounty. To carry this class of legislation to its legitimate results would destroy self-reliance and individual enterprise and would be fraught with nothing but evil and disaster to the country, if not the final dissolution of Government. No government could long endure under such a system.

The following table will show the rate of increased duty on articles in common use made necessary to raise the revenue which sugar yielded to the Government and to pay bounties to sugar-growers.

Table showing great increase of duty proposed by the pending bill on articles in common use.

Articles.	Present duty.	Proposed duty.
	Per cent.	*Per cent.*
116. Common window-glass, 10 by 15 ..... per pound	67	73
116. Common window-glass, 16 by 24 ..... do	115	123
116. Common window-glass, 24 by 30 ..... do	128	135
116. Common window-glass, above that ..... do	132	138
131. Freestone, granite	20	40
131. Freestone, granite, hewn or dressed	20	50
144. Cotton-ties ..... per pound	35	115
147. Tin-plate	34	74
150. Steel ingots, etc., above 16 cents per pound	11	45
151. Wire-fence rods, No. 6	45	54
169. Pen-knives, etc	50	75
171. Table cutlery	35	50
174. Shotguns	35	60
206. Mica	Free.	35
244. Horses	20	70
245. Cattle	20	61
246. Hogs	20	45
247. Sheep	20	50
272. Eggs	Free.	32
279. Plants, trees, etc	Free.	20
290. Fish, fresh	Free.	52
Schedule F, Tobacco	81	200
348. Plushes	40	100
350. Hosiery	40	60
350. Shirts and drawers	40	65
363. Burlaps	30	50
368. Brown and bleached linens	35	50
369. Brown and bleached linens	35	60
390. Yarns	69	100
391. Woolens and worsteds, knit goods, etc	94	125
Do	88	135
Do	93	124
Do	68	147
Do	67	130

Table showing great increase of duty, etc.—Continued.

Articles.	Present duty.	Proposed duty.
	Per cent.	*Per cent.*
391. Worsteds, knit goods, under 30 cents	73	130
391. Worsteds, knit goods, 30 to 40 cents	68	147
391. Worsteds, knit goods, 40 to 60 cents	67	130
391. Worsteds, knit goods, 60 to 80 cents	68	112
391. Worsteds, knit goods, above 80 cents	71	90
391. Worsted shawls	61	93
391. Belts for presses (printing)	53	101
392. Blankets and flannels and hats	69	110
393. Women's and children's dress goods	68	103
Do	60	73
394. Women's and children's dress goods	85	110
395. Clothing, ready-made	54	84
396. Cloaks, dolmans, etc	60	82
397. Webbings, gorings, etc	64	99

The annual corn crop of Illinois for the year 1889 was produced at a loss to the farmers of that State of nearly $10,000,000. The growers of sugar need Illinois corn as much as the Illinois farmers need their sugar. Why discriminate? The Illinois farmers have been playing a losing game in raising corn for the good of some one else. Corn-raising is an honorable pursuit, but I do not know of any one who wishes to engage in it simply for the good of his health. But the protectionist will say, "Oh, we have increased the duty on corn." Yes, you have; and you might as well have made the duty $10 a bushel for all the good it will do. But they say, "We will give the farmer a home market." Yes, you have fed him on home-market gruel until he is sickened nigh unto death.

This bounty proposition taxes the resources of all the people to pay to individuals a Government bounty. I do not think it a crime to buy a foreign-made article if it suits me. If I can buy it cheaper I deny the right of the Government to deny to me that privilege. It is a mistaken idea to suppose that an article, because it is produced in a foreign country and purchased by an American, is the product of foreign labor and foreign capital. When an American puts the money that he has earned by his own effort and by his own labor into an article of foreign manufacture the value of the article is then represented by American capital and American labor. If the American can earn the money at some other pursuit to buy a given article quicker and easier than he could produce the article himself, no law should take from him his right to buy the article, which, if produced at all by him, must be produced at a loss.

In section 8, Article VIII, of the Constitution of the United States will be found the only power Congress has to levy taxes upon the people. It reads as follows:

The Congress shall have power to lay and collect taxes, duties, imposts and excises; to pay the debts and provide for the common defense and general welfare of the United States.

No other taxes except taxes for public purposes were contemplated by the wise framers of this section of our Federal Constitution, and no other taxes can be legally and constitutionally laid upon the people. This section has received judicial interpretation by both State and Federal courts. In an unbroken chain of judicial decisions the doctrine has been laid down that all taxation must be for none other than public purposes. I will here quote from some of the leading jurists of the United States. Judge Cooley says:

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and therefore not warranted by constitutional principles.

Justice Miller, of the Supreme Court of the United States, laid down the doctrine in a judicial opinion as follows:

Of all powers conferred on the Government that of taxation is most liable to abuse. This power can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there are no implied limitations of the use for which the power may be exercised. To lay with one hand the power of the Government on the property of the citizen and with the other bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation, it is a decree under legislative forms. Nor is it taxation. Beyond a cavil there can be no lawful taxation which is not laid for public purposes.

The supreme court of the State of Maine, 58 Maine, page 590, said:

Taxes are the enforced proportional contribution of each citizen out of his estate, levied by authority of the State for the support of the government and for all public needs. They are the property of the citizen taken from the citizen by the government, and they are to be disposed of by it.

There is nothing of a public nature any more entitling the manufacturer to public gifts than the sailor, the mechanic, the lumberman, or the farmer. Our government is based upon equality of rights. All honest employments are honorable. The State can not rightfully discriminate among occupations, for a discrimination in favor of one branch of industry is a discrimination adverse to all other branches. The State is equally to protect all, giving no undue advantage or special and exclusive preference to any.

No public exigency can require private spoliation for the private benefits of favored individuals. If the citizen is protected in his property by the constitution against the public, much more is he against private rapacity.

If it were proposed to pass an act enabling the inhabitants of the several towns by vote to transfer the farms or the horses or oxen, or a part thereof, from the rightful owners to some manufacturer whom the majority might select, the monstrousness of such proposed legislation would be transparent. But the mode by which property would be taken from one or many and given to another or others can make no difference in the underlying principle. It is the taking that constitutes the wrong, no matter how taken.

Whether the cow or the ox be taken from the unwilling owner and given to a manufacturer, or the gift be of money obtained by a sale made by the collector, or by the payment of the tax to avoid such sale, does not and can not change the principle. In either case the cow or the ox or the value thereof is taken from the owner and is given away by others without the owner's consent. If a part of one's estate may be given away, another and another portion may upon the same principle be given away until all is gone. What is this but manifest and undisguised spoliation?"

Judge Dickerson uses this language:

"What claim has manufacturing to such preference over other branches of industry, commerce, trade, agriculture, and the mechanic arts. These are honorable and beneficial pursuits, and the constitution of this State will be searched in vain to find any powers given to the Legislature to authorize towns and cities to discriminate against these employments and in favor of manufacturing in the matter of taxation. If municipal corporations may assess a tax upon their citizens by authority of law to encourage one, it may each and all the branches of necessary industry, and the question is reduced to this: Has the Legislature the constitutional authority to authorize the towns and cities in this State to tax their inhabitants for the purpose of aiding, establishing, or carrying on, not only manufacturing properly so called, but also farming, ship-building, trading, inn-keeping, printing, banking, insurance, and any other branch of beneficial industry?"

When another case came up afterwards, which is reported in 60 Maine, "Allen *vs.* Inhabitants of Jay," the chief-justice decided a similar question. The authorities, under an act of the Legislature, had attempted to grant aid to a manufacturing company or to a saw-mill that was about to be established. The judge said in that case:

"Taxation by the very meaning of the term implies the raising of money for public uses, and excludes the raising if for private objects and purposes. 'I concede,' says Black, C. J., in Sharpless *vs.* Mayor, 21 Pennsylvania, 167, 'that a law authorizing taxation for any other than public purposes is void.' 'A tax,' remarks Green, C. J., in Camden *vs.* Allen, 2 Dutch., 839, 'is an impost levied by authority of Government upon its citizens or subjects for the support of the state.'

"'No authority or even dictum can be found,' observes Dillon, C. J., in Hanson *vs.* Vernon, 27 Iowa, 28, 'which asserts that there can be any legitimate taxation when the money to be raised does not go into the public treasury or is not destined for the use of the Government or some of the governmental divisions of the state.'"

Coulter, J., in Northern Liberties *vs.* St. John's Church, says:

I think the common mind has everywhere taken in the understanding that taxes are a public imposition levied by authority of the Government for the purpose of carrying on the Government in all its machinery and operations; that they are imposed for a public purpose.

When tariff taxes are laid for public purposes to raise the necessary revenue to carry on the affairs of government, no objection can be urged, but when the Government levies taxes "to check imports," as the gentleman in charge of the present bill says is the object of this bill, then the Government is unlawfully using its taxing power to prevent competition, to aid private concerns, and to increase the price of commodities to the consumer.

Such tax yields no revenue; it does not go into the Treasury, but goes into the pockets of the protected manufacturer, and is an oppressive, tyrannical, and unjust burden to the consumer. The farmers of this country in memorials to this Congress have demanded "the removal or reduction of taxes on articles of necessity, convenience, and comfort to the poor to the limit consistent with equal and exact justice to all, and that the burden of taxation be placed on articles of luxury, and especially on those articles injurious to health and good morals and upon large and excessive incomes." Is this bill an answer to their appeal? What benefits are they to receive by reason of this increased rate of duty upon "articles of necessity, convenience, and comfort to the poor?"

In my judgment the bill is not even an attempt to meet their just and reasonable demands. It seems that it is not the intention of this Congress to do the things that the great masses of the people want done, but is given over to high taxes, the interests of special classes, and the looters of the National Government. When the present Speaker in a Democratic House discussed the question of a constitutional quorum he was then of the opinion that the "constitutional idea of a quorum was not the majority of all the members of the House, but a majority of the members present and participating in the business of the House." "It is not," he said, "the visible presence of members, but their judgment and their votes that the Constitution calls for."

But, now, when his party is in power, to further the interests of the classes and against the masses, he not only violates the Constitution according to his former interpretation, but does violence to his own conscience, overrules all former speakers, including Hon. James G. Blaine, and sets aside the precedents of a hundred years to "see" a quorum "to do business" in the interests of higher taxes and against the interests of every farmer that I represent. Under former rules the minority of this House would have had some show in resisting the passage of this bill of abomination by refraining from voting, but under the present rule less than a majority of affirmative votes can pass this bill with the aid of the Speaker's power to "see" a constitutional quorum. The minority are powerless to enact legislation or to prevent the enaction and imposition of such a burden upon the people. This may be tolerated for a time, but I mistake the temper of the American people if they long submit to such tyranny in a free Republic.

The Democratic minority in this House opposes this bill as an unjust and infamous wrong upon the farmers and the consuming millions of this broad land. In the principles of the Democratic party will be found the safeguards against the evils that are driving to the wall and impoverishing the agricultural and industrial classes of this country. I appeal to the sober sensible judgment of the American people to condemn this wrong and injustice upon the farmers that I represent. I appeal to the voters who have heretofore been led by their blind prejudice to lay aside their partisan feeling and for once go in for the common good and vote for the party that favors a reduction of the tariff.

When all the branches of the Federal Government are in the hands of the Democratic party then you will have relief from burdensome taxation and not before. All legislation should be general, should have for its basis equal and exact justice for all and especial privileges for none. Burdens levied upon one class for the benefit of another are un-American and unpatriotic and revolting to all ideas of fairness and justice. To tax the farmers that I represent for the mill-owners of some other section of the country is a wrong that is only equaled by robbery and theft. The Government is but a mere agent or trustee for the people. It has no money to bestow upon favorites except what it takes from the people by taxation. Its constitutional taxing power should be limited to the requirements and necessities of an economically administered Government.

This is an old principle that can not be too often repeated. It should always be kept in view in matters of expenditure of public money and in the general administration of the Government. The Republican party unmindful of this principle asserts the right and power of Congress to impose taxes for other than public purposes. What right has Congress to tax the farmers of Illinois to pay the growers of sugar a bounty? What right have we to be taxed for the benefit of those who are engaged in the silk culture? If this Government is to be a great parent, dealing out its charity and its munificence to all its people, why not give to Illinois farmers a bounty to grow wheat and corn?

With the Republican party are arrayed all the organizations and combinations of capital and power that seek wealth by legislation through the agency of this party.

The Democratic party stands as the only bulwark against the encroachments of these combinations upon the rights of the people. It is the party that claims that all taxation of the people by their Representatives, in whatever form imposed, must be for public purposes. It is the only constitutional party that ever lived in the history of this Government, and it will survive to be the great mediator of the people and will be found fighting against the encroachment of the classes as long as the Republic stands and as long as we have a free Government. These are the questions that divide the two great political parties of to-day. The questions at issue are as old in principle as the establishment of government among men.

The people that I represent are agricultural people. They are not engaged in manufacturing industries, and therefore are not the beneficiaries of a protective system that builds up great fortunes for a few and impoverishes the many; a system that has created millionaires and inflicted on our country innumerable tramps and paupers. No section of the country feels this any more than the district that I represent; no people have more proof, in the way of cut-throat mortgages spread upon their farms, of the evil effects of constantly paying tribute to those who are protected by buying their necessaries in the protected home market and selling their products in the free markets of the world. We have had this system for nearly thirty years. The promise has always been that the home market would afford a ready sale for the products of the American farm.

How well it has accomplished the result the annual exports of our surplus products will tell. Stagnation and oppression in business have followed this system; farm lands have depreciated in every State in the Union. The attempt may be made by political adventurers to sidetrack the issues of tariff reform, but he who attempts it is an enemy to the farmer and all classes of industrial people and strike a serious blow at their welfare and prosperity. No compromise must or will be made in this fight. Let the friends of freedom stand as one solid body and present a solid front in opposition to a longer continuation to so ruinous and burdensome a system of government. The home market has failed to find a sale for the products of American farms, and by our narrow-sighted policy we are being driven from the foreign markets.

What relief is offered by the friends of this measure to our farmers for the loss of their market? The bill proposes to increase the duty upon agricultural products to protect them from ruinous (?) foreign competition. The duty on corn is to be increased 15 cents a bushel; cornmeal, 20 cents a bushel; oats, 15 cents per bushel; rye, 10 cents per bushel; wheat, 25 cents per bushel; wheat flour, 25 per cent. ad valorem; apples, green or ripe, 25 cents per bushel; apples, dried, 2 cents per pound; bacon and hams, 5 cents per pound; beef, mutton, and pork, 2 cents per pound; lard, 2 cents per pound; tallow, 1 cent per pound, and potatoes, 25 cents per bushel. We produce a great surplus of all these products which we send abroad and sell in the free markets of the world in competition with similar products of all the other countries of the earth.

The duty of $10 a bushel would not add to the price. In my own village last fall potatoes in the local market went begging at 15 cents per bushel and are selling to-day in the same market, after passing through the winter and being sorted and culled, for 25 cents a bushel. What country will import potatoes that compete with the farmers from my district? What country will import wheat, corn, and oats to compete with the farmers of Illinois? These are the staple products of the people of my country. During the last fiscal year we exported 69,592,929 bushels of corn and imported only 2,388 bushels. We exported 312,186 barrels of corn-meal and we imported 396 bushels of corn-meal.

Our exports of wheat amounted to 46,414,129 bushels and our imports amounted to 1,946 bushels. Of oats we exported 624,226 bushels, we imported 22,324 bushels; rye, exports 287,252 bushels, imports 16 bushels; wheat flour, exports 9,374,803 barrels, imports 1,155 barrels; apples (green or ripe), exports 942,406, imports none; apples (dried), exports 22,101,579 pounds, imports none; bacon and hams, exports 400,224,646 pounds, imports 272,130 pounds; beef, mutton, and pork, exports 286,991,121 pounds, imports 215,575 pounds; lard, exports 318,242,990 pounds, imports 1,073 pounds; tallow, exports 7,784,455 pounds, imports 34,931 pounds.

The average price of the wheat that was imported into this country was $2.05 a bushel; the average price of the 16 bushels of rye imported was $1.50 per bushel, while the average price in the Eastern market was 80 cents for a bushel of wheat and 57 cents per bushel for rye. These importations were evidently for seeding purposes. On the pretense of protecting the farmer by increasing the duty on agricultural products, this bill simply adds more burdens to his already heavy load by taxing still higher the few bushels of seed he may want to improve the quality of his crop; and, to please the growers of garden and vegetable seeds—a growing monopoly—and to enable them to contribute more "fat" to the campaign fund, they increase the duty on these seeds which every farmer and truck-gardener is compelled to buy, which will add to their burdens over $18,000. This is more than all the duty received by the Government on hogs, corn, meal, wheat, flour, and oats, which are the staple articles of the farmers of Illinois.

Ralph Beaumont, chairman of the Knights of Labor legislative committee, in an open letter to the chairman of the Committee on Ways and Means in regard to the bill under consideration, says:

These overburdened tillers of the soil are in no mood to be trifled with. They are desperate, bordering upon madness.

You, as the leader of your party in the House, are on the point of pressing a measure through the House known as a tariff bill, which, you say, is to protect the tillers from ruinous competition from abroad. Let me again warn you that since the last campaign, which was fought out upon that issue, these same tillers have come to the conclusion that during that campaign they were laboring under a delusion; and they have come to a further conclusion that it is not from competition from abroad that they are suffering, but on the contrary from legal discriminations against them in the interest of corporate wealth, by just such unfair legislation as in contained in this bill.

These are prophetic words, well and bravely spoken.

And again, Mr. Gerard C. Brown, a representative farmer of York County, Pennsylvania, who addressed the Committee on Ways and Means, tells the story of the farmers' so-called protection so truthfully that I quote from his statement at length. He shows that the farmers of the Eastern States, right at the doors of the home market, are in no better condition than the farmers of the West. I commend this statement to the home-market farmers of Illinois, who carried torches in the last campaign and bellowed themselves hoarse for more protection to their potatoes and other agricultural crops. He says:

STATEMENT OF GERARD C. BROWN.

Mr. Gerard C. Brown, of York County, Pennsylvania, next addressed the committee. He said:

Mr. Chairman and gentlemen of the committee, I appear here to say a few words as to the present condition of agriculture in Pennsylvania, one of the great agricultural States. Agriculture is greater than any one of all her leading interests. It represents more capital, employs more labor, and yields a greater annual product than any other. The census reports and those of the agricultural departments of the State and nation substantiate this, and it would not have been worth mentioning were it not that the greatest activity of those representing and managing other interests have caused the agricultural to be somewhat overshadowed.

But its present state is very unsatisfactory. The farms of Pennsylvania have largely depreciated in value in recent years, and this downward movement still continues. I am safe in saying that no single staple crop is now produced at a profit. It is no wonder, then, that the census of 1880 showed a loss of near $68,000,000 in the value of these farms when it also indicated an annual loss of $54,000,000 in the value of the product of those farms. What this depreciation may now amount to I can not inform you; there are no available data. But we see its evidences on every hand. For a farm, especially one of any size, it is difficult in many sections to find a purchaser. Land so located that it has a speculative value for building purposes will sell for a good round price, but this is not based on its productive capacity for farm purposes. This depreciation amounts to as much as 50 per cent.; certainly so in the case of the richest and most productive farms in the best farming districts of the State.

I live in York County, about equal distances from York and Columbia, say 7 miles from either, 38 miles from Harrisburg, 50 from Baltimore, less than 100 from Philadelphia, somewhat further from New York or Washington, not far from the great emporiums of the country, and surrounded by some of its great manufacturing centers, a location which should afford good home markets if any can, and yet our wheat has averaged below $1 per bushel for some years, below cost of production. It is now, I believe, 74 to 76 cents; corn about 35 to 40 cents.

Fattening cattle, once a very profitable venture, has declined wonderfully. It is rare for feeders to get market price for corn fed to fatten stock.

Tobacco-raising no longer pays, the risk and outlay of so expensive a crop being considered.

Dairying, to which many turned for refuge, even when, as is the case in our neighborhood, it is conducted under the best known system, with the most approved machinery and appliances, is not remunerative; creamery stock is too often dead stock.

Our people are noted for their industry and perseverance; they are good

farmers; their skill in the management of their land is proverbial; they are wide awake and prompt to adopt improved methods of agriculture, the best farm tools and machinery available; they are liberal users of artificial fertilizers.

I think York County ranks second among the counties of the country in the amount of phosphates applied to the crops, about $500,000 worth a year. They have more than doubled the annual production of their farms in quite recent years. They are temperate and frugal, and as a rule had saved and accumulated considerable sums of money in addition to their holdings; that is, in the former years and before times had become so hard. This has enabled many to ride over the present time. These remarks apply to the farmers of all sections of the State, to a great degree.

The descendants of the Germans, the Scotch, Irish, and Quakers, illustrate to-day the virtues of their ancestors who settled the valleys of Pennsylvania and made a great and flourishing State out of the wilderness. With a good soil, an excellent climate, and natural advantages second to none, they ought to command prosperity.

Yet, as a class, they are slipping backward; are losing ground instead of gaining. The retrogression is more apparent in the older, more thickly settled, and wealthier farming districts, where is the greater percentage of loss.

There were more properties sold under the hammer in York County last year than ever before. In Berks County more sheriff's sales of farms than in any three previous years. This was not on account of any failure of crops, which were about the average.

Other property is not similarly affected. We find towns and villages as a rule still growing; in cities the growth is in some instances marvelous.

Country stores of ten or a dozen years ago have so flourished that now you see a fine two or three-story building in the place of the shabby little grocery. A prosperity is indicated which does not characterize the farms in the neighborhood which represent a much larger investment. It is only a question of time, however, when the impoverished condition of the farmer will react on other interests.

Nor does the evident determination of the population to towns give us the needed relief. The prices of our cereals continue to be made in Liverpool and London; their value fluctuates from day to day per advices by the cable.

The highest prices paid for our beeves, those of course are the choicest cattle, is for exportation. As to poultry or butter or eggs, we ship them to Philadelphia, New York, or Baltimore, because prices range higher than in our own local home markets. For instance, turkeys will bring 16 cents in New York, but only 10 in York, and yet in New York they are sold in competition with those from all parts of the country, even from the boundless West.

Creamery butter, no better can be made, has not averaged over 20 cents for the season; in local markets it is often 15 or below.

The fact is prices are too low to yield a living profit while taxes remain unreduced and the expenses of living are disproportioned to the means of meeting them.

The protective system has not, at least in the case of those farmers located near the great protected industries, resulted in the protection promised them—that of an ample and sufficient home market.

Hence the loss of profit on their products followed by the loss of value of their farms, which unless checked must result in the loss of the farms themselves.

Pennsylvania farmers are not alone "confronted with this condition." In New England the "dry-rot" is still worse. Lacking some of the advantages which enabled us to still hold out they sooner went to the wall.

I quote from a recent report: "There are 887 deserted farms in New Hampshire with buildings on them in a fair state of repair or that might easily be made fit for occupancy. This information has been received in reply to an official circular of the State commissioner of emigration making inquiry of the selectmen of 160 towns. These deserted farms are in easy reach of the busy factories of New England. They have a home market with its attractions and are a sample of the way the home market enriches the husbandman."

Further, as to New Hampshire I cite another authority: "Perhaps no better answer to the stock argument of the protectionists that the farmer gains more from the local market made by manufacturing villages and towns than he loses in the increased cost of the goods he buys can be found than a statement of the condition of some of the towns near these manufacturing cities on the Merrimac River. The Merrimac turns more spindles than any other river in the world. Within a few miles of each other, around the great bend of the river from south to east, are the cities of Nashua, Lowell, Lawrence, and Haverhill. In the farming towns of Windham, Pelham, and Hudson, N. H., situated within the bend, and so within easy access of all four of the above-named cities, we ought to find prosperous 'protected' farming.

"On one main road from Lowell to Windham, 12 miles, I count six deserted sets of farm buildings, besides several which have already gone to ruin. Fields and pastures are growing up to wood; houses in which, a generation ago, sturdy manhood and womanhood flourished are gone to utter ruin; in many school districts there are not sufficient children to have a school. The whole appearance is one of poverty and decay; to ride along our country roads is extremely depressing. In no part of New England with which I am acquainted is the decay of the farming interests so obvious and so complete as here by the manufacturing cities.

"Instead of the homogeneous population of thrifty, intelligent, self-respecting farmers and mechanics that occupied this section fifty years ago, we now have, in our cities, a few fine streets of residences for the capitalists and employers, and in our 'French Acre,' 'Irish Acre,' corporation boarding and tenement houses, and in our country a desert, for it is already nearly that.

"Possibly this may be 'progress,' and a modern, improved kind of progress—one that has not been brought about by rude, natural causes, but one that results from the incomparable wisdom of our legislators, who are so kindly taxing us into wealth. Our farming interests would have suffered enough from the inevitable competition with more favored sections; but the ruin has been precipitated by the tremendous burden of taxation that the farmer has borne. It is no small thing when a nation renders impossible the existence of a class that has been the source of so much energy, talent, and character as have the New England farmers."

While as to Massachusetts, Connecticut, and New York we do not have a similar official record, it will be noticed by the traveler that deserted farms are not unknown, and it is a fact that hundreds of farms can be purchased in those States for less than the cost of buildings, making the land practically free of cost to buyers.

In New Jersey, Judge Forsyter, of Pemberton, says: "The farmers are not prosperous; although they are all depending on a home market they are all going behind hand."

Mr. Edmund Cook testified at a late meeting of the State board of agriculture: "The farms of Burlington County if put on the market to-day would not bring the cost of buildings and improvements, to say nothing of the land."

In New York, State Assessor Wood says "that in a few decades there will be few or none but tenant farmers in this State."

In Illinois the report of the bureau of labor statistics for 1887 shows farm indebtedness—

1870	$95,721,900
1880	103,525,237
1887	123,733,098

and states that "mortgage indebtedness of farmers for money borrowed has increased 23 per cent. since 1880, more than twice the increase of farm lands."

From report of same bureau for the next year, 1888, I quote:

"This table shows that there are 8,082,794 acres of Illinois land under mortgage besides the mortgages on 237,336 lots and on chattels. From statistics on the same page it appears that there were filed in the single year 1887 a total of 125,923 new mortgages for the immense sum of $117,152,857, covering 2,178,532 acres of land and 65,066 lots, as well as miscellaneous property or chattels to the value of $17,000,000. These figures of the new indebtedness for a single year are, it will be observed, more than one-fourth of the total mortgage indebtedness of the State, as estimated in the table quoted above. This fact shows that the estimated total is below the real amount, yet even the low estimate is startling.

"The population of Illinois by the census of 1880 was 3,077,871. Say that is now 4,000,000, and divide that amount by five to arrive at the number of heads of families. We have thus 800,000, which is close to the real number, as the total Illinois vote of 1888 was 748,000. Averaging among these the total mortgage indebtedness, as estimated by the State administration, it makes a debt of $520 for every head of family in the State, while the new debt contracted in 1887 alone makes $146.25 for each head of family.

"The condition of Kansas and other Western States is even worse."

Another report places indebtedness represented by Western farm mortgages at $3,422,000,000, or $200 per capita for about 17,000,000 population. From Kansas, a private letter from an old resident, who moved into the Neosho Valley from Pennsylvania in 1866, a good, successful business man, says:

"Times are close, never so bad before. Though blessed with good crops, we can not sell for half what they are worth. During all the years I have been here I never knew things so low. Corn is 15 cents a bushel; oats, 10 cents; wheat, 55 cents; potatoes, 22 cents; fat cows and heifers, 1½ cents on hoof; hay, $2 a ton; 50 bushels of corn for a plain overcoat. To sell 25 acres of corn, or 1,000 bushels, for $150, after hauling it 10 miles, is a hard way to make money."

But why multiply the "cloud of witnesses?" No one denies the unfortunate condition of our finances, and no one can claim that the vaunted home market has materialized. It is proper for this committee to consider the facts, as they are about to consider the revision of a system under which this unfortunate condition has arisen.

I do not come here with any panacea. I present admitted facts. They are stubborn. Other great and important interests, which, however, their warmest devotees will not vote as more important than agriculture, may claim that a protective tariff has benefited them; it clearly has not us. They may assert it as necessary to their existence; that "it is the breath of life to their nostrils;" it does not seem to vitalize agriculture.

If agriculture was as flourishing as manufactures ought to be with 47 per cent. tariff, then doubtless they would be told that this was the cause of their prosperity. How, then, can we resist the inference that it is a factor of our depression?

Now we hear the cry that agriculture must have the same protection as manufactures. Grant it; how can we get it through a tariff?

What will you favor with higher rates of duty? How can you thus help the price of any of our great staples when we produce them largely in excess of our needs and always have a surplus to sell abroad?

If we produce 450,000,000 bushels of wheat and consume but 325,000,000, the remaining 125,000,000 must find another market or eventually rot here, and the price wheat sells for in that market limits the market price of the much larger portion that we do use here. The present tariff of 20 cents a bushel does not affect the price, and were it twice 20 cents, or were it $20, it still would not increase it 1 cent a bushel. This illustration holds for the great staple products of our farms.

As we can not help their producers by imposing a higher tariff I do not see how we can aid them by giving more protection to sundry minor crops, mere specialties, of which the major part can only be produced in certain localities or under peculiar conditions.

To do any real good to agriculture we must do that which will benefit the great majority, and not the small minority.

As the present tariff does not solve this problem, as its increase since 1861 has been accompanied by a decline of agricultural prosperity, it seems also to look in that direction for relief.

We might try the other way out of the dilemma and see what would be the result of reducing the tariff on those things which the farmer needs, but does not produce.

Since you ask what is my remedy, I say, knock off the tariff of surplus. Give us a tariff which is not framed to pay a bounty to other interests at the expense of the farmers who are the largest consumers and the heaviest tax-payers, which is limited to the needs of an honest economical government, and which is levied as much as possible on the luxuries, and as little as possible on the necessaries of life.

This is the kind of protection we need, and I think is about all the real protection you can give us.

The great cry is that we must create a home market for the farmers. If our farmers would stop to think how much each individual of our population would have to consume to keep down our surplus product and furnish a market for all the surplus we produce, he would see the folly of this hollow pretense.

Col. Don Piatt, in a vein of humor, illustrates the absurdity of this claim, from which I quote as follows:

OVERPRODUCTION MEANS UNDERCONSUMPTION.

If for overproduction we read underconsumption we shall be nearer the fact. However, for half a century we have been waiting for two things: one is the time when the infant industries will come of age and be able to stand alone; the other for that home market. We are no nearer either than when we began.

THE SWALLOW OF A HOME MARKET.

Way back in 1843 the writer of this was driven to a little calculation, since widely used, but which is ludicrously unanswerable. A home market means, of course, a consumption of what the farmer and planter have to sell. Very good. Now take from the census the class really protected. From this exclude farmers, merchants, mechanics, laborers, other than of mines and manufactures, and professional people, for they are not protected, nor are they dependent directly or indirectly on mines or manufactures.

Come down strictly to the people in whose behalf the Government interferes. Now select five leading States from the North and South and put to paper their surplus. It will be found that for the protected class to consume that surplus each man, woman, and child will have to eat each day twenty barrels of flour, masticate three hundred bushels of corn, get down twenty hogs, ten beef cattle, chew a hogshead of tobacco, and wear forty suits of woolen and cotton goods. The swallowing capacity of a protectionist is vast, but I hardly think it would accomplish this State.

Colonel Piatt, in a more serious mood, has the following to say, which is worthy of careful consideration:

BUYING UNDER PROTECTION AND SELLING UNDER FREE TRADE.

You see we sell under free trade and are left to the mercy of the worst form of pauper labor.

What is our condition when we come to purchase? Why, we are met with protection. All that we buy, from a horseshoe to a mower, all that we wear, all that we build for shelter, all that we use over and above our products, from the cradle we are rocked in to the coffin we rot in—the clothes we wear, the shingle that shuts off the storm, the glass we look through, the blanket we sleep under, to the tombstone that records our supposed virtues, are augmented in price to double their value, so that we sell under free trade and buy under protection.

Now, do you wonder that we work at a disadvantage? If protection is such a good thing, we want it; if free trade is such an evil, we do not want it; and yet we have the one and not the other; we get what we do not want and are denied what we do want, and it is the most barefaced, impudent swindle ever perpetrated on an intelligent people. There is precisely where insult is heaped on injury.

We are considered so ignorant and stupid that we may be plundered with impunity. [A voice: "They'll slip up on that"] I hope so. [A voice: "How about wool, colonel?"] Let me tell you. They pretend to protect us on wool. Well, we have lost more on our protected shears than we ever made on our protected wool. If the Government will give us free lumber, free salt, cease its protection to the barbed-wire monopoly, and see that I am charged a reasonable rate for transportation on these public highways, called railroads, I will undertake to undersell at a profit any wool grown in any other part of the earth than that of these United States. [Applause.]

What happens to us in Europe? At Liverpool our wheat comes in competition with the wheat of the Baltic, where the laborer works at $18 a year and a goat-skin coat; with the wheat of Egypt, that is to-day the house of bondage, having slavery in its worst form; with the wheat of India, where labor is in as bad a condition; and worse yet, of Australia, where the shipper takes manufactured articles back in payment, an exchange denied us by law.

We passed a bill a few days ago to prohibit and punish trust combines, and now we propose to pass a law to encourage trusts and make their existence possible. This bill increases the duty on starch from 98 per cent. to 110 per cent.; and now a starch trust is to be added to the list. I quote from one of the many protests received against this bill:

A starch trust has just been formed. The new tariff bill proposes a protective duty of 98 per cent. to 110 per cent. Vote against this trust and protect the thousands of manufacturers and consumers who use this staple. To effectually protect the majority of our people against this new monopoly put starch on the free-list.

If you, gentlemen of the majority, do not take the starch out of this proposed new trust, the people will take the starch out of you at the coming November election.

In the debate on the anti-trust bill a few days ago the gentleman from West Virginia [Mr. WILSON], in reply to a question propounded by the gentleman from Maryland [Mr. MCCOMAS], used the following language, which is so applicable here that I quote it:

Mr. WILSON, of West Virginia. In answer to that, I would say that when the gentleman from Maryland and myself were over the sea I went to the gentleman I have already referred to (Professor Thorold Rogers, of Oxford University), who was recommended to me as being the best informed man as to British industries and trade; and he told me that he had never heard of such a thing in England and that he did not know how there could be one.

Mr. MCCOMAS. But you and I had read about them in the papers.

Mr. WILSON, of West Virginia. I admit, of course, that there could be a trust in England, where there is a natural limitation of supply, but I was arguing against the Government coming in and making an artificial limitation of supply. [Loud applause on the Democratic side.]

You hold out to a man great prizes; you dangle before his eyes the opportunity of making great wealth, and then you say, "If you seize upon these prizes we are going to punish you." Now, human ingenuity is going to be sharp enough to evade the threat of punishment and to get the prizes.

I remember an old rhyme that runs something like this:

"I hear a lion in the lobby roar.
Say, Mr. Speaker, shall we shut the door
And keep him there, or shall we let him in
To try if we can turn him out again?"

This is your position in regard to "trusts." Instead of keeping out the lion Brother MCKINLEY comes opening the door and says, "Let him in, and then we are going to chase him around and try to get him out again." [Laughter.]

The Tariff.

SPEECH

OF

HON. WILLIAM M. KINSEY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. KINSEY said:

Mr. CHAIRMAN: It was not my purpose to engage in the general debate on the great economic question which is now absorbing the attention of this House and the country. I would have been content to remain silent, leaving its presentation to the very able and distinguished leaders upon this side, but for a statement made on the floor this morning by one of my colleagues from Missouri [Mr. DOCKERY], which I can not allow to remain unchallenged, and I regret he is not here to-night to hear what I may have to say in response to it.

In the course of his remarks, he was endeavering to create the impression upon this House and the country that the result of the election of 1888 should not be taken as an indorsement of the protective system because, as he claimed, it was in part brought about by improper means; and, in referring to the city of St. Louis, he said that "it is notorious and known to all men that the result in that city was largely due to the contribution of money by protected industries which carried it for the Republican party and elected three members to this House."

Mr. Chairman, the manner in which the gentleman made this statement carried with it the insinuation that money had been corruptly used to secure the election of three of his colleagues on this side of the House. Now, I want to say to him and to this House that there is no truth either in his statement or insinuation in so far as my district is concerned, nor do I believe there is any truth in it in so far as the Eighth and Ninth districts are concerned. I want to say to him and to the House, as I understand my colleague [Mr. FRANK] has already said to-day, that there never was a fairer election held in the city of St. Louis than that in 1888.

The machinery of that election was under the control of a Democratic register of voters, who, I am glad to say, is an honest man, above corruption by his own or any other party. Under these conditions, the Republican majority in St. Louis, upon the Congressional vote in 1888, was something over 7,500. I know that my friend from the Third district did not intend to cast any personal reflection upon any of his three colleagues who sit upon this side. I doubt if, upon due consideration, he would have made the statement at all, because it is an imputation upon the character of the good people of St. Louis that is without justification or excuse.

Mr. Chairman, we have heard this sort of vaporing in Missouri before; the local Democratic press and party bosses, in endeavoring to explain "how it happened," were driven to this silly charge which nobody ever seriously believed for a moment. But it has been left to the gentleman from the Third district to publicly reiterate it here.

If, in attempting to show that the vote cast in 1888 was not an indorsement of the protective system, my friend had been as frank as he was ungenerous to my city, he would also have invited your attention to his own Congressional district, which is purely an agricultural one and which he has had the honor of representing in this House for many years. He participated in the proceedings here when the Mills bill was under consideration. I have no doubt that he went home after the adjournment of Congress and during the campaign of 1888 addressed his constituents much in the same strain in which he has addressed this House to-day.

I have no doubt that he held up before them the iniquities of the protective system, as we have seen those iniquities depicted by him here to-day. I have no doubt that he told his farmer friends that they were taxed on their clothing, their hats, their boots and shoes, and everything else that they were compelled to buy, for the benefit of the protected industries of the country. Yet what was the result, Mr. Chairman? Notwithstanding he is one of the most popular men in his district, these same farmers whom he claims to represent returned him to this House in 1888 by a majority over 1,800 less than they gave him in 1886. Did the protected industries of the country also invade the gentleman's district and despoil him of nearly half of his former majority? Or has the growing intelligence of his people enabled them to penetrate the thin guise of revenue reform in which he has been masquerading as the farmers' friend and to see the fallacy of the economic system of which he is so frequently an advocate on this floor? [Applause on Republican side.]

Mr. Chairman, when President Cleveland and the Democratic party assaulted the protective system in 1888 there were 237,000 Republicans in Missouri who were not slow to detect in this movement a blow to the vital interests of their State. With a soil and climate that are unsurpassed; with a variety and abundance of mineral resources that are unequaled; with her great mining and manufacturing interests just beginning to keep pace with her magnificent agricultural development; possessing in her wonderful resources the means of giving employment to labor and capital in almost every field of industry; with a people generous and hospitable to a fault; a people who love their State and have an abiding faith in its future, Missouri sent up no uncertain protest against the destruction of an economic system that has started her out on the highway to imperial greatness.

I regret, Mr. Chairman, that some of my colleagues, in their zealous opposition to the protective system, are disposed to hold up to the gaze of this House and the country a picture of the financial distress which they say exists among a large number of the people of our State. I am not one of those who believe in advertising my district to the country in this way, and I am sure the facts do not warrant such statements as have been made by them. While I know that we are suffering in some degree from a depression that generally exists among the farmers of the West and which I hope and believe will soon be dispelled, I am sure that Missouri, both in point of her public credit and the prosperity of her people, is the peer of any State in the West.

We have heard much said on the other side in this debate about trusts, combines, and monopolies being the outgrowth and legitimate offspring

of the protective system. If any sort of credence were given to the wild and reckless statement made in the heat of debate, this side would stand convicted of an attempt to betray a great public duty. We can not try this question by the brutal force of assertions which have no foundation in fact. What the people want to know about this matter is the truth, the whole truth, and they will not be misled or deceived in the end by arguments which are addressed only to party prejudice and designed to mislead rather than to throw the light of honest, open, and unbiased criticism upon the bill under consideration. That the greatest monopolies and trusts in this country can not from the very nature of things receive support from the protective system, is too well known to need further denial.

If there are others that by unlawful means have undertaken to control the markets in this country in respect to articles protected against foreign competition by our tariff legislation, are we to strike down the whole system because of this abuse? It would not be the first time in the history of legislation when laws designed and operating for the good of the whole people were perverted and made to serve other ends than those for which they were enacted; still we do not repeal a good law because it is abused, but rather guard it from such abuse by further legislation. It will not be denied that without the formation of corporations by law, thus affording means for the aggregation of capital, it would have been impossible to build and operate the great railways in this country. Neither will it be denied that this privilege afforded by the law has been abused sometimes; yet nobody thinks of striking down the whole system of corporate existence because of this abuse, but, on the contrary, the country is rapidly finding means to correct such abuse. So will the country have to crush out trusts and monopolies by law, and this question will have to be met just the same whether we have a free-trade or protective system.

Mr. Chairman, gentlemen on the other side contend that we are trying to stifle competition by the passage of this bill. Competition with whom? Certainly not among ourselves; for that much we invite, believing that in a country containing 65,000,000 of intelligent and progressive people, with an area as large as the whole of Europe and having greater natural resources than any other country on the globe, there is room and opportunity enough for all the competition needed for healthful and legitimate trade in this country. No, you say we are trying to stifle competition in the markets of the world; trying to keep out foreign trade and, as the gentleman from West Virginia [Mr. WILSON] expressed it, "keep our fish at home."

Does anybody imagine that the farmers of the great West are pining to sell their surplus products in the Liverpool markets rather than sell them at home for American consumption? Who of them does not know that the price of his wheat sold for export is the price in Liverpool, less freight charges for 4,000 miles of transportation, with the profits of the middlemen added; that when his wheat reaches that port it must meet in competition that wheat of Russia and East India? Who of them does not know that he never gets so satisfactory a price for his grain, his hay, and his stock as when he sells for consumption right at home? We sometimes have in this country what is called "a short crop," when the prices of farm products are always good and quite often high. What do we mean by "a short crop?" Simply that there is no surplus farm products for export and that the home demand nearly, if not quite, exhausts the supply.

Mr. Chairman, it is one of the objects of the protective system to so diversify, extend, and enlarge the industries of this country, so multiply the consumers of farm products here that there will always be a "short crop" of farm products in the sense that home consumers will be able to exhaust the entire supply, no matter how great that may be. There will be no grander, no more prosperous or happy period in the future of the United States than when our great industries in mining, farming, and manufacturing shall reach that equilibrium by means of which each can supply all the wants of the others.

The bill under consideration contains many provisions which will tend to bring about this result. While manufacturing in every line that promises a reasonable degree of success is encouraged by levying duties up to the protective line on competing foreign products, thus diversifying and widening to the greatest possible extent home industries and giving employment to a large number of our own people who will not only be consumers of farm products, but will either be withdrawn from or kept out of agricultural pursuits, it also directly offers greater encouragement to a wider range of farming than has ever been given before.

Recent experiments and investigations have demonstrated beyond a doubt that we can successfully produce on our own soil a large number of products which now swell our imports, either in the raw or manufactured state, and which we can and ought to produce and manufacture at home. To encourage agriculture in these new and inviting fields of industry the Committee on Ways and Means have labored with much earnestness and care. Mr. Chairman, it was not my intention to embody any statistical information in the few remarks which I have to offer, but, as there has been some dispute in the course of this debate as to the decline in prices of farm implements and machinery and for fear the information will not be presented by others in so complete a form, I submit the following table, prepared with great care by three of the oldest and most reliable dealers in St. Louis, Mo.:

Article.	1889.	1880.	1873.	1865.	1860.
One-horse steel plow, wood beam	$2.75	$6.50	$6.00	$8.00	.....
Two-horse steel plow, wood beam	12.00	15.00	20.00	26.00	.....
One-horse iron plow, wood beam	2.00	3.00	5.00	.....	.....
Two-horse iron plow, wood beam	8.00	10.50	13.00	.....	.....
Two-horse side-hill or reversible plow	10.00	12.00	18.00	20.00	.....
Cast-iron reversible plow	.....	.....	.....	.....	.....
One potato-digger	7.50	12.00	20.00	25.00	.....
Wheel-harrow	.....	.....	.....	.....	.....
Old-fashioned tooth-harrow	6.50	10.00	15.00	20.00	.....
One-horse cultivator	3.50	5.00	7.00	10.00	.....
Two-horse corn-cultivator	15.00	25.00	28.00	35.00	.....
One-horse mowing-machine	45.00	70.00	85.00	105.00	$120.00
Two-horse mowing-machine	50.00	75.00	90.00	110.00	125.00
Horse-rake, sulky	20.00	25.00	30.00	35.00	40.00
Common hand-rake, horse	3.50	5.00	6.50	8.00	10.00
Common iron garden rakes, 10-tooth steel, per dozen	37.50	5.75	12.00	16.00	.....
One-horse horse-power	25.00	35.00	45.00	60.00	.....
Two-horse horse-power	35.00	50.00	65.00	80.00	.....
Reaper	75.00	85.00	95.00	120.00	140.00
Binder	135.00	300.00	25.00	(*)	(*)
Thrasher	400.00	475.00	475.00	.....	.....
Bagger	25.00	25.00	.....	.....	.....
Corn-sheller, one hole	6.00	8.50	11.50	15.00	.....
Fanning-mill	15.00	20.00	25.00	30.00	.....
Common hoes, cast-steel socket, per dozen	3.50	5.75	6.50	8.00	.....
Common rakes, wood, per dozen	2.00	2.75	3.00	4.00	.....
Large bull rake	.....	.....	.....	.....	.....
American grass scythes, per dozen	7.50	12.00	16.00	21.00	.....
American grain scythes, per dozen	9.50	16.50	21.00	26.00	.....
Patent scythes, sneaths, per dozen	4.50	9.50	11.00	16.00	.....
Ames shovels, per dozen	9.50	15.00	18.00	20.50	.....
Ames spades, per dozen	10.00	16.00	18.50	21.00	.....
Crow-bars, steel	.06	.08	.....	.....	.....
Crow-bars, iron	.05	.06	.10	.15	.....

* None in use.

Mr. Chairman, it is still claimed by our friends on the other side that the laboring men of this country are in no sense beneficiaries of the protective system; that a protective tariff can neither raise nor lower wages, but that supply and demand regulate the price, just as they do the price of commodities in the market. This proposition has already been so completely answered by gentlemen on this side that I will not venture to repeat their arguments here. It seems too plain to admit of any doubt that where, by the adoption of the protective system, manufacturing industries are created and sustained in this country there is also thereby created a new and greater demand for labor; and in this sense the labor of the country is given employment by this system, where it would otherwise either have to remain idle or come in direct contact with labor employed in the so-called non-protected industries.

To illustrate the clear and terse statement of Mr. Blaine that "the tariff question is a question of wages only," I beg to call your attention to the testimony of men who from experience are able to speak intelligently upon this question. The great Crystal Plate Glass Works in Missouri is a notable example of a magnificent industry that has been absolutely created by the protective system. Its superintendent said to me in all candor, "If our men were paid only the same wages that are paid for like service in Europe, we would have no need of a protective tariff; it is a question of wages only, so far as we are concerned." An officer of the great St. Jo Lead Company, which is also in my district, said: "If you will give us wages at 75 cents a day, you may take the tariff off lead and we can compete with the world." The wages paid by both of these companies to their employés are about three times as much per day, on the average, as are paid for like service in Europe. So, Mr. Chairman, the tariff is a question of wages after all.

Naval Appropriation Bill.

SPEECH
OF
HON. WILLIAM ELLIOTT,
OF SOUTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 9, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 8909) making appropriations for the naval service for the fiscal year ending June 30, 1891, and for other purposes—

Mr. ELLIOTT said:

Mr. CHAIRMAN: I move to strike out the last three words.

In reply to what has been said by my colleague on the committee, the gentleman from Massachusetts [Mr. LODGE], with reference to the

heavy outlay that would be required for the construction of these navy-yards and docks, I wish to make a correction. No great amount of money is necessary to be expended at any time, and whatever is required will be spread over a period of three years. The only recommendation as to expenditure that is made by the commission as to New Orleans and Port Royal is that a Simpson dry-dock, which costs much less than the old-fashioned stone dock, shall be constructed at each place, at a cost not exceeding $600,000 or $700,000, the expenditure to be spread over a period of three years. So, I repeat, not much money is involved in these propositions which have come before the Committee on Naval Affairs, and which will come before this House, in consequence of the appointment of this commission to select sites for these yards and docks. Now I desire to call the attention of the committee further to the recommendations of the commission as to Port Royal.

The last Congress, foreseeing that, in consequence of the increase of the Navy, provision must soon be made for navy-yards and docks in those sections of the country where there were either none or an insufficient number, provided for the appointment of two commissioners, one to select a suitable site on the Pacific coast and the other to select suitable sites on the South Atlantic and Gulf coasts for such establishments. The latter commission made an elaborate and searching examination of the South Atlantic and Gulf coasts, and as the result of their labors recommended, as to the South Atlantic coast, the building of a dry-dock at Port Royal. The report of this commission, consisting of Commodore W. P. McCann, Capt. Robert Boyd, Lieut. Commander Willard H. Brownson, members, and Lieut. Duncan Kennedy, secretary, is so full and complete in every respect I need hardly do anything more than quote from it. As to the general requisites for a navy-yard the report says:

The great and radical changes in the art of naval warfare which have been brought about in late years by the introduction of armored ships, high-powered, long-range guns, torpedo-boats, mines, and fast steamers have most materially altered the conditions which must be filled before any site can be considered as suitable for a navy-yard. As a first requisite there must be a depth of water sufficient to admit the heaviest vessels at all times, for it is not difficult to imagine a vessel seeking the harbor as a place of refuge when hard pressed, when any delay outside would be fatal; or ships might be inside waiting for the tide to rise so that there would be sufficient water on the bar to permit their going to sea, and in the mean time the enemy, possibly, that it was the intention to attack has sufficient time to collect his forces if scattered, or to move rapidly away if he prefers, while all the time the ships that might do so much are cooped up helplessly inside, unable to strike a blow.

Sites that were well suited for the purposes of navy-yards some thirty or forty years ago are, many of them, out of the question now, for the reason that they are too near the sea.

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On the Atlantic, we have a long stretch of coast on which there is no place where a man-of-war can run in and find a supply of ammunition waiting for her, where she can find material and men all ready to make any repairs that an action or the exigencies of active service may make absolutely necessary and indispensable, or where she can be docked, and possibly most important of all, no point of rendezvous for a squadron that it might be the intention to collect for operations in the West Indies. For all such work in the Bahamas, on the eastern end of Cuba, in San Domingo, or among the Windward Islands, some point on the Atlantic coast would have great advantages over one in the Gulf from the fact that it would be nearer the field of operations, and vessels would not lose so much time in returning to port for ammunition, coal, or repairs.

In the event of war with a foreign power that had any commerce with the West Indies or to the Isthmus of Panama, some point on the Atlantic would make an excellent base from which to send out vessels or squadrons to break up such commerce. It is true that to a number of points among the islands, the distance from some point on the Gulf would be less than from an Atlantic port, but it will be well to note that all vessels starting from the Gulf must, of necessity, pass through the Yucatan Channel or the Florida Straits as through a gate, and an enemy could lie in wait for them at these points, knowing that there was no other way for them to go. On the other hand, there would be no means of determining beforehand what direction a fleet starting from an Atlantic port would take, and a slight détour might throw the enemy completely off the track and permit the delivering of a blow on the enemy's commerce entirely unopposed.

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An important point in the selection of a navy-yard site is the extent of the immediate water front, both close alongside the wharves and off in the stream, where vessels must lie when not needed at the wharf for repairs or to take in coal, ammunition, etc. A restricted water front would be a serious inconvenience in case it were necessary to fit out several vessels at the same time, and, if possible, all such impediments to rapid work should be avoided. Deep water off the yard is also a necessity, in order that it shall be possible to move vessels at all stages of the tide.

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In the present day of steel ships the necessity of dry-docks is greater than ever. For many years, even with coppered wooden ships, we have felt the want of dry-docks, and now that we are constructing a Navy of steel vessels that must be docked very frequently if they are to be kept in a serviceable condition there must be facilities for keeping the bottoms clean and well painted, and this can only be done by taking the vessels out of the water at comparatively short intervals. It has been found by experience in all navies that an iron or steel vessel which has been in the water for three or four months loses very much of its speed, oftentimes as much as 25 per cent., so that by the end of six months the amount of coal consumed if maximum speed is to be maintained, and oftentimes this will be an absolute impossibility, would at least pay for the cost of docking, and perhaps something over. The loss of speed in any vessel where the bottom is foul is so well known that it is hardly necessary to allude to it; but the rapidity with which all kinds of marine growths accumulate on the bottoms of all steel and iron vessels is not so well known, but all the same it emphasizes the necessity of having navy-yards and good docking facilities at various points where they may be available to all our cruising vessels without their steaming a long distance to find them.

The healthfulness of any locality should be carefully considered before deciding upon its fitness for the site of a navy-yard. On the southern coasts the land is generally low and swampy and there is great difficulty in finding a place that will be free from low, malarial fever, while most of the places are more or less subject to periodic visitations of yellow fever.

In deciding upon a site a place should be chosen where the prevailing wind does not blow across any fresh-water marsh, but comes in directly from the sea. The presence of fresh water in any quantity would be advantageous in facilitating the construction of fresh-water basins in which to lay up steel ships, but it may make a place so unhealthy as to preclude its acceptance.

Such are the chief points demanded. Many other requirements are stated by the commission, but I will not detain the committee even to refer to them.

The report shows that all these demands are filled by Port Royal, and I will extract only a part of what the commission says as to that place:

PORT ROYAL, S. C.

The geographical position of the superior harbor of Port Royal, midway between Norfolk and Cape Florida, or about the middle of the southern Atlantic coast of the United States, with its well sheltered, safe anchorages in the sound, and on the Broad, Colleton, and Beaufort Rivers, offers unparalleled advantages on this coast for the establishment of an important naval station. This harbor is well known, and its value as a naval station was fully appreciated when it was occupied by Rear-Admiral Dupont in 1861.

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The absence of facilities for docking and equipping naval vessels on the long stretch of coast between Norfolk and Pensacola, a distance of 1,440 miles, has already been seriously considered by the Department and recognized by official boards authorized to report on this subject. Port Royal is about 480 miles from Norfolk, 960 from Pensacola, and 450 from Key West. As regards communication with the West Indies, Port Royal is 480 miles nearer to the Bahamas than Pensacola, while the distance of the two places from Havana is the same. As a point from which to communicate with the Windward Islands, Port Royal has the advantage over Pensacola or any other Gulf port.

The geographical position of Port Royal, nearly midway between the cities of Charleston and Savannah, explains why it has hitherto been neglected, the larger places completely overshadowing it. These cities, so long as small vessels were used for foreign commerce, were amply sufficient for all wants; but now, when vessels of greater size and draught are common, a deeper harbor is required, and in this particular Port Royal is far superior to its neighbors. The vast network of railroads that lead from the South and West and have their outlet at Brunswick, Savannah, and Charleston could easily be directed to Port Royal, to which point at the present time there is but one railroad, the Port Royal and Augusta Railroad, connecting with the Charleston and Savannah Railroad, and through it with the interior.

The bar, 10 miles distant from the entrance, has a least depth of 21 feet at mean low water and would require but little expense to straighten and deepen it for the entrance of the larger class of vessels at low water. In consequence of the great size of Port Royal Sound, Broad River, and its tributaries, the mean rise and fall of the tides being 6.7 feet, the currents are moderate, and there is little filling in or shifting of the bar due to local action or to the bringing down of any deposit by the rivers flowing into it.

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The forests of yellow pine and other timbers suitable for the construction of docks, basins, and for building purposes in this State are practically inexhaustible, near at hand, with ample facilities for transportation by land or water, while the vast coal-fields and iron mines of Northern Alabama are accessible by the system of railroads connecting Port Royal with every part of the country.

* * * * * * *

The examination of Beaufort River and the land about the naval station at Paris Island proved more satisfactory. This position is 5 miles below Beaufort, 6 from Bay Point, and 15 from the outer bar. Twenty-one feet is found at the end of the wharf at the naval coal depot and 24 feet in the channel off it, admitting the heaviest draught vessels at high tide, and but little dredging would be required at one or two points in the channel of Beaufort River to render it accessible at low water or to deepen it to 25 feet. This position offers a far more suitable site for docks and a depot of supplies than any other point examined inside the headlands, and it could be successfully defended by an inner line of fortifications on Paris and St. Philip's Islands, in addition to those that might be established on Hilton Head and Bay Point. The naval station being near the terminus of the Port Royal and Augusta Railroad could be easily connected with the whole railroad system. The distance from Port Royal to Charleston, S. C., is 83 miles; to Augusta, Ga., 112 miles; to Birmingham, Ala., 450 miles.

* * * * * * *

The commission would therefore recommend the establishment of a dry-dock, depot of naval supplies, and coaling station on Paris Island, right bank of Beaufort River, South Carolina, at the site of the present naval station.

When this report was filed in the Navy Department it received the following indorsement by the Chief of the Bureau of Yards and Docks, the late Commodore White:

The bureau thoroughly agrees with the commission in its statement of the great advantage of Port Royal as a depot of supplies and a repair and coaling station. A timber dry-dock there is also essential and necessary and can be built at less expense than in other localities. Port Royal being so much nearer the Windward Islands than other navy-yards, and south of Cape Hatteras, in addition to all the other advantages enumerated, would seem to indicate it as a very important point for a repair station.

The report was filed only a few weeks before the present session of Congress, but Secretary Tracy, although pressed with many duties, considered the recommendation of the commission as to Port Royal of such vital importance as to demand immediate action by the Department, and, in his annual report, says:

The suggestion that the naval station at Port Royal, S. C., be provided with a dry-dock and other necessary facilities for docking vessels is heartily approved.

It is not surprising, Mr. Chairman, that these officials so promptly indorsed the action of the commission as to Port Royal. During the late war its importance as a harbor for ships, depot of supplies, and a base for military operations was clearly demonstrated, and although until within the last few years there has been no naval establishment there, yet the Department has been compelled, almost without interruption, to make use of it for many purposes that could not be served at any other port on the South Atlantic coast. Among other instances, a fleet of ironclads was kept there for many years, and was finally removed only because there were no facilities at hand for cleaning their bottoms.

There has been constant effort on the part of the most distinguished naval officers to provide such facilities. In 1876 another commission, of which Admiral Porter was the chairman, made a report in favor of the improvement of Port Royal equally as strong as

the report of this commission. Every reason then urged for a naval establishment at Port Royal exists still more strongly to-day. The following letter from Admiral Porter, which I will ask the Clerk to read, shows that the most distinguished of our officers still considers a well equipped naval station there a pressing necessity:

The Clerk read as follows:

OFFICE OF THE ADMIRAL, *Washington, D. C., March* 31, 1880.

DEAR SIR: In answer to your request that I should furnish you with certain information with regard to the importance of a navy-yard and dry-dock at some prominent position on the Southern coast, I beg leave to state as follows:

By an act of Congress a commission, consisting of myself, Vice-Admiral Rowan (recently deceased), Rear-Admiral John Davis, Chief Engineer King, and Naval Constructor Easby, was appointed to visit the Southern coast and report upon a proper site for a navy-yard.

In obedience to that order we made a personal inspection of every port on the coast as far south as Florida. The result of our observations was that within these limits there was but one place where it was possible to establish such a dock-yard as would meet the wants of the Government. That point was Port Royal, S. C.

I am informed that you have a copy of our report in your possession; if so, that document will give you all the facts in the case better than I can give them, as I have not a copy by me at present. All I have to say is that I stand by all that is embodied in the report.

You might search the whole coast of the United States and not find a place so well adapted for the purpose of a naval station as the harbor of Port Royal. There is plenty of water for any sized ship. The place is perfectly defensible against an enemy, who could not, with the longest range guns, reach a navy-yard at that point where it may be desired to put one.

All officers of the Navy who have inspected the place are strongly in favor of it; it will hold all the navy we are ever likely to have, and has sufficient depth of water to permit vessels to enter and depart at any stage of tide, a valuable feature.

The board of which Commodore McCann was president recently examined and reported on Port Royal, and, I believe, entertain the same views on the subject as the board of which I was president.

There is one very important thing to be considered in selecting a naval station, and that is the health of the place. In this respect Port Royal is unsurpassed by any point on the Southern coast, so much so that the pretty little town of Beaufort has long been the favorite summer resort of the people of South Carolina and Georgia.

A well appointed naval station is an absolute necessity on our Southern coast, and Port Royal seems to be the place best adapted for that purpose. In case of war a navy-yard at this place would dominate the entire Gulf Stream from Cape Hatteras to the capes of Florida, as far even as the Gulf of Mexico. Even if Port Royal was cut off from receiving supplies by sea, guns, munitions, and everything necessary for a navy-yard could be transported either by rail or inland water communication. Workmen could be employed in Port Royal throughout the year, a great advantage in the cost of building and equipping ships.

While north of Cape Hatteras there are seven navy-yards and stations, there is none south of that point, with the exception of Pensacola, which latter will not compare in any way with the facilities for access and for defense with Port Royal, which may be called one of the finest harbors in the world for a naval station, where ships at all times can find shelter from the severest storms.

We must sooner or later establish important naval stations on our Southern coast, unless we propose to abandon that coast altogether in the event of war and allow our enemies to ride safely at anchor in the harbors during the winter months and carry on operations not only against the South, but also against the Northern ports during the prevalence of good weather, returning South again for supplies and repairs. Such will be the inevitable result of a failure to provide proper naval stations on our Southern coast.

I beg leave to remain, very respectfully, yours,

DAVID D. PORTER,
Admiral United States Navy.

Hon. WILLIAM ELLIOTT,
House of Representatives.

Mr. ELLIOTT. What stronger recommendation can be made than this! Admiral Porter says his commission concluded—

There was but one place where it was possible to establish such a dock-yard as would meet the wants of the Government. That point was Port Royal, S. C.

Again he says:

You might search the whole coast of the United States and not find a place so well adapted for the purpose of a naval station as the harbor of Port Royal.

Again:

A well appointed naval station is an absolute necessity on our Southern coast, and Port Royal seems to be the place best adapted for that purpose.

It would be impossible, Mr. Chairman, to get stronger official indorsement than is here given of the two all-important points: first, that a dry-dock is essential at some place on the South Atlantic coast and, secondly, that Port Royal is that place.

Admiral Porter calls attention to the fact that all the navy-yards on the Atlantic coast are north of Hatteras. These are embraced within a distance of about 550 miles, leaving a coast-line of 930 miles wholly unprovided for. North of Hatteras the average distance between the yards and docks is about 110 miles. South of Hatteras there is neither yard nor dock for a stretch of 930 miles.

I have already referred to the presence some years ago of a fleet of vessels, chiefly monitors, at Port Royal. An examination of the medical reports at that time, contained in Hygienic and Medical Reports, 1879, Navy Department, volume 4, discloses the most complete and convincing evidence of the health of this section of country, evidence coming from the daily routine work on board ships and given without the slightest reference to the present inquiry.

Medical Inspector Samuel F. Cones says:

Port Royal Sound having been made the rendezvous for the fleet, several vessels have been permanently located there, and it has been visited by nearly all. The advantages of the position of these waters, for the purpose designated, are very obvious. The winter is mild and the heat of the summer months is tempered by almost uninterrupted sea-breezes. Facilities for living are excellent, and there is daily communication, by rail, with Savannah, Charleston, and Augusta.

It will be seen that the region is peculiarly healthy; that, in a sanitary point of view, it compares most favorably with any other portion of the coast.

Surgeon John C. Spear, of the Dictator, says:

The sick-rate for the year, aboard, has been 1½ per cent. No deaths have occurred.

The average daily population in Port Royal waters since April 14, has been 499, which would give an average yearly naval population of 356 souls. There were two deaths in the entire force, one on board the Colorado from an injury and the other on the Pawnee from drowning. This makes the annual death-rate of the Navy in Port Royal waters 5.6 per one thousand men. In an average yearly population of three hundred and fifty-six persons not a single death has occurred from any disease.

Owing to insufficient berthing space below, half of the crew of the Dictator is obliged in warm weather to sleep on deck under the awning, and her people are in consequence specially exposed to any malaria there might be in the night air. It therefore seems that the remarkable healthfulness of her crew, under the circumstances, affords good evidence of the comparative freedom of this locality from malaria.

The Dictator during the time referred to was anchored in Beaufort River, opposite Mr. English's plantation, half a mile from low, marshy shores on either side. No large body of fresh water empties into the rivers here, so that the river water is nearly as salt as that of the sea. The sea breeze in July, August, and September begins by 10 a. m. and continues till midnight, blowing generally quite fresh.

Surgeon John H. Clark, of the New Hampshire, says as to 1876:

Medical topography.—The New Hampshire is anchored, swinging to the tide, in the Beaufort River, near its confluence with Johnson's River, 4 miles below Port Royal, S. C., and 7 miles below Beaufort City, 400 yards from the western and one-half a mile from the eastern shores, in mid-channel, with a depth of water varying from 22 to 36 feet.

This is directly in front of the present naval station, where the proposed dry-dock is to be built. Again he says:

This land on each side is composed entirely of islands, which supply part of the so-called "sea-island cotton," now grown in but small amount, and which are separated by tidal creeks, to which the salubrity of this station is chiefly due. The larger of these islands contain a few fresh-water ponds, but they are so small and distant as to produce no perceptible effect on the health of this ship. The summer sea breeze adds materially to the health of this place, which is further increased by the isolation of the ship.

But three cases of malarial fever in the past eight months (the New Hampshire anchored here May 13, 1876) are traceable to this climate. For over two weeks in November and December not a single person was sick enough to be excused from duty, and several days in the last quarter passed without a case of sickness in the squadron here.

Well might Admiral Porter say that "in this respect Port Royal is unsurpassed by any point on the Southern coast," and it might be added "on any coast."

As has already been said, the commission recommend the building only of a dry-dock at Port Royal, a dock for cleaning ships. If the labor necessary for maintaining such an establishment could not be drawn from the vicinity, the three cities of Charleston, Augusta, and Savannah are within three and a half hours' run. But at the hearing on this subject before the Naval Committee it was clearly shown that there was an abundance of labor of every kind right at hand; that a large number of mining and manufacturing companies are now at work on these waters, operating heavy machinery, having in use many dredges, tugs, and other craft, and employing a large force of machinists and mechanics. During the past year these companies loaded one hundred steam-ships for foreign ports.

The statistics show that the port of Beaufort ranks twelfth among seacoast ports in foreign shipping. And all this is bound to increase. The wonderful advantages of Port Royal from a commercial standpoint must, at no distant day, place her among the most important shipping ports of the country. Nature has been most lavish in her gifts to her. Her position on this continent is as wonderful as are her bar, harbor, and climate. A glance at the annexed map, prepared by the Superintendent of the Coast Survey, will show this.

From her position at the extreme re-entering point of what is really a gulf, Port Royal, notwithstanding her extreme southern position, is 90 miles nearer Omaha than is New York, and is almost 200 miles nearer Kansas City and St. Louis, and is 85 miles nearer Cincinnati than is New York, from those cities. Although Chicago is almost due west of New York, the distance from Chicago to Port Royal is only 25 miles greater than to New York. She is the nearest Atlantic seaport to Omaha, Kansas City, St. Louis, and Chattanooga.

A line from Port Royal due west to San Diego, Cal., is shorter than any similar line across the continent, and is 600 miles shorter than a line from New York due west to the Pacific coast. These extraordinary advantages of position combined with her splendid harbor and climate must not only, at an early day, make Port Royal commercially a place of such importance as to demand attention from the Government, but fix her as a point most easy of access to all parts of the country for procuring supplies of coal and iron, and, in case of war, for transporting troops and munitions.

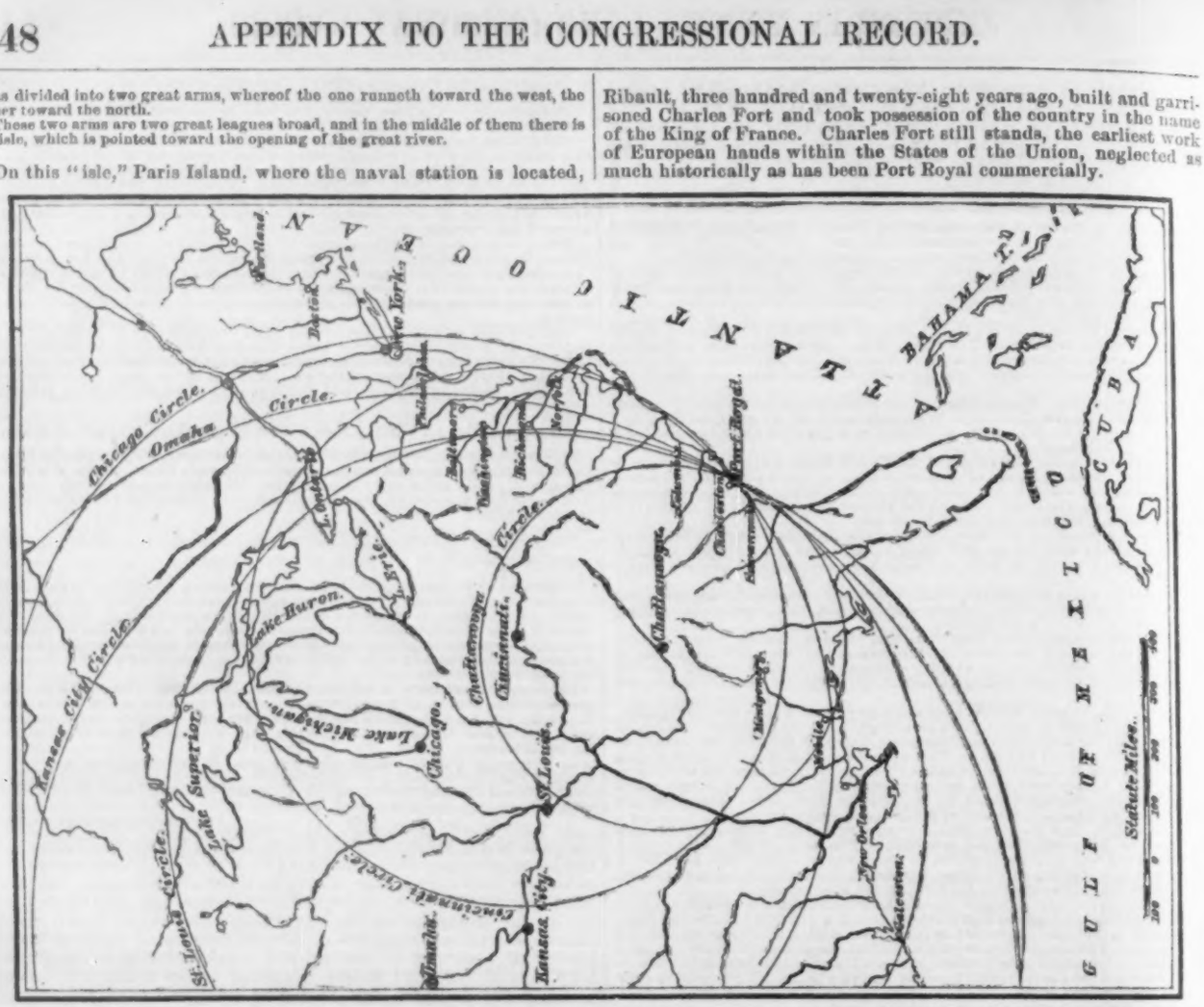
Laudonnière, the historian of Ribault's Voyages, thus describes the discovery of Port Royal, in 1562:

After we had sailed three or four leagues we began to espy our pinnaces which came straight towards us and at their arrival they reported to the captain that while the foul weather and fogs endured they harbored themselves in a mighty river, which in bigness and beauty exceeded the former, wherewithal the captain was exceeding joyful, for his chief desire was to find out an haven to harbor his ships, and there to refresh ourselves for awhile. Thus making thitherward we arrived athwart the said river (which because of the fairness and largeness thereof we called Port Royal) we stroake our sails and cast anker at 10 fathoms of water; for the depth is such, namely, when the sea beginneth to flow that the greatest shippes of France, yea the arguzes of Venice, may enter in there. * * * The river at the mouth from cape to cape is no less than three French leagues broad.

It is divided into two great arms, whereof the one runneth toward the west, the other toward the north.

These two arms are two great leagues broad, and in the middle of them there is an isle, which is pointed toward the opening of the great river.

On this "isle," Paris Island, where the naval station is located, Ribault, three hundred and twenty-eight years ago, built and garrisoned Charles Fort and took possession of the country in the name of the King of France. Charles Fort still stands, the earliest work of European hands within the States of the Union, neglected as much historically as has been Port Royal commercially.



Distances in a direct line from—	To Port Royal.	To New York City.
	Miles.	*Miles.*
Omaha	1,060	1,150
Kansas City	900	1,075
Chicago	750	725
St. Louis	690	880
Cincinnati	485	570

The Tariff.

SPEECH
OF
HON. ISAAC H. GOODNIGHT.
OF KENTUCKY.

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 9, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. GOODNIGHT said:

Mr. CHAIRMAN: A little while ago I read from Mr. Andrew Carnegie's Gospel of Wealth that "the great problem in this country is not how to make a fortune, but how to spend it."

A little later I passed through the mining district of this iron king in Pennsylvania. There, where I might have expected incalculable wealth and opulent abundance, I found want more pronounced, poverty more imperative, and destitution more degraded than I had ever seen before.

The honest men and women, courageous, brave-hearted, and true, who, by brawn and brain, have mined fortunes from the peaks of the Alleghanies and heaped millions upon millions for their professedly beneficent king, bear no evidence of wealth in person, habit, or home, but every proof of poverty.

These architects of a fortune which Mr. Carnegie claims as his own are crowded upon barren hills and cooped in huts many degrees more humble than the average cabin of the colored man in the South, for whom it is so fashionable to profess commiseration. [Applause.]

Later still I passed through the mines of West Virginia, and as women and children plowed the snow barefoot I saw poverty's picture painted in still deeper coloring.

Looking unwillingly upon the scant clothes, the frosted feet, the sallow features, the dispirited faces of these poor people, Mr. Carnegie's gospel thrust itself upon me, and I wondered whether these impoverished hosts would agree to the philosophy of this millionaire.

Passing south and west, I saw the farmer selling his stock at nominal prices, while for want of markets his grain wasted in garner, and his provender decayed in barnyard, and the question repeated itself, whether these people who work so tirelessly and save so frugally could agree that "the problem is not how to make, but how to spend a fortune."

This new "gospel of wealth" has so compelled itself upon me that I have revolved it many times to find if it contain a "sparkle of truth;" and, if so, where, since it is said by one whose life was more a poem than his writings that—

There is nothing so false that a sparkle of truth is not in it.

[Applause.]

After all there is more truth in this "new gospel" than the god of its inspiration dreamed of, though of an entirely different meaning.

This people's poverty is largely due to their spending. Their spending is mainly due to the exactions of our laws which compel them to

contribute, however unwillingly, one-half of all they earn as a sacrifice to the high priests of protection.

That this spending is compulsory does not mitigate the ills of poverty. On the contrary, to the man without "money in his purse," who has spent it according to his "own sweet will," there is some sort of satisfaction, while he finds no comfort in being forced to surrender his wealth upon the fiat of the robber.

This spending which is exacted by force is indeed the problem of wealth in America.

Can there be surprise that the people who have spent, under the present law, an average of 50 per cent. tax on all the necessities of life have not grown rich?

Can there be found promise for these humble consumers in this new law which proposes that the lowest grades of woolen yarn, worth not over 30 cents per pound, are to be subjected to a duty of 112 per cent., while the most costly yarn will pay 72 per cent.? One grade of coarse, cheap blankets will be required to pay 106 per cent., but the finest blankets will pay 72 per cent. The coarsest and cheapest woolen hats will be subject to a duty of 111 per cent., and the finest to 66 per cent. Women's and children's cheapest dress goods with cotton warp are to be taxed 106 per cent., and the finest 73 per cent. The lowest grade of woolen cloths will pay 125 per cent. and the highest grade 86 per cent. The cheapest qualities of knit goods for underwear range from 112 to 138 per cent., but the finest and most expensive will pay 78 per cent. Woolen shawls of the coarsest and lowest grade, used by the poorest people, will pay 135 per cent. duty and worsted goods of the lowest grade will pay 130 per cent., while the highest grade will pay 90 per cent. Other increases to be imposed upon the humble will be seen from an inspection of the following list:

Table showing increase in the rate of duty on many articles in common use.

Articles.	Present duty.	Proposed duty.
350. Hosiery	40.00	60.00
450. Shirts and drawers	40.00	65.00
363. Burlaps	30.00	50.00
368. Brown and bleached linens	35.00	50.00
369. Brown and bleached linens	35.00	60.00
390. Yarns	69.00	100.00
391. Woolens and worsteds, knit goods, etc	94.59	125.00
Do	88.43	135.00
Do	93.81	124.00
Do	68.41	147.00
Do	67.60	130.00
391. Worsteds, knit goods, under 30 cents	73.20	130.00
391. Worsteds, knit goods, 30 to 40 cents	68.41	147.00
391. Worsteds, knit goods, 40 to 60 cents	67.60	130.00
391. Worsteds, knit goods, 60 to 80 cents	68.98	112.00
391. Worsteds, knit goods, above 80 cents	71.22	90.00
391. Worsted shawls	61.82	93.00
391. Belts for presses (printing)	53.14	101.00
392. Blankets and flannels and hats	69.70	110.00
393. Women's and children's dress goods	68.00	107.00
Do	60.00	73.00
394. Women's and children's dress goods	85.00	110.00
395. Clothing, ready-made	54.00	84.00
396. Cloaks, dolmans, etc	60.00	82.00
397. Webbings, gorings, etc	64.00	99.00

As exacting as this table shows the dry-goods manufacturers to be, they are not more so than are the glass and iron industries, as seen from the accompanying table:

Table showing increase in the rate of duty on many articles in common use.

Articles.	Present duty.	Proposed duty.
116. Common window-glass, 10 by 15 ..... per pound	67.61	73.72
116. Common window-glass, 16 by 24 ..... do	115.41	123.10
116. Common window-glass, 24 by 30 ..... do	128.58	135.34
116. Common window-glass, above that ..... do	132.29	138.04
131. Freestone, granite	20.22	40.00
131. Freestone, granite, hewn or dressed	20.00	50.00
144. Cotton-ties ..... per pound	35.00	115.00
147. Tin-plate	34.00	74.00
150. Steel ingots, etc., above 1¢ cents per pound	11.89	45.00
151. Wire-fence rods, No. 6	45.00	54.00
169. Penknives, etc	50.00	75.00
171. Table cutlery	35.00	50.00
174. Shotguns	35.00	60.00
206. Mica	Free.	35.00

Here the glass industry, with a present tax almost prohibitive, is demanding an increase.

Its rate of over 100 per cent. must be enlarged on the articles used by the common people lest these manufacturers perish.

To show how they perish and how you are legislating for the oppressed I read a clipping as to a recent lawsuit in Pittsburgh:

On the trial of a motion to restrain the Pittsburgh Plate Glass Company from issuing $750,000 additional stock, it was found necessary to bring the books of the concern into court at Pittsburgh, and it was shown that during 1889 a net profit of 35 per cent. upon a capital of $2,750,000 had been earned. This almost equals Mr. Carnegie's gains. No wonder Pennsylvania is rich. When her protected industries are so enormously profitable, she should in time own about all the wealth of the Union. If Henry Clay could only come back and look at his "infant industries" he would find them Brobdignags, still fed with a nursing-bottle.

Thus we see the manufacturer, who on an investment of less than three millions is harvesting a yearly net profit of a million dollars, still demanding of Congress an additional tribute from the people.

The gentleman from Massachusetts [Mr. MORSE] who preceded me referred to a legend as to Hercules. There is another more fitting this subject:

It was thought that when Hercules was a babe nursing at his mother's breast he pulled so hard as to scatter the lacteal fluid and thus made the Milky Way.

Hercules is monopoly. [Cheers.]

The increase of duty on knives, guns, wire, etc., in the above list is equally burdensome upon the common people, and can be supported only by those willing to take millions from the pockets of the poor and transfer them to the coffers of the rich.

These increases explain the consuming anxiety of the other side to remove the sugar duty. The tariff on sugar is purely a revenue tax. The majority report admits that the duty "does not materially affect the price." Yet you take all the duty from low-grade sugars and thus justify increases on other commodities already fully protected.

Sir, is your party willing to strike down the only industry of the South whereon there is any duty from which the colored man (your professed ward) can expect a benefit, as an excuse for enlarging taxes on industries of the North?

But the committee have not stopped with simply placing the remitted sugar-tax on other products. They have gone $10,000,000 beyond this limit. They take $56,000,000 from sugar and raise $66,000,000 on other articles. Even were this an honest change, where is the benefit to the American people? How are they profited by paying sixty-six millions for a fifty-six million reduction?

But, Mr. Chairman, it is not an honest change. It is a deceit and a snare. It is to benefit the refiner and the sugar trust, and not the consumer. The low-grade sugar, freed of duty by this bill, is not used by our people.

I invite the House to the consideration of the following statistics of sugar importation, as shown by letter just received from the Librarian of Congress:

WASHINGTON, *May* 9, 1890.

DEAR SIR: In reply to your communication of 9th, I have to advise you that the statistics of sugar importation for fiscal year ending June 30, 1889 (last published), show:

	Quantity.	Value.
	Pounds.	
Cane sugar, not above No. 13	2,275,159,339	$69,495,455
Cane sugar, above No. 13, and not above No. 20	223,331	10,963
Besides this, we imported, free of duty, from Hawaiian Islands:		
Sugar, brown (no standard given)	243,324,683	12,078,518

Very respectfully,

A. R. SPOFFORD,
Librarian of Congress.

To Hon. I. H. GOODNIGHT, M. C.

From this it is seen that during the year we imported free of duty from the Hawaiian Islands over 243,000,000 pounds of brown sugar, worth $12,078,518, less than 5 cents per pound.

It will be seen further that, aside from this free importation and a small quantity not above No. 20, the sugar imported was not above No. 13, which is almost a total stranger in our retail markets. The refiners import this black, unwholesome sugar, refine and brighten it and sell to the country. The advantage of this bill is, therefore, to give the refiner free material, but by retaining a duty on the refined article he can still exact his price from the consumer, increased by the duty on refined grades.

This is a fancy price to charge the people for the privilege of raising their taxes $70,000,000 on other articles of necessity.

As a specimen increase examine the duties on tin-plates:

Description.	Present duty.	McKinley bill, proposed duty.
IC, 14 by 20 ..... per box	$1.08	$2.43
IX, 14 by 20 ..... do	1.36	3.06
IXX, 14 by 20 ..... do	1.57	3.54
IXXX, 14 by 20 ..... do	1.78	4.01
IXXXX, 14 by 20 ..... do	2.00	4.50
IC, 20 by 28 ..... do	2.16	4.86
IX, 20 by 28 ..... do	2.72	6.12
IXX, 20 by 28 ..... do	3.14	7.08
IXXX, 20 by 28 ..... do	3.56	8.02
IXXXX, 20 by 28 ..... do	4.00	9.00
ROOFING PLATES.		
IC, 14 by 20 ..... per box	1.08	2.43
IC, 20 by 28 ..... do	2.16	4.86

An increase of over 125 per cent. in amount of duty to be paid.

Here is a commodity of universal utility. It is upon our houses and in all the homes of the country. Not a pound of it is produced in the Union, yet, although we now pay an immense duty thereon, you propose by this bill to increase this unreasonable tax by more than 125 per cent. Mr. Chairman, the arguments of your committee are bewildering.

In treating of sugar they hold that no tax should be levied upon an article which can not supply the home demand. In dealing with wool they say it must have an increased tax because it can not half supply the home demand. When they reach tin-plate they philosophize that a tax is imperative because there is no home product at all. [Applause.]

The distinguished chairman [Mr. MCKINLEY] argues that to reduce the glass tax and make the price of a dozen chimneys a little lower will do the consumer no good; hence they increase the tax. His distinguished colleague [Mr. BURROWS] insists that to add a few cents to the price of a dozen tin cans and make them a little higher will not hurt the consumer; therefore they raise the tax. So whether the play be high or low the monopolist takes the trick. [Applause.]

The tax is increased on wool; therefore the tax must be raised on woolen goods.

All tax is removed from jute; therefore the tax must be raised on jute goods.

Whatever be the first term of a Republican equation, the last is bound to be "increased taxes."

It is the old puzzle which perplexed the red man in dividing the game with his Caucasian brother. However the "poor Indian" scanned the problem, the white man got the turkey. [Applause.]

This greed of growth has characterized protection since tariff legislation begun.

In 1789, when our industries were really infants, they were content with a duty of 8½ per cent.

Upon their implorings this was raised from time to time till in 1824 it became 37 per cent. In 1828 the law known as the "tariff of abominations" aroused the agricultural classes and brought general discontent; while that of 1832, preserving all the protective features of the past while repealing many of the revenue taxes, accomplished nullification, which had been previously threatened.

The widespread public sentiment, demanding reformation, drove Mr. Clay in 1833 to propose the compromise measure providing for the return to a revenue standard. This act provided for striking off in 1835 one-tenth of the excess over 20 per cent. and one-tenth every alternate year thereafter until 1841, and after 1842 no duty should exceed 20 per cent., which was recognized as the revenue basis.

This promise of relief appeased the people, the nullification acts were repealed, and contentment followed. But so soon as the people slept the manufacturer renewed his demands, and in 1842 the tariff was again fixed at 33 per cent.

The pauper-labor argument appeared for the first time in the tariff debates of this Congress, protective legislation having been justified theretofore by the youth of our institutions and the fiscal restrictions of other nations. Even Mr. Hamilton's famous report (still the chief source of argument for the protectionists) bases his advocacy of protection upon the "restrictions of husbandry and commerce by other and more powerful nations." This, happily, is not now the case, except as we make it so by our own unwise restrictions.

In 1846 the demands of the people were again heard, and Mr. Robert J. Walker issued the historic report which marked him then and will distinguish him ever as a great philosophical economist and practical financier. This accomplished the tariff of 1846, placing the average duty at 25 per cent. and fixing the greatest tax on luxuries, which is the very reverse of the present and proposed laws. The annual revenue gathered under this law was $46,000,000, against $26,000,000 under the higher duty of the act of 1842.

The era from 1846 to 1861 has been denominated our "golden age." All industries prospered. Agriculture, commerce, mechanics, and arts grew and waxed strong. The manufactures which, it had been said would perish, did not perish, but made steady, genuine progress. England repealed her corn laws, furnishing a market for our produce. Thus was destroyed the potent argument of Carey and Niles, that "England wanted free trade in other countries, but would not take their products." The effects of reciprocity upon both countries were most beneficent.

The two great nations seemed to pour marvelous and increasing wealth into each other's laps. Our shipping rapidly increased. Our cotton crop became amazing, lands grew in price, while actual and prospective wealth was general. "The States repeated the old currency follies, and the panic of 1857 occurred, but it was only a stumble in the career of headlong prosperity," from which we recovered in a year. This panic was probably somewhat aided by a diminished circulation owing to excessive revenues collected even under the low tariff and locked up in the National Treasury, which evil is again upon us; but, while it led in 1857 to a reduction, it now gives rise to an increase of the taxes.

The war brought a necessity for greatly increased revenues, and finally as a "war measure" the tax was caried to extreme protection.

It was not dreamed that such a tax could be justified or would be claimed in time of peace. Yet, writes Mr. D. A. Wells, special commissioner of revenues under President Grant:

> With the termination of war and with accruing receipts from the tariff in excess of the actual requirements of the Treasury, the popular tendency as expressed by legislation, accomplished or projected, has been to reverse the order of principles and to make the idea of revenue subordinate to protection rather than protection subordinate to revenue. And in carrying out this idea of protection but one rule for guidance would appear to have been adopted for legislation, namely, the assumption that whatever rate of duty could be shown to be for the advantage of any private interest, the same would prove equally advantageous to the interests of the whole country.
>
> The result has been a tariff based upon small issues rather than upon any great national principle, a tariff which is unjust and unequal, which needlessly enhances prices, which takes far more indirectly from the people than is received into the Treasury, which renders an exchange of domestic for foreign commodities nearly impossible, and which, while professing to protect American industry, really in many cases discriminates against it.

It appears, therefore, from Commissioner Wells (if there be those who will not see it independently), that, by our own exacting laws excluding imports and precluding the privilege of swapping commodities, we have put ourselves exactly where we were placed by the restriction laws of England and other nations, which were so roundly abused in days agone by Carey, Hamilton, and others.

By this hurried review we see the taxes have grown until the original rate has been many times multiplied. And now we are asked to "go forward." "Take no backward step," is the cry of the monopolist, who formerly begged protection for "infant industries," but now demands it for "protection's sake." The corporations have grown too gray and corpulent of wealth to longer plead the baby act. They now ask for protection for the laborer and the home market.

Mr. Chairman, if only labor is to be protected, the only needed tax is simply enough to pay the difference between the price of American and foreign wages. Yet, while the present tax covers all the labor and on many articles more than pays for the entire labor and material, you still urge that the duty be increased.

If the tax be for the laborer, why not give it to him?

Where the tax on a ton of pig-iron is $6.72, why turn the laborer off with only $1.25 for making it?

Where the Government levies a tax of $17 per ton on steel rails, why compel the laborer to accept $4 for the work that is in it? Is it asked what goes with the excess? It is pocketed by the manufacturer, which explains his millions and how the problem with him is the spending, and not the making, of fortunes. He does not bother with the small matter of making fortunes. They are made by humble men; by working men. It is only left for the Carnegies, under the favoritism of the law, to garner the fortunes other men have made.

It is the general in the tent, aback of danger, reaping the glory of the battle won by the bravery and blood of a self-sacrificing soldiery. [Applause.]

But we are solemnly assured that, next to your concern for the employés of the factories, your consuming interest is for the farmers. Over them you have prayed and wept, as did the Prophet of Nazareth over Jerusalem, that you might gather them to yourselves, "as the hen doth gather her brood under her wing." [Applause.]

Might not the farmer also make his millions if the Government would pay for his labor, his implements, and stock, and compel the country to buy his products and pay more for them than they are worth in the markets of the world?

The chairman assures us that this bill does all for the farmer that the law can do. You give him duties which can never benefit him and increase the tax he is bound to pay.

Sir, the farmers of this country will not accept your gift. They remember that ten years of ceaseless war failed to vanquish the Trojans, but that Troy fell when she accepted gifts from the Greeks. They realize, what you know to be true, that your pretended gifts are coverings under which you hide while they are fleeced. They have learned that the "voice is Jacob's voice, but the hand is the hand of Esau," gloved with deceit that it may rob them of their inheritance. They properly interpret your pretended favor as the caress of a Judas, who kissed that he might destroy. [Applause.]

Can you expect the farmer to believe that a duty on corn can protect him from a foreign market to which he ships 70,000,000 bushels yearly and from which was imported last year only 2,388 bushels, which any good farmer might make on 50 acres of land? Do you esteem the farmer as simple enough to believe that a tariff on wheat can benefit him, when he exports over 46,000,000 bushels yearly and imported last year less than 2,000 bushels; when he sold and shipped away 9,374,813 barrels of flour and imported only 1,155 barrels? Or do you expect them to exclaim "Great art thou, Diana of the Ephesians!" thou hast taxed the "16" bushels of rye which we imported last year, while we exported over 287,000 bushels?

Mr. Chairman, you do yourself injustice in supposing that such coin will pass current with sensible people. It is an effort to entertain stalwart men with the baby's rattle. But it is too innocent to amuse, and, having already cut their teeth, it can not profit them. [Applause.]

But we are told by the chairman of the committee that as the farmers are charged no duty upon their exports they should be happy. He regards it as a great boon to the agriculturist that he is allowed to compete with the markets of the world. Why, then, is it not a good thing for the manufacturer?

If an open market is a good place for the farmer to sell, why is it not a good place for him to buy? Why compel him to compete with the world while he pays tribute to the factories to protect them against competition?

After the farmer has gone into the open market of the universe and returned with his dollar, made by competition, where is the justice in forcing him to pay half that dollar to the manufacturer to protect him from like competition? Sir, this no right can justify, except "the right of might." [Applause.]

Gentlemen argue that the tariff is to furnish a home market, and the distinguished chairman zealously proclaims that "the American consumer is good enough." But he fails to exemplify his preaching. If he believes it why provide a premium for the manufacturer who sells to foreigners?

Under his bill the Government pays back the duty upon the goods sold in foreign markets. He thus provides that if the goods are sold to Americans (whom he loves so well) they must pay the tax but when foreigners buy they are relieved from the tax.

The cry is that the home market is good enough. Yet the manufacturer ships his products to free-trade lands, pays the freight, and sells them to foreigners cheaper than to the American consumer. [Applause.]

Last year the factory men sold more than $4,500,000 of farming implements and over $6,250,000 worth of hardware to foreigners at less than they charged Americans for the same articles.

One other thing may be worthy of note just here: the manufactured goods exported from America are those grades whose cost embraces the greatest per cent. of labor, showing that American labor can and does compete with foreign labor.

But, instead of protection furnishing the farmer a home market for his produce, he is exporting yearly more and more. Though he offers his product to the home market at foreign prices, he can not sell, and his surplus has grown larger and his exports increased with every decade of our history.

During the last campaign our Republican friends attributed all low prices to the proposed "Mills bill" and the Democratic Administration. They promised, if Mr. Harrison was elected, hogs, cattle, wheat, corn, and other farm products should advance. As showing how the promise has (not) been kept and how their prophecy has (not) been fulfilled, I submit the following tables as to the products of 1888 and 1889 and the values thereof:

	Bushels.	Dollars.	Cents per bushel.
CORN.			
1888	1,987,790,000	677,561,580	34
1889	2,112,892,000	597,918,829	28
Increase in quantity	125,102,000		
Decrease in value		79,642,751	
WHEAT.			
1888	415,868,000	385,248,030	92
1889	490,560,000	342,491,707	69
Increase in quantity	74,692,000		
Decrease in value		42,756,323	

Stock.	1888.	1889.	Increase or decrease.
Horses	$992,194,827	$978,516,562	— 3,678,265
Mules	179,444,481	182,394,099	+ 2,949,618
Milch cows	366,226,376	353,152,133	—13,074,243
Oxen and other cattle	597,236,812	560,625,137	—36,611,675
Sheep	90,640,369	100,659,761	+10,019,392
Swine	291,307,193	243,418,336	—47,888,857
Total	2,507,050,058	2,418,766,028	—88,284,030

Interesting in connection with this showing of the aggregate values is a statement of the average price per head of each class of animals at the same date.

The aggregate gain of mules in value is but about 1½ per cent., while they have declined per head, while that of sheep is over 11 per cent. All other live-stock shows a decrease in aggregate value. Sheep constitute the exception. The official tabulation of prices referred to is as follows:

Stock.	1888.	1889.	Increase or decrease.
Horses	71.89	68.84	Decrease —3.05
Mules	79.49	78.25	Decrease —1.24
Milch cows	23.94	22.14	Decrease —1.80
Oxen and other cattle	17.05	15.21	Decrease —1.84
Swine	5.79	4.72	Decrease —1.07
Sheep	2.13	2.27	Increase —0.14

We raised in 1889 over 125,000,000 bushels more corn than in 1888 and got $79,600,000 less for it. We raised 74,692,000 bushels more wheat and received $42,000,000 less money for it. And so in stock, except with mules and sheep: a decline in the value of stock during the year of $88,284,030, and in corn and wheat of $122,399,074, or upon these items alone a total decline of $210,683,104.

How do tariff advocates admire this as a home-market argument? [Applause.]

Sir, the normal laws of commerce and trade are supplied by nature. One land by reason of climate and soil can produce what another wants but can not make, while the different endowments and varied tastes of men adapt them to diversified pursuits. This, taken with the fact that the highest right in property is to exchange it for other property, would seem to indicate that every man's pursuit, as well as his place and terms of trade, should be decided by taste and experience as the only determinants, except so far as variance may be needful in support of government. Kentucky needs the sugar and cotton of Louisiana and Georgia. They need our mules, corn, wheat, and bacon. These mutual needs bring a liberal exchange of labor and its products.

Is there any who think that these people would be bettered if taxed for the interchange of these commodities? The natural law is the same between Massachusetts and Mexico, between Texas and Canada, between the Union and the South American States. With these States we have been indulging in the farce of an alliance or conference looking to reciprocity. The experiment has furnished place and profit to a few favorites, which is, and will be, the only result so long as we close our ports to South American products. No nation will bring empty ships to our shores to take away our products. But they will gladly come if they can exchange their goods for ours. England saw this immense advantage when she removed her trade restrictions in 1846 and 1849 and saw her exports rise from $289,000,000 in 1846 to $1,432,000,000 in 1880. Her commerce increased during the first thirty years of free trade $2,460,000,000.

The repeal of England's navigation laws in 1849 was resisted as vigorously as was her repeal of duties on food and manufactures. It was asserted that free shipping would ruin the British ship-owners, destroy ship-building, and drive her sailors to foreign service.

None of these prophecies was fulfilled. In ten years the tonnage increased over 1,250,000 tons and in 1880 it had grown to 6,574,000 tons. On the other hand, our laws have destroyed our commerce, driven our ships from the sea, and now the only remedy proposed is to further tax the people to pay large bounties as bribes to the men who will float our flag. This is a patriotism akin to that of the soldier who has no higher sense of loyalty than is measured by his pension or his pay. [Applause.]

Sir, there are evils that taxes can not cure. Laws of business, rules of trade, though statutes may modify them, are still inexorable.

Taking tax from the poor can not make them rich. You may gild the taking as you will, but when you have gotten his money you have left him with less in his pocket. [Applause.]

If you take only enough for the expenses of an economical Government and take it equally from the governed, none will complain that protection is given where it will most benefit the greatest number.

But when the Government has a surplus; when it is collecting more than is needed; when the arteries of trade are being drained of the blood that gives life to business, by a tax already enormous, unequal, and oppressive, and when the people are impoverished, they will refuse to believe that the proper remedy is increased burdens. Sir, the common people are being disillusioned as to the blessings of a law that takes from sixty millions of people to enrich a few.

The service associations, the laborers' unions, the farmers' alliances, are not the ravings of bad men "bent on mischief," but danger signals that should warn the monopolist to stop this side of absolute ruin to others. They are the crystallized demands of conservative, honest men, men who, while bearing the heat and burden of the day, have suffered and thought.

These are the reasoning demands of men who are terribly in earnest because of acute disease, unheeded complaints, and promises unredeemed. They sound in universal chorus the same note of alarm given upon this floor by the immortal Garfield when he demanded tariff revision lest an indignant public should destroy the system. [Applause.] These are the men who have run the entire gamut of unrequited toil. The mutterings of their deep-toned bass, the tenors, and altos of discontent having been unheeded; they now sound out the grand soprano for a reckoning and a righting. [Applause.]

It is the protest against a law which has made millionaires of a class by reducing the many to want, a revolt against the system which subjects the agriculture and labor of our land to the dictates of capital and aggregates the money of the country in the hands of a few.

I have been asked by my friend from Massachusetts [Mr. MORSE] whether I do not applaud a law and a land that enable men to grow from humble life to riches and greatness, as have such men as Carnegie, Lincoln, Johnson, and Garfield?

Mr. Chairman, an equal race, an even chance in life's tournament, the test of merit, and "the survival of the fittest" have made our Lincolns, our Johnsons, and our Garfields. This we need. This the com-

mon people want, and this they are determined to have. But the law which yearly makes millions for Mr. Carnegie is the very antipode of equality. [Applause.]

It builds on the one hand an aristocracy and in opposition a serfdom, that threaten our security and prosperity alike. This is evinced by the strikes and discontent of the one class and the mammoth wealth of the other, which already presumes to dictate our legislation. [Applause.]

The gentleman thinks there is no danger in wealth. There is no danger, but universal good, when its dissemination is general; but aggregated wealth has been the decay of nations more strongly built than ours.

As lately said by the American Standard:

When darkness settled over Egypt and she lost her place among the great nations of earth, 3 per cent. of her population owned 97 per cent. of her wealth. The people were starved to death. When Babylon went down, 2 per cent. of her population owned all the wealth. The people were starved to death. When Persia bowed her head, 1 per cent. of the population owned all the land. The people were starved to death. When the sun of Rome set in black despair eighteen hundred men owned and controlled all the then known world. For the past thirty years—more particularly since the close of the civil war—the United States has moved rapidly along the path followed by these old nations. In 1850 our capitalists owned 37½ per cent. of the nation's wealth. In 1870, only twenty years later, they owned 63 per cent., having almost doubled their accumulations.

The rate has increased until a comparatively few men now (1890) own over 85 per cent. of the wealth of this Government. They are using it and its immense power in all departments of business and government. If the future is to be known of the past, who can say that our millions may not find for us the fate that fell upon Egypt and Babylon, Persia and Rome? [Applause.]

The Tariff.

No legislation will meet the demands upon the statesmanship of this Congress that does not provide for the lifting of the burdens now resting upon the agricultural and industrial interests of the country. The farmer, the laborer, the mechanic, the artisan, the men who create wealth and prosperity, are entitled to demand and receive at the hands of Congress careful consideration of their interests and just enactments for their benefit.

SPEECH

OF

HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 10, 1890.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes—

Mr. GROSVENOR said:

Mr. CHAIRMAN: I represent an agricultural and industrial Congressional district. I represent a district composed of farmers and laboring men, men engaged in the production and marketing of the proceeds of agricultural industries, men engaged in mining and manufacturing. I represent a district which produces large quantities of coal, some salt, much iron, and splendid agricultural productions, including the great industry of wool-growing.

I was raised from infancy on a pioneer farm in Ohio and grew up to manhood in a struggle for livelihood, while aiding my father in subduing the primitive forest in the county in which I still live. I know something of the struggle of agriculturists in subduing the natural obstacles in their way and in keeping pace with the progress of the country and abreast of the growth of prosperity therein.

I claim, therefore, to be a representative, in every proper sense of the term, of the industrial interests of Ohio and my district, and I claim—I trust with due modesty—that I have some knowledge of the great questions that are being here discussed. I am a Republican, and believe in the faith and doctrines of the Republican party. I am proud of its history, confident of its present position, and hopeful of its future.

But, Mr. Chairman, upon no consideration and under no set of circumstances would I vote for the bill now pending, strongly partisan as I am and thoroughly as my party is committed to this bill, if I believed that there was one proposition in it that would increase by the weight of a feather the onerous burdens now pressing upon the industrial classes in my country, and especially if I believed that the result would be to add burdens to the agriculturists or if I believed the bill fell short of subserving their great interest, the just measure of relief to which they are entitled. [Great applause.]

I am for this bill, and will support it heartily when it is ready for passage, because I believe that it is right upon two great economic questions. I believe that the tendency of this bill is, first, to the enlargement of the market for the farmer and, second and incidentally, to an enlargement of the scope and field for labor in this country. It will create a demand for labor with proper remuneration and create new markets for the surplus products of the country, and these two things combining will operate to the prosperity of the classes which I represent.

There is no greater necessity of the farmer to-day than a better market for his product, and the field of statesmanship demands that by every exertion within our reach that market shall be improved and made more certain of remuneration. Akin to it are the demands of labor. To me it is an amazing proposition that the Democratic party should place itself in the attitude of seeking to fatten on the misfortunes of the country. The burden of the song of the Democrats on this floor during this entire battle has had two strings, upon which have been played, first, the poverty of the country and, second, that therefore the Democratic party was coming back to power.

It was in power four years in the House of Representatives and did not pass a bill that by any possibility could benefit the farmer. But now they look about them and bewail the broken-up condition of the industries of the country as they see them, and cry out that it assures a Democratic victory, as though wherever there is poverty and squalor and degradation there the Democratic party flourishes. So this Democratic party grows fat upon the meat it feeds others upon and fattens upon disasters which it creates. It waved the wand of its power for four years and the agricultural and manufacturing industries lacked reward, and now they coolly turn around and say, "Because we destroyed confidence in this country we must be put back into power." [Applause.] They never touched the reins of Government in this country that danger and disaster did not follow in their train.

We have just emerged from four years of Democratic domination, and I stand here to say to gentlemen on the other side, and defy successful contradiction, that during that time no act of Congress was ever advocated by them which by any pretense was ever intended or calculated to lessen the burdens of labor in this country.

The cry on this floor from the beginning of this session to the present time is that the agricultural interests of this country are in such a condition that beggary and poverty exist throughout the whole scope of the agricultural territory of the nation. I admit that from all the reports that come to me there is a condition of depression in agricultural interests. Prices are low; markets are overstocked, and, in a general way, the outlook for the farmer is not what it ought to be.

But what has all this to do with the question of a protective tariff? I maintain here now, Mr. Chairman, what I have often maintained elsewhere, that the agricultural interests of this country are more benefited by the protective system than is any other industry. Then, it is said, why this depression? The eloquent gentleman from Iowa [Mr. HENDERSON] has just told us something about it, and I want to indorse all that he has said. I recognize the fact that combinations and trusts exist and to some extent injure the farming interests of the country, and while the Democratic party was in power four years passed over their heads and yet they never sought by legislation to lessen the power of trusts and combines and never passed a bill even intended for that purpose. They went out of office on the 4th of March, 1889, without putting a single legislative enactment on the statute books of the country against trusts or against any of the combinations which are so detrimental to the interests of the country.

A Republican Senator introduced the first assault against such trusts and combinations in this country and it has been passed by a Republican Senate. A Republican House has passed that bill, a Republican President has signed that bill, and the same has become law. The first great step to throttle and crush this system of monopolies has been taken, and it is all due to the Republican party, the only party that ever did anything for the people, the common people of the country.

Cumulative upon the evils which my friend from Iowa [Mr. HENDERSON] has referred to, I note without hesitation as one of the greatest evils that have affected the agricultural, mining, manufacturing and industrial interests of this country the passage by Congress and its approval by a Democratic President of the interstate-commerce law. In my humble judgment it has done more to unsettle the agricultural interests of the country than any one statute that has ever marred the legislative enactments of the country. And right here I beg to quote from a short speech which I had the honor to make in 1887 in opposition to that bill. I said:

It inveighs against monopolies and yet creates the greatest monopoly of modern times; it denounces discrimination and makes discrimination not only possible but destructive; it proposes to give all shippers a fair and equal chance and hedges about its remedial clauses with conditions which destroy its effectiveness; it proposes to equalize the opportunities of shippers, and then does more to discriminate against railroads and in favor of water routes than all the railroads ever tried to do; it puts a degree of political power into the hands of the President and a commission which will enable them to force all the industries of the country to contribute to the election of a political party to office; it is full of vague expressions which will lead to delays in administration.

It makes the cost of redress to a wronged shipper so great as to disarm his remedy and leave him in the hands of the extortionate tendencies of the railroads or the ignorance or helplessness of the commission. It will unsettle rates, disorganize the industries of the country, and thus force a reconstruction of systems of production. In the mean time labor will suffer, the farmers' products will lack remunerative market, and uncertainty will discourage industry. It is a dangerous stride towards the centralization of power in the hands of the few to the hinderance,

vexation, and permanent injury of the many. The good in the bill does not compensate for the evil; and controlled by my conscientious judgment I will vote to abide by the evils we have rather than to fly to greater which we know not of.

And now I ask my friends, the candid men of this House, in the light of the published condition of affairs in Iowa, Nebraska, and across the continent, to say whether that which was prophecy has not become history now. I warned the agricultural States in my feeble way that they were destroying the only avenue they had for the outlet of their products. I warned the people of those States that they were perpetuating the almost insurmountable barrier of distance and time between them and the markets of the country or the world; but with the innocent idea that Democrats always manifest, that they could in some way punish railroad corporations and cultivate the good-will of the Granger sentiment of the country, they struck down the instrumentality that made the country great, and they are suffering for it now.

Why is not the corn of the Northwest in the markets of the world? Why is it that with all the great lines of communication stretching from the Atlantic to the Pacific the mighty surplus of agricultural products is debarred from the markets of the world? It is simply the blind zeal of partisans and demagogues to do something that would look like an attack upon the corporations and so have rendered invincible and insurmountable the distance from tide-water to the corn-field, and we see the ingenuity of man and the enormous capacity of railroad corporations to annihilate time and distance overthrown and baffled, and by this law the Democrats say that these great advantages shall not be brought in to aid the farmer in securing a market for his product. The insurmountable barrier of the "long and short haul clause" renders it impossible to overcome distance and equalize possibility, and the country is mourning under it, and it is the duty of statesmanship to address itself to the removal of this barrier between production and market.

The baneful influence upon agriculture of the far-famed "long and short haul clause" of the interstate-commerce law is just being felt. I append in this connection sundry extracts from newspapers and other publications, showing the baneful effect upon the commerce of the country that this enactment has confessedly had, and it is a remarkable fact that these publications and these extracts come from the very newspapers and the very men who most loudly insisted upon the enactment of the interstate-commerce law, and most strenuously opposed the men who opposed its enactment.

I have collated from a recent speech of Hon. E. A. MORSE, of Massachusetts, in this House, and the remarks of that distinguished gentleman in that connection.

Mr. Carpenter, of the well known firm of J. W. Carpenter & Son, of Detroit, says:

Every shipper and every consumer, from Maine to California and from Minnesota to the Gulf of Mexico, should say "God speed you" in the good work of repeal of that infamous law known as the interstate-commerce law. It is doing more injury to the country at large than any law that has had the approval of Congress for fifty years. It is simply damnable. It is a law for the protection of a few to the destruction of many. Our Southern brethren, and the entire West and Northwest, in fact the whole country, as I have before stated, consumer as well as shipper, and the entire traveling public should arise in a mass and say amen to your able and much desired movement in the direction of the repeal of this law, and if every interested party in the country would express itself you would receive such encouragement as has not been accorded to a Representative in the House or Senator in the Senate for many a long day.

The above letter was addressed to my namesake, Leopold Morse, who introduced a bill into the Fiftieth Congress for the repeal of this law. Where Leopold Morse threw down the glove I take it up and throw it down again.

A commercial paper printed in Chicago has this to say with reference to the law: "Can any shipper, can any business man, point to any benefits they have won in their business from it? Has it given them any better shipping facilities? Has it done anything except to shrink the value of railroad property nearly $1,000,000,000? It has taken the income away from thousands and thousands of people who had invested their little all in railroad securities. It has stopped the building of railroads all over the land. It has paralyzed our iron industry. This infernal bill is sapping the life-blood out of the two great industries we have, the railroad and the iron business. We ask again, what have we gained? Is not this a subject to think over seriously and take action upon before it is too late?"

Governor Ames, in a recent interview, charges the interstate-commerce law as in part responsible for the low condition of the New England iron business, and says that he regards the law as a needless and unwise interference with the laws of trade. He says that the railroads ought to be free to compete as they please under the natural condition of trade, without interference on the part of the Government.

I append here a few out of hundreds of remarks of the press I have received from different sections of the country, since the delivery of the above remarks before the Committee on Commerce, but these are specimens of hundreds in the same line:

[From the Iowa State Register.]

It has closed up nearly every Iowa manufacturing institution which shipped goods out of the State. The worst stab the manufacturers of Iowa have ever received was in the abolition of the cheap long haul, and it has been almost equally disastrous to farmers.

[Portland (Oregon) Oregonian.]

It is the fashion to commend the interstate law because it cuts off the "cheap long haul;" but in fact, as every one knows who examines the subject, the change has hurt the producer and the interior merchant and manufacturer far more than it has helped them.

[The Mountain News, Denver, Colo.]

Representative MORSE, of Massachusetts, has introduced a bill to repeal the long and short haul clause of the interstate-commerce law. As nine-tenths of the great trading points of the country, on account of water connections, are exempt from the operations of this clause, it is practically a dead letter and is appealed to for the purpose of harassing shippers rather than protecting them.

[From the Omaha (Nebr.) Bee.]

It is not questionable that there is a considerable number of people who agree with the views of the Massachusetts Congressman. They are most numerous in New England, where investigation has shown the belief to be pretty general that the interstate-commerce law has been inimical to the interests of that section. There is some sentiment in the Northwest also unfriendly to the law, and opposition could doubtless be found elsewhere, for the reasons in whole or in part urged against it by Mr. MORSE.

[From the Detroit (Mich.) Press.]

AMENDING THE ACT "TO REGULATE COMMERCE."

The interstate-commerce law is one of the best of modern illustrations of that principle in legislation which Dickens so aptly pictured in the Circumlocution Office. More perhaps than any other bit of modern legislation it exemplifies the art of "how not to do it." Designed as a check on the growing powers of the railroad corporations, its effect has been to strengthen the railroads as against the people; and though it has been productive of a good deal of strife among the former the settlement of the contests has almost invariably deprived the public of some right or privilege.

The farmer, for whose express benefit the law was said to be framed, has certainly not profited by it; and while it is unquestionably possible by an honest enforcement of the law to make all railroad charges, whether for freight or passage, much more nearly equal than they formerly were, there is a general impression that in some way or another there is as much discrimination as ever.

The law is, at any rate, not in good odor.

[From the Philadelphia News.]

In his recent speech in the House, at Washington, Representative ELIJAH A. MORSE, of Massachusetts, made some telling points against the interstate-commerce act, and his criticisms of the long and short haul and anti-pooling clauses have a refreshing novelty, because they do not mince words.

Mr. MORSE says that the law, to a large extent, has stopped railroad building; that good authorities estimate it has caused a shrinkage of more than $200,000,000 in the value of railroad property in this country; that under the operations of the interstate act the old custom of high rates to competing points and nominal rates for long hauls has been abolished, and the manufacturing States have no longer easy methods of exchanging their products with agricultural Commonwealths.

If the law has righted any wrongs, in Mr. MORSE's opinion it has made greater ones.

He may be wrong in many of his assertions, but the widespread complaints against this act deserve the most careful investigation under the authorization of Congress.

[From the Burlington (Iowa) Hawkeye.]

One of the strongest appeals against the interstate-commerce law in its present form comes from the farmers. An immense petition has been sent to Congress by agriculturists of the West, asking for a repeal of the "long and short haul" clause. This provision of the law, it will be remembered, was avowedly enacted in the interest of large business centers, and it has by no means proved satisfactory to them. It has, however, so the farmers claim, been little short of disastrous to their interests.

One of the chief elements in building up the farming interests of the West was the cheap through rates to the seacoast. The railroads were in the habit of making those rates as low as possible to meet their expenses, and repaid themselves from local rates with a large margin of profits. The long and short haul provision of the interstate law struck at this custom by forbidding through rates lower than local rates between intervening points on the same line. Then the State Legislatures, as for instance in our own State of Iowa, came in with their limitations of rates on local traffic, and thus the railroads, in self-defense, kept through rates at such figures as the cost of working their roads demanded. Under this state of affairs the farmers say they are greatly injured; those in Kansas and Nebraska in particular attribute the low prices of produce in their localities to this cause, and they now demand that the part of the law which is proving a grievous burden to them be repealed. It thus appears that the interstate legislation has by no means justified itself as yet.

[From the Kansas City (Mo.) Journal.]

Congressman MORSE, of Massachusetts, urges the repeal of the interstate-commerce law, which, he says, has already shrunk the value of railroads over $200,000,000. Congressman MORSE can produce some facts to back up his assertions. The interstate-commerce law is far from being a model measure. Its results would have been much more serious, however, had not the enforcement of its provisions been in the hands of a commission with enough common sense not to demand strict compliance where it would be ruinous.

[From the Chicago (Ill.) News.]

Representative MORSE, of Massachusetts, is after the interstate-commerce law with the sharpest kind of a scalping-knife. He is bent upon proving that the law enables railroads to charge a freight rate which bears hardly upon New England, which has to trade manufactures for food-stuffs. The increased freight is just so much more lifted out of their earnings. If this be true of New England it is also true of other sections of the country, and if it be a fact that freights have increased, as Mr. MORSE passionately declares, then it is worth while looking into this interstate-commerce law. It is dangerous to put too heavy a burden on commerce within the boundaries of the nation.

[From the Denver (Tex.) Herald.]

Mr. MORSE's claim that the law had stopped railroad development and caused a shrinkage of over $200,000,000 in the value of railroad property, without compensating advantages to the people, may be difficult to prove by cold facts and figures, but he is unquestionably right when he says that the old custom of high rates to competing points and low rates for long hauls is infinitely more satisfactory to the people at large than the present custom established by law. He knows what he is talking about, too, when he declares that the law, by not applying to Canadian roads, is throwing millions of dollars' worth of traffic over to those roads which formerly went to American roads.

Senator REAGAN, the father of the interstate-commerce law, so it is reported, will not be a candidate for re-election. Possibly the report is put out as a "feeler," but our observation goes to show that such action on the part of Mr. REAGAN would not meet with a very strong protest in any quarter unless perhaps from certain railroad magnates and the well fed members of the Interstate Commission. What the Senator intended should be crowning glory of his Senatorial career has proved to be a millstone about his neck. Like Dick Deadeye, he "meant well, but didn't know."

[From the Brockton Enterprise, Republican.]

Congressman MORSE's ungloved assault upon the interstate-commerce law is receiving much commendation in New England. When Mr. MORSE argued that the law is working injury to business interests in this section of the country he knew what he was talking about.

[From the Taunton Gazette, Republican.]

Congressman MORSE told some solid truth about the interstate-commerce law in the address before the committee which is printed elsewhere in this paper. He is about the only man who has dared to stand up in public and riddle the humbug law as it deserves, and the manufacturers of New England ought not only to thank him, but back him up in any effort to abolish the affair.

[From the Taunton News, Democratic.]

Congressman MORSE is a business man more than a politician, and his bold and fearless attack upon the interstate-commerce law will meet the approval of business men of all parties in this city. The law was believed to be in the interests of the consumer and the people, as against the railroad monopolies. It has proved to be exactly the opposite.

[From the Attleborough Sun, Republican.]

We find opportunity of shaking hands with Congressman MORSE. We mean his battle against that great big humbug, the interstate-commerce law, with all its incoherencies, inequalities, discriminations—of interpretation and language—its interference with matters that are purely business in their character and not proper subjects for national or other interference. Mr. MORSE can use his time to no better purpose than to consolidate the opposition to the law, and break up, if he can, the commission, which does not earn its salary.

[From the New England Grocer (Boston), non-partisan.]

On Saturday, before the House Committee on Commerce, Hon. E. A. MORSE made an able argument in advocacy of his two bills, one for the entire repeal of the interstate-commerce law and the other for the repeal of the short and long haul and anti-pooling sections. As his views are in accord with the sentiment of seven-eighths of New England's merchants, we shall publish his argument next week. It's worth reading.

[From the Milford Journal, Republican.]

Congressman MORSE is in earnest in his opposition to the interstate-commerce law. A few days ago he appeared before the Congressional Committee on Commerce and made a sharp address against the law. Reports from Washington say he found a lively interest in the committee in his argument, and has hopes that even if the law can not be repealed altogether the anti-pooling clause and possibly the long and short haul clause can be stricken out.

All who have watched the evil effects of the interstate-commerce law and the debilitating results its enforcement has thus far brought upon the country will wish Congressman MORSE a hearty Godspeed in his efforts to wipe the monstrosity from the national statute-book.

[From the Newburyport (Mass.) News.]

THE WORTHLESS INTERSTATE LAW.

Congressman MORSE, of this State, has come out against the interstate-commerce act of Congress, saying it has worked great injustice to railroads and manufacturers of the country and has benefited no one. It will not take much argument to impress people that Mr. MORSE is right.

[From the Haverhill (Mass.) Bulletin.]

Congressman MORSE is doubtless nearer right than wrong. As near as can be ascertained there never was any particular call for an interstate law and, although it has been in force several years, to-day the vast majority of people know nothing about it whatever. Even railroad officials have studied the law and its provisions to no purpose. They live in eternal fear that they may violate some feature of this useless enactment, but just when, where, and how they can not point out nor can the most astute lawyer. A law so obtuse that nobody can understand it is worse than none at all.

[From the Canaan (N. H.) Reporter.]

Mr. MORSE presents facts and arguments which the friends of the law will find it hard to answer. That there are instances where railroads need regulating there is no doubt, but any law which prevents a road from taking paving stone from Fitzwilliam at a nominal rate to Western points rather than let the cars go back empty, works an injury to the people as well as the road. There are doubtless other similar cases, but Mr. MORSE makes a strong point of this; and it is hoped that other members from New England, which is a sufferer by the law, will have the courage of their convictions and join Mr. MORSE in showing up the injustice of the law and the injury which it works to the people.

[From the Boston Traveller, Republican.]

If Senator CULLOM and the majority of the Interstate Commerce Committee of the Senate insist on the bill, which it is reported they have agreed upon, to apply the provisions of the drastic interstate-commerce law to the Canadian railroads as a condition of their having the privilege of transporting goods in bond, New England should make a vigorous and emphatic protest. The operation of the interstate-commerce law, especially of its long and short haul provisions, has from the beginning been inimical to New England interests, and they have thus far escaped disaster only because they have been able to avail themselves of the facilities which the great Canadian trunk lines—notably the Grand Trunk and the Canadian Pacific—have offered. New England is a part of the United States, though there are indications that in some sections of the West and on the part of some Western Senators and Congressmen this has been lost sight of. Congressman MORSE followed the instincts of a New England business man when he announced himself in favor of the absolute repeal of the law. New England has certainly the right to demand repeal, or fair play, and that the interests of her metropolis shall not be sacrificed to those of New York.

[From the Boston Traveller, Republican.]

Senator CULLOM explains that the action of the Senate Interstate Commerce Committee, in unanimously adopting the report drawn by himself on the subject of Canadian railroads, is not to be taken as implying that there will be like unanimity in supporting any bill which may be brought in under this report. Indeed, nothing is more certain than that Senators BLAIR and PLATT will decidedly oppose the plan of legislation which Senator CULLOM proposes. The time has come when New England should insist upon it that she is a part of the United States. There has been altogether too much of a losing sight of this at Washington the past winter.

New England has been the chief sufferer from the interstate law. Such advantages as that law has created have accrued to other sections of the country, while its disadvantages have been New England's. If the law is to be kept on the statute-book, New England is certainly entitled to fair play in this matter, and her Representatives in both branches of Congress should demand it.

The congratulations and indorsements thus given to Mr. Morse indicate a rapidly growing public sentiment in favor of the repeal of this law, or at least the abrogation of the "long and short haul" clause.

Here, then, is one of the fruitful sources of the evils that oppress the agricultural interests, and to-day it is the duty of statesmanship in this and the coming Congress to get rid of this incubus upon the productive industries of the country. Aside from this, I deny that the agricultural interests of the country are suffering to the extent it is claimed. It is unwise for the purposes of partisan effect to proclaim to the people of the world that our farmers are mendicants and beggars. Gentlemen from Missouri uniformly proclaim that their constituents are in the throes of poverty and distress; that their lands are yielding no remunerative products; that they have mortgaged their property beyond the hope of redemption.

Whole volumes could be collated out of the record to show that the constituency represented here by the Democracy of Missouri on this floor are in a condition of squalid, wretched, absolute bankruptcy, awaiting simply the will of the creditor to crush them by foreclosure.

I have practiced law in the courts of Southeastern Ohio (with the exception of the period of the war) since 1857, and I state here, and I defy investigation to contradict it, that never since 1857 have there been so few suits to force the collection of debts in nearly all sections of Ohio as there are to-day. I do not say that the farmers are growing rich.

On the contrary, they are not receiving that adequate reward to which they are entitled and which they will receive upon the enactment of this bill; but I do say that they are not vagabonds, nor beggars, nor mendicants, and I do say to the world at large, trust the farmers of the Fifteenth Ohio district; sell to them; deal with them; they are able to pay.

The Democrats threatened that the defeat of the Mills bill would prostrate the wool industry of the country, which is an important one in my district. But the defeat of Cleveland, the overthrow of the Mills bill, and the election of Harrison sent wool up an average of more than 6 cents a pound between the clip of 1885 and that of 1888, and the farmers of my district garnered a benefit to the tune of more than $200,000.

What does this bill propose now to aid the farmers? for I am here in my representative capacity to insist step by step and inch by inch that nothing shall be left undone for my constituents that can be done. I am here to vindicate the judgment of that constituency in my election. I am here to guard jealously and vigilantly every avenue of attack upon their interests. This bill puts better protection upon wool than wool has ever had since the industry was established; therefore I favor it in the interest of the farmer in my district. There is more benefit to the agricultural interests of this country in one item (that of wool) in this bill than all the enactments suggested, introduced, or supported by the Democratic party in all its long, fitful, and fateful career.

Why should farm products be brought here and put upon our markets from foreign countries? To show what has been going on during the last year I quote from the speech of Hon. NELSON DINGLEY, jr., in this debate:

FARM PRODUCTS.

The largest increase of duties in any schedule has been made in that of farm products, including tobacco. In prior tariffs the average duty on imported farm products has been comparatively small, under the impression that there was little danger of any considerable importation of such articles. The rapid increase of importations of animals and farm products, not only from Canada, but also from Germany, has attracted the attention of our farmers and led to a general and just demand for increased protection to their interests. The following list of the more noteworthy importations of animals and farm products in the last fiscal year will show the extent of the competition to which our farmers are already subject, and awaken solicitude for the future. These importations were as follows:

Horses, sheep, and cattle	$3,917,031
Barley	7,691,763
Other grains	169,199
Potato-starch and dextrine	230,069
Eggs	2,419,004
Flax	2,060,664
Hemp	2,047,927
Hay	1,082,685
Hops	1,109,408
Meats and dairy products	1,769,892
Flaxseed and seeds	4,557,198
Tobacco	8,603,168
Potatoes, vegetables, and beans	2,295,499
Lumber	9,768,644
Wool	17,432,758
Total	65,132,519

We intend to close this market to the foreign producer and open it to the extent of $65,000,000 per annum in addition to our present market.

In this connection, the following were some of the imports of manufactured articles brought from foreign countries last year. I quote from the same authority:

Mr. Chairman, it is not our own manufactured products that have glutted our home markets; notwithstanding the fifty-five hundred millions in value of our manufactured products in 1880 our own markets took fifty-three hundred and sixty-two millions. It is imported manufactured goods that interfere with us. Why, in the last fiscal year we imported manufactured articles to the value of over $258,000,000, while our exports of manufactured products were but little more than half of this amount.

I call attention to some of the items of imports of manufactured articles:

Manufactures of—	
Wool	$52,681,482
Iron and steel	43,570,133
Other metals	3,621,950
Cotton	27,105,509
Flax, jute, and hemp	25,955,222
Silk	34,956,728
Leather and leather goods	11,202,906
Glass	7,750,877

Manufactures of—	
Earthen and stone ware, etc	$6,473,357
Paper and paper goods	22,506,849
Lumber	9,768,644
Rubber	338,111
Clocks and watches	2,073,860
Fancy articles	6,659,966
Gunpowder and explosives	356,064
Hats, brabis, etc	4,247,000
Stone and marble	1,005,484
Oils	1,366,324
Paints	1,280,712
Buttons	2,728,356
Chemicals	13,186,290
Total imported manufactures	258,777,524

It is estimated that the manufacture of the above imports would give direct employment to 500,000 workingmen, as many more indirectly, and that their wages would add an equivalent of 5,000,000 consumers of farm and other products. And yet, according to the theory on which the gentleman from Texas proposes to legislate, the importation of these $258,000,000 of foreign-made goods is a blessing so great that he desires to have it doubled.

Why should not all this be made in the United States? Why not employ this army of laborers and thus enlarge the home market of the farmer?

To do this is the object of this bill. For this the Republican party has been striving. Our victory is in sight.

What do the farmers and laboring men want to better their condition? Two things, as I said in the outset. The farmers want a better market for the products of the farm. The laboring men want uniform wages at higher rates and shorter days. What is there in this bill that promises all this? What is there that will benefit, all alike, the nine or ten millions of laboring men in this country?

Now, Mr. Chairman, at this point, and before stating further, I want to say that he is no statesman, no proper representative of the people of this country who seeks to array one class of people against the other. There has been incendiarism enough uttered during the progress of this debate to have caused one half of the people of the United States to take arms in their hands and proceed to murder and pillage the other half, if there was the slightest attention paid by the average American citizen to the insane, incendiary vaporings which sometimes we hear in this Chamber.

Occasionally a Representative, or an alleged Representative, comes upon the floor and charges this side of the Chamber with being representatives of robbers and seeking to rob the people of the country, and they charge this upon the Republican party, the party that has done all that ever was done by legislation up to this time since its existence, for the laboring people of this country. The party that has stood by and defended the rights of labor, that lifted it up out of the degradation of Democratic ideas and Democratic beliefs and planted it upon the solid foundation that it has. These men shout in the ears of the public "You are robbers. The people of the country are being robbed by your legislation."

The people of the country are so disgusted with such utterances that, instead of rising in their might to take vengeance upon the alleged robbers, they despise the men who make such utterances, and such utterances are enough—made by American Congressmen—to put in motion murder, rapine, incendiarism, and robbery. It is an appeal to the passions and prejudices of men. It is never to be called statesmanship, and is a burlesque upon common sense and the common decency of the people of the country; and the people of the country listen and despise the noise and the makers thereof. The American people, the American farmer, the American artisan, the American laboring men have interests in this Government; it is their Government. The laboring man understands this. He is not a serf. He is not trodden under foot. He understands his freedom. He understands his freedom and is not afraid to maintain it.

We want a wide market for our farm products and upon equal terms and conditions. This bill seeks to bring it about. We want to draw away from agricultural pursuits as many of the workingmen of this country as can be profitably employed in other branches of industry. We want to lessen the number of farmers and enhance the profit of the remainder. If there is overproduction of farm products, let us have fewer farmers. If there are too many engaged in agriculture, let us seek other avenues of enterprise for the surplus.

Let me here answer, in a few words, a large number of utterances which have been made upon this floor. Upon each recurring paragraph of this bill some Democrat gets up and shouts that there is a tax of a certain per cent. upon the article, and if it is an article of common use among the people of the country, you are raising the price of that article and wringing the money from the pockets of an overtaxed people. Mr. Chairman, I ask the intelligent farmer and the intelligent laboring man of this country to compare the prices of every commodity that he uses in the home, on the farm, on the field, with the prices he had to pay for them under Democratic free trade. I say to you that there is not one single article, not one, Mr. Chairman, that is not cheaper by a great per cent. than it ever was before in the history of this country.

People need not come to me and they need not go to the intelligent farmers to teach them by theoretical argument what they know by experience. What are the facts? What do we see? Every article of cotton goods, every article of silk goods, every article of woollen goods, every article of mixed goods, everything that enters into the clothing of the people is cheaper now than it ever was in the history of the country. Every shoe, every boot, everything in leather is cheaper, and is cheaper than it is in England. You can not buy a pair of shoes in the United Kingdom for the price you can in the United States. Everything of iron, every creation of man in which iron enters is cheaper than it ever was before. The farming implement of every kind and description, cutlery, crockery-ware—an amazing reduction from anything that was ever known in free-trade times. But gentlemen on the other side believe that they can make the farmer believe that he is paying a higher price than he was before when they know it is utterly and unqualifiedly false. The farmer is not easily fooled.

What next. Our farm products are too low, say these Democrats; so say I. The price which is offered to the farmer is not remunerative, so they say; so say I. But to-day, in the markets of the country, a given quantity of farm products will buy more of the commodity that people use than ever before in the history of the world. You can buy more clothing for a bushel of corn than ever before. You can buy more shoes and boots, hats and caps, glassware and crockeryware and hardware for a horse to-day than you ever could before in the history of the world, and yet we want better markets, and that ought to be the leading aim of every American statesman. How are you to get at it.

This bill proposes to keep out of the United States hereafter the enormous importation of farm products, which amounted last year to the great sum of $65,000,000, as I now show. Not one of these articles ought to be imported. The farms of America can produce every article of farm production that is needed. We ought not to import a pound of wool. We ought to produce 600,000,000 pounds and sell it in the markets we have. The climate is particularly fitted for the industry; we have the land particularly adapted; we have the men with the money and brains to carry it on; we have the labor, and all we want is the protection by law against the cheap labor of Australia and foreign countries, and we will produce, not only in quantity but in quality, every pound of wool America can consume and be an exporter inside of four years. [Long applause.]

Mr. Chairman, I recur at this point to the subject about which I spoke briefly a few minutes ago. I have been shocked and disgusted at one prominent feature of this elaborate debate. From the beginning to the end there has been a vein of argument running through speeches on the Democratic side manifesting, clearly, a purpose to bring about riots, strikes, insurrections, and bloodshed in this country. The farmers have been told that they are down-trodden and are being robbed, and gentlemen have stood upon this floor and declared that they would not stand it much longer, in language that meant—if it were not the idle vaporings of men without reason—that they favored the uprising of classes in this country to take vengeance for supposed wrongs against farmers and laboring men.

Now, Mr. Chairman, I want to denounce as utterly vicious and utterly wrong in every sense and from every standpoint all such appeals. This country is not the exclusive property of one class of people, and whenever statesmanship seeks to segregate into detached and separate combinations or organizations any one class of our people, it is an effort to destroy the prosperity of the whole. [Applause.]

The farmer of this country is interested in the wealth and prosperity of the manufacturer, and the manufacturer is deeply interested in the prosperity of the farmer, and the laboring man is deeply interested in the prosperity of both, and both are interested in the prosperity of the laboring man. The farmer depends upon the success of the manufacturer to furnish the market for his products. Without prosperity among farmers, the manufacturer has no market. Without prosperity among manufacturers and farmers, the laboring man has no prosperity of any kind.

So, Mr. Chairman, no legislation will meet the demands upon the statesmanship of this Congress that does not provide for the lifting of the burdens now resting upon the industrial and agricultural interests of the country. The farmer, the laboring man, the mechanic, the artisan, the men who create wealth and prosperity, are entitled to demand and receive at the hands of Congress careful consideration of their interests and just enactments for their benefit.

Mr. Chairman, there has been a good deal said in the course of debates about strikes among laboring men, and the fact that we have some strikes in the country occasionally has been pointed to as an evidence of a bad situation and bad blood among the laboring men of the country.

In the first place, I want to remark in this connection that combinations among laboring men for the purpose of bettering their condition as such are absolutely defensible and proper, provided, always, they are conducted in a peaceable manner and the management of the strike is kept within the bounds of legal conduct, and this we find has been the case with most of the strikes of modern times.

But this is not the important observation I desire to make. That which is important to this argument lies in the fact that laboring men do not strike when times are hard. When the strike is for wages they uniformly strike for a fair division of profits. So when you hear that there is an organization among the labor of the country and demands are made for higher wages you may always set it down as a fact that the business interests of the country are profitable.

There is no more intelligent people so far as labor interest is concerned than the laboring men themselves, and it is not a bad sign when they see, or believe they see, reasonable ground for demanding better remuneration for their labor. So much for the Democratic outcry that there are strikes in the country. Strikes may be wise or unwise. Strikes may be judicious or injudicious. Strikes may be beneficial or non-beneficial, but when they happen in a community like ours we who have lived in communities where strikes have taken place know perfectly well that there is something to strike about, and something to strike for, and something to strike at.

It was a magnificent spectacle that the world witnessed in the recent occurrence of Labor Day; millions of men throughout the habitable globe who create wealth were marching in long lines with patriotic banners at their head; but nowhere, so far as I know, on this continent or on the old, was there rioting, bloodshed, or disorder. They demonstrated to the world that they have an interest in the welfare of their country, and that patriotism is to them something more than a meaningless word. The people of the country gained confidence in the patriotism and virtue of the laboring man when Labor Day had come and gone. Let us stand together, the men of the shop, the manufactory, and the mines; the men of the farm and the men of the office; the men who produce and the men who consume; one common brotherhood of mankind, the one dependent upon the other; the consumer looking for his production to the producer at a fair price; the producer looking to the consumer for a buyer of his product at a fair price; all classes of individuals jealous of the rights of each other. So shall we build up and not pull down the common prosperity of our common country.

The issue, Mr. Chairman, in this contest is a very plain one. Under the pretense of benefiting the farmers and laboring men of this country, the Democratic party would open our seaports on one side to the introduction, free of tariff duty, of the manufactured articles of the older countries of the world. Temporarily, perhaps, there would be a reduction in price of some of the articles which the American farmers and laboring men use. As to many of them, however, we manufacture just as cheaply as any place in the world; in fact, the same may be said in the majority of instances.

The Democrats claim that clothing should be reduced. That proposition does not deserve respectable consideration at the hands of anybody. We have American cloth, and of American clothing manufactured by American workmen, now on sale in this country, you can buy a cheaper suit of clothes than in any other place in the world, and you can buy it cheaper now than at any time before in the history of this country.

The articles covering a long line of agricultural implements are manufactured here and are sold here cheaper than in any place in the world. That foolish idea that entered into the debate here that our manufacturers were sending their goods abroad and selling them cheaper than to the American people has been exploded over and over again. It is not true. It is absolutely false.

Now, it must be admitted by every candid man that in the item of sugar the American people are taxed the amount of revenue collected upon imported sugar, less, perhaps, a matter of 10 per cent. We pay for imports in one year about $54,000,000 on sugar. We raise only about one-tenth of the sugar we use, and my opinion is that there will be no greater production of cane sugar than there has been in the past unless the production is stimulated by the bounty. So in this case, as in all other articles that are imported into this country which we do not and can not produce in America and upon which there is a tariff tax, the consumer pays the tax; and this is true especially of sugar.

That is to say, nine-tenths of the sugar used in America is not raised here and can not be raised; at least it is not raised at this time; therefore nine-tenths of the fifty odd million dollars collected on the article of sugar came from the people of the United States. This bill puts sugar for the purpose of the consumer absolutely upon the free-list. So the Republican party, carrying out its principles, have concluded to relieve the agricultural interests, the laboring interests, and every other interest in the United States of this tax on sugar, and, in order that the production of sugar may not be discouraged and that the beet product and all the canes may be cultivated, as heretofore, we propose to put a bounty of two cents a pound on the production of sugar in the United States.

The country will save $45,000,000 at least the first year, and it may be more than that, and the industry will not be discouraged thereby. In doing this we test the question, moreover, of the effect of protective duties upon trusts and combinations; for the most flagrant and oppressive trust in the United States to-day is the trust in sugar. If it be true, as our Democratic friends claim that a protective tariff promotes trusts, then we shall strike down this great trust in this way. [Applause.]

All the Democratic legislation of the past forty years has not been so beneficial to the masses of people of this country as has this one article of the McKinley bill. [Applause on the Republican side.] So, Mr. Chairman, I claim, and I claim it with confidence, that this bill meets the demands of the people of the country and is a redemption of the pledges of the Republican party at Chicago. [Great applause on the Republican side.]

There is not in this bill any trace of favoritism to monopolies. It is a bill framed honestly in the interest of American labor, and, happily, it classes all qualities of American labor as entitled to just consideration. It is not strange that in the selfishness and greed of mankind we should have men here clamoring, even among Republicans, for special consideration of their special interests. It is not strange that the pathetic appeal that has been made here so often for free "raw materials" should have impressed itself upon some of our Northern brethren in a favorable light. Selfishness is a characteristic of humanity, and it is not strange that we find some of our friends occasionally talking about "free raw materials."

The greatest raw material used in this country to-day is bituminous coal and iron ore. Placing them on the free-list would drive out of employment one-half of the men employed in the mining industry of this country. I can not stand here and see the coal of New Brunswick and the products of the mines of other countries cross the rivers into this country and cross the broader line, the sea, to drive out the industries of my district and the country. The farmers of my district and my State have filed with me a summary of their demands, and I incorporate herein an official copy of the action of the Ohio State Grange, under date May 1, 1890.

COLUMBUS, OHIO, *May* 1, 1890.

To the Senators and Representatives in the Congress of the United States from Ohio:

GENTLEMEN: The executive committee of the Ohio State Grange, Patrons of Husbandry, in session this day, beg leave to inform you that we heartily indorse the action of our national legislative committee in demanding efficient legislation to prevent the adulteration of food, gambling in farm products, supression of trusts, and the complete remonetization of silver.

We also indorse the demand for such a revision of the tariff as will protect adequately agricultural products.

We also indorse the proposed amendment to the interstate-commerce law introduced by General C. H GROSVENOR, of Ohio.

We also urge the speedy passage of the Butterworth bill and the Conger bill as reported by the Committee on Agriculture.

Very truly, yours,

S. H. ELLIS, *Master.*
T. R. SMITH, *Secretary.*

It will be seen at a glance that the Republican majority on this floor is engaged in carrying out just what this document calls for. Already the Republican majorities of our committees have given the Butterworth and Conger bills their approval. Already we have given the tariff such a revision as will protect agricultural products. Already we have passed a bill for the suppression of trusts, and already we are on the highway to the passage of the silver remonetization bill.

Mr. Chairman, in conclusion, the Republican party has pledged itself to the doctrine of protection. It has made labor free in this country and will protect it. It has by the wisdom of its statesmen made the industries to blossom as the rose. It has stretched the results of American agriculture in waving fields across the mighty pathway of travel from ocean to ocean. It has dotted the great American plains with cottages, hamlets, and homes. It has brought into successful operation manufacturing industries sufficient in diversity and capacity to furnish all the products needed by the American people; and it will continue its benign influences. There may be tides of misfortune which will beset its pathway; there may be outbreaks of depression that may seem, for a time, to check the growth of this great system, but the Republican party looks over and beyond these incidents of political warfare, and athwart the horizon of the future it recognizes the bow of promise, the harbinger of assured triumph, and across its radiant span it reads with unfaltering faith and confidence, "Protection to American labor, American industry, and American prosperity." [Great applause.]

The Tariff.

REMARKS
OF
DAVID B. CULBERSON,
OF TEXAS,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, May 20, 1890.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. CULBERSON, of Texas, said:

Mr. CHAIRMAN: I had occasion several days ago to submit some remarks upon the tariff and its relation to agriculture.

By associating the measure to extend the time for the deposit of distilled spirits from three to five years with interest upon the amount of the tax at the rate of 5 per cent. for the additional period, which was considered by the Forty-eighth Congress, with the existing laws upon the subject, an error of statement occurred which escaped my attention until after the remarks were published in permanent form.

The error consisted in the statement that depositors of distilled spirits for the period of three years or less were subject to the payment of interest at the rate of 5 per cent. per annum upon the amount of tax.

This statement was not material to the argument presented, but because it was erroneous and occurred from inadvertance I desire to withdraw it, and I avail myself of this opportunity to do so.

The Farmers and the Tariff.

SPEECH

OF

HON. JAMES W. COVERT.

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 12, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

The Clerk read as follows:

Muriatic acid, one-fourth of 1 cent per pound.

Mr. COVERT. I move to strike out the words just read.

Mr. Chairman, from the very commencement of this tariff discussion down to the time when my esteemed friend from Michigan [Mr. ALLEN] took the floor, the changes had been rung upon the existing depression of the agricultural interests of this country. I regret that I can not share the feeling which the gentleman from Michigan seems to entertain, that an improved condition in this regard will follow the passage of the McKinley bill in its present form.

If he exultation of which the gentleman speaks exists among the agriculturists of the country in view of the probable passage of this bill, it must be founded, it appears to me, upon an entire misconception of very many of the other provisions of this proposed enactment.

It is true, sir, that in terms and upon the face of the bill a few articles of farm produce are placed upon the dutiable list, and this is the whole measure of concession made to the most important interest in the country, an interest now languishing in a condition of serious paralysis.

My idea is that the best thought of the whole land will be that this is not the only way to proceed and this not the extent to go to remedy existing evils and to benefit the large army of workers in the field of agriculture. To benefit the farmer, to make his condition more prosperous, the necessaries of his home and farm life, what he consumes, what he wears, the implements of his labor, and what are the absolute essentials of his farm should be supplied to him at the lowest possible cost, and the heavy burden of taxation from which he suffers should be lightened and reduced.

My criticism upon this bill is that it holds out the shadow only of a benefit to the farming interests; that this shadowy benefit, embodied in bold type in this measure, has "a string at the end of it;" that when the toil-worn hand of the farmer is stretched out to grasp the good results which he fondly imagines are to come from the enactment of this bill he will find that these supposed benefits are wrested from him by the operation of other provisions in this measure. Whence do the benefits to agriculture come?

Not from the duties placed on wheat, or corn, or rye. Comparatively infinitesimal quantities of these productions are imported into this country, and these importations are, I apprehend, chiefly for seed purposes. If this be so, a duty upon these articles really militates against our farmers who may desire to experiment with foreign seed, and the same criticism applies with equal force to the duty of 40 per cent. ad valorem upon garden seeds, heretofore taxed at 20 per cent. only. Cabbages are taxed, it is true, at 3 cents per head, but the importation of this vegetable, in recent years at least, has seemingly been so inconsiderable as not to warrant any entry whatever in the departmental statistics bearing upon the subject.

Petition after petition from the farmers of my district has been introduced during this session asking that turnips, cauliflowers, Brussels sprouts, and other articles of field and farm produce should be placed upon the duty side of the list. These petitions have been considered by the Committee on Ways and Means with the result that no duty whatever has been established upon any of the articles last specifically mentioned.

What else is there in this measure, this bill which the majority claim is to be so beneficial to the farmer?

Sir, this proposed law contains a provision which it seems to me the best judgment of the whole country will pronounce to be absolutely iniquitous. Out of the hard earnings of the farmer he is called upon in common with his fellow tax-payer to contribute a bounty of 2 cents a pound on sugar for the benefit of the producers of that article in this country. Profound constitutional lawyers have held that the system underlying this bounty is unconstitutional; but, whether this be so or not, it requires no argument to prove that the provision is absolutely unjust.

Why should my constituents and the constituents of other gentlemen, who have petitioned for relief under this bill only to have their petitions rejected, be called upon to pay this bounty, which is to run for fifteen years, and which amounts, at the lowest estimate, to over $7,000,000 annually, for the benefit of the producers of another section of the country, who are no more entitled to bounty or protection than are the farmers of Long Island?

It seems to me, sir, that this one feature alone—unjust if not unconstitutional—ought to condemn this measure utterly and absolutely.

But let me proceed to the discussion of the amendment I have offered to the pending paragraph.

The distinguished chairman of the committee [Mr. MCKINLEY] in opening this debate said:

The agricultural condition of the country has received the careful attention of the committee, and every remedy which was believed to be within the power of tariff legislation to give has been granted by this bill.

Listen, gentlemen, while I try to explain the provision of the pending measure which my proposed amendment seeks to strike out and see "how plain a tale shall put you down."

This article, muriatic aci , and the article next following it, sulphuric acid, which also I propose to strike out, are two of the most important ingredients entering into the composition of fertilizers used by farmers throughout the entire length and breadth of the land. Never before in the history of tariff legislation, so far as my memory extends, has any attempt been made to place a duty upon either one of these articles. Why is it that, claiming to be the friends of the farmer, and contrary to the whole record of recent tariff legislation, you take bodily out of the free-list and subject to this heavy duty these two important articles entering so largely into the composition of fertilizers used by farmers every year in the operation of their farms?

Mr. GEAR. The gentleman from New York has stated that never before in the history of tariff legislation was there a duty placed upon these articles. The tariff of 1846, which was enacted, I believe, by a Democratic Congress, imposed a duty upon them.

Mr. COVERT. I stated that no duty had been placed upon them by recent tariff legislation. Let me say to the gentleman from Iowa [Mr. GEAR] in this connection that at the time to which he refers, over forty years ago, these articles were not used—nor was either of them—in the composition of fertilizers. [Applause.]

* * * * * * *

The Clerk read as follows:

Sulphuric acid, or oil of vitriol, one fourth of 1 cent per pound.

Mr. COVERT. I move to amend by striking out the clause just read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COVERT].

Mr. COVERT. Mr. Chairman, at once upon the conclusion of the remarks of my colleague [Mr. PAYNE] and again when the gentleman from Pennsylvania [Mr. BAYNE] resumed his seat, I tried to get the floor in denial of certain statements erroneously made by both these gentlemen.

The gentleman from Pennsylvania [Mr. BAYNE] has asked what agriculturists I speak for, and he has seemed to doubt my sincerity in speaking of the interests of agriculture. Let me say that, in the district I have the honor to represent, broad fields tilled by some of the brightest, most industrious, and most progressive farmers of the Union constitute a great part of the wealth of the district.

Mr. FLOWER. I am afraid some of these farmers have not of late had much at the end of the year.

Mr. COVERT. In some instances I fear that about all they had left, to use the words of another, have been "a few fence rails and an execution from the sheriff;" and they want an improvement of these conditions. [Laughter.]

It may not be of interest to the gentlemen who have in a sense challenged my position or to the members generally of this House, but I may be permitted to say in this connection that my earliest youth was passed in pretty hard work on the farm and that I feel fully competent to give object lessons in farming to any son of toil from manufacturing Pennsylvania, if not from "screaming Kansas." [Applause.]

I very much fear that instead of trying to digest the agricultural provisions of this bill my friend from Pennsylvania [Mr. BAYNE] has been seeing visions and dreaming dreams.

I know of nothing but this that could stand as a reason for his statement, and that of my colleague [Mr. PAYNE], that in offering these amendments I was acting in the interests of a syndicate interested in Canadian sulphur mines. Now, I want to say in the most direct and positive manner that I have not the fortune, good or bad, to stand here as the representative of a syndicate or to be interested in any way, directly or indirectly, in any manner or form, with any combination of gentlemen who are interested in any Canadian sulphur mine or in any other mine.

Mr. BAYNE. If the gentleman will pardon me, I did not say that he represented a syndicate.

Mr. COVERT. Will the gentleman be so good as to state just what he did say? Possibly I did not correctly understand him.

Mr. BAYNE. I said there was a syndicate in his district who had gone to Canada and established this industry and that in offering this amendment he was representing their interests instead of the farmers that he spoke of in his first speech.

Mr. COVERT. It is barely possible that somewhere in my populous district, in Queens, in Suffolk, or in Richmond, some of my constituents, industrious, forehanded, and enterprising, as I know them to be, may have invested some of their savings in Canadian mines. I hope so for their own sake if the investment is a good one; but I want to say in the fullest and most direct way possible that if this syndicate or association exists, or if any of my constituents have

made any such investments, I am not aware of it, and this is the very first intimation I have had of the fact.

Let me say again that I speak for the consumers of the article affected by this proposed duty, and I may add for the manufacturers of it as well. The Laurel Hill Chemical Works, owned and operated by the Messrs. G. H. Nichols & Co., are located in my district, and they are probably the most extensive chemical works in the United States. The Messrs. Nichols have built up a large and exceedingly prosperous business in the manufacture of fertilizers, absolutely without "protection." They have never asked it. They do not ask it now. But I ask for them and for all the manufacturers of this article, and I ask for the farmers of the whole land who are obliged to use it, that sulphuric acid, which is practically a raw material, be not subjected to this duty, which must largely increase the cost of manufactured fertilizers to every consumer in the land.

Gentlemen of the majority, do you know what you are doing and what you propose to do in this matter? Let me quote from the statement made by Mr. A. J. Wedderburn, representing the National Grange, before the Ways and Means Committee:

> I will explain to you what this means, and leave it to your ideas of equity and fairness whether such an outrage should be perpetrated upon the farmers of the country. Sulphuric acid is largely used in the manufacture of every ton of complete fertilizer. It will be plain that the cost of this important article would be increased not less than $1.14 per ton if the suggestion (65 per cent. tariff) was carried out. At a low estimate the amount of South Carolina dissolved phosphate, dissolved bone, and complete commercial fertilizers used by the farmers of the Eastern, Middle, and Western States is not less than 1,000,000 tons, and the increased cost to them would very nearly reach $2,000,000 each year. Further comment is unnecessary.

Every word which has been uttered on this side of the House in favor of my previous amendment to strike out muriatic acid from the bill applies with added force and emphasis to the item now under consideration. It is a much more important factor in the composition of fertilizers than the article previously considered. The duty sought to be placed upon it seriously and very seriously affects every farmer in the land. Again I say that if you of the majority are sincere in your professions you will show your sincerity by your support of this amendment.

If you desire to lighten the burdens of the farmer, if you desire to aid in breaking the bonds which fetter agriculture and to strengthen and promote its interests, I appeal to you, nay, I challenge you now and here to "let it appear so; make your vaunting true!" [Applause on the Democratic side.]

The Tariff.

SPEECH

OF

HON. GEORGE T. BARNES,

OF GEORGIA.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 10, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. BARNES said:

Mr. CHAIRMAN: Protection for protection's sake may be defended by its advocates on grounds of policy, but it can never be sustained on the principles of justice. It necessarily divides the country into classes, those which are favored and those which are not. It is born of selfishness and it must necessarily breed disorder and discontent. History, Mr. Chairman, is replete in every age and under every form of government with accounts of the struggles between the privileged few and the great mass of the people.

SPIRIT OF PRIVILEGE.

The French Revolution and the civil commotions which followed greatly ameliorated the condition of the people of Europe. But this amelioration has not resulted in conferring on the people equal political rights. The good accomplished has rather been the extinction of the privileges transmitted from the feudal system and the relief of the people from the burdens which those privileges imposed. But the spirit of privilege is ever alive. Destroyed under one system it is revivified under another. It always seeks, however, through the agencies of government the acquisition of benefits for special classes, acquired at the expense of the many, whether they be the citizens of a republic or the subjects of an empire. In our time this spirit appears in the form of the money power. It now seeks, through the exercise of the fiscal powers of Government, concentration of wealth in the hands of a few at the expense of the multitude.

Our fathers, far removed from European influence, fondly indulged the hope that they could create a Government where all could equally enjoy its blessings and under which favored classes could not find existence. But in the creation of the Government they found it necessary to confer vast and varied powers of taxation, together with the great power of the regulation of commerce between the different States and with foreign nations. In the debates in the conventions of the different States which ratified the Constitution occur many evidences that there were those who foresaw how, through the exercise of these powers, vast individual wealth was to be secured. Thomas Dawes, in the Massachusetts convention, urged the adoption of the Constitution on the ground that under it New England would acquire the carrying trade between the States.

Warned by the history of the past, the framers of the Constitution sought to restrain the exercise of these powers by limitations as to the purposes for which they were to be employed, namely, to pay the debts and provide for the common defense and general welfare of the United States, and by providing that all duties, imposts, and excises should be uniform throughout the United States, that is, the burdens imposed should be borne equally alike. But power once bestowed is never restrained within the limits prescribed for its exercise. The history of every written constitution in this respect has been the same. Paper restraints are vain and futile. The powers are first exercised with moderation, but their limits are gradually extended, and selfish desire, leaping over written barriers, exerts itself with uncontrolled, if not undisputed, sway.

TARIFF LEGISLATION BEFORE THE WAR.

Such has been the history of our tariff legislation under our Constitution. The first tariff act passed, that of 1789, provided a general levy of duties of about 5 per cent. The highest duty on articles of luxury was 15 per cent. This moderate policy continued for a period of twenty years. The complications growing out of the Napoleonic wars in Europe and our own war with Great Britain established for a time non-intercourse with most foreign nations, and when peace came in 1815, it was deemed expedient to adapt the tariff to the new situation. A discriminating policy in favor of protecting certain industries was consequently introduced in the tariff of 1816. This, however, was a mere temporary policy; it was not a permanent system. This is clearly seen in the fact that while the duties laid on woolen and cotton goods were fixed at 25 per cent., the bill provided that after 1819 these duties should be reduced to 20 per cent.

The general rate of duties under the act of 1816 rose to 20 per cent., but it must be borne in mind that the war with Great Britain had forced upon us a heavy debt, which had to be met, and duties were still imposed with due regard to the limitations imposed by the Constitution. When 1819 was reached the manufacturer was unwilling to relinquish the advantage acquired. The protective spirit grew until finally the excessively high tariff of 1828 was passed, followed by the act of 1832, which imposed duties at an average rate of about 33 per cent. In 1833 the compromise act was passed which provided for a gradual reduction of duties for the next nine ensuing years, at the end of which time the uniform rate was to be 20 per cent.

But the act of 1842 again raised duties. This, however, continued in force only four years. In 1846, under the Democratic administration of James K. Polk, the Walker tariff, which provided for a low system of duties, went into operation, and was followed by the tariff of 1857, which provided for a still further reduction. During this period of low duties not only the increase in the prosperity of the country was marked, but there were equally marked evidences in the general contentment and constant employment of labor. Mr. CARLISLE, in the debate on the Mills bill, produced statistics based on the census returns of 1860, estimating that the reduction of duties of 1846 must have had their full effect by 1849 and were fully continued up to 1859, which covers the period of census returns for that decade, which conclusively establish these facts.

During this period woolen manufactures increased in New England 42 per cent., the number of hands increased 18½ per cent., and the total amount of wages increased 37 per cent. The value of cotton manufactures throughout the country increased 77 per cent., the number of hands employed increased 28½ per cent., and the total amount of wages increased 39 per cent. Thus the increase in the amount of wages was twice as great as its percentage of increase in the number of hands employed. Mr. Blaine, himself the great advocate of protection, bears this testimony in favor of the low tariff of 1846. Speaking of the flourishing condition of the country at the time of General Taylor's Administration he says in his Twenty Years in Congress:

> The principle embodied in the tariff of 1846 seemed for a time to be so entirely vindicated and approved that resistance to it ceased, not only among the people, but among protective economists, and even among manufacturers to a large extent. So general was this acquiescence that in 1856 a protective tariff was not suggested or even hinted by any one of the three parties which presented Presidential candidates.

Notice—for Mr. Blaine is careful in the use of language—that it was not the rates imposed, but the principle embodied in this bill, which was so entirely vindicated.

We thus see that the country commenced its history with a very moderate tariff, but that after the system of protection was introduced it gradually grew stronger and stronger, with some fluctuations, until

the reaction took place under the tariff act of 1846. But protection was not advocated then save as an incident to revenue and only as a temporary policy, until our infant industries should attain sufficient strength. In September, 1843, Mr. Clay, in a letter to S. F. Bronson, of Georgia, expressed the opinion that—

> There is no danger hereafter of a high tariff founded on the gratifying fact that our manufactures have now taken a deep root. In their infancy they needed a greater measure of protection, but as they grow and advance they acquire strength and stability, and consequently will require less protection.

Who can doubt if Mr. Clay was alive in our time he would be found among tariff reformers.

TARIFF POLICY SINCE THE WAR.

The moderate system introduced in 1846 would probably have continued but for the war. Our present tariff system is based on the war measures of 1864. The tariff act of that year, the internal-revenue act, and the loan of $400,000,000 were passed about the same time, and constituted, says a learned political economist, practically one measure, and that probably the greatest measure of taxation which the world has seen. The high duties imposed were granted as a compensation to the manufacturer for the high internal duties imposed upon his products. The internal taxes, with the exception of the taxes on whisky and tobacco, and also the income tax have long since been repealed, but the high duties on imports still continue.

"Gradually," says a learned professor of political economy—Professor Tanssig, of Harvard University—"as the organization of industry in the country adapted itself more closely to the tariff as it was, the feeling that no reform was needed obtained a stronghold. Many industries had grown up or had been greatly extended under the influence of the war legislation. As that legislation continued unchanged still more capital was embarked in establishments whose existence or prosperity was in some degree dependent on its maintenance. All who were connected with establishments of this kind asserted that they would be ruined by any change. The business world in general tends to be favorable to the maintenance of things as they are.

"The extreme protective system, which had been a temporary expedient for aiding in the struggle for the Union adopted hastily, and without any thought of deliberation, gradually became accepted as a permanent institution. From this it was a short step, in order to explain and justify the existing state of things to set up high protection as a theory and a dogma. The restraint of trade with foreign countries, by means of import duties of 40, 50, 60, even 100 per cent. came to be advocated as a good thing in itself by many who under normal circumstance would have thought such a policy preposterous."

The protective system was no longer to be used merely to prevent undue competition from abroad with home industries, but was used as a system prohibitory of foreign importations; and this system it is now sought to fasten permanently on the country.

UNEQUAL DISTRIBUTION OF WEALTH.

We already find that the country has become divided into the two classes of the immensely wealthy and the great body of the people reduced to comparative poverty. A writer in the September number, 1889, of The Forum says on this subject:

> Let us inquire whether there is any excessive concentration of wealth going on in the United States.

And in response to this inquiry he cites numerous facts, from which I select a few:

> As lately as 1847 there was but one man in this country who was reported to be worth more than $5,000,000; and though some estimated his wealth at $20,000,000 there is no good reason for believing it to have been so great. The wealth of his lineal descendants is estimated at $250,000,000. The St. Louis Globe recently published a list of seventy-two persons who were worth collectively the whole amount of our national debt, averaging $16,000,000 each. At the lowest reasonable estimate, there must now be more than two hundred and fifty persons in the country whose wealth averages for each more than $20,000,000. But let us call the number only two hundred. Income-tax returns in Great Britain and the United States show that in general the number of incomes, when arranged in large classes, multiplies by from three to five fold for every reduction in the amount of one-half. For extreme caution, however, we estimate the increase in the number of incomes at a very much lower rate than this. At this reduced rate the amount of wealth in the hands of persons worth over $500,000 each in the United States would be about as follows:

200 persons, at $20,000,000	$4,000,000,000
400 persons, at $10,000,000	4,000,000,000
1,000 persons, at $5,000,000	5,000,000,000
2,000 persons, at $2,500,000	5,000,000,000
6,000 persons, at $1,000,000	6,000,000,000
15,000 persons, at $500,000	7,500,000,000
24,600	31,500,000,000

> This estimate is far below the actual truth. Here are less than 25,000 persons controlling more than one-half of the wealth of the nation, which, at the highest estimate, does not exceed more than $50,000,000,000.

These figures are appalling in themselves, but when we contrast them with the decrease in the wealth of the agricultural classes as compared with the increase of our population within the past twenty-five years they become absolutely startling.

AGRICULTURAL DISTRESS.

No statement of amount of mortgages on farms, no picture of agricultural distress, universally admitted to exist, can convey to the mind a more accurate idea of the real situation in contrast with these figures than the figures based on official records lately produced before the Senate Committee on Agriculture by Mr. Polk, of North Carolina, the president of the Farmers' Alliance. In 1850 the value of farms in the United States was $3,271,575,421. In 1860 their value had increased to $6,645,045,007, showing an average yearly increase of $337,346,958. This was during the period when the Walker revenue tariff of 1846 was in force. In 1860 the value of farms in the United States was $6,645,045,007. In 1880 the value of farms was $10,197,036,776, showing a total increase in twenty years of $3,352,051,769, or an average annual increase of $177,602,588.

It was during this period that we had entered on and continued to maintain our present prohibitory tariff policy. In the one period there was an average annual increase of 10½ per cent., while in the other this average was reduced to 2½ per cent. From 1850 to 1860 farm values increased 101 per cent., from 1860 to 1870 they increased 43, and from 1870 to 1880 the increase was at the rate of 9 per cent.

These figures abundantly demonstrate that a vast body of the wealth of the country is being concentrated in the hands of a few favored classes, while the great body of the people, if not absolutely, are becoming comparatively poorer in each succeeding decade.

CAUSES OF THIS UNEQUAL DISTRIBUTION.

Mr. Chairman, this is said to be a republican government, a government of the people, established by the people, and for the people. Now, Mr. Chairman, how can these things be under such a Government? These results could only have been brought about by a perversion of the powers of government from their legitimate purposes to selfish ends. The war offered the opportunity for the exercise of governmental powers to bring about these results, and as a heritage of the war they have been perpetuated to our own time. Many causes operating through the exercise of the agencies of government have contributed through a long lapse of years in effecting these dire consequences.

But the two most potent of these causes have been the present contraction of the currency, through the demonetization of silver in the interest of the bondholding class, and our prohibitory tariff system. The first, by reducing the value of property and at the same time enhancing the value of gold, in the hands only of the wealthy classes, has enabled them to transfer vast quantities of property, purchased either in the market or at forced sales from the unfortunate debtor class, to themselves. This has been a more universal cause because it has generally operated throughout Christendom. Everywhere it has been an advantage the creditor bondholder, exacted of his debtor Government, and an advantage which war had given him the opportunity to exercise.

In England originally it came as a consequence of the Napoleonic wars. In our own time it came in Continental Europe as a result of the war between France and Germany. In our country, it came in 1873, as a consequence of the war between the States. But while the contraction of the currency—through the demonetization of silver—has been the most universal cause, operating alike in Europe and America, in concentrating wealth in the hands of the favored few, yet in our own land the prohibitory tariff system has greatly added to this result and aggravated its consequences.

The tariff is a tax imposed by the Government on goods imported into the country. The tax paid by the importer he adds to the price and with it a profit on the amount he has advanced to the Government as duty when he sells to the wholesale dealer. The wholesale dealer repeats the process when he sells to the retail dealer, and he in turn, each adding a profit for the advance of tax made by him when he sells to the consumer, so that the consumer finally pays not only the original duty, but the added profit of the different dealers through whose hands the commodity has passed before it finally reaches him. But the poorer classes of the community seldom buy articles purchased abroad. Nearly all their purchases are articles of domestic manufacture. But the domestic manufacturer, protected to the extent of the duty imposed on like articles sought to be imported from abroad, adds the amount of that duty to the price of his own manufactured product, and this additional price the consumer must pay. When the duty is paid on an article imported from abroad, the amount so paid goes into the national Treasury. When this additional price is paid on an article of domestic manufacture, this additional price paid by the consumer goes into the hands of the manufacturer.

The writer of the article in The Forum, from which I have already quoted, says that a sufficient cause for the immense and growing chasm between the rich and the poor of this country is to be found in indirect taxation. What he means by indirect taxation is when the burden does not fall directly upon the party upon whom the tax is imposed, but ultimately on the consumer. No stronger illustration of an indirect tax can be given than that of a tariff tax.

Now, let us test the accuracy of this declaration of this writer by a simple statement. Let us take the case of two parties, one a man of great wealth and the other a man of moderate circumstances. The one, A, has an income of $100,000 a year and spends, say, $20,000. Of this $20,000 he buys articles which would otherwise be worth $2,000,

but in consequence of a 50 per cent. duty imposed by the tariff he pays $3,000, or $1,000 additional, which is 1 per cent. of his income. Of course he makes great savings at the end of the year. B has an income of $1,000 per year. He buys articles worth $200, but in consequence of the 50 per cent. duty of the tariff he pays $300, or $100 additional, which is 10 per cent. of his income. The burden of tariff taxation in the one case is ten times as great as in the other.

It is there the chasm is ever widening, and under this system the rich are becoming richer and the poor poorer. The illustration I have made may be an extreme one, but it serves to show how, under the existing system of taxation, the process is daily going on which serves to increase and widen the chasm between the rich and poor in our country. When we consider how long this prohibitory system has prevailed—that during this long period this additional percentage of taxation has been paid by the one class as against the other—we begin to appreciate how the country has been divided into the two great classes of the rich and the poor to the extent that 25,000 persons own more than one-half the wealth of a nation of a population of 60,000,000, and he can not fail further to appreciate what a potent cause our tariff system has been in bringing about such a result.

THE MILLS BILL AND THE M'KINLEY BILL.

It is unnecessary, Mr. Chairman, to picture the distress which the unprotected classes must endure with such a system. Since the tariff discussion began with Mr. Cleveland's famous tariff message in December, 1887, all parties have conceded the necessity of a revision of the tariff. We are not left now to a platform, a declaration of principles, or even messages of Presidents, to understand the difference between the modes of revision which the two great parties of the country propose. The principles of revision recognized by the one party were embodied in the Mills bill two years ago; the principles of revision of the other party are set forth in the McKinley bill of to-day. We know the existing law, and we know the changes which each measure would make in the existing law.

While the Mills bill preserved the tariff system as the best mode of collecting the revenue and proposed moderate reductions on manufactured goods—for the average of reduction was from about 47 to 40 per cent.—it sought to reduce taxes on the necessaries of life. It placed salt on the free-list, which now in bags pays about 39 per cent. and in bulk 79 per cent. It placed tin-plate on the free-list, which now pays a duty of 1 cent per pound, equivalent to a duty of 33 per cent. It placed wool on the free-list, which now under different classifications pays duties varying from 28 to 69 per cent. It reduced the duties on steel railway bars from $17 to $11 per ton, thus cheapening transportation.

It reduced the duty on jute bagging from 3 cents a yard to three-quarters of a cent, and would have opened our ports to foreign-made bagging, and thus effectually have destroyed the jute-bagging trust. It placed cotton-ties, which under existing law pay a duty of 35 per cent., on the free-list. It helped the manufacturer by the introduction of free raw material, it helped the laborer by thus affording him constant and regular employment and by increasing the demand for his labor, and it helped the farmer by reducing the burden of taxation and lowering the cost on the necessaries of life for himself and family and his business.

Now, what does the McKinley bill propose to do? After hearing the representatives of the manufacturing industries throughout the country, who, as usual, represent themselves as ruined and cry out for more help, the Ways and Means Committee respond by presenting to the House this bill. The patient, enfeebled by former stimulants, is not to be restored to a normal condition by removing the causes which have brought about decay, but is to be resuscitated by again applying more stimulant. Instead of reducing taxation and opening our ports to foreign commerce, whereby our farmers can find new markets for their surplus products, duties are to be increased and a more stringent policy of prohibition is to be adopted. The most striking increases are possibly those in wool and woolen goods. While the Mills bill placed wool on the free-list, this bill increases the duty on all wools which we import.

The minority report of the Democratic members of the committee informs us that the lowest grades of woolen yarn, worth not over 30 cents per pound, are to be subjected to a duty of 112 per cent., while the most costly yarn will pay 72 per cent. One grade of coarse, cheap blankets will be required to pay 106 per cent., but the finest blankets will pay 72 per cent. The coarsest and cheapest woolen hats will be subject to a duty of 111 per cent. and the finest 73 per cent. Women's and children's cheap dress goods, with cotton warp, are to be taxed 106 per cent. and the finest 73 per cent. While jute for the manufacturer is put on the free-list, jute bagging for the cotton-planter is advanced from the present duty, equivalent to 44 per cent., to 47 per cent. If a trust could be formed by the home manufacturer of jute bagging under the present law against the cotton planter it is to be rendered still more easy to establish such a combine under the proposed law.

Take the case of cotton-ties. Under the Mills bill they were placed on the free-list; under existing law the duty is 35 per cent.; under the McKinley bill it is proposed to increase the duty to 114 per cent.

Tin-plate, which under the Mills bill was placed on the free-list, under existing law pays a duty of 1 cent per pound, and it is proposed under the present bill to increase this duty to 2.15 cents per pound. Under existing law, as we have no tin-plate manufactories in this country, all the duty raised, which amounted last year to over $7,000,000, goes into the Treasury. The bill now proposes to create this new industry at the expense of the people, and to impose double the present tax, which will shut out the foreign article, and which the consumer must pay in the form of enhanced price, and with a knowledge that this enhanced price goes entirely to the manufacturer, and not one cent of it will go into the public Treasury. Well, does Mr. MCKENNA, a Republican member of the committee, say in his dissenting views, that—

The bill protects even the hope of a production of some articles.

These illustrations must suffice, as there are one or two other features in this bill I desire to notice. The farmer is sought to be deluded by imposing a duty on farm products. The very object of protection is to prevent foreign competition in our own country, but there is no foreign competition in our country with our corn, our wheat, our rye, and our cotton, for of all these articles we raise a surplus. To impose a duty on these articles on the plea of protecting the farmer is a sham and a mockery.

One of the features of the bill is the odious and unjust bounty system. It proposes to give to the sugar producers a bounty of 2 cents a pound until July 1, 1905. This would impose a tax upon the country, on the estimated product of last year, of over $7,500,000, to be paid by the people. But as it is supposed this measure will foster production, the amount to be paid must increase from year to year, so that when production equals our present consumption the tax on the country on this account will reach the enormous amount of over $60,000,000. But why should a bounty be thus paid to one particular product? Why should not a like bounty be paid to the producers of cotton, of corn, of wheat, of hops, or any other article? The mere statement of the inquiry is sufficient to illustrate the injustice of the system.

But I can not dismiss the bill without calling attention to what is termed drawbacks. The twenty-fourth section of the bill provides that on all articles exported manufactured of materials upon which duty has been paid there shall be allowed a drawback equal to the duty paid on such materials, less 1 per cent. for expenses, to be paid only to the manufacturers or actual owner of the merchandise. This is at once an invidious discrimination in favor of the foreign consumer of our manufactures as against the home consumers, and it is a confession of the gross injustice of the whole protection system. When the manufacturer imports raw material from abroad, to be manufactured here, and then exports the manufactured article abroad he is virtually allowed the foreign raw material free, in order that he may compete with the foreign manufacturer, but when he sells that manufactured product in his own country he adds to the price of that product the entire duty on the raw material; and this the American farmer is compelled to pay. This bill virtually protects and benefits the foreign consumer and at the same time thus robs the American consumer at home.

REMEDY FOR THE SITUATION.

Mr. Chairman, this bill is emphatically in the interest of the favored and privileged classes against the great body of the people. What the country needs now is tariff reform which will reduce the burdens of taxation, an income tax so graduated that the wealthy bondholder who has become enriched through the results of the war shall pay off the large pension appropriations which the consequences of the war have imposed upon the country, the rapid extinction of the public debt upon which our banking system rests, and which must expire with it, free silver coinage, with an increased volume of currency, to supply the business wants and to revive the languishing industries of field and farm throughout the country. These matters have not concerned the framers of this measure. They tell us in the majority report that they have not been so much concerned about the prices of the articles we consume as they have been about fostering industries in the manner indicated in the bill. The bill may pass; it may ultimately become a law.

The hour of reform and amelioration may be delayed. It has been long delayed by keeping alive the passions engendered by the war. But as they become softened by time the people will see more and more clearly each day, whatever the Republican party may have been in the past, that it has now become the party of favored monopolies and privileges. The discussion of this subject will continue. Day by day the cause of tariff reform will strengthen, and at last the Democratic party, with its distinctive principle of equal rights for all under the Constitution, and special privileges to no class, will restore the Government to what our fathers intended it to be, a Government shedding its blessings on all alike and leaving individual effort unencumbered to work out its own prosperity. When that happy day shall come, with sectional passions allayed, the sun will shine on a people busy at home pursuing, without restriction, the avocations of their own choice and extending their commerce abroad over every sea, in transporting, free from prohibitory systems, the products of our own industry and bringing back in exchange the wealth of foreign and distant lands.

The Tariff.

SPEECH

OF

HON. WILLIAM D. BYNUM,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 13, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. BYNUM said:

Mr. CHAIRMAN: I move to strike out 30 cents and insert 15 cents per gallon.

The condition of affairs throughout the country calls for calm thought, honest conviction, and sincere deliberation. As the representatives of the people, holding within our grasp their welfare, we owe to them a higher duty than mere acquiescence in the tenets of parties or the platforms of conventions.

We are confronted with difficulties the correct or incorrect solution of which may bring prosperity and happiness or disaster and suffering to millions of people. The great problems which are presented to us are not likely to be correctly solved in the blindness of partisanship, the rancor of debate, or under the lash of the caucus, which enslaves freedom of thought and liberty of action. Patriotism will never consent to be influenced by the one or bound by the other in matters of such varied and vital concern.

To successfully treat any disease or affliction requires a correct understanding of its nature and its effects. These are ascertained by an examination of the condition of the patient. No other method can be pursued in treating diseases of the body politic.

Never in the history of our country has there been such a demand upon Congress from all classes, interests, localities, and industries for legislation in their behalf as at the present. Why is it that the workingmen have sent here a committee to guard their interests and to urge legislation in their behalf?

Why is it that the farmers have here representatives to watch legislation which may affect their welfare? Is it because Congress is supposed to be possessed of some peculiar or supernatural power to shower prosperity and wealth upon all, with injury to none? The people do not believe this; they know that the Government is and always has been a pauper; that it never had a dollar from the hour of its creation that it did not take from the earnings of some citizen. That it is incapable of conferring a farthing, directly or indirectly, upon one citizen that it does not by its strong hand extort from another is self-evident. The people know this and they know it to their sorrow. Through the favoritism of the Government they have witnessed the growth and development of combinations and trusts to limit the supply and control prices until the great body of the people have become dependent upon concentrated capital for many of the necessaries of life, and they demand that this favoritism shall cease.

A PROTECTIVE TARIFF A TRUST.

The present tariff law, which is a free-trade measure as compared with the bill under consideration, is the charter of the most gigantic trust that has ever been formed. The provision of the Constitution conferring upon the Federal Government the power to lay and collect taxes, duties, imposts, and excises to pay the debts and to provide for the common defense and general welfare was seriously canvassed by the ablest minds long before that instrument was framed and adopted. In urging such a power, Mr. Hamilton said:

> No mode can be so convenient as a source of revenue to the United States. It is agreed that imposts on trade, when not immoderate or improperly laid, are one of the most eligible species of taxation. They fall in a great measure upon articles not of absolute necessity, and being partly transferred to the price of the commodity, are so far imperceptibly paid by the consumer. It is therefore that mode which may be exercised by the Federal Government with least exception or disgust; Congress can easily possess all the information necessary to impose the duties with judgment, and the collection can without difficulty be made by their own officers.
>
> They can have no temptation to abuse this power, because the motive of revenue will check its own extremes. Experience has shown that moderate duties are more productive than high ones. When they are low a nation can trade abroad on better terms, its imports and exports will be larger, the duties will be regularly paid, and arising on a greater quantity of commodities will yield more in the aggregate than when they are so high as to operate either as a prohibition or as an inducement to evade them by illicit practices.

I doubt if a clearer or fairer exposition of the powers conferred by the eighth section of the Constitution can anywhere be found. In the opinion of Hamilton there would be no danger of the abuse of such a power. "Motives of revenue would check extremes." From the enactment of the first tariff law in 1789 down to 1888 no party ever claimed, no individual ever advocated that it was within the power of Congress to levy duties with a view to the destruction of commerce. Large imports mean large exports, and our forefathers were as jealous of the right to trade with foreign nations as they were of the right of representation with taxation. All that was ever claimed prior to the Chicago convention in 1888, which every delegate who has not received an office is now satisfied was a blunder from beginning to end [laughter], was that duties should be fixed high enough to put American manufacturers on a level with foreign producers.

It was not long after the first law, which fixed an average rate of 8 per cent., was enacted till the clamor was for more, and it has been for more ever since, although the average rate is now 45 per cent.

When the people revolted at this abuse of constitutional power, when they demanded that a system of taxation that had grown so exorbitant that a large surplus was being extorted from them each year by the Government should be reduced, the members of this great national trust shouted in tones of apparent agony, "free trade;" and every time you pinch one of the members of this trust that is robbing the people under the protection of law he cries out, "free trade," "free trade." This is the trick of the burglar who fires the old dilapidated structure upon the outskirts of the city to attract attention while he plunders the grand palaces in the center of their richest treasures.

"None but the friends of the protective system," shouted these cormorants, "should be permitted to revise this sacred institution!" The tax-payers had no rights to be considered. Their representatives, should they approach this monument of oppression and injustice, were to be treated as vandals. Only the protected barons, who had grown sleek and fat off of the producers of the country, should be consulted as to changes that ought to be made, and when the Committee on Ways and Means of this House undertook to frame this measure they issued invitations to the protected monopolists to come before them and tell them what they wanted.

They came! and they said, in substance, We want the sole right to plunder the masses of the people of this country, and they got it. We are plainly told by the majority of the committee that the objects of of this bill are not to obtain revenue, but to shut out importations; and, if we had not been told this, a glance at the provisions of it would be sufficient to convince us of that fact. Was there ever a bolder attempt to pervert to base and selfish uses a constitutional prerogative granted by the people to the Federal Government to enable it to protect their rights and properties?

Shall Congress increase and strengthen the powers of this combine to commit greater crimes against the helpless victims of its rapacity? Hamilton was unable to comprehend that this great power would be abused, that it would be subverted to enrich the few and impoverish the many.

What are the leading features of this measure? It is provided therein:

> That until July 1, 1905, there shall be paid from any moneys in the Treasury not otherwise appropriated * * * to the producers of sugar * * * from beets, sorghum, or sugar-cane grown within the United Stated a bounty of 2 cents per pound.

No longer does the robber seek to gather his plunder under the mask of protection. Boldly and defiantly has he thrown it from his face and in the open light of day proposes to exact his tribute in true brigand style. Where in the Constitution is the power to be found to tax one industry to support another? Why should the wheat-grower of the West be forced to pay a bounty of 2 cents per pound to the sugar-producer of the South and of the Pacific coast? Was it the purpose of the framers of the Constitution that the Federal Government should take from one citizen the fruits of his toil and industry and bestow them upon another?

If the right exists to pay a bounty of 2 cents per pound to the producers of sugar, why not a dollar a pound? If it exists to pay a bounty for sugar, why not for wheat or corn and other products? If the power exists to take one penny from the earnings of one citizen to bestow it upon another, why not to take without limit? Under our Constitution we have confidently believed that the rights of the humblest and the property of the poorest citizen were as sacred and secure as those of the loftiest and the highest; and until within recent years it was our pride and boast that no communistic sentiment was harbored by any class within the confines of our country. The civilized world was startled one morning when the news came that a band of socialists in one of our great cities had marched to Haymarket Square to proclaim on American soil their foul doctrines and that they had in their frenzy taken the lives of the peace officers who attempted to thwart their designs.

The leaders of this bloody conspiracy were tried, condemned, and executed. If this bill becomes a law the communist will no longer march to Haymarket square under the red flag, for which he may be taken to the gallows, but bearing aloft the Stars and Stripes he will march to the Halls of Congress, where under the forms of law he can carry out his doctrines of taking the property of one citizen and giving it to another, without fear of arraignment or dread of punishment. Once this power is recognized, no one can foresee the result to which it may lead.

There was produced in 1888 within the United States over 375,000,000 pounds of sugar; a bounty of 2 cents a pound would take from the Treasury annually over $7,500,000. It is but just I should say that the sugar-producers do not ask this bounty; they are as bitterly op-

posed to it as I am; they know that the only protection which an industry can constitutionally receive is that which is incident to a tariff for revenue. They know and the framers of this bill know that the people will never tolerate the payment of a bounty to any industry.

Why, then, this discrimination? The reason is plain: the tax upon sugar is a revenue tax, eight dollars out of nine paid by consumers go into the Treasury, and therefore this industry is to be thrown overboard. The duty upon sugar last year yielded over $54,000,000; if this can be gotten rid of the iron, the pottery, the oil, the steel, and other trusts and combines can extort for themselves $200,000,000 before the Government will secure the amount of its revenue upon sugar. I am for a reduction of the duty on sugar to the revenue standard, but never for a bounty.

TAXES INCREASED.

The rates of duty by this bill have been increased upon those articles consumed in greatest quantities by the people. The duty on pottery from 1857 to 1861 was 24 per cent. In 1861 it was raised to 25 per cent. In 1862, when the "temporary" war measure was enacted, the duty was increased to 35 per cent. In 1864 an internal-revenue tax of 5 per cent. was placed on domestic manufactures, and as a compensation therefor the duty was increased from 35 to 40 per cent. Soon after the war the internal tax was removed, but the 5 per cent. duty given as compensation for the same was not touched.

In 1883 the tariff commission fully investigated the pottery question. They found that the duty on packages increased the duty about 15 per cent. on the common grade of earthenware and that this was an unjust discrimination against the grades used by the masses of the people. In the revision of 1883 the duty on packages, crates, etc., was removed; and as a compensation therefor and as an additional protection the duties were increased to 55 and 60 per cent. The committee after having secured the passage of a measure restoring the duty on packages, which will increase the duty on the lower grade to 70 per cent., report this measure without making any reduction whatever. It can not be claimed that the increase is necessary to protect wages, because prior to the increase of 1883, when the duty was only 40 per cent., the operatives in this industry presented to Congress the following petition:

To the Senate and House of Representatives:

We, the operative potters of the city of Trenton, being convinced by experience that a high rate of duty on crockeryware yields no benefit financially to the workingman and is inimical to his interests in its effects in increasing the price of living generally, respectfully petition your honorable bodies for such a revision of the tariff as will reduce the rates on crockery to a revenue basis, etc.

It is a well known fact that the most prosperous manufacturers in the country to-day are those engaged in making earthenware, and yet they are to be given an increase of at least 15 per cent. upon the common ware. The pottery combine must have contributed handsomely to the campaign fund.

TIN-PLATE.

The duty on tin-plate is increased by this bill from 1 cent to 2.2 cents per pound. At the present rate the aggregate amount of duty on tin-plate is $7,279,459. The increase will add about $9,000,000 more, making the duty $16,000,000 or more. No tin-plates are produced in this country; all we consume are imported. Then, why such an increase? Why not give to the poorer people cheap tinware? Why not put this article on the free-list and enable our canning establishments to sell their products at lower prices and to enlarge their business by exportations? By so doing, they would employ more hands and pay higher wages. The majority of the committee inform us that the increase will enable us to make our tin-plate in this country and that twenty-four thousand men will find employment in the industry. Now, contrast the difference between the Mills bill, in which tin-plate was placed on the free-list, and this measure, which fixes the duty at 2.2 cents per pound. To produce the amount of tin-plate consumed by us in this country will cost the people over and above what it would had the Mills bill become a law $16,000,000. This expenditure, the committee tell us, will enable us to give employment to twenty-four thousand men.

For the sake of argument let us grant that the men that will secure employment are all idle. Sixteen millions of dollars divided between twenty-four thousand men gives to each $666. Now the average annual wages paid to each employé in this country is only about $330. Would it not be cheaper to pay these men the annual rate of wages to remain idle? In fact the whole tax would enable us to maintain forty-eight thousand men in idleness. The only purpose, I apprehend, in putting a man at work is to enable him to become a consumer of agricultural and other products; but if by free tin-plates we can secure two consumers by allowing them do nothing to where we could only secure one by making them work, where is the benefit in making them toil? Is not this a remarkable showing? But this is not all. The advocates of this tax assume that all the products imported are so much loss of wealth to the nation. They say by producing our tin-plates at home we will save $21,000,000, which we now send abroad.

In this idea is embodied the fallacy of the protective doctrine. They consider this as so much money sent out of the country, as so much lost. The truth is the loss of wealth is all the other way; by not buying this abroad, by preventing the exchange and compelling our workmen to make it. The twenty-four thousand men if unrestricted will manufacture other products. If they can produce tin-plates at a cost of $37,000,000 (twenty-one millions cost and sixteen millions of tax) they can produce thirty-seven millions' worth of products of some other kind.

If given an opportunity to exchange upon a fair basis they will export the thirty-seven millions' worth of other products, exchange twenty-one millions' worth of them for the tin-plates we must have, and have a surplus of sixteen millions of money or products they have taken in exchange to bring home and add to the wealth of the country. Instead of benefiting the country by this increase it would simply destroy the producing capacity of the twenty-four thousand men just $16,000,000.

What is the object of this enormous increase in tin-plates? It can not be because of that old threadbare argument that home competition will reduce the price below what we are now paying. The manufacturers of sheet iron and steel, who have enjoyed protection for years, are selling their product at 4 cents per pound. Ninety-five per cent. of tin-plates is sheet iron or steel, and yet we are paying to foreign manufacturers but 3 cents a pound for tin-plates. The only persons who will be benefited by this increase of duty are the manufacturers of sheets of iron or steel, who will be able to supply the tin-plate manufacturers at 4 cents per pound.

The sheet-iron trust has been well provided for by the committee.

TAX ON TOBACCO.

The duty on tobacco and manufactures of same has been increased from 81.50 to 152.46 per cent. The rate on Sumatra leaf used by cigar manufacturers has been increased from 75 cents to $2 per pound. The increase in the revenue on tobacco is $9,454,070. The farmers will derive no benefit from this increase. We imported in 1888 11,501,749 pounds of Havana and 7,093,393 pounds of Sumatra. Our farmers during the same year raised 563,794,264 pounds, of which they exported 262,683,821 pounds, nearly 15 pounds exported to 1 imported. The Sumatra leaf sold for $1.80 per pound, while the American wrapper-leaf commanded only about 25 cents per pound. Sumatra wrappers and Cuban filler-leaf is imported and worked up by our cigar manufacturers because our consumers will have nothing else. The great difference in the cost of imported and domestic tobaccos under the present rates ought to convince any person that one can not be substituted for the other.

A great majority of our smokers will use only the best of cigars, and if they are not made in this country they will be imported.

If the duties were reduced instead of increased, so that our manufacturers could afford to make a good five-cent cigar for export, our manufactures would be increased, a greater amount of domestic tobacco consumed, a larger number of operatives would find employment, and our farmers would find a better market for their surplus products. The increase of duties as provided will greatly cripple, if not destroy, an industry in which are engaged 150,000 employés. Drive these men from the bench to the field and where is the benefit to the farmer?

WOOL.

The duties on wool and woolen goods have been greatly increased. If it were possible for the wool-growers to derive any benefit from the increase of duty on raw wool, they are robbed of it twice over by the additional protection put upon woolen goods.

It is impossible to go fully into the details of the effect of a duty upon wool in a general argument, and I shall only touch upon the main points.

The committee state that we produced last year about 245,000,000 pounds of wool. The gross value of the clip was about $70,000,000. We are also informed by the committee that the number of persons owning flocks were in excess of a million. A division of the gross products between the wool-growers would give to each about $70 for his year's labor. This is certainly a thriving industry! This large number of wool-growers was, say the committee, to a considerable extent withdrawn from the business of raising grain and other farm products, to which they must return if wool-growing can not be profitably pursued.

It is conceding too much, however, to give to the shepherds credit for the entire product; capital invested in lands and flocks should be deducted; this would leave much less than $70 as the net income. At least $10 should be deducted, leaving the enormous sum of $60 per annum as the earnings of each man engaged in sheep husbandry. Evidently these persons were too busily engaged to do anything else. Think of it, 1,000,000 wool-growers at work constantly for 20 cents a day.

The fact is that except upon our cheap lands in the West the production of wool is not an industry of itself; it is a mere incident to the agricultural industry, and the profits from it, so far as the growth of wool is concerned, are less than those from the poultry that run in the barn-yard, taking care of themselves and costing nothing. A flock of sheep can profitably be kept on almost every farm, but the number will

not be largely increased; the price of lambs for food is too great, in this meat-consuming climate, to admit of their being kept simply for the wool they produce. The consumption of sheep is increasing in this country every year.

The tariff on wool has not increased the number of sheep. In 1850 we had 21,723,220 sheep, and in 1889 42,599,079. In 1850 we had a population of 23,191,876; so that with free wool we had nearly one sheep per capita, while in 1889, under twenty years of high protection, we had the ratio of only about two-thirds of a sheep per capita. The committee, however, inform us that the fleece is much larger than under free trade. This protective invention is a wonderful machine; it operates in mysterious ways and accomplishes marvelous results.

We imported last year, in different forms, about 350,000,000 pounds of wool, our consumption being about 600,000,000 pounds. The price of wool ever since 1867, when the high tariff was adopted, has been going down. The committee in their report say the industry was in a prosperous condition in 1883, but that since then it has been going down. The fact is, while there was a large increase in the number of sheep, incident to the discovery of the arid regions and opening up of our cheap lands in the West, the price of wool during all that time was going down and the number of sheep in the older sections of the country was diminishing, and it was only a question of time when the limit would be reached and we should start on the downward grade. It was reached, not in 1883, when the tariff on wool was reduced, but in 1884, when we had over 50,000,000 sheep, and since then the number of sheep has dropped to our present standard, and the production of wool from 308,000,000 pounds to 245,000,000. In 1886 we had 48,322,331 head of sheep; on January 1, 1889, this number had been reduced 5,723,252.

In the United Kingdom, where they have free wool and high-priced lands, they had, in 1886 28,955,240 head of sheep and in 1888, 28,936,716, a reduction of only 18,424 head. With free wool France had in 1885 22,616,547 sheep and in 1887 22,808,190, an increase of 191,643 head. How is it that with free wool the United Kingdom can maintain 235 sheep to the square mile, France 100 sheep to the square mile, while we in the United States, under high protection, can not maintain 14 to the square mile. The United Kingdom imported in 1888, 664,123,829 pounds of wool and exported 400,160,602 pounds.

Instead of prohibiting importations, of destroying trade, she opens wide her ports to the wool producers of the world, gives the greatest varieties and cheapest materials to her operatives to work up, furnishes commerce for her ships, and establishes within her city the wool market of the world, thus giving employment to millions of her people that might otherwise be out of work. We import more wool from the United Kingdom than from any other country; in 1881 we imported 24,556,110 pounds and in 1889 53,923,402 against 10,242,914 pounds from Australia, the greatest wool-producing country in the world. That we have been injured by the tariff on wool there can be no question. The production of domestic wool has been going down and the importations of manufactured goods, under a high rate of duty, going up. Last year we imported over fifty-two millions' worth, upon which we paid duties to the amount of over $35,000,000. The duty last year averaged 67.15 per cent., and by this measure it is proposed to increase it to 91.76 per cent.

Mr. Chairman, a large number of my constituents are wage-workers. In the railroad yards and shops, in the foundries, in the factories, in the mills, in the packing-houses, in the glass-works, and everywhere within the district I have the honor to represent are to be found hundreds of wage-workers, in a climate often severe and rigorous, and in their behalf I protest against a tax of 92 per cent. upon the clothing they and their families must consume. If such a burden upon those who toil year in and year out and see nothing but toil in advance is necessary to sustain an industry that now, confessedly, pays to those engaged in it but 20 cents per day, why should it be fostered at such a sacrifice? The injuries inflicted upon the people by this enormous tax are tenfold the benefits conferred upon the wool-growers. The prosperity of the people and the wealth of the country depend upon the greatest good to the greatest number, and we should legislate with that view.

The woolen industries under the present rates have been crushed. With an increase of duty on wool from 34 to 46 per cent. will they be any better off? Prosperity to the manufacturer can only come with prosperity to the consumer. The present rate of duty on wool has driven nearly every manufactory to the production of shoddy; it is said in many localities in the East not a mill can be found that has not a shoddy-picker attached. In 1870 the shoddy mills used about 19,000,000 pounds of shoddy and in 1880 over 52,000,000 pounds. Instead of increasing the production of wool we have driven the manufacturers to the use of substitutes, and by that means have reduced the price of domestic wool. In 1888 we imported 4,057,731 pounds of rags, shoddy, mungo, etc.; last year the receipts were more than doubled, 8,478,984 pounds coming in.

Not long ago a steam-ship with more than six hundred emigrant passengers on board was reported lost; days passed with no tidings, and a pall of sorrow and gloom began to settle upon the faces of those whose dear ones, it was believed, had gone down in the fathomless ocean. What a change, when the news was flashed across the ocean that, though the vessel had foundered in the storm, not a passenger had been lost, but that all had been rescued by the heroism of Captain Murrill, who had thrown his cargo into the sea and taken on board his ship every person on the ill-fated vessel, that was fast going down.

For this noble deed the gallant, generous, and brave captain was lauded by the press, banqueted by exchanges and municipalities, and honored by the people of the civilized world. I would not now pluck a single laurel from the wreath of honor and renown placed upon the brow of the generous-hearted commander for his noble sacrifice, but I confess that the sentiment and poetry of the deed, in casting his cargo overboard, was appreciably marred when I read that the precious freight dumped into the ocean was rags—rags out of which some manufacturer would have made all-wool cloth for a ten-dollar suit of clothes, to be exhibited, not worn, by the chairman of the Committee on Ways and Means as the beneficent result of a protective tariff.

The number of failures in the woolen industry within the last few years has been appalling, and the increased rates on wool will cripple if not destroy those that have withstood the crash.

The tariff on wool has not only been destructive of the woolen industry, but its effect on commerce and other industries has been incalculable. We can not trade to any large extent directly with wool-producing countries. Only certain grades of wool can be imported. It takes an expert to purchase wool for the American market. A trader who would take a cargo of our surplus wheat, machinery, or agricultural implements to South America or Australia and exchange for wool would likely be bankrupt on the first trip.

Wool containing a large per cent. of waste can not be imported except at a loss; consequently, the wool is gathered up by British ships and taken to London, where the American purchases, with freights, commissions, insurance, and interest, all going to the British dealer, added. No one can estimate the disadvantages of an unnatural trade. England to-day is our middleman; she takes more than half of our products and distributes them to other nations and purchases from them supplies which we must have. Her commissions freights, and profits off of our foreign commerce are sufficient to impoverish any nation. With free wool new life would be infused into every industry, our commerce would begin to grow, and a general era of prosperity would return to gladden the hearts and homes of our laboring people.

THE POLICY OF PROTECTION BY RESTRICTION A FALLACY.

It is beyond comprehension how a great party can tenaciously cling to a theory that is contrary to every experience from the foundation of the world. No nation has ever grown great, no people prosperous and intelligent except by trade and commerce. The efforts of the King of Great Britain to cut off the trade of the colonies from all parts of the world was a cause for rebellion. Ex-Senator McDonald, of Indiana, forcibly presented this thought, and I quote his words:

> In every age of the world the wealth and power of a nation have been judged more by the extent and character of its commerce than by any other standard; and in ancient as well as in modern times those nations that displayed the most enterprise in commercial pursuits have led the van in the march of civilization. Of the ancient nations the Phœnicians are undoubtedly entitled to the front rank as a commercial people. Their landed possessions were not important, consisting of a strip of country not more than 20 miles wide and 120 miles long, lying north of Palestine; bounded on the west by the Mediterranean Sea and on the east by the Lebanon Mountains, its whole extent did not exceed 2,000 square miles, and was little else than the foothills of the Lebanon range, with here and there a promontory jutting out into the sea. On two of those promontories were founded two of their chief cities, Tyre and Sidon.
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> The mountains of Lebanon furnished them materials for constructing their ships; their supplies were drawn from the island city Cyprus, and soon the then known world paid tribute to them. Eight hundred years before the dawn of christianity they had reached the zenith of their power. Their colonies had been planted on both sides of the Mediterranean as far as the Pillars of Hercules. The most notable of these was the Carthaginian republic on the African coast. Their ships had taken the soundings of every bay and inlet of that sea and had passed through the Hellespont and the Bosporus and explored the Black Sea; but, not content with the land-locked waters of the Mediterranean and the Black Sea, they pressed their victorious sails through the straits of Hercules into the Atlantic Ocean, and sailed as far north as the British Isles. These cities became the workshops as well as the marts for the world's commerce, and the raw material brought from distant lands by their ships was turned into all manner of merchandise.

The benefits of trade are that it gives to the people of every country the same advantages of the natural growths and products of every climate, soil, and season round the globe. It brings to a nation the greatest diversity of industries, to the manufacturer the cheapest and best materials, to the laborer the greatest luxuries and highest wages, to the farmer the greatest number of consumers, to the merchant the greatest number of customers, to the country the highest prosperity, and to the people the greatest contentment and happiness.

The difference between the high protectionist and the revenue reformer is that the protectionist would keep out of the country those things which can, from natural causes, be produced cheaper abroad and compel their production at home, while the revenue reformer would take advantage of those laws and encourage the production of those things which can be produced at home at the lowest cost and sold abroad at the highest price, or rather exchanged for those things that are produced there cheaper than we can produce them. Trade is but an exchange of

products, and if we exclude what other nations have to give us in exchange we at the same time prevent our own people from selling to them. If the people of Australia can not sell to us their wool they can not buy liberally of us our agricultural implements, carriages, railroad cars, wheat, tobacco, lumber, etc.

We sold to them last year considerable quantities of these and other articles. In the city of Indianapolis is a manufactory of mill machinery in which is employed a large number of skilled workmen. The manufacturers two years ago supplied two or three mills in South America and Australia with machinery. While working in this shop the men received much higher wages than farm hands, because they were skilled workmen. The manufacturer, when he sold the machinery in these countries, received as much for it as he would or could in the home market.

Directly or indirectly this machinery was exchanged for the products of those countries, chiefly wool.

Wool is grown in Australia for 20 cents a pound; if the product of the laborers in the shops at Indianapolis was taken to Australia and exchanged for wool at 20 cents a pound, are not these men practically producing wool in that establishment for 20 cents a pound; are not they growing wool at the lowest cost for the highest wages? Wool can not be grown profitably in this country on the farms, so the Ohio farmer tells us, for less than 40 cents a pound. The farmers that sell breadstuffs and fruit to the people of Australia are raising wool on the very land they are cultivating, at the lowest price, if no duty had to be paid.

Now, the authors of this bill propose that the Government shall put such a tax on wool as that it will cost, when brought within the limits of our country, 40 cents per pound. By depreciating the purchasing power of the labor of our farmers and wage-workers one-half they claim they are protecting them.

This is the effect of a prohibitory tax as applied to materials.

It drives labor out of the most profitable industries and into those requiring less skill, it cripples manufacturers, reduces both production and consumption, and imposes upon the people the hardest conditions of life. Let the rates of duty upon articles of manufacture be sufficient to fully compensate for the difference in the labor-costs of production; if this does not yield a sufficient revenue, raise the balance from revenue articles, but keep hands off of raw materials which our manufacturers and workmen must have to make articles for home consumption as well as for export.

ATTEMPT TO DECEIVE THE FARMERS.

The monopolists, aware of the destruction and ruin that has been brought upon the agriculturists, are now attempting to play upon their credulity and make them believe that they have been taken into full partnership and that they will receive large dividends upon their investments. The farmers are told that this bill was framed with special reference to the protection of their interests.

FLAXSEED.

The duty on linseed oil used by the farmer is fixed at 30 cents per gallon, and the duty on flaxseed, which the farmer raises and which produces the oil, is fixed at 30 cents per bushel. This may appear all right to the farmer, but a bushel of seed produces 2½ gallons of oil.

The manufacturers, therefore, import the oil in the seed for 12 cents a gallon, while the farmer must pay 30 cents per gallon tax if he imports. The linseed-oil trust has been in existence about two years. Before it was formed oil sold at from 35 to 40 cents per gallon; to-day you can not buy a gallon at wholesale for less than 60 cents per gallon. The trust regulates the price of the seed, and by the aid of the tariff has raised the price of the oil almost a hundred per cent. The gentleman from Wisconsin [Mr. LIND], in the last Congress, upon the due proportions between the rates on oil and seed, said:

> One bushel of flaxseed will produce 2½ gallons of linseed oil. The protection on the linseed oil is 25 cents per gallon. Hence you will see that a bushel of flaxseed has a protection of 62½ cents. These rates are disproportionate. It is doing injustice to the farmer and to the consumer, and leaves a margin for the trust in oil.

Why is he not denouncing the rates fixed in this bill, which are a greater outrage upon his farmer constituents than the present law and not half as just as the Mills bill, to which he took exceptions? Under the provisions of the measure under consideration the farmer pays to the trust 30 cents a gallon tax or protection, while the trust brings in the oil in the seed for 12 cents a gallon.

The gentleman from Iowa [Mr. GEAR] says since the duty was increased on flaxseed oil mills have sprung up in his State and are prosperous. Certainly, and there is not a mill in his State that is not a member of the trust, and they are charging the farmers of that State 60 cents a gallon for oil, and he has aided the trust to maintain this price, while he has given to the farmers on their seed not one-half so much. This bill is full of just such protection as this to the farmer. [Applause on the Democratic side.]

The duty on wheat has been increased from 20 to 25 cents per bushel. This they say has been done to keep out the foreign products and secure the home market from ruin. Last year we imported 1,946 bushels, for which we paid $2.05 per bushel. I do not know for what purpose this wheat was imported. I have been told that flour from American wheat would not make noodles, and I presume this 1,946 bushels found its way here that we might have some fresh noodles and enjoy noodle soup.

The duty paid was $389; the increase of protection amounts to $97. This action of the committee has been heralded all over the country as a triumph for the farmers.

This great increase of protection on wheat I know will gladden the hearts of the farmers in Indiana, who in a single year have harvested over $50,000,000 worth of the golden sheaf.

And the duty on corn is raised from 10 to 15 cents per bushel. Thanks; we are going to hold our corn market too. Last year we imported 2,388 bushels, about as much as one man with a team could raise. I do not know what this corn was used for, but I know what would have become of it if it had ever reached Kansas.

The increased protection on corn amounts to $119. What wealth our farmers will harvest from the increase of duty on wheat and corn.

The duty, we are reminded, has been increased on cattle, sheep, and hogs. The idea of trying to keep a hog out with a protective tariff. Last year we imported $542,767 worth of cattle, $4,770 worth of hogs, and $1,189,192 worth of sheep; in all, $1,736,726. The duties paid on these importations were $347,344; the proposed rate would increase the duty to $926,724, a net increase of duty on corn, wheat, cattle, sheep, and hogs of $579,588.

The farmers are given a little over a half million dollars on five leading productions, which is of no benefit whatever to them, but unquestionably an injury, while the manufacturers of sheet-iron and steel are given $9,000,000 on tin plate.

Is there any farmer of so little intelligence as to believe that these importations affected the prices of the domestic products one penny? We exported during the same year $17,000,000 worth of cattle, sheep, and hogs, besides $44,000,000 worth of bacon and hams, $22,000,000 worth of beef products, and over $8,000,000 worth of other meats.

The rate fixed in this bill gives to the wool-growers $2,643,906 increase of protection, while it gives to the manufacturers of woolen goods $12,972,349 of increase.

SILK.

I admit, Mr. Chairman, that the committee has effected a great thing for the farmers by providing a bounty of $1 for each pound of silk as reeled from cocoons in this country and 7 cents for each pound of cocoons, scientifically known as *Bombyx mori*. But, Mr. Chairman, I am afraid the farmers I represent will not appreciate this effort of the committee. They are in fact a peculiar people. They have a fondness for raising two-year-old steers that will weigh 1,800 pounds, and nine-month-old pigs that will weigh 300 pounds, and large, fine draught horses, and I am afraid they will not abandon these and take to the *Bombyx mori*.

But, Mr. Chairman, the committee has been exceedingly kind in making a suggestion in relation to this. They say, "To produce the cocoons necessary will give temporary but remunerative employment to the families of half a million farmers every season." It is not the farmers they propose to put to work, but their wives and children. They have burdened the farmer till he is unable to keep up and they now graciously assume to provide work for his children, so that the bleeding process may continue awhile longer.

Having done so much for the farmer, they say to him, "Come now; let us join together and pass this bill and establish a home market for all our products."

The Secretary of Agriculture has discovered what that Department was created for and has issued a manifesto to the farmers calling their attention to the depressed condition of the agricultural industry and declaring that he will make war on the fellah of Egypt and the ryot of India should they attempt to invade our "home market."

The American farmers do not, and never will, compete with the labor of the peasants of Europe, the fellah of Egypt, or the ryot of India in the home market, but for years, while taxed upon everything they consumed of manufactures, have met them, in the sale of their products, in the European market, which fixed the prices for the whole world. A home market for our products! I had occasion some years ago to expose this sophistry and I can not improve upon what I then said, and I repeat it.

In answer to this claim Governor Whitcomb said:

> Let us see if the manufacturers can give us a double price for our produce. Let us see if they can consume it. In the good old times of virtue and simplicity the mother and daughter in a thrifty farmer's family did their own spinning and weaving, and were able to clothe their fathers and brothers. By modern improvements most of our clothing is made in the large manufactories. Now, suppose that two men engaged in manufacturing were able to clothe as many who might be engaged in raising provisions, and that they should mutually supply each other.
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> But the thrifty farmer and his sons could easily raise a great deal more provisions than the whole family, men and women, could eat. Ten able-bodied men on our Western farms, therefore, can furnish far more than ten puny manufacturers could consume.
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> But this comparison would be conceding entirely too much. Calculate the number of yards of clothing, the number of hats and pairs of shoes that the ten

farmers would use in the course of a year, and then how long it would take the ten manufacturers to make those articles. Now, the real condition of our manufactories makes the difference still greater. The great difference consists in the wonderful improvements made in machinery. It is ascertained that one man with a spinning machine can produce as much yarn as two hundred and sixty-seven men can each with a one-thread wheel.

Now, even if it took one manufacturer all his time to make clothing for one farmer, the same manufacturer with the assistance of a machine could make enough, from the above calculation, to clothe two hundred and sixty-seven farmers. But this labor-saving machine has but one mouth to feed (the man who tends it), and one farmer by planting a few more rows of corn could stuff that mouth into an apoplexy. What will the other two hundred and sixty-six farmers do with their surplus?

This was nearly fifty years ago. There has been greater improvement in the last fifty years.

In 1860 we produced about 171,000,000 bushels of wheat, less than 6 bushels per capita, while in 1880 we produced over 454,000,000 bushels, about 9 bushels per capita. The increase in manufactured products per capita has been equally as great. In 1860 we produced of manufactures $1,885,861,671, about $60 per capita, while in 1880 we produced $5,369,579,191, over $100 per capita.

In 1880 the farmers exported more wheat, including flour, than the entire crop of 1860. The increase in population from 1860 to 1880 was about 62 per cent, while the increase in manufactured products was over 350 per cent., and the increase in wheat over 375 per cent.

Upon one side the manufactories have multiplied until we can no longer consume their goods, and upon the other the farmers have, by the use of machinery and improved methods of farming, increased their crops until we are unable to consume their products. In this condition the manufacturers say to the farmers, "Give us protection and we will increase in number and increase the number of our employés till we can consume all your surplus."

But the manufacturers are already making more than we consume in many kinds of products.

Now, when they propose to increase their number, so as to be able to consume our surplus of agricultural products, will they tell us where and to whom they expect to sell their goods?

Suppose, Mr. Chairman, for the sake of argument, we could so adjust and so regulate production and consumption that for a single year the home market would be equal in supply and demand, what assurance would we have that the same results would obtain the next year? The condition of the winter is likely to reduce or increase the yield of wheat 100,000,000 bushels. A drought in the corn belt may reduce the corn crop 25 to 40 per cent.

The potato crop may be a failure any year. We might by a favorable season produce a large surplus over the standard we had fixed; the crop in Europe at the same time might be short; here would be a chance for the farmers, but, having established a home market, no ships either foreign or American would be plying between our shores and other countries; hence we could do nothing but consume the whole crop. Should we have regulated the "home market" by a favorable season, the next year might be an unfavorable one and our supplies fall short; this would be exceedingly embarrassing; we might at such a time be willing to see the ryot or the fellah come over and bring a few sacks of corn and wheat.

Production and consumption are matters that are a little difficult to control, at all times, and I submit that those who are engaged in this "home market" theory are likely to encounter some obstacles before they get things in perfect running order.

The thought of our having to play gluttons one year and of being put on half rations the next will not be relished by many.

WHAT HAS INJURED THE FARMERS' MARKET?

The farmers have not only been hoodwinked on the tariff question, but have been defrauded on other questions, and unless they align themselves with their friends, and that very soon, they will be sadly outwitted again.

In 1880 our farmers exported over 144,000,000 bushels of wheat, valued at $170,000,000, and flour valued at $35,000,000; total, $210,000,000; while Russia exported about 30,000,000 bushels, valued at $48,000,000, and British India about 14,000,000 bushels, valued at $16,000,000.

During that year the American farmers sold $210,000,000 worth of wheat and flour, while Russia and India sold $70,000,000 worth, a balance of $125,000,000 in our favor.

In 1888 our farmers shipped abroad about 50,000,000 bushels of wheat, valued at $44,000,000, and $54,000,000 worth of flour; total, $98,000,000; while Russia exported 126,000,000 bushels, valued at $119,000,000, and India 32,000,000 bushels, valued at $36,000,000. During the latter year the balance was against our farmers to the extent of $57,000,000.

Why is it that our farmers in such a short space of time have been almost forced out of the European market? The main reason is because of the unreciprocal adjustment of our tariff. But there is also another cause.

The demonetization of silver was a most serious blow to our agricultural industry. It was done in the interest of capital and against the producers and the debtor class. The conception and enactment of such a measure, when the people were recovering from the losses of a terrible war and the nation had outstanding $1,500,000,000 of bonds, payable in coin, truly illustrate the merciless greed of the money power to grasp the entire wealth of the country and reduce the people to the condition of slaves.

At the time silver was demonetized we had discovered vast deposits of silver ore in the Western Territories, and soon would have been able to resume specie payments without the ordeal through which we passed from 1873 to 1879. From the time of the demonetization of silver to the present time the price of silver bullion has been going down. In 1873 it was worth par, while to-day it is worth 79½ cents on the dollar. The partial restoration of coinage in 1877 gave some relief to the debtor classes by supplying about twenty-four millions of money per annum, but the coinage of that amount, being only about half our output, did not arrest the downward tendency of silver bullion.

From 1873 to the present we have exported about two hundred and twenty millions' worth of silver bullion. The farmers of India using nothing but silver and having but little of that, here was a grand field for the Europeans. They bought our silver at a large discount; passed it off in India at par; developed the agricultural fields there; built railroads and purchased all the wheat that could be raised, and are fast forcing the American farmers out of their market. It was the profit made upon our silver, which we should have coined into money, that has enabled the British Government to develop her possessions in India and to draw from there a great portion of her supplies.

The money powers have framed and have pending in this House a most cunningly devised measure for stopping the coinage of the silver dollar, without furnishing anything to take its place, and, like the tariff bill, it is all for the benefit of the farmer.

These are not the only insidious measures which the majority side have brought into this House and propose to enact into law. By maintaining the war tariff, which places high rates of duty on materials used in the construction of ships, our merchant ships have almost disappeared. The farmers are told that if we only had ships we would have commerce, and the surplus wheat, corn, etc., would find a market abroad, notwithstanding the ryot and the fellah.

The farmers of the West, influenced by this seductive argument, are expected to join in and help pass a measure now on the Calendar to subsidize ships. This bill provides that there shall be paid to the owners of American vessels carrying freights to foreign countries and returning from same 30 cents per ton for each thousand miles traveled. The practical effect of such a measure has been aptly illustrated by the gentleman from Alabama [Mr. WHEELER] in his minority report, in which he says:

Wheat could be transported from California or Oregon to Liverpool and receive a bounty of 20 to 25 cents a bushel. It would also be possible to ship wheat from San Francisco, Cal., or Portland, Oregon, to some South American port, and then reship to New York and other Atlantic cities, and receive from the Government 40 cents a bushel, thus militating against the wheat-growing interests of the Eastern States.

To illustrate, suppose a ship of 4,000 tons, with 1,000 bushels of wheat, sailed from Portland, Oregon, to some South American port, a distance of 7,000 miles; the ship would receive $8,400—that is, 7,000 miles at 30 cents a ton for every 1,000 miles sailed. The wheat could then be reshipped in a vessel of like character to New York, say 5,000 miles, and for this voyage the Government would pay $6,000. The same wheat could then be reshipped in a similar vessel for Liverpool, for which the Government would pay $3,600.

To illustrate the consequence of such a changed condition upon wheat-growing sections of the Middle and Eastern States, I will cite the following from a recent address by the president of the New York Produce Exchange: "The difference in the cost of a single penny in laying down grain at Liverpool may determine the question whether millions of bushels shall be supplied by this country or shall be drawn from the ample fields of Hungary or Southern Russia."

It would be well for us to inquire if under this bill, should it become a law, it would not become profitable to bring wheat from British India to New York. Coal could be brought from Nova Scotia and compete with American coal in all our Atlantic ports, and by the use of the Welland Canal could compete with our coal in all the lake cities. To illustrate, a 2,000-ton ship, carrying 500 tons of Nova Scotia coal for New York, would receive a bounty of $60, *i. e.*, 30 cents a ton for 581 miles, and the duty would be $375, thus entering the coal free of duty and leaving the ship-owners $ 25 bounty.

Iron ore could be brought from Spain and draw a bounty from the Government of $1 per ton, and thus transfer the iron furnaces to the Atlantic coast.

Let the farmers of the West contemplate for a moment the effects of this measure. The bounty on sugar pales into insignificance in comparison with it. They pay freights a thousand miles to the seaboard, and when their grain is landed there it may meet in competition the grain from some other country or from California or Oregon which they have been taxed to carry around the coast.

It looks, Mr. Chairman, as if the farmers of the Mississippi Valley were to be taxed until there was nothing left to tax but their taxes.

They are taxed to improve our harbors and then taxed to close them up with a prohibitory tariff.

They are taxed to prevent any commerce from coming to us from other nations and are to be taxed to send American ships after the same. Taxed to build up a home market, then taxed to tear it down.

Mr. Chairman, if prosperity shall ever return to our agricultural industry; if our manufacturers ever succeed in giving to the producers a better market for their products; if our wage-workers are ever given better wages and steady employment, it will not be done by a further exercise of the taxing power of the Government, but by taking off some of the burdens that have dragged them down until their appeals for aid are borne to us upon every breeze. Expansion, and not contraction, emancipation, and not coercion, deliverance, and not captivity, are what the industries, the energy, and the labor of the country require to restore them to a free and prosperous condition.

Newton W. Nutting.

REMARKS
OF
HON. THOMAS C. CATCHINGS,
OF MISSISSIPPI,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 5, 1890,

On the resolutions of respect to the memory of Newton W. Nutting, late a Representative from the State of New York.

Mr. CATCHINGS said:

Mr. SPEAKER: A warm friendship existed between Judge Nutting and myself almost from the beginning of our acquaintance.

The first time I ever saw him was the day the Committee on Rivers and Harbors of the Fiftieth Congress, of which we were members, assembled for organization. I was immediately attracted by his uncommonly handsome face and figure and his quiet and modest though manly demeanor; and, seeking an introduction to him after the committee had adjourned, a long and to me most interesting conversation ensued. The acquaintance thus began soon ripened into a warm attachment, and many times after the labors of the committee for the day were finished did we linger in the rooms and exchange our thoughts and opinions and experiences.

He was a man of deep convictions, large information, and charitable judgment. Though our early environments had placed us wide apart as to many things, I found him singularly free from intolerance, a good listener as well as a good talker, patient in argument, and always courteous and kindly.

He was a very patriotic man, an ardent believer in American institutions, hopeful always of the nation's future (though not blind to the perplexing problems confronting us), and firm in the belief that a great people, though at times swayed by passion, will always in the end triumph over difficulty and danger.

His own early struggles and his own successes, no doubt, had laid the foundation in his mind and heart for his absolute faith in the destiny of his country. I found that he had been a careful student of history and had given great thought to all matters pertaining to the art and science of government. He discoursed upon this theme with great wisdom and eloquence, and would not admit a doubt as to the advantages of popular sovereignty. He believed that the people were the safest repository of power, and his admiration for the sagacity and wisdom with which the Revolutionary fathers had laid the foundation for our institutions was limitless. He rejoiced that the country was once more united, and was fond of drawing pictures of what it would be one hundred, two hundred, or three hundred years hence.

Both belonging to the legal profession, we naturally fell occasionally into the discussion of subjects relating to it. I found that he was not merely a thoroughly informed and equipped practitioner, but a jurist who had studied law as a great science, bearing upon all the relations of life, whether public or private, without which there could be no safety, no order, no government. He often spoke of the grave and solemn duties a lawyer owed both to his client and his state, and deplored the facility with which persons not fitted by learning or character were admitted to the profession, whereby its power for usefulness became so sadly diminished. I am sure that in the practice of his profession he reached the high standard he would have set up for all.

In his committee work he was always serious and earnest. While believing that it was the duty of the Government to provide its citizens with every possible facility for their commercial pursuits, he was careful always to see that under the guise of public improvements no fraud was countenanced or imposition upon the Government permitted. He was fair and just in all of his work, and commanded the unqualified respect and confidence of his colleagues upon his committee.

He shirked no labor, even after the hand of death had touched him and his end was almost in sight. During the second session of the Fiftieth Congress, when it was known to all (and to none better than himself) that he was fatally stricken, he was as devoted and attentive to his committee work as ever. The only difference to be noted was that he was more quiet and serious, and that now and then for a moment he would seem to forget his work and to be looking afar off at something that no eyes but his own could see. But not a complaint fell from his lips. He trod the path of duty to the end, without a thought of turning aside. During this period, however, the conversations with him which I had so frequently sought and had so enjoyed altogether ceased.

When not engaged in his Congressional work his mind and thoughts were given over doubtless to the contemplation of his past life and preparation for that strange one which he was so soon to know. And so the days went by. His step became heavier, the ruddy hue of health left his cheek, his manner became more and more serious, but to the last he bore himself as a dignified, courteous, and considerate gentleman. I never saw him after the adjournment of the Fiftieth Congress, but my sympathies and affections were with my stricken friend.

The story of his sickness and his suffering and his death would be the saddest that I have ever known were it not illumined by heroism, patient fortitude, and a christian resignation which emblazoned the end of his noble and well spent life with a halo of holiness and glory.

To me it will always be a pleasure to think of this dear departed friend. I wish that I could somewhat at least repay to his sorrowing family something of his unvarying kindness to me. But nothing is left save to give assurance of my affection for him and my profound sympathy for them.

The death of such a man as Judge Nutting is a great loss to the country he loved and had served so well. He was in the very strength of manhood, mentally and physically, when the shadow fell upon him. His ripe experience, his learning in all those things needed in the performance of high public duty, and, above all, his earnest and conscientious purpose, gave assurance that higher honors and loftier fame were within his grasp.

But while his onward and useful career was thus abruptly ended it should be a consolation to his friends to know that his useful and blameless life went out with honors and success crowding thick upon him.

He died in the enjoyment of fame, of the esteem of his friends, and in the hope of reward in that kingdom not made by the hands of men. It was a fitting end of a noble life.

Kansas and the Tariff.

SPEECH
OF
HON. BISHOP W. PERKINS,
OF KANSAS,
IN THE HOUSE OF REPRESENTATIVES,

Monday, May 12, 1890.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. PERKINS said:

Mr. CHAIRMAN: I desire to supplement briefly some suggestions of my colleague [Mr. PETERS] in connection with the questions brought to the attention of this committee from time to time. During the discussions we have had upon almost every topic our friends on the Democratic side of the House have seemed to be extremely solicitous concerning the welfare of Kansas and its people. We learned many years ago to beware of the Greeks bearing gifts, and I am satisfied the arguments indulged in by our friends on the other side of the House in this debate will not deceive the farmers who are engaged in cultivating the fields of Kansas. It has been suggested here that they are paupers, bankrupts, and the objects of charity, and in listening to the suggestions of some of our Democratic friends upon this floor we would be led to suppose that they were ready to make contributions at once for the relief of the people of my State. What empty offerings!

Mr. Chairman, it is unfortunately true—and I am not here to controvert the proposition—that for five years or more the agricultural interests of this country have been depressed. In fact, every man who occupies a seat upon this floor knows that every day that Mr. Cleveland was President of the United States farms depreciated in value, every single day. [Applause on the Republican side.] Farm products were low and agricultural lands depreciated in value, and the farmers were without thrift and prosperity, and in Kansas, as elsewhere, we suffered from these conditions and from this depreciation. But, as my colleague said, the glad tidings now come from the prairies of the West that under the encouragement and inspiration of the proposed legislation of a Republican Congress conditions are improving [applause]; prices are advancing; despondency is giving way to hope; and we propose to give to the people of Kansas, as we propose to give to the people of this nation, legislation which will overcome in part at least the policy and spirit that animated and controlled the last Democratic Administration and which depressed agricultural efforts and reduced prices so generally in this country. [Renewed applause.]

Gentlemen on the other side talk of "strikes." It is true that there are "strikes," but they are "strikes" for higher wages, for shorter hours of work, for still better conditions. But who ever heard of such a strike in the old Democratic free-trade days. We heard of strikes then, but they were strikes for the opportunity to work; they were strikes for something to eat, not strikes for shorter hours of labor. In those days laboring people were glad to get the opportunity to work for any compensation, no matter how many hours' work might be required of them. But under the legislation that the Republican party has given to the people of this country we hear the workingmen say that the manufacturers and others can afford to pay them better wages than

they are receiving, that it is not necessary for them to work so many hours to sustain themselves, and hence we hear of strikes for better compensation and for shorter hours of work.

Our friends on the Democratic side cry out for cheapness. They say, "Let us give to the people something that is cheap." Why, Mr. Chairman, in my judgment, things are unfortunately too cheap in this country at this time rather than too dear. If wages were higher, if farm products were higher, if manufactured goods were higher, it would be better for us all. We would then, perhaps, enjoy an era of prosperity similar to that which we enjoyed immediately following the war. Then every man found an opportunity to work at good wages. Business was good, prices were high, and the avenues for the investment of capital were open to all. The desolation that followed in the wake of war gave, I concede, many of these opportunities. Old homes were to be rebuilded, waste places were to be rehabilitated, and new activities were to be organized and put in motion.

The military necessities of the Government had called 2,800,000 men from the fields of production and had marshaled them in the ranks of consumers. The Government had been one of the largest purchasers and consumers, but with the return of peace the armies were disbanded, and as the men were discharged they engaged in new activities, new enterprises. They became employers and operatives; and the five years following the war, because of these conditions, were the most prosperous and productive in our nation's history; and that prosperity was largely, if not entirely, the result of the influences I have indicated, and because of the legislation that the Republican party gave to the people of the country.

Mr. McCOMAS. Will the gentleman allow me one question?

Mr. PERKINS. With pleasure.

Mr. McCOMAS. Is it not the fact with respect to the farm mortgages in Kansas that most of them are dated between March 4, 1885, and March 4, 1889, the period of the Cleveland administration?

Mr. PERKINS. A very great majority of them were given during that period. [Applause on the Republican side.] And, as was admitted by the gentleman from West Virginia [Mr. WILSON], it was during that period that the trusts were formed, the trusts which have prostrated so many of the industries of this country and that were organized to foster and to fatten at the expense of the producing classes. As has been admitted in this debate, when Mr. Cleveland was inaugurated President there were but three trusts, and they were Democratic trusts: the sugar trust, the whisky trust, and the Standard Oil trust. The other trusts of which we have heard so much to-day have grown into life and activity under the encouragement and fostering care of a Democratic Administration.

But, Mr. Chairman, I desire to speak for a moment concerning the indebtedness of the agricultural sections of the country. It is true, as already suggested, that many of the people of Kansas are involved in debt. They went there as pioneers; they went there poor, hoping to secure lands under the homestead laws. Many went to the new and unorganized counties in the extreme western portion of the State and located upon the unoccupied lands. They were enterprising and progressive. They were not content with their condition. They wanted school-houses, churches, and the advantages of the old, settled sections of the country. To secure these they involved themselves in debt. They abandoned their original purpose to take their lands under the homestead law, and the most of them entered them under the pre-emption law. To accomplish this they necessarily borrowed the money and mortgaged their homes as security, and it is of these mortgages that we hear so much to-day. Rates of interest were high, and in consequence of low prices and unfortunate seasons these pioneers, as well as farmers generally, found it difficult to meet their obligations, pay their taxes, and preserve their homes.

Last year we had a bountiful harvest; our farmers raised almost enough to feed the world, but prices had been depressed until they were lower than at any time since 1860. Hence the bountiful harvest did not bring to our farmers the relief they had hoped for and expected. Corn sold for 10 cents a bushel, fat cattle for $2.75 per hundred, wheat for 60 cents a bushel, and other products correspondingly low. Can we wonder that at such prices the farmers felt dissatisfied and complained? Can we wonder that they ask for favorable legislation? But it gives me pleasure to bear testimony to the intelligence and integrity of the Kansas farmers, and in most instances they promptly met their obligations when due, and, in fact, reduced the amount of their mortgage indebtedness. I will send to the Clerk's desk and have read a few extracts from Kansas papers proving this statement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PERKINS. Then I will ask, Mr. Chairman, to be recognized again in a few minutes for the purpose of continuing this subject.

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Mr. PERKINS. I move to strike out the last word, and would like to have the Clerk read the extracts I have sent to the desk.

The Clerk read as follows:

Register of Deeds Flora reports that for the month of April there were placed on file in his office chattel mortgages amounting to $22,486.20 and there were canceled from the record $50,221.58, making a difference in favor of those released of $27,735.38. This is another cold and chilling fact for those to swallow who have been harping on the woes of the people and asserting that the country was rapidly going to financial ruin. The report for the month of April is but a repetition of the showing for several months previous and is gratifying in the extreme.—*Oswego Independent*, May 8, 1890.

NOT A BAD SHOWING.

During the month of April there were seventy-six farm mortgages released in Crawford County and forty-two placed on record.—*Girard Press*, May 15, 1890.

THE DISTRICT COURT.

The district court will convene next Tuesday. There are eighty-four court cases on the docket, thirty-three jury and twelve criminal cases. The docket is a light one. This is particularly the case in suits for foreclosure of mortgages.—*Parsons Sun*, May 3.

THE BOTTOM FACTS.

The faith of the Republican in its belief that the farmers of Kansas were getting out of, instead of into, debt, which led it to examine and publish the record of recorded and released mortgages in Franklin County, is bearing fruit elsewhere.

The Girard Press has made a like examination for the past few months in Crawford County, and finds the same condition of facts discovered by the Republican here, namely, that the "dead center" had been passed and the machinery of mortgage liquidation fairly in motion again.

The Press reports for the month of February, 1890, forty-four farm mortgages recorded and sixty-two released. For the month of March, 1890, forty-seven farm mortgages recorded and eighty-three farm mortgages released.

The total sum of the mortgages recorded in the month of March was 28 per cent. less than those released. This is a showing which tells a story of fact, not fiction, and should check the epidemic of unreason and demagogic howl which has sought political capital in magnifying misery, impairing hope, undermining faith, and destroying individual and public confidence and credit.—*Ottawa Republican*.

Mr. PERKINS. These extracts are but samples of those that might be taken from papers published in every county of the State, and I introduce them now to show whether they corroborate the accusations that have been made upon the floor of this House or not. The accusations that have been made upon this floor are but repetitions of the slanderous accusations that were made in the campaign of 1888; in fact the very statements appearing in the press and repeated upon this floor were formulated as a campaign document by the chairman of the Democratic State central committee of Kansas in 1888. He circulated it as a political document in all sections of the country, making these same charges and defaming and dishonoring the reputation and credit of his own State, and the people at the ballot-box answered these slanderous accusations in tones of condemnation by giving to President Harrison and the Republican party 82,000 majority. [Applause on the Republican side.] Our Democratic friends should learn that the people of this country like decency and justice and that they have but little love or respect for birds that befoul their own nests, and in my judgment the people of Kansas and of the country generally will return an answer to these slanders when they get the opportunity of doing so that will not be particularly encouraging to the free-traders of the country. [Applause on the Republican side].

Mr. Chairman, the people of this country want the Republican party in power to give to them legislation that is responsive to their aspirations and in harmony with their interests. They believe in protecting this country because it is their home. They believe in the doctrines of the Republican party because that party believes in the people and in the Government of the United States. The Republican party says that our home extends from the Great Lakes upon the north to the great inland sea upon the south, the Gulf of Mexico, and sweeps from the rock-bound coast of the Atlantic to the golden sands of the Pacific, and for it we should legislate and work. To make this people prosperous and happy should be our ambition.

Here we have more than sixty million people who constitute and make up this great Republic of America. These people believe in legislating so that as among ourselves we will have free trade. No State lines shall stand as barriers, and county lines shall not be interposed as objections to free and unrestrained commerce and traffic among ourselves. We will buy and sell, barter and exchange on terms of equality and as inclination and a spirit to better our condition prompts and moves us. No man representing the Government of the United States will be permitted to stand at an American workshop or an American factory and, in the name of the Government, impose taxes or restrain trade. But as to the people who live abroad, beyond the ocean, who constitute no part of us, who invest their money and pay their taxes abroad, who employ European labor, and who do nothing to contribute to the growth and prosperity of this country, as to them we say, when they bring their wares, manufactured goods, and agricultural products and desire to sell them to us in this great home interior market of ours, let them pay for the privilege. [Applause.] Is this wrong?

Is not this patriotic and American? And this is all there is in the Republican doctrine of protection. [Applause on the Republican side.] And when those men who live abroad have paid for the privilege of selling in this great home market in competition with our farmers and manufacturers we will cover the money into the Treasury of the United States and with it we will carry on the concerns of our Government, and will do justice to the men who wore the blue and defended their country against treason and rebellion. [Applause.] And we will do this in the name of patriotism and our country, because we believe it right. [Loud applause on the Republican side.]

[Here the hammer fell.]

Mr. DOCKERY.

* * * * * * *

Now, one word in reference to Kansas. I have no desire to obtrude any suggestion of mine with reference to the delicate financial troubles of that State; for I respect the Kansans that I know, in the main, especially some of the gentlemen who represent that State on this floor. But I want to say to the gentleman from Kansas [Mr. PERKINS] that among the most prosperous years which Kansas has known, to my knowledge, were two of the years under the Administration of Grover Cleveland. [Applause on the Democratic side.] I traversed that State myself looking for investments, and Kansas soil commanded during those two years five to ten times the price that Missouri soil did; and there is none better on the face of the earth than the soil of my section of Missouri.

Mr. PERKINS. Will the gentleman permit a question?

Mr. DOCKERY. The gentleman will not deny this statement.

In one of the years of the Administration of Mr. Cleveland there were constructed in the State of Kansas over 7,000 miles of railroad. The whole State was honey-combed with railroads. Prosperity was visible on every hand. The prices both of real estate and farm products were exceedingly satisfactory. Everywhere peace and contentment were to be seen. And in those years no corn was burned by the farmers of that State.

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Mr. PERKINS. Mr. Chairman, I thought before this debate closed the music that we have heard with such united chorus from the other side of this House would change. From the opening of the session to the present time we have heard nothing from that side of the House but a cry of bankruptcy, ruin, mortgages, taxation, and death. But now, according to the argument of my good friend from Missouri, two years ago the farmers of Kansas were enjoying an era of unexampled prosperity and farm lands were so high that he could not think of investing even a dollar in them. [Applause.]

Why, according to his confession they brought ten times as much in Kansas as they brought across the line in Missouri, where he claims the land is equally good or better. I am willing to confess to the truthfulness of his accusation in part, and I am willing to give him here and now an explanation. Kansas was then, is now, and will be hereafter a Republican State. [Applause on the Republican side.] Across the line in Missouri bourbonism dominates and controls, and the advocates of free trade and cheap labor are in the ascendency; as a result its lands do not increase in value and progressive immigration does not look to it as an inviting field. [Applause on the Republican side.]

But, Mr. Chairman, I do not desire to speak unkindly of my neighbors and will call attention to some pleasing figures concerning my own State which further answer the slanders repeated from day to day.

The aggregate bonded indebtedness of Kansas is less than one million dollars; it is $801,000, and our bonds bearing a reasonable interest bring a premium in all the money markets of the world. Last year we expended for school purposes, as a State, $5,137,460.87. [Applause.] In fact we spent more for school purposes than most of the Democratic States disbursed for all purposes. [Laughter and applause.] In every little town in Kansas we have better buildings for our common schools than most counties in the Democratic States have for county purposes and for their courts of justice. [Laughter and applause on the Republican side.]

We have a school fund in the State that owns in bonds bearing from 5 to 7 per cent. interest $5,321,440.77. We have due to the State school funds in consequence of school lands sold $3,000,000, and we have unsold school lands aggregating in value $600,000 more. These are some of the advantages that we possess as a people; and perhaps this is in part an explanation of the statement made by my friend from Missouri, that he found our homes so prosperous and contented and our lands so valuable. One gentleman upon the floor a few days since stated that the aggregate mortgage indebtedness of Kansas was $13.50 per acre. Why, there is not a Democratic State in this Union in which the average value of farm land is $13.50 per acre, unless it should be New Jersey, and yet, according to the statement of our Democratic friend, in Republican Kansas, we have been able to mortgage our farm lands for more than they are worth or will sell for in any Democratic State in this Union. This is a great compliment to our young and growing State, but it is a very great exaggeration as to the extent of our mortgage indebtedness. My friend from Missouri [Mr. DOCKERY] suggested that in one single year over 7,000 miles of railroad were built in Kansas under Mr. Cleveland's Administration. Mr. Chairman, I am sorry to dispel the illusion. I am willing to admit that Kansas is a great State, but the truth of history compels me to confess that we have only a few more than 8,000 miles of railroad in our State at the present time in the aggregate. [Laughter and applause on the Republican side.] This is more than any other State has, with one exception, and speaks of the energy and ambition of our people.

It is for this wonderful State I speak, and in the name of her intelligent and patriotic people I protest against the slanders that have been repeated upon this floor and elsewhere to the prejudice of her credit and to the detriment of her growth and prosperity.

A few more figures, Mr. Chairman, concerning Kansas, figures collated by our State board of agriculture in 1887. I will take five counties and give the estimated value of the farms and the estimated value of the farm products for that year:

Counties.	Value of farms.	Product of farms.	Per cent.
Saline	$5,119,656	$1,674,686	32.7
Labette	4,344,613	1,802,117	41.7
Ottawa	3,082,216	1,306,521	42.3
Kingman	2,897,261	1,611,134	55.7
Sumner	7,556,776	3,854,112	51.0
Total	22,980,522	10,248,574	44.6

The estimated value of the farms is a low one I confess, but upon the estimate given the farmers living in those five counties in Kansas raised in a single year in farm products 44.6 per cent. of the aggregate value of all their farms.

For the entire United States the same year the estimated per cent. was but 22. These figures tell a tale that can not be answered and tell why it is that our State has had such a wonderful growth and development.

But, Mr. Chairman, I desire to give a little attention to some of the free-trade sophistry of this debate. It is claimed by our free-trade friends that the tariff has depressed the price of agricultural products, while it has added to the cost of living and to the cost of agricultural machinery and implements used upon the farm. No assertion is more easily disproved than this, and yet our British free-trade friends repeat it from day to day with an appearance of sincerity and with the apparent hope of deceiving the farmers by its constant repetition. In answer to this statement I will send to the Clerk's desk and have read an editorial which appeared in the New York Tribune on the 9th instant, and in which some figures are given that should for all time to come silence this illogical and silly proposition.

The Clerk read as follows:

PRICES TO FARMERS.

If the depression of agriculture is in any measure due to the tariff, as some assert, prices will tell the story. That test free-traders invariably try to evade. Prices ought to be lower than at any former time, they admit, but would have been lower still if duties had not prevented. But if prices generally "ought to be lower," what sense is there in attributing the low prices of farm products to the tariff? When prices of products which the farmer buys at different periods are compared, and also prices of products which he sells at the same periods and in the same markets, if the decline in what he buys is less than in what he sells, it is conclusive proof that the tariff, at all events, has not plundered him.

Such a comparison has been made by the Fort Dodge (Iowa) Messenger, which deserves attention as a useful contribution to that knowledge of the facts without which reasoning of value is impossible. The prices of 1880 at Fort Dodge are compared with those charged or paid there this year. Some of the figures are here arranged in tabular form.

Farm implements and supplies.

Articles.	1880.	1890.
Self-binder	$315.00	$130.00
Corn-planter	80.00	40.00
Riding cultivator	45.00	25.00
Wood pump	15.00	6.00
Farm wagon	85.00	50.00
Spring wagon, two-seat	160.00	75.00
Iron nails, per keg	6.00	*2.80
Cook stove	33.00	24.00
Milk pans, per dozen	2.25	1.00
Salt, per barrel	2.25	1.25
Flour, per cwt	4.50	2.50
Barbed wire, per pound	.10	.04
Plow steel, per pound	.13½	.06½
Sugar, granulated, per pound	.12½	.07
Kerosene, per gallon (150° test)	.25	.13
Muslin, unbleached, per yard	.08	.06
Calico, per yard	.07	.05
Gingham, per yard	.12½	.10

* Steel.

Farm products.

Products.	1880.	1890.
Corn, per bushel	$0.18 to $0.20	$0.18 to $0.20
Oats, per bushel	.21	.18 to .20
Flaxseed	1.25	1.15 to 1.25
Hogs	3.50 to 3.75	3.50 to 3.72
Cattle	3.00 to 4.00	2.50 to 3.50
Eggs	.07	.09
Butter (roll)	.16 to .18	.16 to .20

As respects farm implements, it is stated that the full list shows a decline of 33 to 60 per cent.; that window glass is 25 per cent. lower than in 1880, household hardware 25 to 60 per cent. lower, crockery 25 per cent. lower, tea 30 per cent. lower, and tobacco 35 per cent. lower; that in ready-made clothing the decline has been from 30 to 50 per cent., in boots and shoes 33 per cent., in furniture 25 to 50 per cent., and in lumber, drugs, and all the articles that make up the farmer's expenses there is not a single exception to the rule of lower prices. The aggregate decline in all the things he has to buy is obviously far greater than the decline in the prices of things he has to sell.

For the accuracy of these figures the Fort Dodge Messenger is responsible, but they correspond as to other than farm products with tables of prices recorded at New York, for the latter tables show since 1880 an average decline of more than 25 per cent, in all the articles not produced on the farm. Meanwhile the fall in prices of farm products at this city has been much greater than on the farms, because of cheaper transportation, but no record yet obtained of prices on the farms has indicated a decline nearly as great as that shown in the products which the farmer has to buy. The net result is that the farmer gets more for his labor than he could get ten years ago. He actually gets more for his products, reckoned in the things he wants to buy, than he could get ten years ago, and far more than he could get thirty years ago under a revenue tariff. Not one of the tariff agitators ever ventures to examine or combat such comparisons as these, but they go on asserting that the farmer is plundered by the tariff all the same.

Mr. PERKINS. Again, Mr. Chairman, our Democratic friends claim that those who stand by the American doctrine of protection favor high prices for the necessaries and every-day articles of life, while they ask for cheap luxuries. This assertion does not rise to the dignity of argument and scarcely deserves notice, but permit me to call the attention of the House to one familiar illustration in answer and refutation. When the Democratic party laid down the reins of government on the 4th day of March, 1861, after an almost uninterrupted control for fifty years, our people were compelled to pay 15 cents a yard for a poor quality of English calico, or perhaps 12 yards for a dollar. If a farmer's wife needed a new dress and the farmer could raise a dollar, he gave it to her and she bought 8 yards of calico and made her a Democratic dress. [Laughter.] Eight yards in those old Democratic free-trade calico dresses, and they cost a dollar. [Laughter.] We all remember how they hung about the limbs of the good-looking ladies of those days.

Why, when Abraham Lincoln was inducted into office and with uncovered head and uplifted hand he swore he would support the Constitution of the United States and defend it against its enemies, and the patriotic ladies of the land desired to manifest their joy and step to the music of the Union, they could not do so without splitting in twain the skirts of those old Democratic dresses. [Laughter and applause.] But after the Republicans had been in control of the Government for less than a quarter of a century, legislating and governing in the interest of the people, the English calico disappeared, and in its stead came good American calico, the product of American toil, and instead of selling for 15 cents a yard it sold everywhere for 5 cents a yard. [Applause on the Republican side.] And now, when our good ladies want a calico dress, they get a dollar from their husbands and instead of making a Democratic dress with 8 yards in it they make a Republican dress with 20 yards in it. [Loud applause on the Republican side.] And this Republican dress of 20 yards does not cost any more than the old Democratic free-trade dress of 8 yards, and our ladies can step as long and as often as they please without endangering the skirts of these Republican dresses. [Applause.]

Mr. Chairman, during the campaign in Virginia in the fall of 1888 I learned of an old farmer living on the side of the mountain overlooking the beautiful valley of the Shenandoah River. He had been a Confederate soldier and a Democrat all his life, but, like many ex-Confederates and farmers, he began to think for himself and to ask why he should continue a Democrat. He asked his neighbors to give him some good reason why he should not strike down the prejudices and ties that had bound him and vote for protection and the Republican party. His farm was small, but a little above him on the side of the mountain was an iron furnace where from seventy-five to a hundred laboring men found employment and good wages. As he watched their labors from day to day and thought of other and similar activities scattered throughout the country he began to question in an intelligent and dispassionate way how their welfare as well as his own would be promoted by a Democratic victory and by Democratic ascendency. His questions and logic could not be answered by his Democratic neighbors, and the more the old farmer thought and the more he reasoned the more firmly he became convinced it was right and best to vote the Republican ticket. Democratic workers were informed of the old man's lack of political orthodoxy and committees were appointed to wait upon him and to convince him of the necessity of Democratic ascendency. Appeals were made to his prejudices, and the usual methods resorted to by Democratic politicians in the South to keep the white vote solidly Democratic were indulged in, but still the old man doubted. As a last resort a representative of Mr. Cleveland's Administration, that happened in the county, an appointee and agent of the Internal Revenue Division, was sent to labor with him. After reminding him of his services as a Confederate soldier and of his life-long devotion to the Democratic party, the representative of Mr. Cleveland's Administration suggested to him that he could not understand why he should think of voting with the "black Republican, nigger-loving people of the North." But the old man resisted the appeals to his prejudices and inquired for some good reason—some reason addressed to his conscience and to his understanding—why he ought not to vote the Republican ticket. The Democrat from Washington thought of the rallying cry of his party, "Cheap goods and cheap labor," and so he answered the old farmer by saying that if the Democrats succeeded the farmers would be able to buy their nails cheaper. He thought he would try the old farmer with the nail argument. [Laughter.] The man who told me the incident said that when this proposition was advanced the old farmer straightened himself up and calling attention to a little garden in front of his door said, "You see that truck-patch there; well, sir, I can raise more cabbages on that truck-patch this year and sell them to the men who are employed up there at that furnace than is necessary to buy all the nails I need for four years" [applause], and so the old man was not satisfied with the cheap-nail argument. In fact, the old farmer had already learned that it was a good deal more important to him that the fires in that iron furnace should continue to burn; that its smoke should continue to ascend to the heavens above him; that the iron should be mined and the laborers employed and paid, that they might continue to buy and consume his cabbages and other farm products, than it was that he should buy nails cheaper. [Loud applause on the Republican side.]

This is the whole argument; and this was the verdict of 1888. America for Americans and legislation for the people of the United States! If our friends upon the Democratic side of this House think the farmers and working people want cheap prices, cheap labor, and the cheap conditions that are found in the most of the governments of the Old World they but little understand their patriotism and intelligence. And in Kansas we will answer their slanders and misrepresentations by an old-time majority in favor of decency and good government. [Loud applause.]

The Tariff.

SPEECH

OF

HON. JUDSON C. CLEMENTS.

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 16, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. CLEMENTS said:

Mr. CHAIRMAN: The report of the Committee on Ways and Means states that—

We are advised from the annual report of the Secretary of the Treasury that the ordinary revenues of the Government, actual and estimated, for the fiscal year ending June 30, 1890, will be $385,000,000, and that the expenditures for the same period, actual and estimated, will be $293,000,000, leaving a surplus of $92,000,000.

The estimated amount required for the sinking fund will be $48,321,116.99, leaving an estimated net surplus of $43,678,883.01.

The excess of revenues over expenses estimated for the fiscal year ending June 30, 1891, we are advised from the same source, will amount to $43,569,522.30, which with the amount of cash now on hand and available, reaching nearly $90,000,000, the committee believe will justify a reduction of the revenue in the sum contemplated by this bill.

The exact effect upon the revenues of the Government of the proposed bill is difficult of ascertainment. That there will be a substantial reduction, as we shall show, admits of no doubt. It is not believed that the increase of duties upon wools and woolen goods and upon glassware will have the effect of increasing the revenues. That would, of course, follow if the importations of the last fiscal year were hereafter to be maintained, which, however, is altogether improbable. The result will be that importations will be decreased, and therefore the amount of revenue collected from these sources will be diminished.

In every case of increased duty, except that imposed upon tin-plate (which does not go into effect until July 1, 1891) and upon linen fabrics, the effect will be to reduce rather than enlarge the revenues, because importations will fall off.

That there should, therefore, be a material reduction of the revenue, now yielding an annual surplus, no one will question. Both parties agree in this conclusion. There should not be a constantly accumulating surplus. Such a policy is hurtful in more ways than one.

First. It withdraws from circulation and its proper function in the business of the country and locks up in idleness in the vaults a large part of the money of the country. The amount of money in circulation is already inadequate and should be increased. It is needless for me to present any argument to prove this proposition, for it will not be seriously denied.

Second. A surplus is a great evil, in that it is a constant temptation to reckless and improper appropriations and expenditures. Experience teaches that an era of plethora tends to establish a higher scale of salaries and the inauguration of new and doubtful schemes and enterprises requiring vast sums in the coming years to carry them out. The annual outlays of the Government are greater now than the public good requires. The tendency in the face of a surplus has been upward in greater proportion than the growth of the country justifies. It is a patriotic duty on the part of Congress to remove the temptation.

Let the revenue be promptly reduced to the bare necessities of the Government economically administered. This being done, we will have taken an important step in the correction of the evils to which I have referred. This brings us to the question, By what method shall the reduction be made? While considering this question let us keep all the time in mind the broad difference between reduction of the amount of receipts or of revenue and reduction of taxes. The latter does not by any means necessarily follow the former.

There may be, and in my judgment ought to be, a reduction of revenue in a manner and upon a principle that would at the same time relieve the burdens of taxation. Upon the other hand, there is a method whereby the tariff revenue may be not only reduced, but utterly annihilated and yet the taxes upon the people greatly increased. By the former method the taxes borne by the people, in a large degree, though not altogether, go to the Government for the benefit of those who have paid them for public purposes.

By the latter method, though the people pay more the Government receives less. The manufacturers pocket the great bulk of it. The higher the duty upon foreign goods of any class the less competition there can be by importations and the higher therefore can the home manufacturer price his goods to the consumer. Especially is this true upon articles the manufacture of which in this country does not exceed the demand for consumption. In this era of combinations called trusts, where the tariff is high enough to exclude the importation of a given article, it is in the power of all home manufacturers by means of the trusts to gauge the amount of their combined output of goods to fall within the demand for consumption.

By their combination, supplemented by the unrighteous exercise of the power of the Government in the practical exclusion of the foreign product, they are enabled to exact from the consumer extortionate and oppressive prices. It is in the prices thus extorted that the tax upon the people is paid in the purchase of what they daily buy for use. In this way, little by little, on many hundred articles of every-day use, from a tin cup up to an outfit of machinery for a factory, the earnings of the great mass of consumers in every walk of life contribute to the formation of a constantly flowing stream of wealth, to be distributed in dividends to the protected few engaged in manufacture. Such a device for such a purpose is not legitimate taxation.

It is a wicked, indirect, and concealed method of transferring the earnings of one citizen to the pockets of another. Hear the powerful words of Justice Miller, of the Supreme Court of the United States, upon a more direct method of doing that which our high tariff does indirectly. Certain bonds of the city of Topeka had been issued to a manufacturing company to encourage manufacturing. In holding the bonds to be void the court said:

> Of all powers conferred on the Government that of taxation is most liable to abuse. This power can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there are no implied limitations of the use for which the power may be exercised. To lay with one hand the power of the Government on the property of the citizen and with the other bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation; it is a decree under legislative form. Nor is it taxation. Beyond a cavil there can be no lawful taxation which is not laid for public purposes.

A majority of the committee have presented to the House a bill which we are now considering, to reduce revenue by building higher the walls of exclusion against healthy foreign competition by prohibitory duties. The average rate of duty is increased by this bill about 10 per cent. above the rate under existing law. This is done with the distinct and open avowal on the part of the honorable chairman of the committee that one purpose is to "check imports," notwithstanding he says, "The committee will admit that free trade or revenue duties would temporarily diminish the cost of products consumed by the people."

We are in the midst of widespread depression in agriculture. More agricultural products are produced in this country than our people can consume. For their surplus wheat, corn, cotton, etc., the farmers must find a market in other countries. Your tariff laws prohibit by a high duty an exchange of his surplus farm products for cheap salt, tinware, cutlery, crockery, and hundreds of other necessary articles, including clothing, blankets, etc. Thus, by a tariff which in the nature of things gives him no higher price on what he sells, at prices fixed in foreign markets, he is forced to pay higher prices on what he buys, in order to insure profits to the manufacturer; and this, under your merciless law, he must do steadily, in times of depression and distress as well as in times of prosperity.

Who contributes to a fund to insure the farmer against drought? Who contributes to make certain reward for his labor and a reasonable profit on his investment? You say the manufacturer must have protection to keep him from going to the wall. What does the prosperous manufacturer contribute to keep the farmer from going to the wall? Under this highly protective system, by the exclusion of competition from abroad, you enable the trust at home to so limit production as to prevent an oversupply and thereby keep prices always up to the point of good profits. Not so with the farmer; he has no relief from overproduction.

Hear what the gentleman from Ohio [Mr. BUTTERWORTH], a leading Republican, said on this floor in discussing this bill a day or two ago:

> Certain it is that in some lines of production we have, by our system of adjusting the tariff, enabled a few individuals to accumulate more money than the entire agricultural and working population of some States have been able to earn during the same period of time.

This startling result has taken place under the present law, and yet, with this fact before us, it is proposed to greatly aggravate existing wrongs by heavier taxes and greater inequalities. You seriously propose and will doubtless pass in this House an increase of 10 per cent. over the present law. But hear, again, what the gentleman from Ohio says:

> Now, I propose to show, with the indulgence of the committee, just the inequalities of some of the provisions of this bill as it affects the farming community, concerning whose interests we treat with such tender and delicate solicitude. I propose to show that under certain tariff regulations, which have had the approval of some of my friends and which it is proposed in large degree to continue and in some instances aggravate, they have in fact taken out of the farmers of this country, out of our people, hundreds of millions of dollars, for which we now seek to atone by presenting to them pictures of prosperity. For instance, we propose to double, and more than double, the tariff on tin.

He seems to stand alone on that side of the Chamber on this question. Will gentlemen not heed these warnings?

It is not my purpose to denounce. It is not my purpose to indulge in partisan abuse. I would infinitely prefer to see prosperity among the agricultural and all classes substituted for the depression that now hangs over them than merely to see the triumph of any party. But certain it is that this bill, for which the Republican party is wholly responsible, will increase burdens. This is admitted in the language I have quoted.

The bill bristles with bounties and subsidies, both direct and indirect. It is the boldest and most completely unmasked measure of extreme protection that has ever made its appearance in Congress with the indorsement of any political party.

No political party that ever came into power for the first seventy years of our national existence ever boldly proposed a tariff except it had for its primary and leading object revenue for the Government.

Even since the war up to this time it has generally been claimed that such was the purpose, though in fact it was in many particulars far from it. Now, for the first time, we are openly and boldly invited to enact a law, not for revenue with incidental protection, but for protection to American manufacturers with increased taxation upon consumers and incidental reduction of revenue to the Government.

A bounty is to be paid out of the earnings of labor to the producer of silk. Two cents a pound is to be paid directly as a bounty to the producer of sugar in this country. On the production of sugar made in this country last year, it will take $7,000,000 from the earnings of other people to pay this.

I ask my friends from Kansas and Iowa who propose to vote for this bounty what they will say when they come to give an account of their stewardship. By what reasoning can you convince the farmer whose corn is selling at 20 cents a bushel that it is equal and exact justice for the Louisiana sugar-planter to be paid a free cash bounty of $2 on every 100 pounds of his sugar, a sum equal to the proceeds of 10 bushels of corn, and at the same time sell his sugar to this same farmer for its full market value?

The manufacturers have by their own acts admitted that they are enabled to and do receive unreasonable profits in respect to many articles they manufacture. They go out of our country and sell to foreigners cheaper than they demand and are enabled to receive of our own people by reason of a prohibitory tariff and the trust. On this point I read from the New York Herald:

> Under the present tariff and before we get to McKinley prices, American axes cost American citizens $7.76 per dozen, but the same axes are sold by the same American manufacturers to foreigners for $6.75 per dozen. A plow for which the American farmer is charged by the American manufacturer $11 is sold to foreigners by the same manufacturer for $8.40. A plow for which the American manufacturer charges his fellow-citizen, the American farmer, $5.60, the same manufacturer sells to a foreigner for $5.04. For a gang-plow the American manufacturer charges the American farmer $58.80, but he charges the foreigner only $52.92. For a dozen shovels the American manufacturer charges his fellow-citizens $9.20, but he lets the foreigner have them for $7.86.

This bill offers a further bounty to the manufacturer to extend this discrimination against our own people. This bounty is called a drawback. The manufacturer is to receive back from the Treasury 99 per cent. of any duty he has paid on imported raw material that has entered into his finished product for foreign export. Will the voice of reason and justice not be heard in this or the other House in time to stay this threatened increase of burdens and discriminations?

See to what length the advocates of taxation of the masses in favor of the classes will go. Here is the consolation of a strong protective paper, the American Economist, of New York, to the farmer whose corn, cotton, and wheat are low on account of overproduction.

The Clerk read as follows, from the American Economist of April 18, 1890:

CORN AS FUEL.

> To some extent in the West, where diversified industries have not yet been established and consequently little or no home markets have been created which would absorb much or most of the neighboring farm products, many of the farmers are using their corn for fuel. Of course, such conditions are lamentable, but not unprecedented. Even in the centers of civilization, commerce, and distribution, when markets have been glutted by oversupplies, large holders have often relieved such markets from the depressing influence of such supplies by destroying a part, finding their compensation for the same by the larger prices they were able to obtain by the decrease of quantity seeking a market. It is related of Charles Fourier that he was started in his career as social critic by his disgust when a boy at being intrusted by his employers with the charge of destroying a large quantity of rice by dumping it into the sea to enhance the price of what remained.

Mr. CLEMENTS. The farmers of this country could dispose of their surplus at fair prices if commerce between this and other countries was not so fettered by prohibitory taxes. There can be no considerable or

advantageous commerce between this and other countries except upon the basis of exchange of products or reciprocity in business. No people can buy from us altogether and not sell to us.

We are urged now by a report made to this House by one of its committees to offer bounties out of the public Treasury to steam-ship lines to South America to foster commerce.

We are asked to tax the people to raise millions of dollars to hire private individuals to carry on a business for their profit which we make impossible by a tariff that would compel the vessels to return to our shores empty. We put it out of the power of a neighboring people to buy from us because they can not long buy anything if they can not also sell.

Mr. Chairman, it is admitted by the very frank statement of the gentleman in charge of this bill that its purpose is to check imports, to restrict commerce; and it is almost admitted by our friends on the other side that it is practically impossible to relieve the farmers on account of their overproduction by any duty that can be put on their farm products, though it is true the attempt is made here to make them believe that this can be done to some extent.

Now, I do not wish to dwell longer on that point, but I ask the serious attention of my friend from Massachusetts [Mr. WALKER], a sincere man—I ask his humane attention to a particular class of laborers, for he says this protective system is in the interest of labor, and not of manufacturers.

Mr. WALKER, of Massachusetts. That is true every time.

Mr. CLEMENTS. Now, I wish to ask the attention of the gentleman to a class of laborers to be found largely in the ten cotton States of the South. About five-sevenths of the colored people of this country live in those States and produce mainly cotton. That cotton has to be sold in the market of Liverpool in competition with the world; and you can give those laborers no protection. You claim that these protective duties benefit the laborers in the workshops of Massachusetts and elsewhere; but when my friend from Michigan [Mr. BURROWS] and my friends from Kansas [Mr. PETERS and Mr. PERKINS] go next fall to Virginia, Louisiana, or elsewhere in the South to talk to the colored people, I want you to tell them what you have provided in this bill for them. They are laborers; they are laboring in the fields of the South in the production of cotton; and they get no benefit from your protection. You can give them none for the reasons stated.

Indeed, after the war you taxed every pound of cotton of their production, not indirectly, but directly. I invoke the attention and sympathy of gentlemen on the other side for this class of laboring people. You make them pay a bounty on clothing, salt, cutlery, fertilizers, farming implements, etc., to the manufacturer.

Mr. MILLIKEN. Perhaps if the gentleman's friends in the South would give those people a chance to vote and have their votes counted the case might be different.

Mr. CLEMENTS. I will not enter into a discussion with my friend about the question of voting. When that question is up I will discuss it with him. There is less corruption of the ballot in the South than in the North.

No other cause has contributed so much to the present depression of agriculture as the present oppressive tariff system; yet when the people plead for relief you press through a worse law than the present and an effort is made to hoodwink the people and lead them away from this the real cause of their troubles. It is sought to divert the farmers from this issue of reducing taxation on the necessaries of life. An attempt is made to seduce them into the indorsement of other demands and untried measures which you know you will not and can not adopt. They will make no mistake. They will not be led away from the real issue by any seductive bait.

I commend to them the words of wisdom of that unselfish patriot, Grover Cleveland, expressed in a very recent letter to a member of the Farmers' Alliance on this subject. His words are as follows:

> It has always seemed to me that the farmers of the country were especially interested in the equitable adjustment of our tariff system. The indifference they have shown to that question and the ease with which they have been led away from a sober consideration of their needs and their rights, as related to this subject, have excited my surprise.
>
> Struggle as they may, our farmers must continue to be purchasers and consumers of numberless things enhanced in cost by tariff regulations. Surely they have the right to say that this cost shall not be increased for the purpose of collecting unnecessary revenue or to give undue advantage to domestic manufacturers. The plea that our infant industries need the protection which thus impoverishes the farmer and consumer is, in view of our natural advantages and the skill and ingenuity of our people, a hollow pretext.
>
> Struggle as they may, our farmers can not escape the conditions which fix the price of what they produce and sell according to the rates which prevail in foreign markets, flooded with the competition of countries enjoying freer exchange of trade than we are. The plausible presentation of the blessings of a home market should not deceive our depressed and impoverished agriculturists. There is no home market for them which does not take its instructions from the seaboard, and the seaboard transmits the word of the foreign markets.

I also commend to them the following words of Senator VOORHEES, of Indiana:

> The tariff, with all its overwhelming prominence and its overwhelming oppression at this time, is but a part of the vast system devised more than a quarter of a century ago, whereby a moneyed aristocracy has been created, labor degraded and deprived of its earnings, and the Government itself revolutionized in substance and in form. It is true that while the tariff is only a part of the money-power system of Government, yet its place and agency in that system are of the most vital and commanding influence in its execution. To take toll from all the laboring men, women, and children of the United States on all their wants and necessities, not for Government revenue, but for the protection of the millionaire manufacturers, powerful corporations, trusts, and syndicates, is the base function of the tariff laws now on our statute-books.

Also the following, from the Alliance Farmer, of Atlanta, Ga.:

> HOW THE TARIFF AFFECTS THE FARMER.
>
> But few, if any, of our people have ever taken the time to investigate the effect of the tariff upon the farming interest. The farmer learns from the newspapers, as he does sometimes from a public speech, that the tariff is a grievous tax. But he does not have the time nor the inclination to look into it and see to what extent it curtails his own income. His ideas about the tariff are vague and indefinite, and will remain so until he wakes up and gives it more thought. The general depression that prevails over the whole country is largely due to the tariff.

This bill enacted into law under the present circumstances of depression, indebtedness, and despondency will carry in its inequalities and oppressions more of the seeds of socialism, communism, and discontent than all the vessels that have ever crossed the seas have brought to our borders. Reason, justice, humanity, and patriotism all dictate that you stop and consider.

Forfeiture of Railroad Land Grants.

SPEECH

OF

HON. PRESTON B. PLUMB,

OF KANSAS,

IN THE SENATE OF THE UNITED STATES,

Tuesday, April 29, 1890.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 2781) to forfeit certain lands heretofore granted for the purpose of aiding in construction of railroads, and for other purposes—

Mr. PLUMB said:

Mr. PRESIDENT: It has not been my purpose to address the Senate on this subject. It is comparatively stale here. It has been debated over and over again in all its phases, certainly on two former occasions, and I think perhaps on three or four, and the Senate has on the main question established a policy which the committee has followed and which I think the Senate is disposed to adhere to, because it is founded in what is certainly the law applicable to cases of what are known as earned lands.

But, as the chairman of the committee and having reported the bill, there are some things which perhaps ought to be said concerning the matter which is more especially in controversy now, affecting some lands in the State of Florida, and also upon the general proposition which is embodied in the bill as reported by the committee.

In the first place, it may be said as affecting what might be called the sentimental side of this question, if it properly has such in the present attitude of affairs, that there is no evidence before the Senate outside of the statement of the senior Senator from Florida that there are any considerable number of people upon the lands in that State covered by his amendment claiming to make entry under the general land laws.

I think I am entirely safe in saying that there has been no petition presented from any such people at this session of Congress, and I do not recall any at preceding sessions of Congress, although there may have been. But, if there were they were signed by only a handful of persons. There has been no evidence from such a source of threatened injury to any one. The Legislature of Florida has not spoken nor has there been presented any evidence of the assembling of any body of people to express their feelings on a subject of the transcendent importance which it would be if the homes of some thousands of people in the State of Florida or in any other State were in peril on account of any action proposed to be taken by Congress. If what the Senator from Florida says on the subject were well founded, there would be some evidence of the deep interest which a circumstance of that kind would undoubtedly evoke in the minds of the neighbors of these people and in all the people of the State.

I know that in my own State, whenever any settlement upon the public lands or upon lands which people had gone upon with the impression that they were public lands, was drawn in question, the Legislature of that State by memorial addressed itself to the subject, and in various ways popular attention was called to it with a view to action favorable to the settlers.

There must be in the State of Florida something which is known elsewhere as public opinion. There must be there such a thing as sympathy, as everywhere else in the world, in proportion to the number of people, and if the spectacle presented itself in that State of a large number of people who had in good faith gone upon lands which they supposed to be public lands, who were in danger of being ejected, I think certainly we should have heard more of it than we have.

I am, therefore, bound to say that I think the Senator from Florida is mistaken in regard to the number of cases involved and as to the in-

terest felt in the subject by the people of his State. I do not say that the principle is not as valuable as applied to one individual as to a hundred or as to a thousand, but there are other considerations, which I shall advert to presently, which lead me to think that, whether the number be one, or whether it be ten, or whether it be fifty, or whether it be a hundred, the case for the exercise of power or authority on the part of Congress does not exist.

The amendment which the Senator proposes would destroy every title growing out of the land grants of 1856 in the State of Florida. That there are such titles or assumed titles upon which taxation, mortgages, transfers by means of public sales, and so on rest, there can be no doubt. The Senator himself, by an amendment which he offered to a bill similar to this in the last Congress, which was adopted, distinctly disclosed the existence of such cases and provided for the ratification of all such titles. If there were no such conditions then, of course, his amendment would have been totally unnecessary; but he proposed the amendment, insisted upon it strenuously, and the Senate agreed with him and adopted the amendment, which confirmed the titles up to a certain time; that is, all titles which were derived from any railroad company claiming lands in Florida under the granting act of 1856.

Now the amendment which he proposes ignores all that class of cases and proposes to wipe out with one single act, or at least to have Congress do it if Congressional action can accomplish it, every single title that has accrued since 1856 to all lands covered by these various grants, whether they accrued last year, or the year before, or twenty-five years ago, or thirty years ago, and some of them accrued I have no doubt more than thirty years ago. That would make this bill if it were adopted not a bill of peace and quiet, but a bill of destruction, and it seems to me incredible that the Senator from Florida should submit a proposition of that kind.

Nothing that he could have done would do more to hinder the settlement and development of that State; nothing more to put its people at loggerheads, to send them to the courts, and to destroy all the interests which from time to time have grown up under the peaceful condition of things existing in that State during the last ten or fifteen years, and which has been so fruitful of inducement to people from outside to go there and make investments.

So, Mr. President, if this were not a question of power, but a question of propriety, every principle that ought to underlie legislation, everything that relates to the interests of that State and of its people, would unite in saying that the amendment should not be adopted. If it were to accomplish all that it contemplates, the people who have bought, improved, and paid taxes on the faith of the Congressional grant would all be put out and other people, with whom the Government is not in privity, be put in. It would be a complete overturning. Perhaps I ought not to speak of these things in the presence of the Senators from Florida, but I am emboldened to do it because one of the Senators from that State has taken the same view of this amendment which I take. The opinion, therefore, in regard to the amendment of the senior Senator from Florida, now under consideration, upon the part of those who represent that State on this floor, is divided.

But, Mr. President, the power to declare what the amendment of the Senator from Florida declares does not, in my judgment, reside in any legislative body, and, if it does so reside, it is not in Congress, but in the Legislature of the State of Florida.

By a practice which was abandoned some years ago, but which was unwisely prevalent at the time these grants were made, in 1856 and the years immediately succeeding, as soon as a grant was made or as soon thereafter as the Land Office could get down to it the lands covered by the grant were certified to the State within which the railroads were to be built. The practice in later years has been not to certify the lands to the State until they were earned; that is, until the roads to which they were granted had been constructed.

In 1859 and 1860 the Commissioner of the General Land Office certified all these lands to the State of Florida; that is to say, all the lands that had been granted by the act of 1856 for the building of several hundred miles of railroad in that State. They went to the State of Florida, according to the terms of the granting act, in trust for the performance of certain conditions; that is to say, they were to be turned over by the State to such railroad companies as it might select for the purpose of building the railroads as they were built in sections of 20 miles, the State having the power to determine whether the roads had been built according to the terms of the granting act or not, such determination to be evidenced by the certificate of the governor of the State.

If these roads have not earned the lands granted and if it be true, as is alleged here, that large numbers of citizens of Florida are about to be deprived of their homes upon these lands improperly and unlawfully, it can only be because the State of Florida, by its Legislature and by its governor, is not only consenting to that act, but is actively engaged in accomplishing it.

I hope I do not need to say that if any citizen of that State is called on to appeal to Congress against his own State government, and if hundreds, as is alleged, and possibly thousands of people are in that condition, being oppressed and threatened with unlawful ejection from the premises which they are occupying, it is a melancholy fact, but one for which the Senate is not responsible.

If there is anything which can be done in a legislative way for the purpose of determining the non-existence of the fact upon which the validity of this grant alone rests, that authority is with the Legislature of the State of Florida, and not with the Congress of the United States. Not one single acre of the land covered by the amendment of the Senator from Florida can go to any railroad company unless the Legislature of the State of Florida authorizes it to go there; and inasmuch as the allegation which is here made is that the State of Florida has not done the things which were necessary to be done in order that these grants might devolve upon some railroad company, the sole question is one which that State alone is competent to decide. If it so decides it will only need to do nothing or to instruct the governor to do nothing and no lands can go to any railroad company, and the rights of settlers be completely preserved.

Mr. GIBSON. I should like to ask the Senator from Kansas whether the State has diverted these lands from the purposes for which the grant was made to the State in trust by the Federal Government.

Mr. PLUMB. There is no evidence of such diversion.

Mr. GIBSON. Have the railroads been built?

Mr. PLUMB. I am told that the railroads have all been built, every mile. I do not say that they have been built in precise accordance with the act of Congress; I do not know, though I have here on my table a certificate attested by the Secretary of the Interior as a copy of the certificate of the governor of the State of Florida issued on the 19th day of the present month of April in which he certifies that a certain map or plat which is attached to his certificate is the map or plat of a certain portion of the—

Florida Central and Peninsular Railroad duly filed in my office, by H. Rieman Duval, president of the Florida Central and Peninsular Railroad Company, which shows that portion of said railroad beginning at Waldo, in section 23, township 8 south, of range 21 east, and ending at the waters of Tampa Bay, in section 24, township 29 south, of range 18 east, a distance of 155.33 miles, which has been completed and equipped as required by the act of Congress approved May 17, 1856, entitled "An act granting public lands in alternate sections to the States of Florida and Alabama to aid in the construction of certain railroads in said States," and the act of the Legislative Assembly of the State of Florida approved January 6, 1855, entitled "An act to provide for and encourage a liberal system of internal improvements in this State," granting lands to the said railroad company.

It appears from that that the present governor of the State has made a certificate of the final completion of one of these roads, and he certifies that the last sections of the same, whatever he may have certified as to the remainder, have been completed in compliance with the act of Congress making the grant and with the act of the Legislature of Florida accepting the same.

Mr. MITCHELL. Would the effect of the adoption of the amendment of the senior Senator from Florida [Mr. CALL] be to declare forfeited lands adjacent to roads already completed?

Mr. PLUMB. Undoubtedly it would.

Mr. BERRY. Will the Senator permit me?

Mr. PLUMB. Certainly.

Mr. BERRY. As modified by the Senator from Florida on last Friday, it does not touch any part of the road that was completed within the time specified in the act.

Mr. PLUMB. I think the Senator misunderstood the question of the Senator from Oregon. He did not ask if it would forfeit lands adjacent to roads completed since the date named in the granting act, but he did ask if it would forfeit the lands adjacent to roads already completed.

Mr. MITCHELL. That was my question.

Mr. PLUMB. The suggestion of the Senator from Oregon indicates a difference upon this subject of what Congress ought to do which is fundamental, and which is broader than the Senator from Florida, as it relates to the entire bill.

The question it brings up is as to whether Congress can or ought to forfeit lands opposite to portions if never completed after the date named in the granting acts and concerning which I shall speak presently.

Now I am told, in the line of inquiry suggested by the question of the Senator from Louisiana, that within the last year or so an adjustment has been made of the land grant of another line of road completed under the act of Congress of 1856, and all the lands to which the railroad was entitled according to the judgment of the authorities of the State of Florida and of the United States have been certified to this railroad company, and that 5,000 acres of land, embraced within the apparent limits of this grant and that had been certified by the General Land Office to the State in 1860, were deeded back to the General Government, and thus a settlement so far as the State of Florida and her land office and the railroad company could effect one has been effected. The railroad company is known as the Pensacola and Atlantic.

I do not know that the acts of the State of Florida through its Legislature and governor and the General Land Office are valid, but I submit that we can not determine that fact here upon *ex parte* statements made by a Senator, fortified by no documents or other statements, and no judicial decisions determining the existence of the necessary facts or their legal effect. They have got to be determined by some judicial tribunal. And, Mr. President, if it be true that the State of Florida has not done the various things necessary to the com-

pletion and giving effect to the grant of 1856 as they ought to have been done in order to meet the requirements of the act of Congress, then the act of forfeiture embraced in the first section of the pending bill takes every bit of land away from the State and away from the railroad companies. This is its language:

That there is hereby forfeited to the United States and the United States hereby resumes the title thereto all lands heretofore granted to any State or to any corporation to aid in the construction of a railroad opposite to and conterminous with the portion of any such railroad not now completed and in operation, for the construction and benefit of which lands have heretofore been granted; and all such lands are declared to be a part of the public domain.

That is to say, lands which have not been earned in accordance with the terms of the act of Congress conveying them to the State for that purpose; and, if what the Senator from Florida says is true, there is an adequate remedy for every person who has an adverse claim, and an opportunity to every person to assert his right to the lands covered by this grant. In fact, this bill, if passed by Congress, removes every single barrier that remains in the way of the people who have cause of complaint growing out of the claims of the railroad companies with the State of Florida.

But the Senator says that will require a lawsuit. I imagine he does not expect that if we should adopt the measure which he has proposed, arbitrarily taking away from these railroad companies what they believe they have a right to under the law, they are going to submit without a lawsuit. He seems to think that an act of Congress disposing of private rights acquired under a law of the United States or assumed to be so acquired are to be settled by a "Be it enacted," and that whoever that act of Congress may be leveled at will not appeal to the courts for the protection of his rights. Such is not the history of railroad companies or any other corporations. The amendment would not prevent but incite litigation.

Mr. President, it is a significant fact that while all this discussion has been going on, of which we have had more or less at nearly every session of Congress in the last four or five years, based upon the assertion that the State of Florida had never disposed of any of the granted lands; that nobody had earned any of them; that no railroad had been built in compliance with the act of Congress or with any act of the State of Florida, yet the State of Florida, which the Senator so ably represents on this floor, by its Legislature and its governor, has been saying precisely the opposite thing during every year while the construction of these roads has been going on. Acts of the Legislature whereby the lands were apportioned among different railroads have been passed. The State granted them in the first place directly to the companies, and then it recognized them afterwards in various ways, amending the act and recognizing the disposition of the lands which had been made, and so on until up to date, as I understand, the final certificate of the completion of all these roads has been issued, whereby *prima facie* at least every fact which the Senator from Florida has stated is disputed.

I am bound to presume of that action of the Legislature and the governor, a governor and Legislature elected by the people, representing the great political party to which the Senator belongs, which claims to be especially devoted to human rights and opposed to railroads and other monopolies—I am bound to presume that if all this has been going on it is because it was proper that it should be so, that nobody's rights were being trampled upon. I am willing to give that much presumption to whatever the State of Florida has been doing, and, as I have suggested, if there is any ground for complaint, that complaint ought to be made in Florida to the Legislature and to the public opinion supposed to be extant in that State, and not here.

Perhaps I am not warranted in saying so much, but I may say at all events that it is equally significant that the men who have been elected to serve the people of Florida at the present and previous sessions of Congress in the House of Representatives have never offered any bills or memorials or made any disturbance about this matter. That is not a conclusive fact, but it is worthy of note, and, taken in connection with the affirmative action of the governor and Legislature of the State of Florida, and which has at least the negative support of the people of that State, I am bound to presume there is no serious cause of complaint.

The senior Senator from Florida [Mr. CALL] commented upon the first section and said it was a grant of land, and seemed to think that this section was very vicious; yet he will bear in mind that he himself voted for it in its present form when it passed the Senate two years ago or about two years ago. I say he voted for it. The bill passed unanimously. There was no opposition to it on its final passage, and therefore the Senator from Florida was at that time consenting to it.

But the amendment which he then offered did recognize the fact that a large portion of these lands had been earned, in the proper acceptation of that term, and his amendment provided for confirming the titles to such lands as should have passed from the railroad companies to the persons who had purchased from them. I call attention to the language of this section.

The Senator from Florida dwells on the joint resolution of the Legislature of the State of Florida of 1869 which he has read, which in its preamble recited that whereas by reason of the war and other obstructions the railroads for the benefit of which lands had been granted by the act of Congress of 1856 had not been completed according to the terms of the grant, and then proceeding upon the supposition that these lands had reverted on account of this lapse of time to the General Government, they asked Congress to regrant them to the State for similar purposes.

I understand there is an inside history to that. But independent of that the Legislature of Florida did not reconvey the lands to the United States or assume to do so. It used the preamble of the resolution as a predicate on which to found a request that the lands should be granted to other companies, and it acted upon the theory in regard to the lapse of time which then prevailed in the Land Department and elsewhere in the country.

Mr. President, since I have been in the Senate it has passed by a unanimous vote a bill introduced and advocated at great length by the present Secretary of the Treasury, Mr. Windom, then a member of this body, extending the time within which the Northern Pacific Railroad Company should be allowed to construct its line, upon the theory then in vogue that lands not earned within the time named in the granting act reverted to the Government without further action. The opinion in the case of Schulenburg vs. Harriman had then been delivered, but the scope of it was imperfectly appreciated and it was then believed that the extension of time contemplated by the action of the Senate was necessary.

The Interior Department acted upon that theory and sold large quantities of land within the limits of the various grants where the roads were uncompleted at the date named in the granting act, and in one of the old cases which have been before us, where lands in the State of Michigan were supposed to be forfeited, they sold thousands of acres embraced within the land grant on the supposition that the grant had lapsed by reason of the expiration of the time within which the road was to be built, by reason of which great confusion resulted.

The House of Representatives about 1874 had before it, and came within 1 vote of passing, a bill extending the time within which the Atchison, Topeka and Santa Fé Railroad should be authorized to build its road and become entitled to the lands covered by its grant. It was then conceded that if the road was not built in time its lands would be forfeited. The bill failing, the company hastily and at great expense completed its line within the time named in the original act.

Afterwards the Supreme Court passed upon the case of Schulenberg vs. Harriman, deciding that until an act of forfeiture was passed the land-grant roads had a right to go on building, and becoming thereby entitled to lands opposite constructed road. It has been denied that such was the effect of the decision. Anybody can deny, but the court has not done so. On the contrary it has over and over again and directly and indirectly affirmed the full scope of that decision as rendered and as I have asserted it to be.

The executive department of the Government has acted upon it, not that department of the Government while under Republican administration, I beg to say, but under Democratic administration only. At the very time when these Halls were ringing with denunciations of the Republicans of this body because the Senate would not consent to the passage of an act which it believed to be illegal, to forfeit lands earned under that decision of the Supreme Court, the Administration of President Cleveland was then certifying to a railroad in the State of Wisconsin several hundred thousand acres of land, every single acre of which was earned, if at all, after the date named in the granting act for the completion of the road. Portions of the road had been built in proper time, but that portion for which Mr. Cleveland's Administration certified lands was wholly built out of time.

Mr. Cleveland, acting under the advice of his Attorney-General, Mr. Garland, who for years sat in this body, an able lawyer and a conscientious and upright man, patented the lands to that railroad company in the last days of his Administration. What was done was no doubt on account of the conscientious belief that the law required it to be done, but it was in opposition to the theory asserted by the Senator from Arkansas, and made the subject of reproach upon Republicans who propose similar action.

The same Administration performed a similar act concerning the part of a railroad in the State of Minnesota, known as the Manitoba Railroad, also built out of time. The principal owner of that road was one of the pillars of Mr. Cleveland's last canvass.

Now, Mr. President, let us go back over the history a little further. The decision in Schulenberg vs. Harriman was rendered in 1874. That year the Democratic party came into control of the House of Representatives for the first time after a long hiatus, and it has had power in that House ever since except during two terms. It was succeeding the decisions of 1874 that the railroad companies saw for the first time that they had the right to go on and complete their roads notwithstanding the lapse of time, and thereby earn the lands granted up to such time as Congress should declare a forfeiture. Now, if the public interest in forfeitures is so great, how does it happen that the Democratic House, fresh from the people and loud in professed devotion to the public welfare, did not during the fourteen years of its unquestioned power, and during the very period in which the roads were building, pass an act declaring forfeiture of unearned lands and thereby cut off the opportunity of the companies to go on earning lands by constructing roads out of time? If the Democratic House had done this the

party it represented could have claimed some credit, but it did not, but only tried to lock the door after the horse had been stolen. Ten years later, after nearly all the roads had been constructed, it began the attempt to forfeit lands opposite constructed road and with full knowledge of the decision of the Supreme Court, from which it is fair to presume that what it proposed was merely for effect.

Mr. President, the subject of land grants has never been in any proper sense a party question. It is sought to be made so now and then, but the effort is made by those who I think are oblivious to the record. In 1856, before the formation of the Republican party, or at least before it had any status in Congress, lands were granted to every public-land State in the Union in large quantities, mainly to aid in the construction of railroads not yet begun, and oftentimes not even chartered; and as soon as possible after the granting act was passed the Interior Department proceeded to pass the title of the United States to the granted lands to the States in order to put it out of the power of the General Government to exercise control over the grants, and that is where a part of the trouble comes in which is the occasion of the amendment proposed by the Senator from Florida.

The lands granted to that State were all conveyed before a mile of railroad was built, and to other States the same. I do not speak of that as evidencing intentional wrong on the part of the Interior Department. The main object in view was to get the roads, and there was no great care about the public lands. We are wiser to-day than we were then. The men of those days did what they thought was for the best interest of the Republic, although it would not be now so considered, and some of the men in public life thirty or forty years from now may look back at what we are doing and may say, and probably will if they happen to be a little bilious, that we did wrong when we were doing the best we knew how.

But the system was inaugurated, and from 1850 to 1866 its grants were made for railroad purposes, the chief ones, during the control of the Republican party, being those made to aid in the construction of the transcontinental lines, which had been demanded by the platforms of both political parties, as the records will show. All these acts granting lands to the transcontinental lines were passed by the votes of the leading men of both parties in both Houses of Congress, and during all this period of time, when the grants were being made, it was never suggested that they were in any sense or would ever become a party question.

As I have said, all the lands about which there is now controversy and which it is claimed we ought to forfeit were earned during the time the House of Representatives was under the control of the Democratic party, which made no effort to forfeit them. That came later, too late to accomplish any good. It was spasmodic and insincere, and took the form of saying that unless all the lands opposite portions of road which were not completed in the time named in the granting act should be forfeited none should be forfeited, and as the Senate would not and could not yield to this, in view of the decision of the Supreme Court, no legislation was passed. The Senate proposed to forfeit the unearned lands, but this the House would not agree to, and during the pendency of this controversy the company have built new road, by reason of which it became entitled to over 3,000,000 acres of land which might have been saved to the public land if the House had agreed with the Senate in forfeiting unearned lands.

If the House had passed the bill the Senate sent it every acre of land along the Cascade branch of the Northern Pacific Railroad since constructed would have been forfeited to the United States. "No," the House said, "we will have all or nothing; we will forfeit back to Bismarck, even though the courts have decided that we can not legally do so;" and as a consequence legislation failed. At the same time for some occult reason it did consent that the lands of the Atlantic and Pacific Railroad should be forfeited on the same conditions; that is to say, forfeit the unearned land, saving the earned lands to the company, notwithstanding every acre of the lands so saved was earned after the date named in the granting act for the completion of the road.

So last year, when we came to the land grants in Michigan, we passed a bill to forfeit the unearned lands and the House concurred. But for some reason or other there has been an effort made to stick at this one grant, that of the Northern Pacific, the main one now remaining upon which no Congressional action has yet been taken though there are half a dozen smaller grants which are subject to forfeiture and which are covered by the pending bill, and probably 8,000,000 or 10,000,000 acres of land will be restored to the public domain if this bill is promptly passed. If it should not be, doubtless a large portion of this land will be secured by the companies by construction of road.

Now, Mr. President, what is the duty of Congress under the circumstances? It is to act in accordance with the law as decided by the Supreme Court, doing all we can lawfully do to forfeit lands granted to railroad companies. "Well," some may say, "why not try to do more than the court says can be done and see how it would work?" In the first place, that would not be a proper performance of public duty, which requires Congress to take the responsibility of doing its duty, and it would be doing what equity forbids, an idle thing. Worse than that, it would be doing a wicked thing. We should thereby invite people to go upon the lands which we assumed the right to forfeit, on the assumption that after the passage of the act of forfeiture they were public lands, and every man who went upon the lands would so go on the faith that the Government would give him a title after proper settlement. He would see the act of Congress and inquire no further, only in time to be evicted with a loss of his time and his money spent upon the land, and then no doubt come to Congress asking for damages, or otherwise remain as a perpetual monument of the unwise and wicked act of the General Government whereby he was tempted to do that which he otherwise would have avoided. That is not wise legislation. Legislation ought to be designed to prevent litigation as far as possible, not to promote it.

Mr. GIBSON. I should like to ask the Senator a question. He is very familiar with this subject, as the chairman of the Committee on Public Lands, and I ask whether he knows of a single instance in which, after a land grant has been made and the road for which it was made has been completed by the company, the land grant has been forfeited by the Government of the United States?

Mr. PLUMB. Never.

Mr. GIBSON. There is none.

Mr. PLUMB. There is no such case, and in the very nature of things can not be.

Mr. President, there are but two courses of procedure before us: Either to let these grants go on until the railroad companies get ready to and do build the remainder of their lines and thus acquire such lands as appertain thereto, which under the circumstances would be equivalent to making a new grant; or, on the other hand, to pass the bill under consideration as soon as possible and thereby save somewhere from seven to ten million acres of land which, if we do not act, presumably within a brief period of time will be put under such conditions that we can not act with any effect.

That, I think, is something which ought to have been done years ago. It was a subject to which I addressed myself on coming into this body, and during my term of service I have reported a number of bills forfeiting the unearned lands pertaining to a number of individual grants, as well as on two occasions bills similar to the one before us now forfeiting all unearned grants. The decision of the Supreme Court in Schulenberg *vs.* Harriman was an unfortunate one. I wish it had been different. But the only thing we can now do is to limit our action to its requirements and forfeit such lands as we have power over. This the pending bill does.

Mr. President, I opposed the amendment of the Senator from Arkansas [Mr. BERRY] because I did not want to hold a threat over any of these lands. There is no one thing that is so much at the bottom of social order, of growth, of all prosperity, as security of title. Given trouble about title and everything goes wrong; there will be disturbance, disorder, paralysis, crime. The Supreme Court has said in numberless cases covering every phase of this question that we can not forfeit lands opposite constructed roads though earned out of time. This is a final settlement of the question. We can not take away the right which they say is enshrined in the law and grows out of a contract and its performance. Why should we not recognize this and go ahead in the performance of the duty which it enjoins, forfeit the unearned lands and close the account?

Would it be proper, wise legislation to forfeit up to the limit of your legal authority, and then fire a shot at the lands which belonged to the company or its assignees, by saying we will come down on you some of these days and make trouble about your title? True, we can not take the title away, but a threat of that kind would have a bad effect. The wicked would take advantage of it to make trouble, the weak would shun the locality, and even the strong and wise would take hold with reluctance. It would stop growth and improvement and be of great detriment to large and important sections of the country, and of no possible good to any one. If we believe we have the right of forfeiture let us exercise it now, and not hold it as a threat over these communities.

Mr. President, one or two matters affecting this local question in the State of Florida I will refer to for a moment. A complication of circumstances arose in connection with one of the land grants in that State. Somebody representing the company to which the grant was conveyed by the Legislature came here during the administration of the Interior Department by Mr. Chandler, about 1874, and sought to file a new map of location, none then being found on the files of the office. Mr. Chandler denied the right, and said if these people had filed their plats and thereby their rights had attached before the expiration of the time named in the granting act for the completion of the railroad, that would have been all right, but as they had not done it he would not allow them to acquire new rights to the granted lands, and thus the matter rested until the year 1881. In the fore part of that year these same parties, or some parties representing them, appeared in Washington and demonstrated to the then Secretary of the Interior that a map had been filed in proper time in the year 1860. When it was offered for filing in the first instance a question was raised as to its form or as to the certification. At all events it was withdrawn by permission of the office, though afterwards decided to have remained a part of the official files.

In 1881, Mr. Schurz then being Secretary of the Interior, it was decided that the plat had been properly filed, and he ordered a withdrawal of the lands along the route defined in the map, or whatever was nec-

essary in order to fix the rights of the railroad company, and he either exacted of the railroad company or the railroad company voluntarily conceded (it is not material which) that the company should file a relinquishment of its right to every acre of land upon which any one had, at that date in 1881, settled.

It is important to consider that after that date in 1881 the Government never received a cent from any man on account of an entry upon those lands and has never permitted filings thereon. Thus practically public notice was given to everybody that these lands were not subject to entry, and whoever has gone upon them since that time has gone upon them with full notice that the Government would not confer title upon him or otherwise recognize his settlement as rightful.

Mr. President, the Senator from Mississippi [Mr. GEORGE] had occasion to make some remarks about the injustice of the proposed action of the Senate upon the amendment of the Senator from Florida, assuming for the purposes of his argument that the Senate was going to vote the amendment down, which it may or may not do, and he had a great deal to say about the poor men we were thus going to injure. As I look at it, the only blemishes upon this bill as reported are the reservations in favor of land grants in the States of Mississippi and Alabama, made as to the excepted grants to the former State at the request and with the concurrence of the Senator himself, not only as found upon this bill, but upon two other occasions when similar bills were pending in the Senate.

In other words, it was at the request of the Senator from Mississippi that the committee has reported a provision, found in this bill, giving one year additional time before forfeiture to a company in the State of Mississippi, whereby its rights are not only not cut off, but extended so as to enable them to go on and earn lands which they are not now entitled to, and which Congress has the right to take from them. There is where the blemish is in this bill, in my judgment, and I am a little surprised after the argument made by the Senator that he did not lean toward the poor people of Mississippi within the limits of that grant which he is asking to have extended, and who presumably are as much entitled to consideration as though they lived in Florida or elsewhere. The Good Book commends that charity which begins at home.

But it so happens that there is a difference, as the old phrase has it, as to whose ox is gored. The echo of the Senator's complaint that the Senate would do nothing for a poor man had not died away before this body paused in its regular proceedings under the rule and passed unanimously a bill giving $150,000 out of the public Treasury for the benefit of the poor and homeless people upon the banks of the Mississippi River, a portion of them at least citizens of the Senator's own State. I do not think the Senate is subject to the charge of being regardless of the poor and the suffering. I do not know a body of men anywhere who respond more promptly and more willingly at all times to the claims of sympathy than does the Senate, and it is equally open to the claims of justice.

Mr. President, I will venture a suggestion which seems to the point. A few years ago there was a proposition for a great exposition at New Orleans. Congress voted out of the Treasury, and without limit or condition and as a gift, $1,000,000 to that exposition and appropriated funds—$600,000—to make a show of governmental instrumentalities in connection therewith. As I now remember, there was not a vote against either proposition on this side of the Chamber. Everybody said, "Give to New Orleans a million dollars in order that there may be an exposition in the extreme South which will be helpful to the industries and interests of that section."

I was not especially enamored of the idea of the exposition of 1892 at Chicago, but I could not help noting that when that measure was under consideration every vote against it came from the other side of the Chamber. Possibly these votes did not represent sectional bias. I hope not. But the comparison is worth recalling.

The question at issue is not one of helping or hindering the poor man. It is a question of performing a plain duty, the performance of which, however, will hurt no one and help thousands, and I have no doubt that the Senate will follow the right path.

The Navy.

SPEECH
OF
WILLIAM S. HOLMAN,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 9, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9909) making appropriations for the naval service for the fiscal year 1891—

Mr. HOLMAN said:

Mr. CHAIRMAN: The general provisions of this bill comply substantially with the provisions of existing law. The sum of $7,645,000 is appropriated directly for the increase of the Navy. This large appropriation for the increase of the Navy, it must be admitted, is now authorized by law. When the creation of the new Navy was entered upon, about eight years ago, substituting steel and iron ships in the main for our wooden ships, beginning with moderation, I think there was a general acquiescence on both sides of the House. It was not then expected that anything extravagant or extraordinary in the character of the Navy was in contemplation, but that we were substituting for the wooden ships of the old Navy ships of modern construction; that seemed entirely proper. For although there are many of our people who are not convinced of the necessity of expending any considerable sum of money annually on our Navy, yet it would seem to be proper, even in a Government like ours, with no war in contemplation, that we should keep up a respectable navy with about the same reason we have for a small army, to meet any possible peril that might arise in the future. Of course the reason in favor of a small permanent army is and always has been the strongest on account of our frontier on the Indian possessions. Some years ago, now and then, the fact was urged on Congress of the necessity of keeping up navy-yards for ship-building, for fear that in an emergency, if one should arise, we should not be able to build ships of war.

But in view of the fact that our now enormous coastwise trade is increasing every year, requiring great navy-yards which are increasing in capacity and number every year, it seems impossible that an emergency could arise which our people would not be fully prepared to meet. In former years we had few navy-yards, few ships were being built, and it was then possible that in the event of a possible war we might be embarrassed for the moment. But of course all that has gone by. Our coastwise trade, which now exceeds very much our foreign trade and greatly exceeds that of any other nation, results in the building every year of more and more ships for commerce, of modern construction, of steel and iron, and thus furnishing every possible facility required to meet any possible emergency. Our present facilities for building vessels of war now surpass those of any Government in the world unless it be that of Great Britain; so that any apprehension that an emergency might arise that the energy and enterprise of our people would not be able to meet is now of course utterly without foundation.

The policy of confining our enormous coasting trade to our own ships must always keep up great navy-yards. It will be remembered that our coastwise commercial policy gives to our own ships exclusively the right to clear from one port in our country to another; therefore the magnitude of this trade is seen in the vast extent of seacoast on the Atlantic and Pacific Oceans. In the late war, with our navy-yards insignificant in comparison with their present proportions, a commanding navy sprang up as if by enchantment. The Monitor, which revolutionized naval architecture, was completed as soon as her services were needed to drive the Merrimac from the ocean.

But, sir, we are confronted with a new state of things. A respectable navy, such as we have kept up during our past history, will not suit the ambitious schemes of gentlemen. I objected, but not very strenuously, to some of the appropriations made for naval purposes and vessels of war heretofore. I thought that some of the last vessels authorized to be constructed were unnecessary, but now the fact is disclosed that we are to build a great navy, not a navy such as has been common to us during all our past history, except during periods of war, when we of course enormously increased our naval force, not such a navy as seems to be necessary for our intercourse with other nations, but a great navy, corresponding to the navies that afflict the nations of Europe and impoverish their people and bring poverty and wretchedness to every fireside on the other side of the Atlantic Ocean. We are entering upon just such a system, and what most of us have regarded as a navy completed, or the completion of which was provided for by laws heretofore enacted, is, we find, only a beginning. The recommendations of the honorable and able Secretary of the Navy are simply startling. We are now informed that "the necessities of our vulnerable position demand the creation of two fleets of battle-ships, of which eight should be assigned to the Pacific and twelve to the Atlantic and the Gulf. These must be the best of their class in four leading characteristics, armament, arms, structural strength, and speed."

So that we have here but a mere beginning. Twenty line-of-battle ships are to be constructed, and what is meant by line-of-battle ships is indicated by this bill, which proposes the construction of three of them at a cost of $4,000,000 each without armament, and we all know that that estimate will probably be found below the actual cost. So this bill provides for three line-of battle ships each to cost $4,000,000 without armament. With armament more than $5,000,000 each. This is the state of things upon which we are about to enter. I know that, as a general rule, American citizens feel great pride in their country and are confident of its capacity to meet any emergency. I think the honorable Secretary of the Navy must have inadvertently used these words, "the necessities of our vulnerable position." Why, surely, Mr. Chairman, there is no nation upon the face of the globe to which that expression can be applied with less propriety than to the United States. The Secretary of the Navy speaks of the great oceans on either side of our continent as though they were to us a source of weakness and peril, yet for more than a hun-

dred years our ancestors and ourselves have rejoiced in the fact that Providence, in preparing for mankind this new continent, the last hope of the race, had so organized the geography of the earth that the new world should be widely separated from the old, so that political society might here renew its youth and that here, through the blessed influences of peace, humanity might attain its highest perfection and government its just end, the happiness of the people, setting an example to the nations of the world, of just government!

What nation can afford to assail us? What enemies have we to apprehend? I have referred to this subject once before. The only two European powers that could possibly come in conflict with us are Great Britain and Spain, on account of their possessions on this continent and on our coast. By no conception of human wisdom could matters have been so well ordered for our protection as they have been by Providence in that respect. The vast possessions of Great Britain on this continent are within our grasp and would become ours at the first tap of the war drum, and so would her islands on our coast; and as to Spain, her most valuable jewel, Cuba, lies within our reach. These valuable possessions of these nations are placed as it were by Providence within our reach as pledges for the preservation of their peace with us. This nation is less vulnerable than any power on the globe. A people capable of bringing into the field and arming promptly for any emergency 7,500,000 men, a nation that for years past has given the law to the greatest powers of Europe can hardly be exposed to the depredations of any other power.

To speak of our nation as vulnerable could only be true in the sense that an indiscreet commander of a ship might fire upon one of our cities, but with the absolute certainty that at once the nation to which it belonged would be driven from the ocean, its commerce destroyed, unless prompt apology and reparation were made.

But, sir, how vulnerable are we if our defense depended on a navy! We have now a larger Navy than we have ever had, except during the late war, and that Navy sprang up at once when the necessity arose. We have now in commission the following vessels:

List of vessels of the United States Navy, serviceable.

FIRST RATE.

Name.	Type.	Hull.	Propulsion.	Guns (main battery).	Displacement (tons).
UNARMORED.					
Chicago	Partially protec'd cruiser.	Steel	Twin screws	14	4,500
Baltimore	Protected cruiser.	do	do	10	4,400
Philadelphia	do	do	do	12	4,324
Newark	do	do	do	12	4,083
San Francisco	do	do	do	12	4,083

SECOND RATE.

ARMORED.					
Maine	Cruiser	Steel	Twin screws	10	6,648
Texas	Battle-ship	do	do	8	6,300
UNARMORED.					
Charleston	Protected cruiser.	Steel	Twin screws	8	3,730
Lancaster	Cruiser	Wood	Screw	16	3,250
Pensacola	do	do	do	16	3,000
Atlanta	Partially protected cruiser.	Steel	do	8	3,000
Boston	do	do	do	8	3,000
Hartford	Cruiser	Wood	do	14	2,900
Richmond	do	do	do	14	2,700
Omaha	do	do	do	12	2,400

THIRD RATE.

ARMORED.					
Puritan	Double-turret monitor.	Iron	Twin screws	4	6,000
Amphitrite	do	do	do	4	3,815
Miantonomoh	do	do	do	4	3,815
Monadnock	do	do	do	4	3,815
Terror	do	do	do	4	3,815
Ajax	Single-turret monitor.	do	Screw	2	2,100
Canonicus	do	do	do	2	2,100
Mahopac	do	do	do	2	2,100
Manhattan	do	do	do	2	2,100
Wyandotte	do	do	do	2	2,100
Camanche	do	do	do	2	1,875
Catskill	do	do	do	2	1,875
Jason	do	do	do	2	1,875
Lehigh	do	do	do	2	1,875
Montauk	do	do	do	2	1,875
Nahant	do	do	do	2	1,875
Nantucket	do	do	do	2	1,875
Passaic	do	do	do	2	1,875

List of vessels of the United States Navy, serviceable—Continued.

THIRD RATE—continued.

Name.	Type.	Hull.	Propulsion.	Guns (main battery).	Displacement (tons).
UNARMORED.					
Ossipee	Cruiser	Wood	Screw	8	1,900
Swatara	do	do	do	8	1,900
Galena	do	do	do	8	1,900
Marion	do	do	do	8	1,900
Mohican	do	do	do	8	1,900
Yorktown	do	Steel	Twin screws	8	1,900
Concord	do	do	do	6	1,703
Bennington	do	do	do	6	1,703
Iroquois	do	Wood	Screw	6	1,575
Kearsarge	do	do	do	7	1,550
Dolphin	do	Steel	do	7	1,500
Adams	do	Wood	do	7	1,375
Alliance	do	do	do	6	1,375
Essex	do	do	do	6	1,375
Enterprise	do	do	do	6	1,375
Nipsic	do	do	do	6	1,375
Monocacy	do	Iron	Paddle	6	1,370
Tallapoosa	do	Wood	do	6	1,270
Thetis	do	do	Screw	2	1,250
Intrepid	do	Iron	do		1,150
Alert	do	do	do	4	1,020
Ranger	do	do	do	1	1,020
Yantic	do	Wood	do	4	900

FOURTH RATE.

ARMORED.					
Alarm	Torpedo ram	Iron	Mallory propeller.	1	800
UNARMORED.					
Petrel	Cruiser	Steel	Screw	4	895
Vesuvius	Dynamite-gun vessel.	do	Twin screws	3	725
Michigan	Cruiser	Iron	Paddle	4	685
Despatch	Dispatch vessel	Wood	Screw		560
Pinta	Gun-boat	Iron	do	4	560
Palos	do	do	do	7	420

TUGS.

Catalpa	Tug	Wood	Screw		300
Cohasset	do	do	do		198
Fortune	do	Iron	do		450
Leydon	do	do	do		450
Mayflower	do	do	do		450
Monterey	do	Wood	do		228
Nellie	do	do	do		32
Nina	do	Iron	do		357
Rocket	do	Wood	do		137
Speedwell	do	Iron	do	1	450
Standish	do	do	do	2	450
Triana	do	do	do		450

SAILING VESSELS.

New Hampshire		Wood	Sails	8	4,150
Vermont		do	do	1	4,150
Independence		do	do	7	3,270
Constitution		do	do	4	2,200
Monongahela		do	do	2	2,100
Constellation		do	do	10	1,186
Jamestown		do	do	12	1,150
Portsmouth		do	do	12	1,125
Saratoga		do	do	12	1,025
St. Mary's		do	do	8	1,025
St. Louis		do	do		830
Dale		do	do		673

In addition to all this force we have by law heretofore authorized the construction of the following vessels of war, which are now in process of construction:

ARMORED VESSELS.

BATTLE SHIPS.

Name.	Keel laid.	Displacement.	Estimated horse-power.	Cost.
		Tons.		
Texas	1889	6,314	8,600	$2,500,000
Maine	1888	6,648	9,000	2,500,000
Armored cruiser No. 2		7,500		3,500,000
Puritan	1875	6,060	3 700	
Amphitrite	1874	3,815	1,600	
Monadnock	1874	3,815	3,000	
Miantonomoh	1874	3,815	1,426	
Terror	1874	3,815	1,600	
Coast-defense vessel		4,003	5,400	1,028,950
Steel cruising monitor		3,130	7,500	1,500,000
Ram for harbor defense		2,000		

In addition to this naval force, by former laws we have authorized the construction of the following vessels:

	Type.	Displacement.	Cost.
No. 6	Cruiser	5,300	$1,800,000
No. 7	do	3,000	1,100,000
No. 8	do	3,000	1,100,000
No. 9	do	2,000	612,500
No. 10	do	2,000	612,500
No. 11	do	2,000	674,000
No. 5	Gun-boat	1,000	350,000
No. 6	do	1,000	350,000
Steel practice vessel		800	260,000
Torpedo boat No. 1		99	82,750
Dynamite gun-boat No. 2			450,000

All of which are in progress of construction or preparation is being made for their construction.

It therefore appears that the following table shows the present state of our Navy and the number of vessels of war now being constructed or the construction of which has already been authorized by law:

Number of steel vessels in our Navy	15
Number of iron vessels in our Navy	26
Number of wooden vessels in our Navy	19
Number of vessels of war in progress of construction	11
Number of vessels of war in progress of construction or authorized to be constructed by existing law	11
	82

This list does not include the ten sailing war vessels.

When, therefore, the vessels now authorized by law are completed we will have a navy of eighty-two war-ships, all of which, except the nineteen wooden ships (probably the best of the lot, but that will never be tested, for it is almost absolutely certain that none of them will ever be employed in actual war), are steel or iron war vessels. So we shall have, under existing law, sixty-three steel and iron war ships, constructed according to the modern idea of naval war architecture, the largest Navy we have ever had in time of peace, without including the wooden ships, tugs, and ten wooden sailing war-ships.

And now, sir, Congress is invited to enter upon the construction of a navy of such magnitude as would have appalled any Congress in our former history, and which only an overflowing Treasury, with its profligate and corrupting tendencies, could have suggested. Here are the views of the honorable Secretary of the Navy, as expressed in his last report to Congress:

The necessities of our vulnerable position therefore demand the immediate creation of two fleets of battle-ships, of which eight should be assigned to the Pacific and twelve to the Atlantic and Gulf. They must be the best of their class in four leading characteristics: armament, armor, structural strength, and speed. The last is nearly as essential to the battle-ship as it is to the cruiser. It may safely be assumed that, other things being equal, the battle-ship of the highest speed will as a rule be the victor in action, for she can choose her position and keep the enemy at a disadvantage. Not only must the speed of our battle-ships be high, but it must be uniformly high, for the speed of the fleet is regulated by that of the slowest vessel.

In addition to the battle-ships, the situation of the country requires at least twenty vessels for coast and harbor defense. These vessels, although restricted in their range of effectiveness, are necessary components of a naval force which has a seacoast to defend. Their employment as floating fortresses requires that they should have a powerful battery and the heaviest of armor, combined with moderate draft. At the present time eight vessels of this type are under construction, five of which are reconstructed monitors.

The one problem now before the Government, in the matter of a naval policy, is to get these forty vessels built at the earliest possible moment. The steps necessary to their completion, namely, legislation, designs, and construction, can not take less than five years in the case of each one. Unless the existing yards, public and private, are enlarged and restocked with plant, not more than eight could be built at one time, and the construction of the others would have to wait for the launching of the first. Using the utmost promptness, the ships most essential to efficient protection could not be supplied in less than twelve or fifteen years.

It is therefore recommended that the construction of eight armored vessels be authorized at the coming session, and that they be of the type of battle-ships rather than coast-defense ships; the former being more generally serviceable, and there being only three of them now in process of construction as against eight of the latter.

This sounds like an appeal to arms, and yet never in our history of peaceful progress, interrupted but only three times in a hundred years, has our exemption from even the probabilities of war been so absolutely assured.

Our present and authorized Navy of eighty-two ships of war, including the large list of vessels of war now authorized by law, most of them constructed and to be constructed according to the views of modern naval architecture, is greatly beyond the wants of our Government, without taking into the account the ten wooden sailing vessels and smaller vessels.

We need a navy for the purpose of cultivating proper and peaceful relations with other nations of the globe, and for those acts of courtesy which it becomes our nation to extend to other nations in diplomatic affairs, these of course are pleasant and friendly formalities. A Government like ours, acting always on the principle of justice to other nations, a policy which has characterized our nation from the beginning, with no wars of conquest in contemplation, no king or emperor or prince whose ambition is to be advanced or gratified, with no motive for injustice or injury to any other people, needs a navy only for the purposes I have stated, and possibly at long intervals for one other, and that is, when any wrong shall be done to an American citizen anywhere, I do not care in what quarter of the globe, ships must be sent by our Government, backed by the moral power of this great Republic, demanding always and only justice; and when our ships appear in the port of an offending power demanding just reparation, the experience of more than half a century shows how promptly reparation will be made.

This nation is invulnerable! I mention two facts of recent history to show how invulnerable we are in the view of the great European powers. When the late war closed Maximilian was on the throne of Mexico, supported by France with the direct sanction of England and Italy. A word from your Secretary of State to those powers of Europe that were sustaining his throne, intimating that the occupation of Mexico by a European potentate was deemed an unfriendly act towards the United States, was all that was necessary. France abandoned that unfortunate monarch at once; England ignored him; and Italy left him to his fate.

Again. At the close of the late war this Government cited Great Britain to answer before a commission for unfriendly acts on her part to the United States during the progress of the war, by aiding the Confederacy in its war upon our commerce. Great Britain promptly submitted to answer the citation, sent her commissioners to act with ours in counting up the damage her policy had caused to our commerce; and was more than content to pay the fine of $15,000,000 imposed upon her. Would either of these great historical events have transpired if even those three great naval powers combined could have assailed us with impunity? No, sir; the mere suspension of commercial intercourse by the United States with those nations, while comparatively, for the time, harmless to us, would have been fatal to them. And yet now the American people, grown stronger and greater with every successive year, recognized by the statesmen of Europe, reluctantly it is true, as the foremost of the nations, are called upon, on the theory of their defenseless condition, to imitate the wretched policy of Europe and impoverish themselves by organizing a great navy at a time of secured peace. God in mercy to mankind has established the two great oceans as barriers of safety between us and the institutions of the nations of the Old World, and yet gentlemen, in the name of patriotism, demand that we shall imitate them in a policy which had its root in the low ambition and animosities of kings.

Let us look at this matter for a moment. While Europe is oppressing and impoverishing her people to construct and equip vessels of war, while the petty ambitions of princes and the miserable feuds of former ages, coming down to the present time, are cursing the whole land with poverty and wretchedness, inflicting inexpressible misery upon all classes of people, except the nobility and favored classes, we are preparing to imitate them instead of adhering to the policy which has made our country the pride of the human race.

How much money do gentlemen suppose is to be appropriated here for a single purpose, national defense, upon this suggestion of our defenseless condition? Let us see how and where we are drifting. Twelve years ago we appropriated for fortifications and the like $275,000. We appropriated for all purposes connected with the Navy $13,541,624.40. At that time, as gentlemen will remember, we were nearer by twelve years to the period of the late war. War always creates alarm and apprehension in the minds of the people, which do not at once subside; and it is not at all surprising that the appropriations then were beyond the actual wants of the country, as I thought then and think now. But the whole amount appropriated was only what I have named, for fortifications and Navy, in all, $13,541,624.40. Now this bill, with its $22,151,523, and the fortification bill, with $4,521,678 additional, involve the enormous sum of $26,673,201 to be appropriated by this session of Congress for purposes of national defense in time of profound peace! See how rapidly we are progressing. In 1878 for fortifications and Navy $13,541,624.40, for 1890–'91 $26,673,201, an increase in the enormous sum of $13,131,576.60. And yet not one of the forty additional ships recommended by the Secretary of the Navy taken into the account!

Now, sir, with the vast sums already authorized for the construction of war ships comes the following provision in this bill for a part of the forty additional ships.

INCREASE OF THE NAVY.

That for the purpose of further increasing the naval establishment of the United States the President is hereby authorized to have constructed by contract three sea-going coast-line battle-ships designed to carry the heaviest armor and most powerful ordnance upon a displacement of about 8,500 tons, with a coal endurance of about 5,000 knots on the total coal capacity at the most economical rate of speed, and to have the highest practicable speed for vessels of their class, to cost, exclusive of armament and of any premiums that may be paid for increased speed, not exceeding $4,000,000 each; one armored cruiser of about 7,300 tons displacement, at a cost, exclusive of armament, not to exceed $2,750,000, to have a maximum speed of not less than 20 knots.

This paragraph alone, which does not appropriate in terms a dollar, commits Congress to the expenditure of the enormous sum of $14,750,000 for ships alone without armament—the armament will be at least $5,500,000 more—not one dollar of which appears upon the face of the bill; all that is to be appropriated hereafter. There, sir, is the nucleus, if gentlemen are prepared for it, of that fleet

which at the beginning is to consist of twelve of these vessels on the Atlantic and eight on the Pacific, at a cost of $4,000,000 each without armament, and twenty other ships of war. Yet you have already in your service forty-one vessels of iron or steel of modern construction, forty-one iron and steel vessels without counting your equally valuable wooden ships, and twenty-two more in progress of construction or authorized by law to be constructed.

Gentlemen of course understand that this bill, large as it is, only covers $7,500,000 for ships now being constructed, and not a dollar for the three line-of-battle ships or the cruiser to cost without armament $14,750,000. That appropriation is left for next year and later.

Mr. DOCKERY. Will the gentleman from Indiana allow me to ask him a question there?

Mr. HOLMAN. Certainly.

Mr. DOCKERY. Do I understand the gentleman from Indiana to say this section authorizes contracts for the expenditure of $14,750,000 and does not appropriate a single dollar of that money?

Mr. HOLMAN. It authorizes contracts for the expenditure of $14,750,000 for the four vessels alone without armament and does not appropriate a dollar of the money. So that really to express what this bill amounts to you will have to add $14,750,000 and the cost of the armament of these four ships to the $22,151,523 covered by the bill.

Now, Mr. Chairman, I wish to know how much time I have remaining, as I have promised to yield ten minutes to the gentleman from Kansas [Mr. PETERS].

The CHAIRMAN. The gentleman has seventeen or eighteen minutes remaining.

Mr. HOLMAN. I hope the chair will call my attention when I have consumed my time with the exception of ten minutes which I desire to yield to the gentleman from Kansas.

Now, Mr. Chairman, the amendment I propose, if I have the opportunity to make it, is to strike out the paragraph of the bill providing for these three line-of-battle ships to cost $4,000,000 each without armament. I shall insist in the first place that the paragraph is not in order on an appropriation bill, for it is new legislation. From past experiences I am not hopeful that that point of order will be held good, but if the point of order is overruled I hope the committee will strike out the portion of the paragraph authorizing contracts for these three expensive line-of-battle ships.

If all of the twenty line-of-battle ships recommended, which will cost $80,000,000 without armament, and the twenty others named by the Secretary of the Navy in addition to our present respectable Navy, are to be constructed, then of course it is proper this paragraph should be retained; but, if the committee is not in favor of such a proposition, I hope they will strike out this opening measure and give the gentlemen controlling the Navy notice that, while Congress is willing to appropriate every dollar necessary for a respectable navy, not a navy to add strength and power to the Government, for if we owned all the navies in the world the greatness of our nation would not be increased, nor its power or safety, but a navy that is convenient and proper for our diplomatic intercourse with other nations, Congress is not willing to depart from our traditional policy—no great Army or Navy to eat up the fruits of the labor of our people!

There is another fact I ought not to overlook, which I do not refer to in any sectional spirit or in a spirit of partisan criticism. It is this: All these vast sums of money you are appropriating and binding Congress to appropriate for a great navy, for fortifications, and arsenals and armaments, under the plea of patriotism, are being expended in one section of the country, on the eastern seaboard. Congress is being committed, as all gentlemen must see, to a gigantic system hitherto without any example in our history. You have authorized the purchase of sites for fortifications; and you have commenced a system of expenditure in that field alone of unexampled magnitude.

It is well to remember that the sums of money Congress is called upon to appropriate for these purposes will be drawn from our people by excessive and exhaustive taxation, taxation not necessary for the national defense, and will be expended in a limited section of our country, a section said to be prosperous, drawing in the fruits of the labor of other sections of the Union for the local benefit of the favored section, and this, too, while the industries of the greater portion of our country, the great agricultural interests, are fearfully depressed.

I am glad to see every portion of the Union flourishing, but I do protest against the unnecessary expenditure of public money to foster the local interests of any section and expending these vast sums proposed in one section and impoverishing all the others. I wish to admonish my Republican friends that it is manifest great demands must be made upon our Treasury if justice is done to the soldiers of the Union Army, their widows and orphan children. It is very clear that under the present system of expenditure the great surplus in the Treasury will soon be a thing of the past, and you run the risk of placing it beyond the power of Congress to act justly without an actual increase of taxation. You ought not to deceive yourselves, gentlemen, on that subject. This gigantic scale of expenditure on objects which our people do not deem necessary for the public safety and neglecting just demands on Congress may and will result in fierce public condemnation.

Gentlemen, in passing this bill you not only commit yourselves to the payment of the amount appropriated in the bill, but you commit Congress by contracts here authorized to be made to the expenditure for those four vessels of $14,750,000 without armament, while the contracts for ships already authorized involve an expenditure of over $22,000,000 in addition to the $7,500,000 covered by this bill for increase of the Navy.

Mr. HILL. Has the gentleman any information in regard to the depth of water required by these battle-ships and how many ports of the Atlantic coast can be entered by them?

Mr. HOLMAN. There has been some inquiry upon that point since this bill has been pending in the House. It is doubtful whether these proposed line-of-battle ships could enter any of the important ports of the United States, except that of New York, at high tide. Gentlemen know how few ports there are on our coasts in which can be found safe shelter for these great vessels of 8,500 tons displacement.

Now, Mr. Chairman, I move to strike out of the paragraph all in relation to the three line-of-battle ships, leaving the provision as to the cruiser still in the bill.

The CHAIRMAN. There is a motion pending to strike out the paragraph.

Mr. HOLMAN. That is a motion to strike out the whole paragraph, but mine is an amendment proposing to strike out a part, and it therefore takes precedence. My proposition is to strike out all of this paragraph that applies to the three line-of-battle ships, and on that motion I wish to say a few words.

Gentlemen understand, I hope, the magnitude of our existing engagements without reference to the sums involved in the passage of this measure and the measures connected with it. No expenditure comparable to this for a navy has ever occurred in our history in a time of peace and scarcely in a time of war.

Now, sir, who are calling for this legislation, this enormous expenditure of public money? Not a petition in favor of it has been presented to Congress, not a resolution of a public meeting of citizens, so far as I am aware; while, on the other hand, gentlemen know that remonstrance after remonstrance has been filed in this House since the Congress assembled against the passage of any bill enlarging our Navy beyond its present proportions. I received to-day even from the State of Pennsylvania, a State which would be greatly benefited by the large expenditure of money contemplated, a remonstrance against the enlargement of our Navy beyond its present capacity. All the American people, of course, want a respectable navy, and we shall have that and much more than that when the vessels now authorized by law are completed. Beyond that there is no just reason for going. I ask again who are demanding this extraordinary legislation? Not the people, for a great army or navy is against our traditional policy. Who, then, are demanding a great navy?

I admit that timid people—but I am happy to say that very few of them exist in this country—would feel safer if we had a great army and a great navy. The men who are to make fortunes out of the expenditure of the hundreds of millions of dollars you are invited to expend are of course in favor of this policy. These great expenditures are of course beneficial to the section of country where it is expended, and I am sorry to say that there has grown up in this country during the last twenty-five years, aided by our legislation, a class of men, growing more numerous every year, who have lost faith in your form of government, lost faith in your Republican institutions, lost faith in your people, and who wish to see a stronger government, not stronger in the prosperity and happiness of the people, but in the direct resources of physical power, which will give more absolute assurance to overgrown estates. The natural timidity of great estates and the profits to be derived from the expenditure in a restricted section of the Union of millions of money drawn from the labor of the whole people seem to be at the bottom of this movement.

But the class of people who long for a strong government furnishes the most active and powerful advocates of a great navy, a great army, and a splendid government. Under such a government great estates feel a greater sense of security. A greater army and a greater navy are recommended, not merely an increase of ships in number and capacity, but an increase in the force of the navy that of course follows; and if that recommendation of the Departments is received favorably by Congress it will be followed by the policy which our fathers especially abhorred, a great army and a great navy in time of peace. I predict, sir, that if you allow this extraordinary scheme now presented, this unexampled increase of the Navy, to be carried out, the enlargement of your Army, now recommended, will follow, and this republican Government, in imitation of the European powers, will stand before the world, not great in the strength of a happy and prosperous people, but in the strength of its military establishment, its imposing standing Army, and its great Navy, a splendid Government in imitation of the low ambition of European powers. England impoverishes her people by maintaining a great navy to overawe her people at home and domineer over her vast outlying possessions. Have we any motive for imitating her wretched and despotic policy? Have we any outlying possessions to impoverish and oppress, or is this great navy we are to maintain to overawe our own people?

NOTE.—The motion to strike out the provision for three line-of-battle ships, to cost $4,000,000 each without armament, was adopted by the Committee of the Whole—yeas, 98, nays, 70; and afterwards, in the House, this action was reversed—yeas, 105, nays 131, and the provision was retained in the bill as passed by the House.

The Tariff.

"The Republican party would effect all needed reduction of the national revenue by repealing the taxes on tobacco, which are an annoyance and *burden* to agriculture."—*National Republican platform adopted at Chicago*, June 20, 1888.
Will the Republican party now in power redeem its pledge?

SPEECH

OF

HON. HENRY ST. G. TUCKER,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 19, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. TUCKER said:

Mr. CHAIRMAN: I offered the amendment on Saturday evening abolishing the entire system of taxation upon tobacco, and offered it in entire good faith. I represent, sir, upon this floor a hundred thousand white and black people, nine-tenths of whom are interested directly in the cultivation of tobacco. I have stood, sir, with the great party to which I belong for many years advocating the total abolition of this tax, and, by the efforts of that party, we at last got the tax reduced to 8 cents a pound.

When this bill came in I looked with anxiety to see if that measure of relief which was due to the agriculturists of the country was not to be given to the poor of Old Virginia and North Carolina who make their living by the sweat of their brow in the cultivation of tobacco, but was disappointed in finding that it only proposed a reduction in the tax to 4 cents per pound.

A great deal has been said on this floor about the question as to whether or not the consumer pays the tariff tax, but upon this question there is little doubt in my mind that the people who mostly pay the tax upon tobacco are the people that produce it; and this is admitted by the other side in the last national Republican platform; and yet we are met in this bill, which purports, gentlemen say, to aid agriculture, by the retention of the tax of 8 cents a pound upon it; while we find at the same time in the bill that the man who makes a pound of sugar shall be paid by the Government out of its revenues 2 cents a pound.

We are told that the sugar-producer shall have a bounty of 2 cents a pound on his product *out of* the Treasury and at the same time if we make a pound of tobacco we shall pay 4 cents *into* the Treasury for the privilege of doing so. Is that fair? Is that equal taxation? Is that just? Is it proper in a legislative measure of this character that you shall say to one agricultural interest, "We will give you 2 cents for making a pound of sugar" and to another "We will make you pay 4 cents for making a pound of tobacco?"

But we are met with another state of facts. There is another so-called agricultural product protected under this bill, namely, silk; and when I go back to my good people in Virginia along the Blue Ridge Mountains and they ask me if the tax on tobacco has been abolished, I will have to say no; but instead of that relief I can offer them the consolation that a Republican Congress has given them the privilege of paying $1 tax upon each pound of reeled silk and 7 cents on each pound of cocoons. [Laughter.] That is all. Agriculturists of the country cry aloud for relief, and you give them, not the relief that they ask for, but instead compel them to pay $1 a pound on reeled silk. [Applause on Democratic side.] Your answer to them is the same given by a mother to her little boy who was crying to go to the circus, when she said, "No, my son; but if you will stop crying and be a good boy you can go to your grandmother's funeral."

Mr. WADDILL. Will the gentleman allow me to ask him a question?

Mr. TUCKER. Certainly.

Mr. WADDILL. As a friend of your amendment I wish to know whether you and your party associates, as far as you can speak for them, mean to vote for this bill if you succeed in getting your amendment adopted? [Cries of "No!" on the Democratic side.]

Mr. TUCKER. Well, ask me another one. Ask a hard one.

Mr. WADDILL. I want an answer to that.

Mr. TUCKER. Now, when we get to that point we will answer it. I will answer for myself, but my party associates are of age and they can answer for themselves. I say for myself I will not vote for this or any bill that puts taxes upon the people of this country upon the absolute necessaries of life and removes them from luxuries. [Applause on the Democratic side.]

I say that the Democratic party in the last House of Representatives answered this cry of the people for free tobacco, and put it in the Mills bill, and it was passed by a Democratic House and by a Democratic majority. [Applause on the Democratic side.]

I have said the tax on tobacco is mostly paid by the producer. Any argument on this subject would be useless to convince our friends upon the other side of the House, for in their last national Republican platform, on which we have so often, during this debate, heard it said Mr. Harrison had carried the country, we find the following:

The Republican party would effect all needed reduction of the national revenue by repealing the taxes on tobacco, which are an annoyance and *burden* to agriculture.

A clear, emphatic admission that the tax is paid by the agriculturists who produce it. A tax is necessarily a restraint upon the production of any article upon which it is imposed, just as commerce is sensitive to the touch of taxation. The tax upon tobacco increases its cost to the consumer; where the cost is increased consumption is diminished; where consumption is diminished production decreases; so that the tobacco-grower pays the tax, indirectly it may be, in the loss of production arising from diminished demand.

Again, the manufacture of tobacco requires capital for the payment of the tax, licenses, etc. This fact encourages the concentration of large capital in such business, while the poor, and especially the farmer who produces the tobacco, is not able to manufacture his own product, which, but for the tax, he might do to great advantage. By the imposition of the tax the farmer loses the possible profits arising from the manufacture of his own product and he sees this business by the taxing power of the Government transferred to capitalists alone.

For the same reasons we find the large manufacturers of cigars do not desire the tax removed. They can crowd out the small dealers and monopolize the trade.

The effect of the tax on tobacco on the producer is so clearly and ably put by my colleague from Virginia, Mr. VENABLE, that I beg to quote what he says:

Virginia has asked for the abolition of the tax on tobacco for years past, and I now ask it of this Congress.

It is a tax that is hateful to my people and hurtful to their interest.

It restricts the sale of their leaf-tobacco to a few customers, and thus, by destroying competition, tends to make the raiser of tobacco receive less for his product.

The majority report of the Ways and Means Committee says that to prevent the increase of prices due to the tariff the country will have to rely upon the unchecked competition among the protected industries.

It thus says that this Government must yield up its right and duty to give the people the protection of equal and just laws. It turns over the American public to the uncovenanted mercies of the protected classes. It denies to the people in their purchases the benefit of free competition in the open markets of the world. When they come to deal with the tax on tobacco they deny to the tobacco-grower the benefit of free competition for an increase in the price of his product. The tax they impose restricts the buyers and accordingly lowers the price.

This is the height of injustice to the tobacco-planter. He is made to bear the double burden of protection. He is not free either in his purchases of the necessaries of life or in the sale of his products. I protest against this unjust discrimination against him and appeal to this House for justice.

If the tobacco-raiser were allowed to buy what he wants in the open markets of the world, he would have less ground of complaint. But he is not. The Government ties his hands both when he buys and when he sells. There is no other class of farmers thus unjustly hampered.

The Treasury vaults are loaded with the people's money, taken from them beyond the needs of the Government, and it is the duty of the Government to relieve every class of its citizens of every dollar of taxation possible. The tobacco-planters have been taxed on every article upon which the tariff is laid as well as upon their product, and they now ask a relief that takes not one dollar from the Government which it needs.

By the imposition and continuation of this tax the tobacco lands in Virginia are greatly depreciating in value and the crop is gradually diminishing, and the result is that the Government is using its taxing power to *confiscate* the lands of the people.

The tobacco-growers in Virginia ask no protection from foreign competition; the products are entirely different; but they do ask and demand protection from the legislative power of the Government that would use the taxing power of the Government for the purpose of *confiscating their lands.*

But see how unjustly this bill deals with tobacco in comparison with two other agricultural products, silk and sugar. The tax on tobacco is retained at 4 cents per pound—this is trifling with the people, for they demand its total abolition—while the producers of silk and sugar are to be paid a bounty out of the Treasury. In the minority report on this bill Mr. CARLISLE says on the subject of the bounty on silk:

Again, there are a few persons in the United States who claim that if they had what they call "proper encouragement" they could produce raw silk here, and accordingly this bill proposes to compel all the people to pay out of the public Treasury a bounty of $1 a pound, or $2,240 per ton, on all the raw silk reeled from cocoons and 7 cents on every pound, or $156.80 per ton, of fresh cocoons, including the worms, produced in the United States. Raw silk and cocoons are now on the free-list, and last year we imported 5,329,646 pounds of silk and 101,647 pounds of cocoons. The object of the proposed bounty is to discourage those importations, which cost the people nothing unless they saw proper to use silk goods, and to encourage the production of those articles here at an expense of $1 a pound for the silk and 7 cents a pound for the cocoons, in addition to the actual value of the articles themselves; and this expense is to be charged to all the people whether they use silk goods or not, and be paid out of the public Treasury.

At the same time the bill proposes to make enormous increases in the rates on woolen goods, which all our people are compelled to purchase and use, and very large increases in the rates on some kinds of cotton and linen goods which are absolutely necessary for the health and comfort of all classes.

And on the subject of the sugar bounty he says, in the same able paper:

The bill proposes to admit, free of duty, all sugar up to and including No. 16

Dutch standard in color, and pay to the sugar-producers in this country a bounty of 2 cents per pound each year until July 1, 1905, on their product. Last year these grades of sugar, which are now made free, yielded to the Government $54,894,181, all of which is now to be surrendered, and the sugar industry is to become an annual charge upon all the people who are engaged in other occupations, some of which are far more important and all of which are fully as meritorious as this one.

In 1888, which is the last year for which we have complete returns, the sugar product in this country was 375,855,877 pounds, so that even if there should be no increased production under the bounty system the sum which the people are to be compelled to donate each year for the support of this favored industry will be $7,520,000, or $113,000,000 during the fifteen years. But the very object of the bounty is to encourage the production of this article, and its advocates claim that in a few years it will result in a domestic supply equal to the whole demand for home consumption. In addition to the home product we imported and consumed during the last fiscal year 2,700,421,302 pounds of sugar not above No. 16 in color, making a total annual consumption, including domestic and imported, of 3,076,277,079 pounds, and therefore, if the system results as its advocates predict, the annual payment out of the Treasury will be $61,528,426, even without any increase in the amount now consumed.

We protest against the gross favoritism and injustice of such a policy, and we deny the moral or constitutional right of the Government to tax the people who grow corn, wheat, cotton, rye, oats, and other agricultural products for the purpose of raising money to be given to those who produce sugar or any other article. The bounty provisions contained in this bill are confessions that the whole system which it seeks to strengthen and extend is a system of discriminations between the various productive industries of the country, a system which imposes charges upon some for the support of others and disregards every principle of justice and equality in distributing the burdens of taxation.

The duties imposed upon imported sugar, even at the present rates, are mainly for revenue, and about nine-tenths of the charge upon the people on account of these duties goes into the public Treasury for the support of the Government, and only one-tenth can be added to the prices of the domestic product. The tax, therefore, is far more just and equitable than the taxes on cotton and woolen goods, linen goods, and many other articles now subject to high rates of duty, and which this bill proposes to make still higher, because in these cases the conditions are reversed, and the Government receives a small proportion only of the total amount the people are compelled to pay. While we believe the duties on sugar are too high and that a reduction ought to be made, we can not see the justice or propriety of making this revenue article entirely free and paying bounties upon its production, in order to afford an excuse for the imposition of additional taxes to the amount of about $65,000,000 on the necessaries of life embraced in the other schedules.

To illustrate: A and B are farmers; A raises tobacco and B cocoons from which silk is produced. A raises 1,000 pounds of tobacco; the tax at 4 cents amounts to $40, the most of which, if not all, as we have shown, comes out of A. B raises 1,000 pounds of cocoons; the Government under this bill promises to pay him 7 cents for each pound raised. On his crop of 1,000 pounds he would therefore realize from the Treasury alone $70, and still he has his cocoons to sell in the markets at the market price. How does the account stand between them?

A works hard for twelve and even fourteen months on his tobacco crop. Before it is marketed it is mortgaged to the Government for $40 of tax. B sells his crop of cocoons and puts the money in his pocket, and then walks up to the Treasury of the United States and demands his $70 bounty granted under this bill; that is, he gets the $40 that A's tobacco had to pay in tax to the Government and $30 additional, which also is partly paid by A.

Can such a monstrous system of taxation as this receive the sanction of the people of the country, by which one man is impoverished to enrich another and under which the people of Virginia, white and black, who make their scant but honest livelihood from tobacco, are compelled thus to pay tribute of their penury that the silk-growers, clad in purple and fine linen, may "fare sumptuously every day" and build up their colossal fortunes?

So with sugar. Under this bill the Government makes you pay 4 cents if you raise a pound of tobacco and it gives you 2 cents if you raise a pound of sugar. Is this right and fair to the tobacco-grower? Why should he be less favored than the sugar or silk grower? Or if the Government is going into the bounty business what greater right has the silk producer to $1 a pound out the Treasury on his product of reeled silk or the sugar producer to 2 cents a pound out of the Treasury on every pound of sugar he produces than the tobacco-grower to 5 cents a pound to be paid him out of the Treasury on every pound of tobacco he raises. Indeed the claim of tobacco is stronger, for sugar production in this country has increased of late years, while in Virginia at least, for whose oppressed people I lift my voice on this floor, the annexed table taken from the annual reports of the Commissioner of Agriculture will show that the acreage, the product, and the value in gross and per pound of the tobacco crop (except in the year 1887, when the price was a little better) from the year 1885 up to and including 1888 have all steadily declined:

Estimated annual product, acreage, and value of the tobacco crop in the State of Virginia from 1885 *to* 1888, *inclusive.*

Year.	Area.	Product.	Value.	Average price per pound.
	Acres.	*Pounds.*	*Dollars.*	*Cents.*
1885	164,445	107,711,000	7,970,649	7.4
1886	161,397	91,189,000	6,383,230	6.9
1887	132,346	79,408,000	6,352,608	7.9
1888	127,052	64,034,000	3,842,032	5.9

Such a system as this bill presents of compelling the tobacco-grower to pay money out of his already sadly depleted pocket-book to the silk-grower and sugar-producer, that they may grow richer while he grows poorer, is unfair and without the semblance of justice, and unworthy of the American Congress, and against it, in behalf of my hard-working, tax-ridden people, I most earnestly protest.

The bill proposes to give the sugar bounty for fifteen years and the silk bounty for ten years, as to the cost of which to the people of the country I beg to quote from the accurate statement of my colleague from Virginia [Mr. BUCHANAN], where he says:

The people can now understand better what they pay to the specially favored industries of the country. I have made an approximate calculation of what the sugar and silk bounties will cost the people of this country during the period they are to continue under the provisions of this bill. Estimating the population of this country now at 62,000,000 and that it will reach 80,000,000 by the time the bounty to sugar-growers is to cease, and that each person on an average will consume the same amount of sugar as he now consumes, the following table shows what the sugar bounty alone will cost the people during its existence under this bill.

Year.	Sugar produced, in pounds.	Bounty paid.
1891	380,000,000	$7,600,000.00
1892	449,090,909	8,981,981.80
1893	530,753,470	10,615,069.41
1894	627,254,101	12,545,182.03
1895	741,301,210	14,826,024.20
1896	876,183,248	17,523,664.96
1897	1,030,943,838	20,618,876.76
1898	1,218,388,172	24,367,763.44
1899	1,439,913,294	28,798,265.88
1900	1,701,715,711	34,034,314.22
1901	2,011,118,567	40,222,371.34
1902	2,376,776,488	47,535,529.76
1903	2,808,917,667	56,178,353.34
1904	3,319,629,970	66,392,599.40
1905	3,923,199,055	78,463,981.10
Total	.....	468,681,977.64

From this table it appears that the sugar bounty during the fifteen years it is to be paid aggregates the enormous sum of $468,000,000 and that for the last of the fifteen years the bounty will cost nearly $80,000,000.

The silk bounty will cost, by a like calculation, not less than $50,000,000 during the ten years it is to exist. I have made these calculations upon the assumption that these bounties will accomplish the objects which the majority of the committee reporting this bill think they will, namely, to establish the sugar and silk industries in this country so that our own people will produce both articles in quantities sufficient to supply the requirements of our own country.

I had supposed that if there was one subject to which the Republican party was thoroughly committed it was the entire abolition of the tobacco tax. The platform upon which Mr. Harrison was elected and from which I have quoted unmistakably proclaims it, and there are gentlemen now in this House, filling seats on the Republican side of the House, who, with unselfish desire to enlighten the good people of Virginia in the doctrines of the Republican party, came to our State in the fall of 1888.

I refer to the gentleman from Illinois [Mr. HOPKINS], who spoke from the same platform with me in the town of Lexington and in favor of my opponent; the gentleman from Michigan [Mr. BURROWS], a member of the committee that reported this bill, and who spoke at my own home (Staunton, Va.) and advocated, as I am reliably informed, the total abolition of the tax on tobacco; the gentleman from Indiana [Mr. CHEADLE], and if I mistake not the gentlemen from Kansas [Mr. PETERS and Mr. PERKINS] and others, some of whom, if not all, as I am informed, declared that the Republican party was committed to the abolition of, and if it secured power would abolish, this tax on tobacco. And now when you have an opportunity to abolish the tax and redeem your promise to the Virginia people you are found vigorously opposing it.

So anxious, too, was the present Speaker of this House [Mr. REED], the then defiant leader of his party in the minority, to see the tax on tobacco taken off in the last Congress that he was unwilling to wait for the report of the committee on the revenue bill and used the following language in this House December 16, 1887:

We are all agreed, at least upon this side of the House, that the surplus should be reduced, and we stand ready now before the holidays to make one reduction in which the other side of the House are agreed, and that is in relation to the tobacco tax; and I hope that an opportunity will be given us before we separate, by the powers that be and are to be, to vote thereon and show to the country some disposition proper and suitable in this matter.

Contrasted with his action during the present Congress we are prepared to exclaim, "*Quantum mutatus ab illo Hectore, qui redit exuvias indutus Achilli!*"

With these facts before me I can not adequately express my surprise at the speech of the gentleman from Iowa [Mr. HENDERSON] who has just taken his seat, a justly distinguished member of his party, and who was a prominent candidate for the Speakership of this House, as

was also the gentleman from Michigan [Mr. BURROWS]. The gentleman says it may be that the Republican party is committed to the removal of the internal-revenue taxes, but "as to the time when that is to be done we are not committed." Such a position is simply trifling with the people and is unworthy of comment.

The gentleman's additional excuse is found in his subsequent language:

As long as the soldiers of this Union are appealing to Congress for relief and for justice, to be taking off the tax on tobacco while these and other important demands are pressing upon us, is something that I, for one, can not acquiesce in. [Applause.]

That is, as I understand the gentleman's position, you will not deny that you promised the abolition of the tax on tobacco and at the same time you promised to comply with the demands of the soldiers. Your party knew when it made its promise to the tobacco-growers that it would not be kept; and you are now trying to shield yourselves behind the claim of the soldier and thereby justify your breach of faith to the tobacco-grower. Such an excuse will not be accepted. You will doubtless try to keep your promises to the soldiers until (as is now anticipated) a deficiency, rather than a surplus, of one hundred millions will be had; but it will be of little comfort to the tobacco-grower to be told that in order for you to keep faith with the soldier you were compelled to continue to lay tribute upon his meager substance, and that, too, for soldiers, many and many of whom never saw a battle-field nor heard a gun fire, deserters from both armies, camp-followers, spies, informers, and dead-beats, besides 12,000 dishonorably discharged soldiers, all of whom have joine i the noble army of martyrs and claim their reward in a pension from the Government they never served.

The people of Virginia and the South have never murmured at the tax for pensioning in a proper measure the true soldier of the Union who bravely fought the battles of his country, but they protest against the premium to rascality offered by the pension legislation of this Republican Congress, which knows no distinction between the brave and the cowardly, between patriotism and treachery.

In order to show that my colleagues from Virginia and North Carolina and myself have left no stone unturned to accomplish the abolition of this tax, I will read the following paper and letter, which explain themselves:

WASHINGTON, D. C., *April* 3, 1890.

DEAR SIR: I herewith inclose a request of certain members of the House of Representatives that one of their number be recognized on the first Monday of April, 1890, for the purpose of moving a suspension of the rules and put upon its passage a bill abolishing the entire tax on tobacco, etc.

Very respectfully,

H. ST. GEORGE TUCKER.

Hon. THOMAS B. REED,
Speaker House of Representatives, Fifty-first Congress.

Hon. THOMAS B. REED,
Speaker of the House of Representatives:

The undersigned members of the House of Representatives of the Fifty-first Congress respectfully ask that one of their number or some other member of the House of Representatives be recognized, on the first Monday of April, 1890 (that being suspension day, under Rule XXVIII, for individual members), for the purpose of moving a suspension of the rules to put upon its passage a bill to repeal the internal-revenue tax on tobacco.

Paul C. Edmunds, Charles T. O'Ferrall, John A. Buchanan, Thomas G. Skinner, George D. Wise, H. St. George Tucker, Edward C. Venable, P. G. Lester, John S. Henderson, B. H. Bunn, W. H. F. Lee, William H. H. Cowles, Alfred Rowland.

This paper contains the name of every Democrat from Virginia and North Carolina except that of the Hon. CHARLES W. MCCLAMMY, and the omission of his name is due to an oversight of my own in failing to present it to him for his signature. I feel that this statement is due the honorable gentleman by me, as it is well known to this House that he has been a persistent and able champion of the cause of untaxed tobacco at all times and under all circumstances.

To the above request the Speaker never condescended to make a reply, nor did he acknowledge even the receipt of my letter, though both the request and letter were put into his hands, with the request for an answer, by an officer of the House of Representatives. When the first Monday in April arrived, I stood in my place for two hours or more trying to catch the Speaker's eye, but it was always turned in a different direction, away from the appeals of the people for relief from taxation.

In striking contrast with this record of the Republicans on this question may be found that of the Democratic party in the Forty-ninth Congress (see volume 86, RECORD, page 2681), where, on a motion to suspend the rules and put upon its passage a bill to abolish the tax on tobacco, 130 Democrats and 9 Republicans voted for it and 106 Republicans and 6 Democrats against it, while in the Mills bill, which was passed by the Democrats during the last Congress, the entire tax was wiped out.

We appeal to the people of Virginia to judge between us in the records of the two parties: the Republican full of promises only to be broken, the Democratic bright in its fulfillment of every pledge to the people.

The Tariff.

SPEECH
OF
HON. LITTLETON W. MOORE,
OF TEXAS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 10, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. MOORE, of Texas, said:

Mr. CHAIRMAN: The grave question of the fiscal policy of the Government is now under discussion, and Messrs. REED, MCKINLEY, and CANNON have permitted us twelve days to consider it; twelve days to expose the enormities of a bill which is concocted in the interests of manufacturers and to further cripple and destroy the farmers of the country.

For thirty years the thrifty agriculturists—the men who rise with the dawn of the day, and every day in the year, "from the rising of the sun to the going down thereof," except that set apart by divine ordinance for rest, to battle with the soil to extract from it the food and clothing for all the people of the country—these men for thirty years have been made to pay tribute to the manufacturers and capitalists of the country. And now this Republican cabal comes here and demands that they shall pay more; that they must give up more of their muscle and sweat; that their bones must be made to ache harder and longer for the good of the Carnegies, the Singers, the Pullmans, the cotton lords, the woolen masters, the iron and coal barons, that they may own enchanted palaces at sea-sides or mountain and lake resorts, or deer parks and castles in Scotland.

They are going "to protect American labor and American capital." Yes, as the wolf "protects" the lamb, as the thief "protects" the man from whose pocket he extracts the pocket-book, as the highwayman "protects" the victim he calls upon "to stand and deliver." That is the kind of "protection" this bill affords to "the labor" of the country.

In 1880, of the 36,800,000 population over ten years of age, 17,400,000 were engaged in occupations of all kinds; that is, 47 per cent. of the whole. Of the total laboring population, 7,600,000, or 44 per cent., were "engaged in agriculture." Four millions, or 23 per cent., were "engaged in professional and personal services." One million eight hundred thousand, or 10 per cent., were "engaged in trade and transportation," and 3,837,000 were "engaged in manufactures and mechanical and mining industries;" that is, 23 per cent. Of the entire population of 50,000,000, a little over 74 per cent., that is, 36,800,000, were over ten years of age, and none under that age were classed as being engaged in any occupation, and certainly not over 3,000,000, or 17 per cent. of them were engaged in manufactures.

The population is now estimated to be 66,000,000, and it is not probable that the ratio of those over ten years of age has changed since 1880. As the ratio of them was a little over 73 per cent., we now have a population of 48,000,000 over ten years of age. In 1880, 45 per cent. of those over that age were engaged in occupations of some kind. That would give us 23,000,000 "workers" in the country. Of these "workers" 10,100,000 are engaged in agriculture, 23 per cent. or 5,300,000 in "professional or personal services," 10 per cent. or 2,300,000 in "trade and transportation," and 17 per cent. or 3,900,000 in "manufactures," and the remainder in "mechanical and mining industries."

This bill professes to protect "4,000,000 workers" and the capital which employs them, out of 23,000,000. It taxes almost beyond endurance 19,000,000 laboring people for the benefit of less than 4,000,000. And yet these gentlemen say they "want to protect American labor."

And they talk to you about "protecting American capital." What humbugs they are. Let the figures tell. The total assessed valuation of all the property of the United States in 1870 was $14,178,986,000; in 1880 it was $16,902,993,543, an increase of 20 per cent. Now look at these figures:

	1870.	1880.
Total valuation	$14,178,986,982	$16,902,993,543
Farm values, including implements	$9,599,792,290	$10,663,616,831
Per cent. of whole	67.7	62.7
Capital in manufactures	$2,118,298,769	$2,790,272,606
Per cent. of whole	15.0	16.5

The farms, with the implements of agriculture, represented 67.7 per cent. of the whole in 1870, whilst the capital in manufactures, buildings, machinery, and everything else was only 15 per cent., and yet in 1870 these same gentlemen who are engaged in "protecting American capital" now were in the same business then and in the same way;

they were piling on taxes upon 67.7 per cent. of "American capital" for the benefit of 15 per cent. of "American capital." The result to some extent is shown in the figures for 1880. The farm values then only represented 62.7 of the whole wealth of the country, whilst the parties who owned the manufactories, and whom these gentlemen are so busy in "protecting," had increased their wealth to 16.5 per cent. of the whole.

Let us examine further into these figures:

Items.	1870.	1880.
Capital in manufactures	$2,118,298,769	$2,790,272,606
Value of product	4,232,325,442	5,369,579,191
Value of farms, including implements	9,599,792,299	10,603,616,831
Total value farm products	2,994,785,051	2,213,402,564

This small proportion of protected capital produced almost twice as much as the amount invested. Of course that was not all profit, because the value of the material and the labor had to be deducted, but the fostering care of the gentlemen on the other side who are so solicitous "to protect American capital" was very visible in the enormous increase in the output of the manufactories.

Now see how these other capitalists—the farmers of the country—fare, and, mind you, Mr. Chairman, I am using official figures. In 1870 the gross value of the farm products was over 30 per cent. of the value of the farms, as against 199 per cent. gross value of the product of the factories. In 1880 the product of the farmers had decreased in value to less than 21 per cent. of the farm values. The number of farms had largely increased, there being 4,008,000 in 1880 as against 2,660,000 in 1870, and the improved land had increased in area from 188,921,099 acres in 1870 to 284,771,042 in 1880, that is over 50 per cent. added to the land in cultivation, and yet the value of the products had decreased the enormous sum of $761,382,487. Three acres of land were in cultivation in 1880 for every 2 acres in 1870, and the value of the product had decreased over 25 per cent.

"A bad year for crops in comparison with the previous census year," some one will say. Oh, no; here is the production for each of these years of some of the principal agricultural products of the country:

Articles.	1870.	1880.	Increase.	Per cent.
Wheat.....bushels	287,745,626	459,483,157	171,737,531	60
Indian corn.....do	760,944,549	1,754,591,676	993,647,127	130
Oats.....do	282,107,157	407,158,990	125,051,842	45
Barley.....do	29,761,305	43,997,495	14,236,190	48
Rye.....do	16,918,795	19,831,505	2,912,710	17
Buckwheat.....do	9,821,721	11,817,327	1,995,606	20
Irish potatoes.....do	143,337,473	169,458,539	26,121,066	18
Sweet potatoes.....do	21,709,824	33,678,693	11,967,769	59
Rice.....pounds	73,635,021	110,131,373	36,496,352	50
Tobacco.....do	262,735,341	472,661,157	209,925,816	80
Wool.....do	100,102,287	155,685,751	55,583,364	55
Cotton.....bales	3,011,996	5,755,359	2,743,363	93
Value of live stock	$1,016,840,941	$1,500,464,609	$483,623,668	49

The farmers produced more of everything in the last year than they did in the previous one, but it brought them less. Ten years longer had been spent in building up "the home market," of which we hear so much, and the value of the farmer's products, though he cultivated more land and produced more, was steadily decreasing. In 1870 the average value of the product from the cultivated land of the country was $15.79 to the acre; in 1880 it was $7.77 to the acre. "The home market" had done that much for the farmer—that is, it had reduced the value of the product of every acre of land in the country more than one-half. Mr. Chairman, I defy any gentleman on the other side of the House to deny the correctness of these figures. Every one of them came from the official publications of the Government. They show how capital is being protected and how "a home market" is being built up for the farmers.

The honorable chairman of the Committee on Ways and Means, in reporting this bill, says:

> One of the chief complaints now prevalent among our farmers is that they can get no price for their crops at all commensurate to the labor and capital invested in their production.

After considering the figures, the official figures, which I have given, I would submit, Mr. Chairman, that there is excellent cause for "the chief complaints now prevalent." The gentleman from Ohio also quotes from the message of President Harrison the following words:

> The inequalities of the law should be adjusted, but the protective principle should be maintained and fairly applied to the products of our farms as well as of our shops.

And he says for the committee:

> The committee have given months of investigation to the existing conditions of agriculture and matters connected therewith. This great industry is foremost in magnitude and importance in our country. Its success and prosperity are vital to the nation. No prosperity is possible to other industries if agriculture languish. In so far as the fostering care of Government can be helpful, it must be faithfully and forcefully exerted to build up and strengthen agriculture. That there is widespread depression in this industry to-day can not be doubted. Every remedy within the scope of practical legislation known to your committee has been recommended in the proposed measure to meet the urgent requirements of the situation.

The gentlemen who constitute the majority have heard "the complaint." They recognize "that there is widespread depression" and they present a remedy. Here it is from their own report:

> We advance the rates upon the products of the soil which either do supply or can be brought to supply the home consumption. Horses, cattle, hogs, sheep, bacon, barley, beans, pease, beef, mutton, pork, buckwheat, butter, cheese, eggs, hay, hops, milk, poultry, flaxseed, vegetables, potatoes, flax, hemp, hides, wool, tobacco, and many other products are advanced with a view to save this entire market to the American farmer.

They have actually "protected" the products of the farm; they intend to keep the pauper-raised horses, cattle, hogs, sheep, bacon, barley, beans, pease, beef, mutton, pork, buckwheat, butter, cheese, eggs, hay, hops, milk, poultry, flaxseed, vegetables, potatoes, flax, hemp, hides, wool, and tobacco from coming into competition with similar articles raised by our farmers. That is the remedy which the Committee on Ways and Means and the Republican party offer to the American farmer. They have driven the farmer to poverty by protection, and now they propose "to protect" the farmer. From whom, in God's name?

Mr. Chairman, I regret to find such a paragraph as the one I shall now quote in the report of a committee of this House. It reads thus:

> A critical examination of the subject will show that agriculture is suffering chiefly from a most damaging foreign competition in our home market. The increase in importations of agricultural products since 1850 has been enormous, mounting from $40,000,000 to more than $356,000,000 in 1889.

I said that it was a cause of regret to me that such a paragraph should be found in any committee's report. The reason is, Mr. Chairman, that both the statements and the deductions in that paragraph are untrue, absolutely false. This is strong language; but, sir, I intend to prove my assertion. "A critical examination of the subject will show agriculture is suffering chiefly from a most damaging foreign competition in our home market." That is the deduction that the committee makes from the statement which follows, reading thus: "The increase in importations of agricultural products since 1850 has been enormous, mounting from $40,000,000 to more than $356,000,000 in 1889."

The inference is that this $356,000,000 worth of "agricultural products" imported in 1889 came into "damaging competition" with our own agricultural products, and is therefore "chiefly" responsible for the "suffering" which it is admitted exists among our agriculturists. No other possible inference can be drawn from this statement. For the credit of the gentleman who made it and that of this House I wish that some other meaning could attach to it. But there can not. There it stands, a bold assertion from the principal committee of the House of Representatives.

It does not require "a critical examination" to tell how many dollars' worth of "agricultural products" are imported into this country every month and every year and the exact value of them. Every month, every quarter, and every year the Secretary of the Treasury issues a book which contains the amount and value of every article imported into the United States. Any one who can read good, plain print and figures, and who knows what are "agricultural products," can tell exactly how much we import without "a critical examination." Any intelligent boy twelve years of age at the public schools of this city can make all the "critical examination" necessary to tell the value of the "agricultural products" we import, and if he should make the mistake in addition made by the committee in the statement, unless corporal punishment is abolished in the schools, the teacher would administer a sound and deserved castigation.

Mr. Chairman, here is the quarterly report issued by the Treasury Department, which contains, commencing on page 722, the "Imports of merchandise for the year ending June 30, 1889." The name of the article, the quantity, and the value is shown from that book. I have made a table, selecting everything that could possibly be classed as an "agricultural product," taking under this head preserved fruits, tanned leather, olive-oil, pickles and sauces, and wines, and the whole value of the imports proved to be $328,931,740, an amount considerably less than that stated by the chairman. I have classified these agricultural products into two classes, "competing" and "non-competing," and I find that $117,638,903 worth of them do not "compete" with any American product. Amongst this class is coffee, cocoa, tea, pepper, etc., leaving $211,292,837 that do in some sense "compete."

Chief among these items is $81,313,199 worth of sugar and molasses imported into Atlantic and Gulf ports, from which the committee has removed the duties that are now levied. These duties are protective only to a very small section—are, in fact, a revenue duty, as we only produce one-eleventh of the amount consumed. Again, I find $10,868,226 worth of "tobacco leaf." It is true that we raise a large amount of tobacco, but this imported leaf is for cigar wrappings and only competes with a small quantity of tobacco raised for that purpose in Connecticut, Wisconsin, and Florida, not 5 per cent. altogether of the amount we raise. Then there is "champagne wine," $4,254,413 worth for the benefit of California wine-growers; oranges, lemons, raisins, almonds, and other nuts, that are only produced in California and Florida; rice, only produced in Louisiana and South Carolina.

This class of articles altogether amount to $100,947,721 in value, leaving only $110,345,116 in "damaging competition" with our principal agricultural products and which produce the "suffering" that the committee says, very truly, exists.

Mr. Chairman, here is the table:

Imports year ending June 30, 1889.

Articles.	Value of competing.	Value of non-competing.	Remarks.
FREE.			
Animals:			
Cattle, 4,440	$152,582		
Horses, 9,930	2,709,887		
Sheep, 5,926	69,824		
All others, including fowls	355,245		
Cocoa		$2,142,161	
Coffee		74,724,882	
Eggs	2,418,976		
Farinaceous substances	941,998		
Bananas		3,571,024	
Cocoanuts		782,706	
All others		1,597,632	
Goat-skins	7,668,472		
All others	17,459,278		
Seeds, not medicinal	658,792		
Nutmegs		514,888	
Pepper		1,578,421	
All other spices		890,889	
Tea		12,654,640	
Rice from Hawaii		491,167	These goods can not be affected by any change in tariff laws, as they are admitted free under reciprocity treaty.
Molasses from Hawaii		6,148	
Sugar from Hawaii		12,078,518	
Other goods from Hawaii		9,761	
Cotton, 7,973,039 pounds	1,194,505		Exports, 2,384,816,669 pounds, valued at $237,775,270.
DUTIABLE.			
Cattle, 57,351	530,887		Exports, $16,616,917.
Horses, 48,784	2,158,975		
Sheep, 398,891	1,189,176		
All other animals	37,467		
Barley	7,723,838		
Corn, 2,401 bushels	1,216		Exports, 69,592,929 bushels; value, $32,982,277.
Oats, 22,210 bushels	10,178		Exports, 634,226 bushels; value, $245,502.
Oatmeal	56,002		Exports, 287,252 bushels; value, $158,917.
Rye, 16 bushels	24		
Wheat, 130,649 bushels	119,017		Exports, 46,414,169 bushels; value, $46,652,701.
Wheat flour, 1,156 barrels	5,792		Exports, 9,774,803 barrels; value, $45,296,485.
All other breadstuffs	113,657		
Potash	209,424		
Sumac, ground	206,643		
Flax	2,070,729		
Hemp, and substitutes for	9,433,174		
Jute	2,853,064		
Sisal grass		6,110,308	
Figs		482,759	
Lemons	3,189,534		Benefit of California and Florida.
Oranges	1,961,889		Do.
Plums and prunes	1,423,304		Do.
Raisins	1,736,786		Do.
Preserved fruits	1,042,846		
All other fruits	1,764,393		
Almonds	595,227		Benefit of California.
All other nuts	508,317		Do.
Hay, 105,395 tons	1,082,585		
Hops	1,155,472		
Band or belting leather	21,112		
Calf skins, dressed or tanned	1,172,080		
Skins for morocco	3,416,935		
Upper leather	1,399,605		
Malt, barley	$111,381		
Olive oil	696,065		Benefits California.
Other vegetable oils	395,490		
Meats, prepared and extracts	329,411		Exports of meat products, $93,403,418.
All other meats	199,734		
Butter, 178,851 pounds	24,577		Exports, 15,504,978 pounds; value, $2,568,765.
Cheese, 8,207,026 pounds	1,135,184		Exports, 84,999,828 pounds; value, $7,889,671.
Milk, preserved or condensed	85,485		
Rice	2,106,983		Benefit of Louisiana and South Carolina.
Rice, granulated or meal	898,238		Do.
Linseed or flaxseed	3,851,685		
All other seed	586,746		
Molasses	4,747,749		
Beet sugar	6,957,883		
Cane and other sugar	69,493,455		
Sugar above 13 standard	12,112		
Tobacco, leaf	10,868,226		
Beans and peas	736,343		
Potatoes, 882,380 bushels	321,106		
Pickles and sauces	349,422		
All other vegetables	812,928		

Imports year ending June 30, 1889—Continued.

Articles.	Value of competing.	Value of non-competing.	Remarks.
DUTIABLE—continued.			
Champagne wines	$4,254,413		Benefits California.
Still wines	3,452,359		
Clothing wools	5,971,631		
Combing wools	1,586,294		
Carpet and similar wools	10,417,190		

That table is worthy of examination. It completely refutes the statement made by the committee which I have quoted. The Kansas farmer, for instance, who is burning his corn because he can obtain nothing for it, is reduced to this condition because of the importation of 2,401 bushels of corn costing $1,216. It is true we exported nearly 70,000,000 bushels of corn, nearly thirty thousand times as much as imported, but the committee gravely tells us that this 2,401 bushels of imported corn is "a most damaging foreign competition in our home market."

We imported 130,649 bushels of wheat and 1,156 barrels of flour, worth together $124,809, and we exported 46,414,169 bushels of wheat and 374,803 barrels of flour, worth $91,959,186, and our wheat-growers are told that this "most damaging foreign competition in our home market," amounting to a little over one-tenth of 1 per cent. of the value of our exports and to one one-hundredth of 1 per cent. of our production, is "chiefly" responsible for "the suffering" which exists with them, for the low prices they obtain, and the heavy mortgages which cover their farms.

We imported altogether 61,791 cattle, valued at $703,469, and the committee tells the cattle-men of the country that it is these imports which has reduced the value of their 50,000,000 head of cattle to starvation prices. We imported meat products to the value of $529,145, and we exported of the same products $93,403,418 worth, and the Committee on Ways and Means, with tears in its eyes and this bill in its hands, tells the meat-producers of this country, "You are ruined by foreign competition."

I can almost see the agonized expression which came over the committee's faces when they, during that "critical examination," found that 16 bushels of imported rye, valued at $24, had been brought into "damaging competition in our home market" with the 25,000,000 bushels which our farmers produced. And then how they must have suffered over the condition of the poor cotton farmers, toiling beneath an almost tropical sun and all their labor rendered valueless by the importation of 7,973,039 pounds of cotton, costing over 12 cents a pound.

It is true the cotton farmers produced about 3,500,000,000 pounds of cotton, of which 2,384,816,669 pounds were exported, bringing $237,775,270 into the country, paying for 32 per cent., nearly one-third, of all our $745,000,000 worth of imports; but it was that importation of two-tenths of 1 per cent. of what they raised, which cost 12½ cents a pound, that reduced the price of our farmers' cotton to less than 10 cents a pound.

From close to the spot where the stormy Atlantic lashes itself into foam upon the eastern promontory of rock-ribbed Maine to where the rolling waves of the Pacific wash the golden sands of California, from near the site of "the zenith city of the unsalted seas," where the thermometer is placed in the tea-kettle every morning to thaw out the mercury, to the banks of the Lower Rio Grande, in my own proud State, where eggs are boiled by the heat of the noonday sun, there are men who engage at the proper season of the year in cutting hay. They are so successful that during each calendar year they gather in about 50,000,000 tons of the succulent food for cattle and horses.

But the thousands and tens of thousands whose strong arms are engaged in this labor are oppressed and depressed because the Committee on Ways and Means, after "a critical examination," concluded that "agriculture is suffering chiefly from a most damaging foreign competition in our home market" and some wicked and designing men have actually imported to this country 105,395 tons of hay, thereby wonderfully reducing the price of 50,000,000 tons produced at home.

Mr. Chairman, was ever such folly, such misrepresentation, attempted to be palmed upon a people as this sentence from the report of the Committee on Ways and Means: "A critical examination of the subject will show that agriculture is suffering chiefly from a most damaging foreign competition in our home market?" An examination shows nothing of the kind; it shows what everybody knows, even the members of the Committee on Ways and Means, that in the principal agricultural products of this country there is and there can be no foreign competition "in our home markets." The committee has not found, or if they have found they have not stated, the reasons for the "decline in prices of the home-grown products."

Mr. Chairman, we who were not permitted to know what was being done within the inner sanctuary, where the Republican members were preparing this bill, heard many rumors of decisions arrived at and changed and yet again changed to suit the political exigencies of various sections. Of course no one believed that a number of Represent-

atives of the people, selected because of their prominence, ability, and knowledge of the subject to prepare the measure through which the revenues of this great Government were to be raised, would allow petty local political considerations to influence their action.

But, sir, the report which I hold here compels us to change that opinion. We were told that the committee, in the interest of the farmers, for whom they express such solicitude, had determined to put a duty on hides, and this would prevent the importation of the hides of "the pauper-fed" cattle of foreign countries, and would, therefore, benefit the farmers, though it would necessarily increase the price of every pair of shoes they wore. Then we were told that certain Republican members of this body, coming from districts where shoes are manufactured, informed members of the committee that the levying of such a duty would surely result in the return of Democrats from these districts to the next Congress. At once we heard that hides were returned to the free-list. Now, sir, I find on page 17 of this report the committee says:

We advance the rates upon the products of the soil which either do supply or can be brought to supply the home consumption. Horses, cattle, hogs, sheep, bacon, barley, beans, pease, beef, mutton, pork, buckwheat, butter, cheese, eggs, hay, hops, milk, poultry, flaxseed, vegetables, potatoes, flax, hemp, HIDES, wool, tobacco, and many other products are advanced with a view to save this entire market to the American farmer.

Under the head of "Free-list," on page 76, I find the following:

SEC. 2. The following articles when imported shall be exempt from duty.

And on page 80, under that head, I find this:

608. Hides, raw or uncured, whether dry, salted, or pickled, and skins, except sheep-skins with the wool on, Angora goat-skins, raw, without the wool, unmanufactured, asses' skins, raw or unmanufactured.
609. Hide-cuttings, raw, with or without hair, and all other glue-stock.
610. Hide rope.

It is very evident, Mr. Chairman, from these extracts, that the committee did place a duty on hides, and prepared its report whilst that duty was on, and that they afterwards, to save some Republican members from Massachusetts from defeat and in the interest of the manufacturers of shoes and leather goods, took off the duty that was to benefit the farmer and forgot to change the report.

But enough of this. I have established my proposition that the reasons for the depression of the agricultural interests made by the committee are untrue, and in doing that have shown that the remedy proposed is even worse than ridiculous. The committee, however, has only done what it was compelled to do, that is, reported a bill in favor of the manufacturers; in favor of the classes and against the masses; in favor of the rich and against the poor; in favor of the system which robs the farmer for the benefit of others.

That, sir, is what a protective tariff means, and that is what the committee and the party to which it belongs was pledged. Why, sir, the very name "tariff" is in perpetuation of a system of robbery established centuries ago. When most of the commerce of the world was on the Mediterranean Sea vessels trading to it had to pass through the Straits of Gibraltar. Upon one of the high promontories which bound that narrow outlet was a town and fortress called Tarifa, with a seaport at its base, and this port was filled with piratical craft that lay in wait to prey upon the vessels that were compelled to pass through the straits. A look-out upon the summit of the hill signaled to the port below, "A vessel in sight," and at once the piratical crews hoisted sail and started out to plunder and murder.

The result was that the nations trading through the straits agreed, upon the condition that their vessels should not be intercepted and destroyed, a certain percentage of the value of the cargo should be paid to the chief bandit, and this was called a tariff. That is the origin of the word, and the system is the same now that it was then. That was a "protective tariff." It protected the crews from murder and the ship from destruction, saved a part by the surrender of a part, and of course the consumer who bought the remainder of the cargo had to pay an enhanced value for it to make up for the part surrendered to the robbers.

The same condition exists to-day. The consumer pays an enhanced value and the protected robber pockets what the tariff exacts from the consumer.

Mr. Chairman, the Democratic party was always opposed to this system of robbery. The first declaration of principles which can be called a platform for the party was that of a Congressional caucus, which was known as Republican at that day, as distinguishing it from Federalist, adopted at Philadelphia, on which Jefferson was first elected to the Presidency. It declared in the sixth resolution for "free commerce with all nations."

The next Democratic platform was that of 1840, adopted by the Presidential convention at Baltimore, which contained these resolutions:

4. *Resolved*, That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of another or to cherish the interests of one portion to the injury of another portion of our common country.

The Democratic convention of 1844 reaffirmed the fourth and fifth resolutions of the convention of 1840.

The Democratic national convention of 1848—

Resolved, That the fruits of the great political triumph of 1844 have fulfilled the hopes of the Democracy of the Union in the noble impulse given to the cause of free trade by the repeal of the tariff of 1842 and the creation of the more equal, honest, and protective tariff of 1846, and that, in our opinion, it would be a fatal error to weaken the bands of a political organization by which these great reforms have been achieved and risk them in the hands of their known adversaries, with whatever delusive appeals they may solicit our surrender of that vigilance which is the only safeguard of liberty.

In 1856 the Democratic national convention—

Resolved, The time has come for the people of the United States to declare themselves in favor of free seas and progressive free trade throughout the world.

In 1860 both the Douglas and Breckinridge platforms reaffirmed the resolutions of 1856, quoted above.

In 1872 the Democratic convention (so called) at Baltimore—which was, in fact, a Greeley and not a Democratic convention at all—did not adopt any Democratic resolutions, but indorsed the platform of the Liberal Republican convention held at Cincinnati, which contained the following curious declaration, making the tariff a "local issue:"

* * * We remit the discussion of the subject (protection and free trade) to the people in their Congressional districts, and the decision of Congress thereon, wholly free from executive interference or dictation.

This is the only hiatus in the chain of assertions by the Democratic party of the doctrine of a tariff for revenue only or directly for free trade. It resulted in the shameful defeat of a candidate supported by the party in defiance alike of principle and of policy.

In 1876 the Democratic convention spoke with no uncertain voice:

We demand that all custom-house taxation shall be only for revenue.

In the Democratic platform of 1880 the old doctrine was tersely reproclaimed:

Home rule, honest money, consisting of gold, silver, and paper convertible on demand; the strict maintenance of the public faith, State and national, and a tariff for revenue only.

In 1884 the Democratic convention declared in favor of lower duties and a largely increased free-list.

In 1888 the platform was explicit. It said:

Of all the industrious freemen of our land an immense majority, including every tiller of the soil, gain no advantage from excessive tax laws; but the price of everything they buy is increased by the favoritism of an unequal system of tax legislation.

All unnecessary taxation is unjust taxation.

It is repugnant to the creed of Democracy that by such taxation the cost of the necessaries of life should be unjustifiably increased to all our people.

In the interest of American labor, which should in no event be neglected, the revision of our tax laws contemplated by the Democratic party would promote the advantage of such labor by cheapening the cost of the necessaries of life in the home of every workingman and at the same time securing to him steady and remunerative employment.

Mr. Chairman, I stand by the principles of the Democratic party as enumerated in the Constitution of the United States and the platforms of the party. There is no warrant in the Constitution for the exercise of the power of protection—protecting one class of people to the injury of another. We see the manufacturers of all kinds coming here and asking for protection and claiming that it will benefit the country. They say nothing of the benefits to themselves, but their advocates here on this floor and in the press of the country continually harp upon the benefits that are to be conferred on the people by protection.

This cry for "protection" is no new one. It commenced almost the day the nation was born and has continued ever since, increasing with what it fed on, as the nation grows older. Mr. Chairman, in 1842 a tariff bill was being discussed in the Senate of the United States and it was advocated upon precisely the same grounds this is. Speaking against it John C. Calhoun said:

Why should such a bill pass? Who asks for it and on what ground? It comes ostensibly from the manufacturing interest. I say ostensibly, for I shall show in the sequel that there are other and more powerful interests among its advocates and supporters. And on what grounds do they ask it? It is on that of protection. Protection against what? Against violence, oppression, or fraud? If so, government is bound to afford it if it comes within the sphere of its powers, cost what it may. It is the object for which government is instituted, and if it fails in this, it fails in the highest point of duty. No; it is against neither violence, oppression, nor fraud. There is no complaint of being disturbed in property or pursuits or of being defrauded out of the proceeds of industry. Against what, then, is protection asked? It is against low prices.

The manufacturers complain that they can not afford to carry on their pursuits at prices as low as the present, and that unless they can get higher they must give up manufacturing. The evil then is low prices, and what they ask of Government is to give them higher. But how do they ask it to be done? Do they ask Government to compel those who may want to purchase to give them higher? No; that would be a hard task, and not a little odious; difficult to be defended on the principles of equity, justice, or the Constitution, or to be enforced if it could be.

Do they ask that a tax should be laid on the rest of the community, and the proceeds divided among them, to make up for low prices? Or, in other words, do they ask for a bounty? No; that would be too open, oppressive, and indefensible. How, then, do they ask it to be done? By putting down competition, by the imposition of taxes on the products of others, so as to give them the exclusion of the market, or at least a decided advantage over others, and thereby enable them to sell at higher prices.

Stripped of all disguise, this is their request; and this they call protection. Protection, indeed! Call it tribute, levy, exaction, monopoly, plunder; or, if these be too harsh, call it charity, assistance, aid, anything rather than protection, with which it has not a feature in common.

Every word uttered on this occasion by that great statesman and pure patriot was true. He portrayed "protection" in its true colors. To-day the farmers of the country are suffering, not from "foreign competition," but from home robbery. The pirates who rob them are not

perched upon the rocks of Tarifa, but in the manufactories of the country, intrenched and defended by the Committee on Ways and Means of this House. They give every reason but the right one for the condition of the farming community. Foreign competition I have shown to be false. They advance another; "overproduction," they tell us is one of the causes of the depression. That very same reason was advanced in 1842, and I will let Calhoun answer it. Here is what he says:

We are told by those who pretend to understand our interest better than we do that the excess of production, and not the tariff, is the evil which afflicts us, and that our true remedy is a reduction of the quantity of cotton, rice, and tobacco which we raise, and not a repeal of the tariff. They assert that low prices are the necessary consequence of excess of supply, and that the only proper correction is in diminishing the quantity. We would feel more disposed to respect the spirit in which the advice is offered if those from whom it comes accompanied it with the weight of their example. They also occasionally complain of low prices; but, instead of diminishing the supply, as a remedy for the evil, demand an enlargement of the market, by the exclusion of all competition.

Should we reduce our production others stand ready, by increasing theirs, to take our place; and instead of raising prices we would only diminish our share of the supply. We are thus compelled to produce, on the penalty of losing our hold on the general market.

Once lost it may be lost forever; and lose it we must if we continue to be constrained, as we now are, on the one hand by the general competition of the world to sell low, and on the other by the tariff to buy high. We can not stand this double action. Our ruin must follow. In fact our only permanent and safe remedy is, not in the rise in the price of what we sell, in which we can receive but little aid from the Government, but a reduction in the price of what we buy, which is prevented by the interference of the Government.

Give us a free and open competition in our own market, and we fear not to encounter like competition in the general market of the world.

If, under all our discouragement by the acts of our Government, we are still able to contend there against the world, can it be doubted, if this impediment were removed, we would force out all competition and thus also enlarge our market, not by the oppression of our fellow-citizens of other States, but by our industry, enterprise, and natural advantages.

But while the system prevents this great enlargement of our foreign market and endangers what remains to us, its advocates attempt to console us by the growth of the home market for our products, which, according to their calculation, is to compensate us amply for our losses, though in the leading article of our products, cotton, the home market now consumes but a sixth; and if the prohibitory system as to cotton goods were perfected by the exclusion of all importations the entire consumption of cotton goods would not raise the home consumption of cotton above a fifth of what we raise.

Mr. Chairman, it is neither "overproduction" nor "damaging foreign competition in our own home markets" that causes the widespread, the universal, distress in the agricultural communities, and which, striking thus at the foundation-stone of prosperity, spreads through the entire community, affecting the interests of all, excepting only those of the money-lender and capitalist. The trouble is that through this false system of so-called protection the farmer and the workingman are compelled to pay higher prices for what they are forced to buy, the increased price going into the pockets of "the protected few" to the distress of the "unprotected many." That and a system which collects into the Treasury of the United States every year more than a hundred million dollars in excess of the revenue needed for the Government are the causes of the "widespread depression" of which the Committee on Ways and Means admits the existence.

No remedy which fails to remove these evils will restore prosperity. We must have more currency and less taxation. The farmers of the country have "asked for bread" and the Committee on Ways and Means has "given them a stone." The farmers have asked for relief, and this committee has insulted their intelligence by offering duties on agricultural products we do not import and which form our principal exports. No one has asked that additional taxes should be levied; all are clamoring for the repeal of those now in existence.

What the people want is more money and less taxation, and what the committee offers is less money and more taxation. Our currency is less than $8 per capita and over $1,000,000 is daily (including Sundays) drawn into the Treasury, the surplus there to be handed over to the money-lenders for them to profit by. And yet this committee offers no relief, but endeavors to deceive the people as to the cause of their troubles. Mr. Chairman, the people are not fools. The Secretary of the Treasury may send out his report, declaring the currency abundant and equal to all the demands of trade, basing his estimates on known falsehoods, but the people know that, with abundant crops, with everything seemingly prosperous, money is scarcer than ever it was known before.

The Secretary makes a roseate statement. The people know the hard, bitter facts. The Committee on Ways and Means tells the farmers that it is foreign oats, wheat, corn, rye, hay, cotton, tobacco, wool, butter, and cheese which reduce the price of what they produce. The people know that it is because there is no money to buy with that the price is reduced. And the people of the country will resent the imputation cast upon their common sense by the Secretary and the committee in setting up these false and silly explanations. The storm is coming. The cloud now is not much larger than a man's hand. The mutterings of its thunder can be heard from every agricultural community. Let no man mistake the meaning. The voice of the people will be heard and must be heeded. Slow to anger and long suffering, the American farmer, the honest toiler who labors from the time "when the sun's first rays gild the mountain tops" till the stars twinkle in the east, is at last aroused. And he knows his strength.

The nations trading through the Straits of Gibraltar submitted to the exactions of the pirates of Tarifa until they were strong enough to resist and then they abolished "that tariff for protection" (that is, the protection of the robbers of Tarifa). The farmers will follow their example. Not content, as he of Tarifa was, with the amount agreed upon, enormous though it is, these modern Tarifaites are demanding more and more and still more. They see and feel that there is danger and are endeavoring to emulate the wisdom of the serpent by using nice words to soothe their victims, but their words are only the slime with which the boa-constrictor covers his victim before crushing his bones and swallowing him. The farmers know this, but these modern Tarifaites go on and on and on. Emboldened by success they seek to enlarge their fields for plunder and propose to tax everything that enters into the life of the farmer. But their day of doom has come.

This iniquitous bill or something like it may pass this House and may become a law, but the farmers—people of the country, will strike down the men who make it. They will not be treated as the original Tarifaites were when caught, placed upon high gibbets along the coasts of the strait as a warning to their fellows, but will be retired to the sweet quietude of private life, there to muse on the certainty of justice and to repeat those oft-quoted lines of the distinguished poet:

Though the mills of God grind slowly, yet they grind exceeding small;
Though with patience He stands waiting, with exactness grinds He all.

Mr. Speaker, looking at the schedules as prepared and presented in this bill, we find the rate of taxation is increased in all of them. For what purpose? To procure more revenue for the support of the Government? Sir, we already have a plethoric Treasury, full to overflowing. Why do you insist upon collecting from the people and the wage-earners of the country these enormous taxes which the Government does not need?

Take your tax upon tin-plate; you increase by this bill that tax 115 per cent., taking from the consumers of this necessary article nearly $15,000,000. You place upon cotton-producers, in the single item of cotton-ties, a tax of $1,000,000, which is three times the amount of the present law. Not a single cotton-tie is made in the United States. What industry do you protect? Why, I ask again, do you impose this tax upon the men who are clothing the world by their labor? These laborers receive no protection. Yet in order to prepare for a foreign market this product they are required to expend nearly $1,000,000, for which, as in the case of manufactures, they are not allowed any drawback or rebate.

Are we surprised, therefore, Mr. Speaker, to find unrest and dissatisfaction among our farmers? Sir, they are organizing throughout the country, not as other organizations, for raiding the Treasury and securing undue advantage as against other classes, but, sir, they demand to be relieved of these oppressive taxes and that there be a larger volume of money. For one I rejoice to see the interest our farmers are taking in these great economic and financial questions. Want and oppression having driven them into organizations for their protection, they will be heard. You will act wisely if you grant them relief, for I tell you they are here to stay, for sooner or later the tax-eater will give place to the tax-payer.

The Tariff.

SPEECH
OF
HON. JOHN F. LACEY,
OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. LACEY said:

Mr. CHAIRMAN: It is greatly to be regretted that the inequalities of the present bill have not been pointed out upon the floor of the House and an earnest effort made to render the bill more perfect.

No tariff bill ever came full-grown and perfect from the Committee on Ways and Means like Pallas from the head of Jove, and this bill is no exception to the rule.

It has its imperfections which ought to be cured in the Committee of the Whole, but with the opposition that has met every feature from the other side of the House the attempt to render it more perfect is unavailing.

The contest over formal amendments in striking out the last word has degenerated into an unseemly wrangle as to who should have the last word, and the issues discussed have been, not the schedule itself, but the general principles of a revenue and protective tariff.

Upon this issue the two parties are so hopelessly divided that there is no likelihood of agreement upon anything. I would be glad to see some of the schedules reduced that have been raised by the Committee on Ways and Means. But while I must dissent from some of the duties laid by the bill I must yield my hearty assent to the general

doctrines upon which the bill is founded, and shall vote for the bill, imperfect as I believe it to be, because it is a revision in the interests of American labor in its general effect.

The tobacco tax I would be glad to see unchanged. It is a tax upon a luxury, and upon an injurious one at that. The tobacco consumers, as the ashes of their extravagance are turned into revenue to the Government, are making no complaint, and it seems to me, Mr. Chairman, that this tax might be permitted to remain. In France and Italy the tobacco manufacture constitutes the great feature of their revenue. It is not a burdensome tax, and there has been no pressing demand for its reduction or repeal.

I wish, however, to yield my hearty assent to the placing of sugar upon the free-list. The repeal or a heavy reduction of that duty has been imperatively demanded.

The Mills bill, in which rice and sugar were the great industries which were taken under the fatherly care of the committee, was tried in the balance by the people and found wanting. The entire country in which sugar is now produced is not much greater than an ordinary-sized county, and no amount of protection can extend the area in which the sugar-cane can grow in perfection. The substitution of a bounty for the duty will stimulate the sorghum and beet growers of Kansas, Nebraska, Iowa, and other States in the great West to build up an industry that will provide the tables of all with this article, not of luxury, but of necessity.

About $1 a head is paid for this tax by every man, woman, and child in America, and there is no item which can be reduced and the effect reach so equally and generally all classes of people, both rich and poor.

The advance in duties under the bill upon many items does not meet my assent, but all tariff bills must be in the nature of a compromise. In the conflicting opinions which exist, the bill must either not pass at all or must be a compromise measure.

The prophecy of the gentleman from Alabama that the bill will be amended and improved when it reaches the Senate is probably entitled to more consideration than the predictions that have come so plenteously from the other side of this House during the present session. It is as superior to the so-called Mills bill as an angel of light is superior to an imp of darkness. It is not drawn in the interests of Canada or England. The agricultural products of the great Northwest are favored as against our good neighbors in the Dominion of Canada, and the heresy that what the farmer produces is raw material is not recognized.

Mr. Chairman, in the constant struggle in this committee to strike out the last word two expressions have constantly been ringing upon the silvery tongues of the orators upon the other side of the House. Ordinarily Kansas has but seven Representatives, but during the present session she has been represented by almost the entire Democratic contingent from the South.

Districts where a yield of 20 bushels of corn to the acre is looked upon as a dispensation of Providence have been represented by gentlemen who have led us to think that the coat-of-arms of Kansas ought to be changed from a farmer plowing in the field to that of a farmer burning his corn. And some of our friends from the South, who live in districts where they gather their corn in haversacks, have constantly held up the Kansas farmer as the object of pity to their admiring constituents.

The Kansas mortgage is another one of our friends' favorite subjects of discussion. Let me say to you that when the great Northwest turns her undivided attention to growing any particular article of farm products she has it in her power to produce it in such quantities as to break the back-bone of any market.

Our Democratic friends seem to find delight in the misfortunes of their countrymen. The Kansas grasshopper was their pet ally. Let misfortune come when it will and where it will, let hard times come from any cause whatever, and you may expect to see them proudly rising in their places and giving its details with a relish that shows that they hope for political capital to arise from individual bankruptcy.

The farmer understands where his interest lies and knows full well that relief can not come through the destruction of his home market.

Is it for the interest of the farmer that the iron-maker, the glass-blower, the weaver, the manufacturer generally, should turn aside from their present avocations, and whilst the farmer sells his goods to the European have these industrial laborers enter upon the production of more corn and hogs?

Our Democratic friends were surprised at the verdict of the intelligent farmers of this country in 1888. But those men knew that six-sevenths of the farmers' products are consumed in America, and only one-seventh abroad.

As long as farmers have the good judgment to prefer the home market to the foreign one, so long will the farmers of this country favor protection.

If the demand could be sufficiently increased so that the home market would consume still more of the product, so much the better for the farmer. Why should America give up to foreigners the home markets of this country?

The South before the war was a free-trade country, and the force of habit is strong among them. With the examples of what a protective tariff is doing for East Tennessee, for Northern Alabama, and Northwestern Georgia we find the free-trade doctrines still preached by their statesmen. With such object lessons as Atlanta, Birmingham, Knoxville, and Chattanooga before their eyes, with cotton mills and iron mills springing up on every hand, still the back-country Democrat is as impenetrable as ever to such lessons springing up under his own eyes.

But there is hope for our Southern brethren. With the industrial invasion that is now to be seen in Tennessee, Alabama, and Georgia a change must come over their views. Let me say to my friends from Alabama and Georgia who have had so much to say for the people of Iowa, the day is at hand when your States shall stand in the very front of the column of wage-earners; that in the near future the voice of the leader in industry must be heard, and when the man who dares as a Democrat to assail the growing prosperity of the diversified manufacturing enterprises of your States will no longer be allowed to represent the old idea of the ante-war times, when it was your great desire to produce raw material for the laborers of Europe.

Those times were well described by Mr. Grady when he told of the days when a grave was quarried in the native marble on the hillside and a white Vermont monument reared over the departed free-trader to commemorate his departed virtues. Over the tomb of the free-trade idea in those great States a monument in Tennessee marble should be erected with the hand of Hope inscribed, pointing to the great future when protection to American industries shall be as dear in Georgia as it now is in the great industrial centers of the North.

Mr. Chairman, I have the honor to represent a district where agriculture, manufactures, and mining go hand in hand. The prosperity of each of these industries is for the best interests of all. If the miner prospers, so much the better for the farmer. If the manufacturer flourishes, the farmer finds his home market the best of all. The man who endeavors to raise the hand of one of these industries against the other strikes at the common prosperity of all.

Our farmers have largely learned the necessity of diversifying their interests. They no longer plant their fields in corn alone, but the blue-grass of Southern Iowa invites to its succulent pasturage herds of cattle that would be the envy of Kentucky herself.

And what is good for the individual farmer, a diversity of products, is in like manner for the good of this country as a whole.

Mr. Chairman, I trust that the inequalities in this bill will be remedied before it finally becomes a law. But every tariff bill must be the result of mutual compromise and concession. One industry must help another, and a bill which is founded upon principles of protection brings the greatest good to the nation as a whole.

The Tariff.

SPEECH

OF

HON. ELIJAH A. MORSE,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 17, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. MORSE said:

Mr. CHAIRMAN: Under the permission of the House to print and in answer to the circular offered by the gentleman from Kentucky [Mr. CARUTH], I desire to extend my remarks with the following circular from one of the great labor organizations of the country:

OFFICE OF THE GRANITE CUTTERS' NATIONAL UNION OF THE UNITED STATES OF AMERICA,
Barre, Vt., February 3, 1890.

SIR: Understanding that an effort is being made in the interests of importers and foreign manufacturers to have the tariff on granite reduced, I am instructed to protest against any reduction whatever being made in the tariff on granite, manufactured or unmanufactured, and to ask you to use your influence to have the tariff on the same increased to 60 per cent. The State you represent is interested in the prosperity and development of the granite industry, and therefore we ask you to assist us against the unfair competition of foreign manufacturers. Monuments are being imported into this State from Europe cheaper than can be manufactured here. There are probably millions of dollars invested in the granite trade in this State alone, and to hand this trade over to foreign manufacturers, who have no interest in the development of the country, is not wise statesmanship, and we hope you will, in so far as it lies in your power, aid us against those mercenaries in the granite business who, for the few dollars they can make as importers, are endeavoring to destroy our trade in this country. Our manufacturers are also handicapped in this matter by the freight rates they are compelled to pay, as the freight rate from Liverpool, England, to New York is 75 per cent. less than from Barre, Vt., to New York, which you will readily perceive is a great advantage to foreign manufacturers over our own.

The foreign manufacturer can undersell our own 30 per cent. at the present tariff, and therefore we ask for an increase to 60 per cent., which we consider only fair and just to preserve to American citizens the freedom we enjoy, inasmuch as enterprising men who engage in business must necessarily have a certain profit to insure themselves against risks, and, if in unfair competition with low-paid countries that profit is wiped out, then the workman must suffer by reduced wages in order to meet that competition, and in all low-paid countries the workmen are practically serfs, devoid of ambition, as you are well aware. In our trade there are a class of wreckers whose only stock in trade consists of an office-room, or desk-room in somebody else's office, in some office building in a city, a few designs, and a great deal of cheek. They have their so-called agents scouring the country, competing at every point with bona fide manu-

facturers who have hundreds of thousands of dollars invested in quarries and works which require a great amount of machinery, thus giving employment to other trades besides our own. Yet these manufacturers who have thus invested their capital are undersold by people whose whole outfit would not fetch a hundred dollars if sold at auction. Believing, therefore, in the old maxim that "charity begins at home," we believe that all, whether native-born or adopted citizens, who have the prosperity of the country at heart should see to it that our citizens are not impoverished by the unfair competition of these importers, as we hold that one manufacturer doing a legitimate business is worth more to the country than fifty importers with their sheets of electrotyped or lithographed designs. And so, in the interests of our trade generally, many of whom are your constituents, we ask you to assist us in raising the tariff so as to preserve fair wages to our workmen, fair profits to our employers, and happy homes for all.

Yours, respectfully,

JOSIAH B. DYER, *N. U. Secretary.*

It is proper to add that I hold a petition from one single city in my district bearing the signatures of 691 members of the above great organization, praying for an advance of the duty on granite; and it is proper to add further that since this bill was reported, increasing the duty, with the prospect of relieving this great industry from foreign competition, these men have demanded and secured from the manufacturers an advance in wages of 5 to 10 per cent.

I desire also to submit the following communication, showing the cost of American and foreign monuments, and showing the necessity of the increased duty as called for by this bill:

QUINCY, *April* 2, 1890.

DEAR SIR: At a meeting of the Granite Manufacturers' Association last evening a portion of your letter to Mr. Shaw, referring to letter received from dealers, stating that the resolutions sent you some time since asking an advance in duties on foreign-dressed granites, was read, and the inclosed prepared and signed, as you will see, by forty-nine firms. There being about sixty-five firms engaged in the business here, this certainly represents the majority in numbers, and a very large majority in amount of business. And of the balance we could have secured the names of all but four or five, who are interested in selling foreign granites, if we could have seen them. So that you will see that, as I wrote you before, the resolutions before sent you practically represent the whole granite industry here, in the published edition on revision of the tariff which you were kind enough to send me.

I notice letters on the subjects protesting against the increase asked. The four firms are all large importers of foreign granites, and while they deal in American granites the fact that they can supply the general demand for monumental work with foreign granites when the native granites are not demanded, at a much greater profit to themselves, unquestionably influences their action in this respect. That you may be able to make comparison of the cost of both granites, I inclose you designs of a few ordinary monuments and give prices on same.

No. 318 is 3 feet 1 inch square, base 7 feet 6 inches high; is all polished, composed of 5 pieces; price of same in Scotch granite, duty paid, delivered in New York	$214.00
In Quincy granite material would cost	45.00
Labor cost	225.00
	265.00
Add for profits, etc., 10 per cent	26.50
	291.50

We can not afford to do business on this margin, but you can see the difference even at that.

No. 25 (4 pieces), 2 feet 2 inches square at bottom, 10 feet 8 inches high, all polished; price at New York in Scotch granite, duty paid	$137.00
Material	25.25
Would cost in Quincy granite, labor	156.00
	181.25
Ten per cent	18.13
	199.38
No. 25 (6 pieces), 4 feet 2 inches at base, 13 feet high, all polished except drapery; price in Scotch granite at New York	760.00
Material	121.00
Quincy labor	784.00
Ten per cent	90.50
	990.50
No. 24 (3 pieces), round, 2 feet 8 inches diameter at base, 8 feet 8 inches high, polished where shaded; price in Scotch granite at New York	93.00
Material	33.00
American labor	158.00
Ten per cent	19.00
	210.00

This last is hardly a fair sample, as being round they cut it by machinery there, which not having the machinery here we can not do, but the others would be cut and finished under the same conditions except as regards cost of labor, or day pay. The case quoted by Jones Bros. is not a fair one, it being one almost entirely out of the question, since little, if any, work of this kind is imported. The ordinary run of monumental work is composed of stone containing from 5 to 20 cubic feet, costing in Barre granite 80 cents per foot; costing in Quincy $1 to $1.20 per foot; costing in Quincy $1.14 to $1.62 per foot. So that we have no fear of the raw material. The proportionate cost of labor in the class of work sent here is from five to six times that of the material, depending on the design, whereas in the case mentioned by Jones it is about being simply a plain block, without polish, of which I doubt there being twenty-five pieces received here in a year.

I notice by last night's paper an increase on granite reported, so do not know as this will be of service to you, but trust you may be successful in securing the passage of the bill.

Yours, respectfully,

WM. H. MITCHELL,
Secretary Granite Manufacturers' Association.

Hon. ELIJAH A. MORSE, M. C.

I desire also to submit the following statement from the granite manufacturers of Quincy to refute certain misstatements of a few importers whose only interest is the commission they get from the foreign manufacturers:

QUINCY, MASS., *April* 1, 1890.

DEAR SIR: Understanding that letters have been sent to you by individual firms, members of this association, stating that the resolutions sent you by the secretary asking for an increase in the duty on foreign granites do not fairly represent the granite industry of this city, we take this means to contradict that statement and state that by their signatures hereto they heartily support the resolutions sent you, and renew their request for an increase of duty on foreign granites to 50 per cent. ad valorem.

Mitchell Granite Works, M. Gratto Bros., O. T. Rogers Granite Company, Milne Chalmers & Co., John Thompson & Sons, Field L. Wild, McKenzie Patterson, William T. Spargo, McIntosh & Son, John S. Pool, O'Brien & Co., Elcock & Sons, McDonnell & Sons, Adams Granite Works, Turner & More, McGilloway & Jones, Malnocte Bros., Swithin Bros., John Smith, T. F. Mannex, Bizzozero & Mouti, Falconer & Marnock, McDonnell & Kelley, Nicolls Granite Works, Thomas & Miller, Merry Mount Granite Company, Allen C. Walker, McDonnell & Cook, Norfolk Granite Company, Burke Bros., Miller & Leuli, Frederick Field, Joseph H. Vogel, Craig & Richards Granite Company, McDonnell Bros., Joss Bros., F. Hardwick & Son, C. H. Hardwick & Co., John Fallow & Sons, Lewis Dell & Co., James F. Desmond, Jones & Desmond, James N. White, Daniel Hayes, Adam Vogel & Son, Badger Bros., Fuller, Haley & Co., F. J. Fuller & Son, Carey Bros.

Hon. ELIJAH A. MORSE, M. C.

The Tariff.

SPEECH

OF

HON. JOSEPH E. WASHINGTON,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 19, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. WASHINGTON said:

Mr. CHAIRMAN: In explanation of this amendment, which, owing to the very limited time allowed to complete the bill, I know can not be voted on, I will say that it repeals all taxes of every kind on the manufacture and sale of his tobacco by the farmer. It places the farmer and planter back in the same position he occupied before the establishment of the internal-revenue system. The tax on tobacco is the only tax which is levied on an agricultural crop. The revenue derived from it is no longer needed for the uses of the Government. Its continuance restricts production and hampers trade. As it increases the cost it necessarily decreases the consumption of the article, and therefore ought to be entirely abolished.

I do not deem it necessary to indulge in a lengthy discussion of the question as to whether the producer or the consumer pays the tax on tobacco. It matters very little who pays it ultimately. It is a tax and a tax is a burden. The tobacco-grower is suffering from chronic low prices and I for one wish to give him relief to the extent of taking all the tax off of tobacco instead of only half, as the bill proposes to do. To take off half the tax is to reduce the revenue that much, it is true, but this retains all of the costly and vexatious machinery, penalties, fines, prosecutions, and officers necessary to collect the tax, nearly every dollar of which will be expended in the cost of collection.

It comes with poor grace from our Republican friends to say that the tobacco tax is paid by the consumer, and does not come out of the profits of the farmer and laborer. They proclaim the very opposite theory regarding the tariff tax. The millions exacted by the tariff they say is paid by the European pauper laborers and foreign manufacturer as a penalty for bringing their goods into this country, and not by the thousands of poor people who consume or wear them and pay the increased cost.

Sir, if the 8 cents per pound tax on tobacco is paid by the consumer who smokes it, then the tariff tax of 50 to 250 per cent. on all manufactured products is paid by the consumer who finally wears out the hat or shoes or clothes. On the other hand, if the tariff tax is paid by the European laborer as a penalty for sending his goods here, then the tax on tobacco of 8 cents per pound is a grievous and unnecessary penalty paid by the farmer and laborer for making and selling his tobacco to the man who smokes or chews it in the United States.

Some gentleman on the other side said it made no difference in the price to the consumer whether the tax was left on or taken off. That is not true. Every one who is posted in these matters knows that the price of manufactured tobacco decreased materially when the tax was reduced in the past from 24 to 12 and then to 8 cents per pound.

During the discussion of this bill I have had numerous letters from my constitutents interested in the manufacture of tobacco, inquiring about the provisions of the bill and the probability of its passage.

They all state that ample time should be allowed between the passage of the bill and the date the reduction in the tax takes effect to permit manufacturers to change the size and style of plug boxes and packages so as to conform to the expected reduction in price and demands of the trade.

The tobacco-grower, under the present revenue system, bears a double burden of taxation. He is taxed on his product and then on all his necessaries of life. Tobacco is his staple or money crop. It is that product of his year's labor which he must exchange for his boots, shoes, clothing, and groceries. Out of it he pays his "store account" and his doctor's bills. You tax him 8 cents per pound on all that part of his crop which goes into home consumption as a manufactured article and on all of those things for which at the end of the year he pays with the proceeds of his labor, you tax him under a protective tariff of from 50 to 300 per cent. Between the two schemes of governmental spoliation and robbery he has nothing left.

Sir, I appeal here and now for relief for the tobacco-grower. No laborer works so long or so hard to produce his product. It requires from fourteen to sixteen months to raise and market a crop of tobacco. The seed in Tennessee and Kentucky are put in the plant beds in February or March. The crop is transplanted to the field in May or June. The tobacco ripens and is put in the barn in August and September. It must then be dried, or "cured," as it is called, and prepared for the market.

The condition of the winter weather will greatly control this process; but as a rule the crop is not finished, sold, and delivered before March, and much of it not until June. All of these weary months must the poor cropper or tenant or maybe the proprietor himself labor with the help of his children and all of his dependents over this crop upon which the Government levies a tax amounting to more than the average value of the tobacco itself when it leaves the hand of the farmer. And yet those whose bowels of compunction yearn over the struggles of the poor laboring men of this country seem to have no mercy for the tobacco-grower of Tennessee, Kentucky, Virginia, and North Carolina.

Ah! they say, but we have put a tax of $2 per pound on imported tobacco to protect you. Sir, that class of tobacco does not come in competition with the tobacco of my district. On the contrary, the Sumatra and Cuban wrapper, if cheap, would add to the value of and the demand for such of our tobacco as would make good fillers. The greater part of the tobacco from my district has to seek a foreign market, and there again it meets with the most exorbitant taxation.

That which goes to England is bought and sold in an open market, but it must pay an import duty of between 75 and 80 cents per pound. That which goes to Austria, France, Italy, and Spain is sold in a closed market controlled by a Government monopoly known as a *régie* contractor, who has, as the lowest, not as the highest bidder, been awarded a contract to supply the Government with a certain number of hogsheads of tobacco of peculiar types and classes at a fixed price. His profit therefore depends upon his ability to buy this tobacco in the American market at a less price than that at which he has agreed to deliver it.

In these days of great combinations and aggregations of capital, one syndicate usually takes all four of these *régie* contracts, hence the competition for that class of tobacco in our home market is practically stifled; there is but one contractor, therefore but one bidder; his agents will not run up the price of tobacco on themselves. All that is necessary for them to do in order to take the American farmer's tobacco at their own price is to sit quietly at the several boards and buy only when prices and offerings suit them.

This foreign purchaser of our tobacco might be able and doubtless would pay us more for it if instead of paying cash with bills of exchange he could bring here the products of the labor of France, Austria, Italy, and Spain and exchange them for our tobacco without paying such an enormous custom-house or tariff tax as a penalty for doing so. A small profit on his imports would make him content with a smaller profit on his tobacco; hence the higher the price he could afford to and would pay the farmer.

When closely analyzed such things as these show the great injustice of this McKinley tariff bill, which has been so framed as to almost annihilate all foreign trade.

PROTECTION TO THE FARMER.

We are told that it has been constructed with reference to protecting the farmer above all others. This is the first and only farmers' tariff bill, according to the professions of its authors.

Let us see what it does for the farmer. At the dictate of a well known combination of chemical manufacturers it puts a tax of one-fourth of a cent per pound, or about 30 per cent., on sulphuric acid, which under existing law is free. At the same time one of the products of which the acid is made is put off the dutiable on to the free list, still further favoring the manufacturer. Sulphuric acid enters largely into the manufacture of fertilizers used by the farmers, but especially by the tobacco-growers.

The increase in the cost of fertilizers, if full advantage should be taken of the duty, would be about $2 per ton. About 800,000 tons of fertilizers were used in 1889; an increased cost of $2 per ton on this would rob the farmer of $1,600,000 for the benefit of a combination already enjoying a rich profit. Sulphuric acid to the extent of about 100,000 tons is also used in refining coal-oil; at a tax of one-fourth of a cent per pound, this would add at least $500,000 to the cost of the oil which furnishes the light in the poor man's house.

Fully $2,000,000 will be gathered into the coffers of monopolists and trusts by this one increase, without a single dollar of corresponding benefit to the Treasury. Yes; but the bill increases the duty on corn from 10 to 15 cents per bushel; on corn-meal, from 10 to 20 cents; on oats, from 10 cents to 15 cents; on wheat, from 20 cents to 25 cents. A duty to protect must keep out something. What are the facts?

The following table shows our imports and exports of grain, meal, and flour for 1889:

Products.		Imports.	Exports.
Corn	bushels	2,401	69,302,929
Corn-meal	do	396	1,560,930
Oats	do	22,310	614,226
Rye	do	None.	287,352
Wheat	do	130,649	45,414,129
Wheat flour	barrels	1,156	9,374,803

Comment on this showing is entirely unnecessary.

Wheat flour is to pay an ad valorem duty of 25 per cent. instead of 20 per cent. The imports were 1,156 barrels and exports 9,374,803 barrels.

The American apple crop must be protected. There has been no duty on apples, green, ripe, or dried, but the American orchard is to have the protection of 2 cents a pound on dried apples. Last year we exported 942,408 barrels of green apples and 22,102,579 pounds of dried apples. We imported not an apple nor a pound of dried apples.

The duty on bacon and hams has been increased from 2 cents to 5 cents per pound. The imports were 272,130 pounds and the exports 400,224,646 pounds.

On beef, pork, and mutton the present duty is 1 cent per pound; the proposed duty is 2 cents. The imports were 215,575 pounds and the exports 280,991,121 pounds.

It is as plain as a pikestaff that the farmers are suffering because of want of protection on their corn, wheat, oats, rye, bacon, beef, pork, corn-meal, and apples. They are burning their corn in Kansas because 2,401 bushels imported last year spoiled their home market; they are scattering their corn-meal on the ground because 396 bushels of foreign meal found its way into the country; they blew themselves to pieces with dried apples and water because they had no tariff fence to keep out the foreign apples that had not sought admittance. They mortgaged their farms because one pound of bacon was imported for every 1,500 pounds exported. The McKinley tariff bill will save them from further misery by increasing the protection against agricultural products that have not and can not come into competition with them in the home market, whilst compelling them to pay more for articles they have to buy.

What a howling farce the McKinley farmer's "protection" bill is! What idiots it assumes farmers to be!

THE MERCHANTS.

The importers and merchants have been singled out as special objects of affection and fostering care by the framers of this bill. Innumerable protests have reached me.

The dealers in china, glassware, and crockery cry out that they will be ruined or left at the tender mercies of the pottery trust.

CUTLERY AND HARDWARE.

The hardware men declare that the proposed rates on pocket-knives, razors, carving-knives, butcher-knives, scissors, and shears are absolutely prohibitory and will shut out grades and patterns not made here, which can not be made here for years and which are largely purchased by laborers. I shall print with my remarks a statement showing the present and the proposed duty and some facts given by those interested who protest against the proposed increase.

CUTLERY.

The following rates of duty are proposed by the Committee on Ways and Means, namely:

Pocket cutlery.—Present duty, 50 per cent. ad valorem. Proposed duty: costing not more than 50 cents per dozen, 12 cents per dozen and 50 per cent. ad valorem; costing from 50 cents per dozen to $1.50 per dozen, 50 cents per dozen and 50 per cent. ad valorem; costing from $1.50 per dozen to $3 per dozen, $1 per dozen and 50 per cent. ad valorem; costing from $3 per dozen and up, $2 per dozen and 50 per cent. ad valorem.

Razors.—Present duty, 50 per cent. ad valorem. Proposed duty: costing less than $3 per dozen, 50 cents per dozen and 30 per cent. ad valorem; costing $3 to $4 per dozen, $1.25 per dozen and 30 per cent. ad valorem; costing $4 and up per dozen, $1.75 per dozen and 30 per cent. ad valorem. We think this is a clerical error and that the intention is to make the ad valorem duty 50 per cent. instead of 30 per cent.

Carving and cooks' knives.—Present duty, 35 per cent. ad valorem. Proposed duty: costing $4 and less per dozen pieces, $1 per dozen and 30 per cent. ad valorem; costing from $4 to $8 per dozen pieces, $2 per dozen and 30 per cent. ad valorem; costing $8 to $12 per dozen pieces, $3 per dozen and 30 per cent. ad valorem; costing from $12 and up per dozen pieces, $5 per dozen and 30 per cent. ad valorem.

Table cutlery and butcher knives.—Present duty, 35 per cent. ad valorem. Proposed duty: costing $1 and under per dozen pieces, 10 cents per dozen and 30 per cent. ad valorem; costing $1 to $2 per dozen pieces, 35 cents per dozen and 30 per cent. ad valorem; costing $2 to $3 per dozen pieces, 40 cents per dozen and 30 per cent. ad valorem; costing $3 to $8 per dozen pieces, $1 per dozen and 30 per cent.

ad valorem; costing $8 up per dozen pieces, $2 per dozen and 30 per cent. ad valorem.

Scissors and shears.—Present duty, 35 per cent. ad valorem. Proposed duty: 45 per cent. ad valorem.

The average rates of duty as proposed in the new bill, reckoning for like quantities of each grade, are as follows, namely: Pocket cutlery 100 per cent. ad valorem; razors, 75 per cent. ad valorem; carving and cooks' knives, 70 per cent. ad valorem: table cutlery, 50 per cent. ad valorem; butcher knives, 55 per cent. ad valorem; scissors and shears, 45 per cent. ad valorem.

If the proper proportions of different-priced goods are calculated, the average rates will considerably exceed those above named.

The heaviest duty is on the lower-priced goods, the highest rate being, on pocket-knives, 132 per cent.; on razors, 100 per cent.; on carvers, 99 per cent.: on table cutlery, 70 per cent.; on butcher knives, 65 per cent.

The above enormous increases of rates have been obtained by the grossest misrepresentations and false statements of interested parties.

Take pocket cutlery.—It was stated by a committee of manufacturers that the difference between the cost of the imported article and the domestic cost of production was 250 per cent. in favor of the imported lower priced knives, and that difference averaged 200 per cent. on the whole line.

The Committee on Ways and Means were shown—taking a comparative table submitted by the domestic manufacturers—that the real difference was only 50 per cent. (the present duty), and this result was demonstrated by affidavits of well known jobbers and importers and can not be successfully challenged.

It is a well known fact that the bulk of the pocket cutlery imported is exclusively such as is not made in this country and which this country is not prepared to make. It must be remembered that the manufacture of pocket cutlery in this country is only confined to limited branches and patterns. So far as it has gone, the result has been more than successful in controlling the market against foreign goods. But there are thousands of patterns and grades—an outcome of two hundred to three hundred years' experience—that no attempt has yet been made to manufacture in this country, and it is now proposed to put on those patterns and grades a prohibitory duty to enable the domestic manufacturers to compel purchasers to accept their limited patterns and at their prices. It is perfectly clear from the past success of the domestic manufacturers under the present tariff of 50 per cent. that it is only a question of time and increased intelligence when they will control the trade in these goods, and it is a question whether the country is prepared under governmental compulsion to contribute to them 50 per cent. additional bounty in the interim.

Razors.—The duty of 100 per cent. on razors is put on at the instance of substantially one manufacturer, and the cheaper razors used by the poorer classes will cost under this duty double what they now cost.

Carving and cooks' knives.—A few of these goods are imported because they are better quality than are made in this country, and by putting up the rates it is proposed to compel the people to take inferior goods at much higher prices.

Table cutlery.—It is a well known fact that nineteen-twentieths of all the table cutlery marketed in this country for the past twenty years has been made here, and the only known reason for the advance in duty is to enable the table-cutlery combination to still further advance their prices. The Committee on Ways and Means were shown by evidence that can not be disproved that the difference between the domestic cost of production and the cost of the foreign article under the present duty of 35 per cent. ad valorem is 77 per cent. in favor of the domestic, and they were not only shown this, but a statement of results for 1889 from one of the members of the combination was submitted showing earnings of about 21 per cent. on the capital employed.

If the Committee on Ways and Means had put table cutlery on the free-list nothing could have been imported except a few high-priced goods like Rodgers's, which sell on their reputation. This action on table cutlery shows the foolishness of this whole business.

Butcher-knives.—It is well known that very few of these goods are imported except well known brands that sell on their quality and reputation. These brands will continue to be sold under a higher duty, the extra cost coming out of the pockets of the butchers throughout the country. Does not this seem nonsense, when it is considered the Government does not need additional revenue?

Surely all this is protection run mad. No consideration whatever is given to the people who buy these goods. Everything is in the interest of the manufacturers, and unless we personally protest and persuade others to do the same, our interests and the consumers' interests will not be considered or thought of.

NEW YORK, *May* 10, 1890.

DEAR SIR: We desire to make our final appeal in opposition to any increase of duties on cutlery and guns.

You stated to the delegation of Western wholesale jobbers of hardware, who appeared before the majority members of your committee on Thursday, May 8, that the matter seemed to hinge on a question of veracity. This, Major MCKINLEY, is the exact issue, and has been from the very first. The president of this association said to you, when before the majority members of your committee the latter part of April, that if the statements on the other side were the truth, or anywhere near approaching the truth, he would not, for one, come before your committee or trespass on one moment of your valuable time, because, from a protectionist standpoint, we would have no case, but because of the gross misrepresentations of the other side we have appeared before the honorable gentlemen of your committee several times and endeavored to convince you that there is no reason or necessity whatever for any increase of duties on these goods.

May we be permitted to very briefly compare statements? First: The American manufacturers of cutlery submitted a table of relative costs of cutlery in the three different markets of Germany, England, and the United States, by which they attempted to show that the difference between the foreign cost and the American cost averaged 200 per cent. in favor of the foreign (see pages, Tariff Hearings, 66 and 71). It must have occurred to your committee that with such a difference of cost against them, how it has been possible for them to do any business whatever under a 50 per cent. tariff, and yet, on page 72, they give you as the capital invested in this business, $2,720,000.

Our reply to the above statement is found in Tables A and B, on pages 81 and 82, which tables are supported by unquestionable affidavits, and which tables show conclusively that the real difference of cost between the foreign article and the domestic is as near as possible 50 per cent., the present duty, and that the knives that come here from abroad are those that are sold on their reputation and those that are taken on account of the variety of the pattern, an outcome of a great many years' experience.

Second. The American manufacturers inform you that from 1882 to 1887 their product has decreased from $1,320,000 in 1882 to $815,000 in 1887, showing a loss of product in six years of $505,000.

What are the facts? Let the following exhibit answer:

Pocket-knives.

1882. American product, as per their table, page 72		$1,320,000
Imports, as per Government statistics	$1,238,198	
Add duty, 50 per cent	619,099	
		1,857,297
Total for 1882		3,177,297
Add for estimated increase of consumption from 1882 to 1887, inclusive, 6 years, at 2½ per cent. per annum=15 per cent		$476,693
Total for 1887		3,653,890
According to manufacturers' table, 1887 figures out as follows:		
Importations	$1,419,861	
Less razors, which are included	250,000	
	1,169,861	
Add duty, 50 per cent	548,930	
	1,754,791	
American product for 1887, as per their table on page 72	815,000	
		2,569,791
Amount unaccounted for by American manufacturers		1,084,099

The figures in above statement are not ours, with the exception of the estimated increase of consumption for the six years. With this exception the statement is entirely made up with Government statistics and the American manufacturers' statements, and there is no other possible deduction to be made from this statement and these figures but the one that the million dollars unaccounted for should be added to the manufacturers' statement of product for 1887, making that amount $1,899,099 instead of $815,000, as stated by them. We say there is no other deduction to be made than the above unless it can be shown that the consumption of these goods for the six years from 1882 to 1887 declined to the extent of over $600,000, which is simply preposterous.

We are informed by the chief jobbers in cutlery in the West that the estimate of 2½ per cent. per annum for natural increase of consumption is distinctly conservative, and that, in their experience and opinion, it is considerably over the estimate we put down.

Third. The manufacturers have tried to create the impression before your committee that the jobbing hardware trade of the United States did not only not antagonize the advances proposed, but that these proposed advances met with their approval. Your committee are aware that there is not a word of truth in this statement, that there has been only one house in the trade who has indorsed the advance, and that house is violently opposed to the advance proposed on guns, and only indorses the advance on cutlery because they are stockholders in a cutlery manufactory.

There has been over 2,000 protests against any advance from as many hardware houses sent to your committee and to individual members of Congress, and the delegation of representative wholesale jobbers who appeared before the majority members of your committee on May 8 emphasizes the opposition to any increase by the jobbing trade of the country.

Fourth. The table-cutlery manufacturers have wisely refrained from putting themselves on record as to figures. They content themselves with making the most extraordinary assertion that unless they can obtain a large advance in duty they must quit the business or be driven out of business (see pages 77 and 78). We have shown that out of a carefully estimated consumption of about $3,000,000 there is only $200,000 imported, and that this has been the condition for nearly twenty years past; that outside this $200,000, if table cutlery was placed on the free-list, none could be imported, and that the whole aim and endeavor is to shut out the $200,000 of table cutlery and butcher knives that are now being imported. The reason that even these goods come in is because they sell on their reputation, as has been shown. (See testimony page 1128.)

It is therefore perfectly clear that under the present tariff the imported goods are gradually losing ground; that in six years, from 1882 to 1887, inclusive, the American pocket-cutlery manufacturers have not only not lost $500,000, as they claim, but have in reality increased their product $579,000 in those six years, while the importation of this article has decreased during this period nearly $100,000. It is also true that the importation of fire-arms has decreased from 1882 to 1889 $282,757, and that the proposed duty would simply affect the cheaper grades of guns, and make the prices so high that the class of people who are compelled to buy these grades of guns can not pay the price and must do without them.

It is estimated by competent people that the domestic manufacturers turn out over $2,500,000 as their product for the year against imports in 1889 of $1,159,157, and it is known that the manufacture of guns in this country is on the increase, and that the bulk of the people engaged in their manufacture have a satisfactory business, and no competition on the guns they make except between themselves, and also that only a few of the manufacturers of guns have asked for an advance of duty, and these few have not been able to submit any arguments for an advance that they are willing to let go into print.

We therefore much hope that your committee will so amend your bill as to leave cutlery and guns as under the present law.

Very respectfully yours,

A. H. SAXTON,
President Wholesale Hardware Association.

Hon. WILLIAM MCKINLEY, JR.,
Chairman Committee on Ways and Means, Washington, D. C.

Memorandum.—The analysis of cutlery paying 35 per cent. duty can be found on page 1228 Tariff Hearings, and is as follows:

Butcher-knives and steels	$75,000
Table cutlery and carvers, etc	125,000
Scissors, farriers' knives, etc	357,000
	557,000

which is the average imports for last seven years.

SHOTGUNS.

Should the bill become a law it will increase the duty from 80 to 100 per cent. ad valorem on common double-barrel breech-loading guns. A gun which can now be bought at from $8 to $25 will then cost from $15 to $40. This will have to be paid by the one who purchases from the retail dealer. What will be the result? Not half as many of this class of guns will be sold. Many people can pay $12 for a gun who can not and will not pay $25. For whose benefit is this duty imposed?

It is for a few manufacturers who have already grown rich and prosperous under a tariff of 35 per cent. They now wish to tax cheap guns out of the country, so that all must either buy their protected home-made guns which cost from $35 to $100 or go without. What crime has the farmer's boy or the laboring man of the country committed or how has he so offended the Republican party that the Ways and Means Committee should say he shall no longer have the privilege or the opportunity to buy a cheap gun with which to shoot the squirrels that are eating his corn or kill the "varmints" that are destroying his chickens or his pigs.

TIN-PLATE.

Numerous protests have come against the proposed increase in the

tariff from 1 to 2½ cents per pound on tin-plate. Sir, tin-plate is not now made in the United States. This "infant industry" which the bill would protect has not even been begotten as yet. Accepting as true (which I deny) the Republican theory that a high tariff cheapens goods by stimulating the home competition, there is no man so silly as to publicly maintain that an increase in the duty of 1½ cents per pound will cheapen the price of tin-plate, when there is none and can not be any made here for several years to come.

Factories must be built, machinery procured, and men employed to do the work. Meanwhile every pound of tin used in making the cooking-vessels, milk-cans, and tin dippers, found in every humble home; every square foot of tin roofing laid to shelter the family hearthstone from the rains and snows of heaven; every can which contains meat, fruit, vegetables, or oysters is to be enhanced in price to the enormous extent of 125 per cent. increase over the duty which has existed since 1883.

It is said the increase is so slight no one will feel it. Sir, in each individual case and on each particular item in detail all through this bill the increase is comparatively slight I grant. But it is the multitude of increases and the aggregate whole which make a burden greater than we can bear, which causes me to protest. If one ant should sting you it would amount to little. If a thousand ants should swarm on a man's body they could quickly sting him to a painful death. This protective-tariff system in the end amounts to a million pismires stinging and worrying the life out of the tax-ridden laborers and farmers.

To show how much the proposed increase in the tariff will be on a box of tin I will read a table which I have prepared.

Duties on tin-plate.

Description.		Present duty.	Proposed duty by McKinley bill.
IC, 14 by 20	per box	$1.08	$2.43
IX, 14 by 20	do	1.36	3.06
IXX, 14 by 20	do	1.57	3.54
IXXX, 14 by 20	do	1.78	4.01
IXXXX	do	2.00	4.50
IC, 20 by 28	do	2.16	4.86
IX, 20 by 28	do	2.72	6.12
IXX, 20 by 28	do	3.14	7.08
IXXX, 20 by 28	do	3.56	8.02
IXXXX	do	4.00	9.00
ROOFING PLATES.			
IC, 14 by 20	per box	1.08	2.43
IC, 20 by 28	do	2.16	4.86

An increase of over 125 per cent. in amount of duty to be paid.

Now turn to the small items, those little things which the broad-minded statesmen on the other side think are too insignificant to be taken into account.

The tariff raises the wholesale price of stamped ware about 23 per cent. and of pieced ware about 10 per cent.

The following list of ordinary household and dairy utensils will show to what extent the present tariff on tinned plate increases the retail price of each article, what it could be sold for without any tariff, and to what further extent the Senate tariff bill would increase the retail price. The list comprises both stamped and pieced ware, and in each case the plainest and most inexpensive article is taken, so that it fairly represents the kind of tinware which the ordinary purchaser would buy.

The poor man's tinware.

Article.	Retail price.	Amount of increase owing to tariff.	Retail price, if there were no duty.	Retail price, if Senate bill were law.	Present tariff raises prices.
					Per cent.
4-quart coffee-pot	$0.20	$0.02	$0.18	$0.22	11
4-quart saucepan	.16	.02	.14	.18	11
4-quart oil-can	.20	.02	.18	.22	9
Pint drinking-cup	.05	.01	.04	.06	11
12-quart dish-pan	.20	.02	.18	.22	12
12-quart dish-kettle	.20	.02	.18	.21	13
6-quart milk-kettle	.30	.02	.28	.33	6
11½-inch colander	.15	.01	.14	.16	10
4-quart tea-kettle	.25	.01	.24	.26	5
8-inch wash-boiler	.80	.06	.74	.86	9
Bread-pan	.10	.01	.09	.11	14
5-pound lard-can	.10	.01	.09	.11	12
4-quart dairy-pan	.08	.02	.06	.10	33
10-quart dairy-pan	.15	.03	.12	.18	22
4-quart dairy-pail	.08	.02	.06	.10	33
Wash-basin	.06	.01	.05	.07	23
9-inch pie-plate	.05	.01	.04	.06	25
10-inch milk-strainer	.20	.03	.17	.23	15
4-quart dinner-kettle	.25	.03	.22	.28	13
Total	3.58	.38	3.20	3.96	

This is an interesting table. Let us compile from it an ordinary kitchen outfit for a workingman's family, in order that we may see to what extent the tariff increases the cost of some of his necessary household articles.

His good wife will not be satisfied with less than a cheap coffee-pot, a couple of sauce-pans (which she would use in cooking vegetables), an oil-can for the kerosene, one tin cup, a dish-pan, one colander, a tea-kettle, a wash-boiler, four bread-pans, a lard-pail (which could be used for a butter-kettle), one wash-basin, four pie-plates, and a dinner-kettle for her husband. These modest purchases she could make at a retail store for $3.18. If there were no tariff on tinned plate she could buy them for $2.86—a saving of 32 cents, a sum which a man living on a dollar a day would be glad to save. If the Senate bill became law, what she now can buy for $3.18 would cost her $3.50.

Who asks this increase? Is it the laboring man? No, sir. It is the sheet-iron and sheet-steel barons of Pennsylvania, those who make corrugated iron for roofing and siding, with whose product the imported tin now comes into competition. No estimate of the increased cost to consumers by this proposed tariff on tin will be complete which does not include all the advance that will take place in every kind and quality of sheet-iron, sheet-steel, and galvanized iron. Sir, I will print in my remarks a letter received from one of my constituents on this subject. It is full to overflowing with facts and arguments. I will not take time to read it:

ERIN, TENN., *May* 1, 1890.

To Hon. JOSEPH E. WASHINGTON, *Washington, D. C.:*

The undersigned, workingmen and manufacturers of tinware, cans, and consumers of roofing tin, employing large numbers of hands and having invested a large capital in the business, respectfully protest against any increase of the present duty on tin-plates and urge some reduction in that duty to comply with the universal demand that all raw material should be taxed as lightly as possible.

Your attention is briefly called to the following facts: The large increase in the consumption of tin-plate in the United States has been caused solely by its absolute cheapness bringing it into universal use. It is in no sense whatever an article of luxury. Its lightness and wonderful durability have made it the one material for a roof. It furnishes our kitchens. Two-thirds of the importations are made up into cans for our products, and these indispensable adjuncts to our daily life have been placed within the reach of the humblest purchaser. It gives employment to hundreds of thousands of busy hands in all the varied industries of our country. It is essentially a raw material, which is worked up here.

A reduction of the duty would cheapen it to the consumer. An increase of the duty would check its consumption, rendering necessary a variety of substitutes, revolutionizing the whole trade, and bringing untold disaster upon thousands of industries that have been established.

It is important to bear in mind that the multitudinous uses to which this article has been put have been in almost every instance started and developed by our own country. The farmer has probably been the principal one benefited, as the extension of canning factories all over the country has enabled him to find a market for his fruits and garden products which would otherwise either rot or never be raised. The canning business is absolutely dependent on the low price of tin-plate, and it is this low price, which has existed for the last ten years, that has caused the enormous increase in the canned-goods trade.

Our imports and increase of tin-plates is shown in the following figures:

	Boxes.		Boxes.
1852	477,714	1887	4,619,368
1862	546,493	1888	5,085,313
1872	1,531,895	1889	5,659,734
1882	3,603,764		

Some years ago canned goods were more or less delicacies. Now they are the poor man's food, being cheaper in the cans than the green article can generally be obtained for. Favored as we are above all other countries in our products, the only question to be solved was how to preserve perishable ones, which otherwise would be lost to the consumer and be unmarketable to the farmer, and this has been solved by cheap tin-plate. Another wonderful growth, consequent upon the cheapness of this article, has been in the line of cans and packages of all kinds, for other than for fruits and vegetables, and if the duty is increased many articles stand prepared to entirely take the place of tin-plates and to render their use a thing of the past.

Glass jars will take the place of tin-cans. Wood, paper, pasteboard, sheet-iron, sheet-zinc, etc., will be used for packages, increasing their cost to the consumer. The present light and durable article of roofing-tin will be supplanted by heavy sheets of iron or steel, coated with some metal like zinc, tin, or lead, the high cost of which will enable other articles to be used for a roof, deteriorating its usefulness and greatly increasing the risk of fire. Tin-plates will cease to be used for kitchen utensils, and that business, now in the hands of probably tens of thousands of small shops throughout the country, will be destroyed, and all kitchen utensils will be stamped from iron or steel by large manufacturing concerns, and tinned afterwards. Tin-plate is in fact a part of every household in some shape or form, solely on account of its cheapness, and more so by the poorer and working class, than by those who are more well-to-do, and a further tax on it, therefore, becomes a direct tax on every individual, as he will either be obliged to use it in some shape or form or will pay the higher cost of its substitute. To increase the duty, therefore, means that every household shall be taxed, that industries national to our country, representing millions of dollars and employing hundreds of thousands of hands, shall be crippled, embarrassed, and perhaps ruined, simply in order that a few iron or steel manufacturers may be put in a position to experiment in the manufacture of this commodity. It is only an experiment, as it is a further attempt to do what they have signally failed to accomplish at various times, under more favorable circumstances, and under the protection of a higher duty than is even proposed by the advance. We need not dwell upon the fact that an American tin-plate trust of some kind will inevitably follow, in addition to the burdens we already suffer of that character.

Mr. W. C. Cronemeyer, secretary of the American Tinned-Plate Association, appeared before the Subcommittee of Ways and Means on December 27, 1889, arguing on behalf of the American Tinned-Plate Association, of Pittsburgh, and for an increase on the duty on tin-plates, and stated that if the tin-plate industry could be built up in this country it would support a number of people nearly equal to the population of New York City. When we state as a fact that 26,000 men, women, and children, or possibly as many as 50,000, represent the whole number of workpeople engaged in making tin-plates from the finished bars in

Wales, where all tin-plates are manufactured, it will be seen how absurd is Mr. Cronemeyer's statement, and as the trade would be entirely changed and revolutionized by the imposition of the proposed duty, a very small number of workmen would be required to make what tin-plates might be necessary in America. But the American laborer would not be benefited in the least. Welshmen would be imported who understand this foreign industry, just as foreign workmen are imported to-day in other industries, and just as Cornish miners were imported to work our Lake Superior copper mines.

Various attempts have been made to make tin-plates in America, but they have not failed through ample protection in the tariff. They have failed because the Welsh tin-plate trade is a most peculiar one, subject to keen and widespread competition, and always laboring under the excessive power of production that has kept down the price to a uniform low level during the last ten years, with scarcely an exception, and in favor of American consumers. Tin-plates are made only in Wales. The Welsh have such peculiar aptitude and skill for making tin-plates that all attempts to establish their manufacture in other parts of Great Britain, or in any continental countries, have never succeeded. The production has always exceeded the demand. Within a period of fifteen or twenty years almost three-fourths of the makers have failed, and half this number have failed more than once. We desire to call your attention to the following sentence in the circular of this same American Tinned-Plate Association, over the signature of its secretary, Mr. W. C. Cronemeyer, and under date of September 26, 1889. This sentence is on the third page, officially stated by an officer of this association:

"And it is a fact, and we can prove it by figures, that they [tin-plates] can be made here [in Pittsburgh] and sold with profit at present selling prices."

This is a most remarkable statement, as, at that time, tin-plates were selling in Philadelphia, New York, and Baltimore at lower prices than they were ever sold before in the history of the trade.

The demand for tin-plates has been unprecedentedly vigorous and healthy, occurring conspicuously over periods when other languishing and expiring enterprises were frequent in all directions, and we ask that the large investments in the use of this article shall not be jeopardized by at least any increase in the duty.

Tin-plate now pays a higher rate of duty than was imposed upon it under any previous tariff, while in the various changes in the tariff the duty on other articles has been reduced. It is the raw material entering into the manufacture of the common necessaries of life. The duty is now so high as to prevent all export trade in stamped goods and manufactured ware, the law respecting rebates being so complicated as not to apply to these, in the interest of the American manufacturer. The Government allows a rebate of 90 per cent. of the duty on tin-plate used in making cans in which products are actually exported. As a practical matter the rebate does not affect the packing industry to any great extent, though the industry is increasing every year, but, if the duty is further advanced, the Government, by allowing this rebate, discriminates largely against its own citizens, in favor of cheap supplies for foreigners.

We give below a table showing the average price at which I C 14 by 20 bright tin for canning purposes could be purchased in the Eastern importing cities during the following years:

Months.	1884.	1885.	1886.	1887.	1888.	1889.
January	$4.75	$4.44	$4.43	$4.24	$4.75	$4.21½
February	4.66	4.41	4.36	4.25	4.79	4.20½
March	4.66	4.39	4.38	4.24	4.74	4.22
April	4.77½	4.36	4.43¾	4.30	4.69½	4.28
May	4.78½	4.30	4.38	4.28	4.53	4.27½
June	4.76½	4.29	4.33½	4.29	4.46	4.25
July	4.86	4.50	4.36	4.37	4.51	4.25
August	4.85	4.51	4.30	4.50½	4.58	4.25½
September	4.80	4.51	4.23	4.46	4.62	4.32
October	4.69	4.56	4.25½	4.46½	4.47	4.51¼
November	4.60	4.52	4.19½	4.53½	4.29½	4.73
December	4.50	4.51	4.17	4.79	4.24	4.60

It will be noticed how uniform the price has been, notwithstanding the official statement of the American Tinned-Plate Association in this same circular of September 26, where they use the following language:

"But if any one would attempt to manufacture now (September 26, 1889) he would share the same fate as those who, tempted by the enormous prices which have at times been charged to the consumers by the importers' monopoly, built works, and at first made money, but soon found that they could not withstand the pressure of the monopolists, who had temporarily, but long enough, reduced the price so low that competition meant ruin."

In further refutation of this absurd statement, it may be mentioned as a fact that the price of tin-plates has scarcely varied to any appreciable extent over a period of eight or nine years. We believe that Mr. Cronemeyer, representing the American Tinned-Plate Association, of Pittsburgh, is the only person that appeared before the Subcommittee on Ways and Means in the interest of any increase in the duty, and we have yet to learn of any workman, dealer, or consumer of the article, who wants it increased. We deem it our duty to call your attention to the fact that an attempt to increase the duty on tin-plates would be most inconsistent, and we also deem it necessary that you should have all the facts and information that we can briefly give you, so that you will be enabled to vote intelligently and understandingly upon this important matter. In every former tariff bill which has been enacted, tin-plate has occupied a specific and independent place, and has never been taken in conjunction with any other article, as it is in fact a raw material, furnishing, as already pointed out, a basis for a very large and widespread industry, which has grown to enormous proportions, and upon which depends the entire population of the United States. To curtail this industry would strike a severe blow to the manufacturing and agricultural industries of our country, and any advance in the duty would open the door and simply encourage the importation of ware and various articles manufactured by foreign mechanics, to the injury of our own established industries. The sentiment of the entire country is in favor of such an adjustment of the tariff to our established industries that they will be protected, but the universal sentiment is against the imposition of prohibitive duties in favor of monopolies or trusts. We have now the bulk of the canned goods trade. An increase of the duty would cripple that trade, which would go to more favored countries, which are at present anxiously waiting to take advantage of such an opportunity, and, once lost, that trade we should never be able to regain.

There is a popular impression that a great difference in wages exists between the rates ruling in Wales and the corresponding amounts paid the workers in iron and steel in our own country, but Mr. D. Whitehouse, of South Wales, in an address delivered November 30, 1886, stated the wages paid by him at his tin-plate works, from which it will be seen that they are good wages, particularly when the reduced cost of living in that district is taken into account, and it must be borne in mind that these wages have been advanced since, with every prospect of further advances being established from time to time as the condition of the working people is improved.

Employés.	Per week.	Per working hour.
EIGHT-HOUR SHIFTS.		*Cents.*
Rollermen	$11.84	30
Doublers	9.60	24
Furnacemen	8.69	22
Behinders (boys)	4.59	12
TWELVE-HOUR SHIFTS.		
Shearers	15.92	33
Tinmen	14.10	26
Washmen	14.10	26
Drawers (boys)	4.79	9

About five years ago an endeavor was made to ascertain how many men were employed in actual labor on tin and terne-plates in the United States. This was an exceedingly difficult thing to accomplish, but letters were sent to all parties interested, from names registered in all of the commercial books, inclosing a postal card and asking how many hands they employed. On the receipt of these postal cards it was found that 380,000 men were employed in the United States. Of course the answers were not full, and the list was incomplete, and it was estimated that there were at least 150,000 more working in small shops. It is, therefore, safe to estimate that there are now over 600,000 men in the United States who are employed directly or indirectly in the manipulation of tin-plate in its varied forms. These men have all learned this trade, and are earning good wages. It would compel most of them to seek some other employment, for which they would be almost incapacitated, if the duty were advanced.

Hundreds of thousands of American workmen would be thrown out of employment for the sake of a few thousand Welshmen, who would be brought over to make what tin-plate would be required.

The purity and safety of tin-plate should be considered in the interest of every consumer. No metal is as pure and as safe from every injurious quality as tin. It is serious to contemplate the substitution of other articles which an increased duty would encourage.

We feel obliged again to refute a further statement in this same circular of the American Tinned-Plate Association, under date of September 26, 1889. It is therein stated that the valuation of the tin-plates consumed in the United States is $35,000,000, but the official statistics show that for the fiscal year ending June 30, 1889, $21,002,209.15 of tin and terne-plates were imported, on which a duty of $7,279,459.72 was paid, making the value of tin-plate imported into the United States, less the duty, $13,722,749.43, and not $35,000,000, as stated in the Pittsburgh circular.

An adequate conception is hardly possible of the extent to which cheap tin-plate is used for packages and cans, but some idea can be had from the fact that the official statistics give the exports of beef, salmon, matches, gunpowder and other explosives, spices, lard, fancy goods, cosmetics, patent medicines, fish, oysters, and petroleum, paints and painters' colors, prepared coffee and cocoa, vegetables, milk and fruits, the value of $72,699,553 for the fiscal year ending June 30, 1888. The brief time necessary to prepare this paper for your consideration has not allowed us to obtain later statistics, which, of course, would be more favorable. As, therefore, no tin-plate is made in the United States and has never been made, except as a matter of curiosity; as pig-tin is on the free-list to encourage the manufacture of tin-plate; as the present duty is an equivalent ad valorem one, of 34.66 per cent., more than double what it formerly was; as no class of people have asked for an increase in the duty on tin-plates; as public opinion favors the reduction in the burdens of taxation upon the people, and as an advance in the duty would be a serious blow to millions of dollars invested in industries depending on cheap tin-plate, we respectfully request that no advance shall be made in the present rate of duty.

Very respectfully submitted.

HOPPES & EDWARDS.

Mr. Chairman, my time would expire and my strength would be exhausted did I attempt at one time to voice all the protests which have come to me against the passage of this most unjust measure of purely class legislation. It raises the duties on almost every article of home consumption, whether made of fiber, of wool, of metal, of glass, or of wood—every article which covers the body or is used to minister to its comforts.

LINEN GOODS.

The following will give some idea of the increased duties and costs on linen goods:

The McKinley tariff bill proposes to raise the duty on most of the linen goods imported from 35 per cent. to 50 per cent. ad valorem and 3 cents per pound additional. This would make the following changes in the cost of such goods:

Articles.	Costing now.	McKinley bill cost.
Russia crash, per yard	$0.05¾	$0.07½
Canvas for ladies' dress facings or tailors' trimmings, per yard	.08½	.10
Padding for clothiers' or tailors' trimmings, per yard	.08½	.11½
Farmers' drill, do	.10	.12
Brown duster linens, do	.11½	.13½
Lawns for dresses, do	.09	.11
Unbleached table damask, do	.27	.33
Bleached table damask, do	.42	.51
Huck towels, per dozen	1.12½	1.38
Do, do	2.25	2.75
Ladies' and children's linen handkerchiefs, do	.54	.63
Do, do	4.50	5.50
Men's linen handkerchiefs, do	2.25	2.70

It is claimed by some that linen goods can be made in this country, but past experience of those who have tried has demonstrated the impossibility of making any except the coarsest fabrics, such as crashes, which least show the imperfections of manufacture.

If the duties should be raised as proposed there would be confusion and loss of business for years, until prices could be adjusted, during which the linen trade would be very unprofitable.

In connection with this, I want to read a protest from a large manu-

facturer of shirts at Nashville. His letter shows how one industry and one set of laborers are ruined in the effort to protect another. It is as follows:

NASHVILLE, TENN., *May* 14, 1890.

DEAR SIR: The "McKinley tariff bill" proposes to raise the duty on imported linen goods from 35 to 50 per cent. If this bill is passed it will seriously damage our business. Hope you will do all in your power to defeat the bill.

Yours very truly,

A. FISH, *Manager.*

Hon. JOSEPH E. WASHINGTON,
Washington, D. C.

Coming in close connection with this let me show how the bill proposes to enhance the cost of the very buttons to be used on these shirts, but especially that class of cheaper buttons which are used by the poorer people. A protective tariff bill never fulfills its functions so thoroughly as when it lays its exactions with a heavy hand on the poor in order to give to the rich.

We are informed—

Say these merchants—

that Schedule N, clause 422, of the McKinley bill provides for an increase of duty on pearl or shell buttons of 4 cents a line, or from 103 to 358 per cent. average increase on the great bulk of pearl buttons used in, and imported into, this country, as shown by the following scale of the four chief grades used by the masses:

SCALE.

Line.	Quality No. 1.		Quality No. 2.		Quality No. 3.		Quality No. 4.	
	Present cost per gross.	Proposed cost per gross.	Present cost per gross.	Proposed cost per gross.	Present cost per gross.	Proposed cost per gross.	Present cost per gross.	Proposed cost per gross.
18	$0.58	$1.30	$0.30	$1.02	$0.19	$0.91	$0.14	$0.86
20	.65	1.45	.35	1.15	.22	1.02	.16	.96
22	.76	1.64	.40	1.28	.28	1.16	.21	1.09
24	.87	1.83	.47	1.43	.33	1.29	.24	1.20
26	1.02	2.06	.56	1.60	.39	1.43	.30	1.34
28	1.20	2.32	.66	1.80	.50	1.62	.38	1.50
30	1.39	2.59	.83	2.03	.55	1.75	.45	1.65
Proposed increase	103 per cent.		167 per cent.		273 per cent.		358 per cent.	

The scale above shows the proposed increase to be disproportionate, and we, the subscribers, respectfully beg to recommend and request that no change be made on the present tariff rate.

It is evidently to the interest of the general public that any industry which may require protection by such enormous rates as shown above had better be abandoned altogether for the general good and a tariff for revenue only be applied.

A tariff per line is a prohibitory and unreasonable tariff, and the poorer classes of citizens would suffer most from its enforcement.

For example, take a twenty-line now costing 16 cents per gross, used by the poorer classes, and a button of same size now costing 65 cents per gross, used by the wealthier classes; the specific or line duty as proposed would make the poor man pay 80 cents per gross more than it now costs him, or 500 per cent., whereas the wealthy man pays only the same specific duty of 80 cents per gross, or 123 per cent.

This example alone shows the absurdity of specific duty; but specific duty would also place disproportionate profits in the hands of a few domestic button-makers, to the disadvantage of the public. We pray, therefore, that the tariff by line or specific duty be struck from the proposed bill and only an ad valorem one be enforced, unless the articles be placed upon the free-list.

Mr. Chairman, as others have gone thoroughly through the woolen schedule, I will not consume time by discussing it, but I can not refrain from pointing out the features of the bill which tax the cheap covering of the poor man's floor. The rich who use Brussels and plush carpets can afford to pay the duty on them, but it does seem to me that the remorseless hand of the tax-gatherer might spare the covering of the humble cottage floor. As usual, the largest increase is on the cheapest goods.

	Present duty, 40 per cent. ad valorem, equal to—	McKinley bill, 15 cents per square yard and 30 per cent. ad valorem on cloth costing above 25 cents, equal to—	Increase.
On oil-cloth and linoleum:	*Cents per sq. yd.*	*Cents per sq. yd.*	*Per cent.*
Costing 10 to 25 cents per square yard	4 to 10	4 to 10	None.
Costing 30 cents per square yard	12	24	100
Costing 37½ cents per square yard	16	26½	75
Costing 50 cents per square yard	20	30	50

One hundred per cent. advance on the buyer of 30-cent goods; 50 per cent. advance on the buyer of 50-cent goods; this, too, in the face of the following concessions to manufacturers contained in the bill, namely:

A reduction of 20 per cent. on jute (placed on free-list, section 505), affording cheaper foundations.

Reduction of 50 per cent. in the duty on ochers (section 56).

Reduction of 75 per cent. in the duty on Paris white (section 61), which, taken in connection with free cork and free gums, and turpentine, rosin, and lamp-black cheaper here than abroad, makes our sixteen manufacturers a highly favored and protected class.

Under the protection the present duty of 40 per cent. ad valorem affords, and without the foregoing concessions, manufacturers have increased, multiplied, and highly prospered.

One of the largest, wealthiest, and most progressive makers in his statement before the Ways and Means Committee, page 572, admitted that "makers were very anxious to form a trust, and one could be formed in a few days with his consent."

He estimated the quantity the trade (sixteen manufacturers, located in Pennsylvania, New Jersey, New York, Massachusetts, and Maine) could produce at 22,500,000 square yards.

Increase the duty as provided in the McKinley bill and a trust can quickly compel consumers to pay the entire advance.

An advance of but 5 cents per square yard on the estimated 22,500,000 square yards yields $1,125,000 per annum.

IMPORTATIONS.

Treasury statistics for 1889 show a decline of about 20 per cent. in the importations of oil-cloth and linoleum compared with 1888. The home market is and has been for several years in the control of home makers. These are facts that challenge contradiction.

An equitable change in the duty would be to reduce it to 25 per cent. ad valorem on all cloths costing 25 cents per square yard or less, and let it remain as it is, namely, 40 per cent. ad valorem on cloths costing over 25 cents per square yard.

As the consumption of these goods increases year by year the possibilities of the profits to be derived from further protection are gigantic, and to poor consumers appalling. I appeal to your sense of justice, and all the kindly feelings you have for the humble homes of our land, the very foundation of our strength, and I submit that the time has come to reduce rather than increase their burdens.

Jute, now dutiable at 20 per cent., is to be free. (See section 592.)

Jute carpets are to be kept at 6 cents per square yard. (See section 362.) This is equal to 100 per cent. on low grades costing in Dundee 6 cents and largely used by people who can afford no better. On high grades, costing 80 cents per square yard, the tax of 6 cents is equal to but 7½ per cent ad valorem. If not amended, poor consumers are to pay 100 per cent. while others pay but 7½ per cent.

A duty of 30 per cent. ad valorem, to agree with the duty on burlaps, will amply protect manufacturers, and no higher duty should be imposed.

Cocoa matting and mats now paying 20 per cent. will be increased to 12 cents per square yard on matting and 8 cents per square foot (or 72 cents per square yard) on mats. (See section 465.) This is an increase to 80 per cent. on matting costing 15 cents per square yard; 200 per cent. on mats costing 4 cents per square foot.

The raw material is known as coir yarn and fiber, comes from India, and has been on the free-list since 1883. No higher duty than now existing should be enforced.

From jute it is but an easy step to corks. No corkwood is grown in this country. It is on the free-list. The manufactured corks ready for use have been on the dutiable list at 25 per cent. ad valorem. This has given the home manufacturers the privilege of making and selling more than three-fourths of all the corks consumed in this country, and 15 cents per pound duty would give them the absolute monopoly of the trade and absolutely prevent importation, the goal they aim for.

A duty of 5 cents per pound would be full and more than full duty, and it is by far more than any other country imposes, as can be seen by the following table:

In England corks are free.		Cents.
Corks pay—		
In France	large sizes, per pound	1½
Do	other sizes, per pound	1.1
In Holland	all sizes, per pound	1.9
In Switzerland	do	½
In Norway and Sweden	do	1
In Denmark	do	1½
In Germany	do	1½
In Austria	do	2
In Italy	do	1½
In Russia	do	4½
In Belgium	per cent. ad valorem	10
McKinley bill	per pound	15

This duty is unnecessary as a measure of protection. It is a gratuity bestowed on the manufacturer at the expense of every one who uses a cork.

Not content with taxing all the realities and necessities of life, the framers of this bill have even gone out to tax the shadows, as will be seen by the protest which I will read, sent to me by nearly every photographer in my district.

MARCH 31, 1890.

DEAR SIR: We beg to urge your strong opposition to the clause in the new tariff bill which increases the duty on photographic albumen paper from its present rate, 15 per cent., to 35 per cent. This increase will take at least $100,000 annually from the pockets of photographers through the country and increase the surplus in the Treasury by that amount without benefiting any one, for the Dresden albumen paper being far superior in its quality to any other make will be used by photographers generally throughout the country notwithstanding increased duty, since photographers can not trifle with materials actually used in the manufacture of photographs where chemical reagents are involved, but will always require the very best article that can be produced, as the quality of their work depends upon the quality of the materials they employ in producing it. It would benefit a very large class of persons if the duty were removed altogether, but if this can not be done we certainly can see no reason for increasing the duty beyond 15 per cent. If American albumenizers can not produce a satisfactory article with that amount of protection they can not do so at 25 per cent., and experience has shown that the best paper comes from abroad.

We trust that you will not fail to consider us in this matter and remain,

Respectfully yours,

Hon. JOSEPH E. WASHINGTON,
Representative of Davidson County, State of Tennessee,
House of Representatives, Washington, D. C.

Mr. Chairman, I have at last found one industry which the bill does not protect. There is the same good Republican reason for not protecting the laborers in this calling which has dictated every line of the bill.

To foster this industry would be to tax the rich. To tax the rich, who are able to furnish boodle in a "fat-frying" campaign, is contrary to Republican policy and principle. I will read the pathetic appeal, which has gone unheeded, of the New York diamond-cutters' committee:

NEW YORK, *May* 10, 1890.

DEAR SIR: We beg to call your earnest attention to that portion of the McKinley tariff bill which affects the diamond-cutting industry of this country.

When the measure was first presented to the committee the tariff was fixed at 40 per cent.; at the urgent solicitation of the diamond importers it was reduced to the present duty of 10 per cent.

Under the existing tariff of 10 per cent. only large diamonds can be cut in this country to cost a trifle cheaper than they can be imported; while smaller diamonds, and those of an inferior grade (comprising nine-tenths of the diamonds sold in this country) can not be cut here, as the difference in cost of production between here and Europe of this grade is greater than the duty on these goods.

Through the diamond trust formed in Africa the prices of fine, large, rough diamonds have so advanced that there are no purchasers for the same, and as the American cutters, under the present protection of 10 per cent. duty, can not successfully compete with the European cutters in goods of other grades they have been obliged in most instances to close their factories and discharge their workmen.

We therefore beg of you to use your influence to preserve this industry, which has been introduced here at the sacrifice of considerable energy and capital, from dying out in our country, which certainly will be the case under existing circumstances.

We therefore suggest that a specific duty of not less than $7 per carat be placed on cut diamonds imported into this country, which would enable the American cutter to produce almost any grade of goods, while the inducement for smuggling would scarcely be greater than at the present tariff of 10 per cent.

Under the proposed protection the industry of diamond-cutting, which has already surpassed European workmanship, would branch out to such magnitude as to make this country one of the largest diamond-cutting marts in the world, giving employment to thousands.

Believing that you have every intention of fostering and protecting our home industries we beg of you to use your endeavors to assist us in having the proposed duty of not less than $7 per carat placed on cut diamonds.

Trusting that you will give this matter your most earnest and favorable consideration,

Respectfully, yours,

E. L. ANRICH,
H. LEVY,
I. ZEEGEN,
Committee of Diamond Cutters.

Hon. JOSEPH E. WASHINGTON,
Washington, D. C.

Ah, sir, works of art, paintings and statues must come in free. Jewelry, precious stones, and cut diamonds, along with champagne, if not free, must come in at the lowest rate of duty which it is thought an indignant public will tolerate, even though the worthy laborers employed in diamond-cutting be driven out of employment by the competition of the underpaid pauper labor of Europe.

Sir, this bill can not be considered in full in the time allotted under the rules. On that account I have been compelled to group my facts and at this time enter the protests which I had intended to make when each section was reached to which they properly belonged. I had intended to offer an amendment in each case and call for a vote upon it; that privilege of course will be denied me. I am compelled to see this bill, a bad, wicked bill, the most iniquitous of its kind which ever passed any legislative body, go through this House by the votes of those whom the party gag has silenced and whom the party lash has whipped into line. We are powerless to prevent or even to delay this action.

Having put on record our earnest protests we will appeal to the country. Those whose business is threatened with destruction, those whose taxes are to be trebled, will speak out next Novem er. They will pass their judgment on this bill free from caucus dictation, free from the hope of reward or the fear of punishment, free from the blandishments of power-promising patronage or the force of a threat to withhold it; and I for one have no fear of the result. When the people speak the McKinley bill will be consigned to eternal oblivion.

The Tariff—New England, its People, and its Interests Ignored.

SPEECH
OF
HON. JOSEPH H. O'NEIL,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H.R. 9416) to reduce the revenue and equalize duties on imports—

Mr. O'NEIL, of Massachusetts, said:

Mr. CHAIRMAN: I want to say in reply to the remarks of the gentleman from New Hampshire [Mr. MOORE] that I, as a Northern man and a Northern Democrat, protest against the passage of this bill.

I have no doubt that the Committee on Ways and Means in making up the bill intended to prepare a measure for the whole country, but it happens, unfortunately for the section which I represent in part, that the committee overlooked New England. Every time our interests have been overlooked by this committee, and as one man from that section I protest against the action of the committee in shutting out all consideration of New England industries.

The other day my colleague [Mr. ANDREW] presented to this House a petition, signed by all the large manufacturers in New England, asking for free coal and free iron; and when it was found that among the names appended to the petition were those of two men who did not mean to sign it a great sigh of relief came up from the other side, to find that there were two manufacturers in New England who did not want free coal or free iron. [Laughter and applause on the Democratic side.]

Now, this, of course, is a political bill, and it is evident that the five men who framed it looked out for their political friends. But even on that ground I protest that they have not looked out for their friends in New England. The manufacturers of New England contributed their share of the "fat" in the last national campaign and they are entitled to some little consideration. [Laughter.]

I see by the RECORD that the gentleman from Iowa [Mr. SWENEY] has again offered the amendment twice rejected by the Committee on Ways and Means, putting a duty of 15 per cent. ad valorem on hides. This seems to be in line with the general policy of the bill: everything against New England, nothing for it. And, again, I want to call the attention of the committee to the condition of affairs as they exist in that section of the country to-day. The manufacturers of New England are almost to a man Republican, and they are almost unquestionably to a man protectionists, but thorough believers in a reduction of the tariff. They are still loyal to their convictions on both those matters to-day, and if, as is sought by the passage of this bill, their every interest is to be disregarded, then they must turn for the true protection of their very life in trade to that party which will insure them some protection.

I do not care to go into the discussion of the question of free trade or protection, for, while the last Presidential campaign showed that there were extremists who represented no one but themselves, who would entirely abolish our custom-houses had they the opportunity, no one off the stump ever declared his belief that such was the policy of the Democratic party or that the great preponderating mass of the party or its leaders even leaned that way. But it required the presentation of this bill to show that men could go just as far the other way. No one would have believed had he been told previous to the assembling of Congress, that a bill would be formulated and pushed through one branch of Congress which raised in any marked degree the tariff on any of the necessary articles of manufacture.

Yet here we have it, and it would seem that in devotion to their principles they had gone mad on the issue; for the fact that the Republican party was successful in the last election never proved that the people wanted the tariff increased, if it even proved that they were satisfied to have the duties as high as they were, and this belief is shared by many members on the other side who have on this floor entered their protest against any increase of duties; for many of the best informed political minds lay the result to causes other than the question of tariff, and the haste of this House to push through a pension bill shows that even they think that the tariff did not do it all; and the present radical increase in many of the duties smacks more of a desire to reward contributors of "fat" than a desire to frame a broad, statesmanlike, and patriotic bill.

But even in taking care of Republican interests I desire again to call the attention of the House to the fact that New England has not been taken care of. It may be statesmanship for the members from New England to say that this is a bill for the whole country, and not for New England, and that is right, for New England is not in it, nor near it; but I doubt if this immolation of their interests will entirely satisfy their constituents, and there is very little in this bill to show that any attention was given to New England interests.

You have looked out for the lime industry in one little place in New England [applause and laughter on the Democratic side], a small industry, notwithstanding the fact that every home that is built requires the use of lime; notwithstanding the fact that every man who wants to build his own little humble home, the workingman and laborer, must have lime.

Mr. RICHARDSON. Let me ask the gentleman in whose district this lime business is located.

Mr. O'NEIL, of Massachusetts. I believe a member of the Committee on Ways and Means. [Laughter and applause on the Democratic side.] I say, notwithstanding the fact that you stand here professing to be the only friends of labor, by increasing the cost of lime you have added to the cost of the home of every workingman in New England. [Applause.]

The tariff on lime was raised from 10 per cent. ad valorem to an equivalent of 35.60 per cent., or from about 3 cents to 15 cents per barrel, under this bill, notwithstanding the fact that the following petition, signed by nearly all the prominent builders in New England, was presented to the Ways and Means Committee, protesting against such advance:

To the Senators and Representatives of Massachusetts in Congress:

The undersigned, builders, contractors, manufacturers, and other persons interested in the use of lime, being citizens of Massachusetts and members of all political parties, respectfully represent:

That considerable quantities of lime are now being imported into this State from Canadian provinces.

That the rest and by far the greater part of the lime sold in this market comes chiefly from the vicinity of Rockland, Me., and that the price of Rockland lime is controlled by a combination which includes substantially all the Rockland manufacturers.

That the only relief from the arbitrary action of this combination, which attempts to control prices and limit production without regard to the interest of the consumer, is the competition of the Canadian manufacturers.

That it is currently reported that the Rockland manufacturers are making an organized effort to induce Congress to increase the present duty on lime of 10 per cent. ad valorem, with the avowed purpose of driving Canadian lime out of the markets of this country and of raising the present price of lime to dealers and consumers.

That a duty of 10 per cent., together with the difference in freight charges (equivalent to an additional protection of about 17 per cent.), furnishes a reasonable and sufficient protection to the domestic manufacturer, unless it be good policy to deprive the people of Massachusetts of the benefits of competition in this business and to allow the price of an indispensable commodity to be controlled by a few domestic manufacturers acting in concert.

We therefore protest against the passage of any act of Congress which shall increase the duty on imported lime, and we respectfully urge upon you to consider the importance for the industries of Massachusetts of not surrendering the lime business in this State into the arbitrary control of a would-be monopoly.

These men, who do the great bulk of the building in New England, know what they are talking about when they say that the interest of the consumer is sacrificed to the interest of the producer by such an increase of the tariff. Why, I know many of the master-builders of Boston and vicinity, and, as a rule, they are what we have been in the habit of terming hide-bound Republicans, but loyalty to a party which sacrifices them to the interests of new friends and new localities, not for the interests of the people in general, but to foster some powerful monopoly, has loosened the bonds, and the passage of this bill will sever entirely their connection with a party which has ceased to be what its founders were so pleased to term it, the party of the great common people, but has degenerated into a party of protected wealth and fostered monopolies, and the great common people of the country completely ignored. Perhaps it ought not be claimed that it was New England's interests for which the Ways and Means Committee were looking out when they ran up the duty on lime, for if they remain in power, and are to pass this bill, it makes mighty little difference to the people of New England how high you put up the price of lime, because the tide of emigration from those States would set in so rapidly in a few years that there would be no necessity for doing much more new building, were it not written that this closes their account and another party, more in touch with the people, will be doing business at the old stand after this Congress has lapsed into an eventful past.

It is admitted by all men that no man can get just what he wants in a bill of this kind, that all legislation is a compromise, and that concession after concession must be made in framing such a tariff bill. But I protest that some little concession should be made all around, and that all the concessions should not be made against New England interests, and that the tariff should not be so shuffled that whichever way things turn the rest of the country gets the turkey and New England gets the buzzard. Yet, turn this bill any way you like, examine it whichever way you will, and you will find that the requests of New England have been ignored.

Now, of course, this is a political bill, a measure revising the tariff by its beneficiaries, and not by the people. If, however, a deaf ear be turned to the prayers of the New England manufacturers by the Republican party, then must they go to a more merciful judge to get the relief they need and without which they can not thrive. They do not believe that the last election decided that the duties should be raised and that the issue was protection to that part of the United States which went Republican, except New England. Most of the manufacturers of New England are, or at least were, loyal to the party of Lincoln, and Sumner, and Andrew, and of Grant, but with this bill flaunted in their faces they are leaving the G. O. P. like the moving forward of a great host.

We have asked for free coal—why? Because without it our fires must be banked. We need free coal and free iron ore in New England.

We may struggle along for a few years without it, but money will go where the product will be cheaper, and every day the relief is put off weakens the hold of New England on her manufacturing industries; for to-day coal is a great necessity in all our mills, even those which have great water-power advantages, for all the large mills and factories are obliged to use steam for some purposes; so that, even with great water-power advantages, the mills still need coal, still must have steam, and it is of vital importance to them that this relief should be afforded them, and unless we get this relief we can not compete with mills and factories more favorably located for the purposes of getting fuel.

We have asked for free iron, because unless we get it our foundries must be closed.

Why, sir, I remember standing on the sidewalk in Boston during the campaign, either of 1876 or 1880, I forget which, and watching the Republican torchlight parade, and in that procession were 6,000 workingmen from the iron mills in my district.

Where are they now?

One of the rolling-mills has been closed; another employs just enough to keep the machinery from rusting; the third closed down a few months ago and to my knowledge has not been opened.

Now, what good does a tariff on coal and iron do to the coal and iron producers? Many of the iron mills have shut up their shops and more will follow for the history of the South Boston iron mills will be the history of the balance of the iron industries of New England, as it has already been of many of them, unless they are granted what they pray for. Free coal and iron would not interfere with the coal and iron mines of Pennsylvania, for they have ample markets in which no other country could compete with them outside of New England.

Nor can free iron or free coal be opposed on the score of friendship for labor, for I doubt if any man will declare on this floor that poorer wages are paid anywhere than in the coal and iron mines of Pennsylvania, and if any people are poorer paid, then God help them, for those people hardly get enough to keep body and soul together; and, poor as they are, unless some increase can be secured for their relief it would be far better to close the mines or let others than Americans be called upon to do such laborious work at such low wages. Surely the men who work in the coal and iron mines have not seen much advantage to them in the protective system as now administered, and if this bill should become a law they will see less, for the mask is now thrown off and the doctrine declared that the men who put their money into these enterprises must be protected even at the expense of the consumer and laborer.

What is to become of us? You tell us that we must go where we will be close to the fuel, where we will be close to the coal and the iron mines. Is that the way you look out for the laboring people of New England? [Applause on the Democratic side.] Is that the interest you take in their prosperity—tell them that they must migrate from the places where they were born and brought up; that they must move from the homes that are dear to them by ties of association and kindred, and make new homes among new people in new places? [Applause on the Democratic side.]

Sir, I protest, as a member from New England, that you are not treating New England right. The men who have asked you for free coal and free iron are neither Democrats nor free-traders, but they are the manufacturers of this country, and they are almost all Republicans and protectionists, but not prohibitive tariff men, and the manufacturers of New England are no exception to this rule; and when they come as Republicans, as protectionists, crying out against the abolition and destruction of their industries and asking you to save them from utter ruin, how have you done it?

When the other day a leading Republican paper in the city of Boston published an article covering one page of that paper in reference to this bill, it was headed "Widespread discontent; views of Boston merchants on the effect of the McKinley tariff bill; uncertainty as to the prices or sale of goods." Then it gives a whole page of interviews with prominent men in all branches of business, the great majority of whom were opposed to the passage of this bill and seeing nothing but a gloomy future for them should it become a law; and no newspaper reflecting the sentiments of the people of New England is giving this bill any support.

It may be that the action of the Ways and Means Committee in first putting hides upon the dutiable list, taking them off, then putting them on again, and then once more taking them off was a sop to prevent the people of New England from objecting too much to the other obnoxious provisions of the bill. But it seems that the gentleman from Iowa [Mr. SWENEY] is bound to force the fighting, and the fault will not be his if the Republican party is false to its pledge to put a duty on hides, as was promised to the cattle-kings previous to the election.

Even that great New England article of diet—the toothsome and succulent bean—could not escape the rapacious appetite of the people who were bound to smash New England. Think of good old New England without beans, Ireland without potatoes, France without wine, Germany without beer, China without tea, Boston without baked beans! So much of a New England article of food has the bean become known to be that the people of New England are called "bean-eaters;" and to punish them the tariff has been raised from 10 per cent. to an equivalent

of 34.84 per cent. Potatoes have been raised from 15 to 25 cents per bushel; and so it goes along the whole line. New England, with her poor soil, unfit for the raising of farm products in quantities sufficient for home consumption, must look elsewhere for the necessaries of life; so that upon everything, or nearly everything, that New England needs the tariff has been raised and no section or people really benefited, but all injured.

I can conceive of no reason for this discrimination against New England people and their interests. This visitation upon the heads of the unfortunate men and women who are denied a little relief which will harm no other section of the country, which will give renewed prosperity to present industries, which will reopen dormant and revive abandoned ones, which will keep employed the thousands of men and women for whose relief this bill not only gives no help by a reduction of the burdens on materials for employment, but actually increases the burdens and the prices on many of the prime necessaries of life; and this relief is asked, not in the interests of either Democracy or Republicanism and not in violation of the principles of protection, but in the interest of the men who are now threatened with engulfment by the mad craze which has seized the party in power and which is inclined to forget its old friends, the people of New England.

If that be your policy, gentlemen of the Republican party, pass this bill, ignore the cry of distress from the men of your own party all over the New England States. The Democratic party stands ready to receive with open arms the new recruits, who will not be frightened off by your bugbear cry of "free trade," for your actions on this bill have shown that there are infinitely more men on your side of the House who are willing to sink party, State, and country to protect some special interest which may monopolize the traffic in specific articles and in favor of trusts, than there are men in the Democratic party who are in favor of free trade.

But if you are determined to ignore the great New England States, I warn you now that the people of New England will not forget the insult, but just as sure as you treat her prayers with contempt, just as surely the working men and women will put their stamp of disapproval on the men who by their votes for this bill put party before country, and who by so doing will abandon the interests of the people of New England into the hands of men who are legislating for special interests and special localities and who are ignoring the interests of the thrifty and intelligent people of the New England States. While all the country must suffer, New England is made a special victim.

By this bill, if the Republican party is to stay in power, must New England rise or fall, and the verdict must be given by the Republican Representatives on this floor, and by their votes must they stand or fall; for I am not speaking for this relief and against the passage of this bill, as a member of any political party, but as a Representative of New England, as one who thinks he knows something of her wants, and as a man who believes in proper tariff revision.

I have carefully listened to the consideration of this bill, or rather the want of consideration, for there is no man on either side but will admit that no proper amount of discussion or consideration has been given to a bill of such vast importance and of such vast interest to the people of the whole country, and every day of its consideration has made me believe more and more that the committee which introduced the bill did not expect its passage beyond the doors of this House, but, having passed this stage, are content to rest on their oars and say to the people of whom they asked votes in the last campaign: "We have done everything for you in our power, we have complied with your full demands, every concession you asked has been made to you, we have stood by your interests as against the interests of the people, shut off all amendments, and stifled discussion, and if the bill fail of passage it will not rest with us, but with that other branch which is responsible, not directly to the people, but to the Legislatures of the different States and over whom we have no control."

It seems to me that it requires little foresight to see that one week of fair consideration of this bill would hopelessly divide the Republican side of this House or to predict that this bill will be so cut up and emasculated when it comes back from the Senate that in the words of the gentleman from Missouri [Mr. HATCH] its baptismal name will be forgotten and a new one adopted which will change it from the McKinley bill to the Allison bill.

But whatever happens to it the people of the country will take this bill as passed by the House of Representatives as the clearly defined will and intent of the Republican party, and the people—the great common people of the country—whose interests have been sacrificed to the interest of favored industries, and the great body of consumers, who have been forgotten while this bill increases the privileges and the powers of wealthy producers, will see to it that the party which has passed such a bill, increasing the taxes and burdens of the people when they were expected to decrease them, will be relegated to the rear.

Now I say this is not right. It is not good policy to pass such a bill, and further than that I say to you, gentlemen, that the men here who represent New England should stand by New England as other sections of the country stand by their districts, and look out for New England industries and New England constituencies before spreading themselves over the rest of the country. [Prolonged applause on the Democratic side.]

The Tariff.

SPEECH

OF

HON. W. F. WILLCOX,

OF CONNECTICUT,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. WILLCOX said:

Mr. CHAIRMAN——

Mr. MCKINLEY. If the gentleman would speak to the next amendment and let us have a vote on this one——

Mr. WILLCOX. I desire to be heard on the amendment now pending.

Mr. MCKINLEY. Very well.

Mr. CANNON. I desire to submit a paper here——

The CHAIRMAN. The gentleman from Connecticut has been recognized.

Mr. WILLCOX. Mr. Chairman, I desire to state briefly some of my objections to this bill.

Probably from no part of the country comes more vigorous protest against the enactment into law of the provisions of this bill than from the New England States. Petitions are coming here almost daily signed by hundreds of persons, representing both political parties, who are engaged in a great variety of industrial and manufacturing pursuits.

The tariff is a game that is played by politicians to secure party advantage and ascendency, and is too often won by the class whose shrewdness, persistency, money, and influence are most potential in promoting the political fortunes of individuals and the party with which they are identified.

What excuse or justification can any party or individual furnish to the toiling millions of laborers for the continuation of a system enacted as a war measure, at a time when a great and expensive war darkened the entire country? This was given as the only reason for so extraordinary a measure, and all loyal men bowed in obedience to the emergency that demanded it. It was then contemplated to be only a temporary measure which should be removed when peace should again be restored to the country. Senator MORRILL, of Vermont, the author and mover of that law, said June 2, 1864, in reporting the tariff bill:

> This is intended as a war measure, a temporary measure, and we must as such give it our support.

Mr. MORRILL declared it to be only a war and temporary measure, and it was adopted with that understanding. It has continued ever since, sanctioned and fostered by the Republican party, substantially the same as when first enacted, in spite of the protests and efforts of the Democratic party to change and modify its provisions so as to conform to the reasonable demands of business and the necessities of the people required by the altered condition of the country since that time.

Our tariff system is extremely unjust and unequal in its operation.

No government is just that does not enact and administer its laws so as to distribute as far as it is possible the burdens of taxation equally upon its people.

It is estimated that the sum necessary to meet the Government expenses during the current year will be, approximately, $360,000,000.

This enormous sum is raised, not by direct taxation on the property or means of which a man is possessed, but by an impost duty on all imported goods, the internal revenue furnishing a small portion of the amount.

Never in the history of any nation or in the previous history of this country did riches so suddenly and enormously accumulate in the hands of a few as during and since the war, under the fostering care of high protection.

It has created monopolies, concentrated wealth and power, until the country is largely under its dominating influence, which seeks to perpetuate itself by crushing every obstacle that may or is likely to stand in the way of its continued success.

These barons of commerce and trade have directed and controlled in a large measure the tariff legislation of the country for many years past, and their baneful hand is to be seen in the pending bill.

They are the boon companions of the leaders of the party now in control of the Administration and its strongest allies and supporters in political campaigns, furnishing it with the sinews of war, by which they have been able to place in power the party and men who stand by them early and late, and to hold and advance tariff legislation on whatever lines they demand.

The corrupt use of money at our elections, almost unheard of prior to the war, came in with high protective duties, and has kept pace and advanced with them as they have advanced ever since.

It is greatly to the prejudice of the industrial people of the country that the tariff has been brought into politics and made the chief political issue between the parties.

The party which champions high tariff will naturally gather about it as its chief supporters the monopolist, trust, and all sorts of combinations of capital, for the purpose of controlling and advancing prices, the consumer being compelled to buy at their market the articles necessary to supply his wants and at prices fixed by them.

This is the market, this is the feast, to which are invited the consumer, the farmer and the laboring man.

I do not believe in free trade, nor is it the doctrine of the Democratic party, and none know this fact better than our opponents. The cry of free trade is raised all along the line by the politicians, echoed and re-echoed by their friends and supporters, the beneficiaries of the protective system, the capitalist and monopolist, in order to deceive and frighten the people who suffer most by this unjust discrimination between capital and labor.

The Democratic party believe in such a tariff system as will reasonably protect every legitimate industry, industries useful and beneficial to the American people, but not such as by an artificial stimulus enrich a few at the expense of the great body of our people.

No such legislation as this was ever just or ever will be, though it may have endured for twenty-five years or more. It is a task-master that lays its heavy hand on the laborer and on the farmer and compels them to divide and contribute a portion of their hard earnings to enrich a few, that the capital invested may pay them enlarged dividends. As stated by the gentleman from Ohio [Mr. BUTTERWORTH], he could count on his fingers a number of protected establishments that had made greater profits in a single year than all the farmers in any one of the States of this Union.

The existing and proposed tariff lays the heaviest taxes upon the commodities of the laboring men and farmers and the lightest burdens upon the luxuries of the rich.

Mr. Chairman, let us consider other reasons which called into being our present tariff. It is substantially, as stated, the tariff of 1862 and 1864, enacted to meet the vast expenditures of that period which put to the severest tests the taxing power of our Government; and everything tangible and intangible was taxed from which a revenue could be derived. As remarked by a celebrated economist, "the Government followed the example of the Irishman at Donnybrook fair, 'whenever you see a head, hit it,' whenever you see a commodity, tax it."

Specific taxes were imposed on the production of iron and steel, coal-oil, paper, leather, and other articles. A general ad valorem tax was placed on other manufactures. In addition licenses were required in many callings. A general income tax was imposed. Railroad companies, steam-boats, express companies, were made to pay taxes on their gross receipts, and in line of these taxed industries followed this tariff act.

The object of this act, as stated by Messrs. MORRILL and Thaddeus Stevens, was primarily to increase duties only to such an extent as might be necessary in order to offset the internal taxes laid upon manufactured products. Both Messrs. MORRILL and Stevens were ardent protectionists.

Mr. MORRILL said in his speech introducing the bill:

> It will be indispensable for us to revise the tariff on foreign imports so far as it may be seriously disturbed by internal duties and to make proper reparation. If we bleed manufacturers we must see to it that the proper tonic is administered at the same time.

Mr. Stevens in the same debate said:

> We intended to impose an additional duty on imports equal to the tax which had been put on the domestic articles. It was by way of compensation to domestic manufacturers against foreign importers.

These gentlemen watched with great care the interest of the domestic producers, and saw to it that they did not suffer loss by the internal taxes imposed on their business, and by the increase of duties on articles made in this country they were more than compensated. The bill was in many ways crude and ill-considered; it contained flagrant abuses in the shape of duties whose chief effect was to bring money into the pockets of private individuals.

Mr. Chairman, as stated by one of our leading economists:

> The protectionist, under that tariff bill, had an opportunity for accumulating fortunes with a rapidity never known before.
>
> It is certain that their method of treating the revenue problem resulted in a most unexpected and extravagant application of protection, and made possible a subservience of the public needs to the private gains of individuals.
>
> Every domestic producer who came before Congress received what he wanted by way of duties. Protection ran riot, and this moreover not merely for the time being. The whole turn of the public mind toward the whole question of import duties became distorted not only during but since the war. The habit of putting on as high rate as one asked for became so strong that it can hardly be shaken off.

Mr. Chairman, what I have quoted from this careful observer of our tariff system as to the reckless and partial class legislation, continued for the benefit of the capitalist, was never in the history of our country so manifest as it is in the present Congress.

Notwithstanding the internal taxes imposed upon manufactured products during the war have all been swept away long ago, and which Mr. MORRILL gave as an additional reason for increasing import duties in 1864 in order that the producer should be fully compensated for any loss thereby, yet tariff duties have remained at the same excessive rate, and the bill under consideration will increase them on an average about 11 per cent.

Our friends upon the other side of this floor tell us that the last national campaign was fought upon the tariff issue and that high tariff won.

Mr. Chairman, the protected capitalists unquestionably claim it to be their victory. They insist that they have a claim upon their party which takes precedence over any of the demands and necessities of the people. They have received a *quid pro quo*, and let us say, Mr. Chairman, they have not forgotten to make their demands and wants known to this Congress, as manifested in this bill. They were not to be shaken off by empty promises. They have swarmed about the Capitol and in your committee-rooms. They were promised high tariff and they are to-day riding their high-tariff horses through these corridors and to their homes. Their hearts are gladdened as they look forward with longing eyes and outstretched hands to the time when this bill shall take effect and shall bring from the pockets of the people increased revenues to their industries.

To-day there is no possible excuse a political party can furnish to the people of this country for continuing the present high rate of duties, and much less for the increase of them as is proposed in the bill under consideration. Its effect is to make the rich richer and the poor poorer.

The bill from one end to the other discriminates in favor of the producer and against the consumer, the laboring men and farmers.

The specific duties placed during the war on the incomes of the wealthy, which raised a revenue of about seventy-two millions annually, were speedily wiped off the statute after the war closed; also the $3 tax on every ton of railroad iron and the 5 per cent. tax on the products of all manufacturers, but no substantial change has been made in that other legacy of the war, import duties, except to increase them. It requires no doubtful conjectures as to the influence which was instrumental in obtaining the repeal of the specific duties on wealth and continuing the tariff duties on articles necessary to the consumers.

Let me call the attention of the House to some of the features of this bill which our friends upon the other side say is formulated with the view of protecting our domestic industries.

The bill increases the duty upon linen from 35 to 50 per cent. ad valorem, which, it is estimated by competent judges, will add from eight to ten million dollars annually over and above the sum heretofore derived from this one article. It is used in the American manufacture of shirts, collars, cuffs, clothing for men, women, and children, and is a necessary commodity in every family.

This tax has not even the excuse of being imposed for the protection of any industry existing in this country. It seems to be a burden maliciously laid upon the consumer without a reason to justify it, even on the score of protection. The chairman of the committee [Mr. MCKINLEY] told us in his speech the other day that the tariff duties were intended to be so excessive under this bill that importations will be restricted and the revenues thereby diminished.

This frank declaration unmistakably indicates that people in moderate circumstances must not aspire to the use of foreign products; this high privilege is reserved for the capitalist who has control of the home market and who proposes to supply their demands by his own products with the tariff duty added.

These linens are not manufactured here and they can not be successfully, as the requisite climatic conditions are lacking. Flax for linens is not produced here; still there is a duty of over 17 per cent. ad valorem placed upon undressed flax, an increase over the present duty of nearly 100 per cent. This is intended by the committee to make the farmer flax-raiser feel happy, and it probably would were it of the slightest benefit to him; but since the soil and climate will not produce the quality of flax suitable for linens he receives no comfort from this well contrived scheme to placate and deceive him, but it is a step in the direction of an additional tax on articles of common necessity.

Another striking example of an undertaking of this kind is to be found in the bill under consideration relating to the protective duty on tin-plates. This is an article used by nearly every family in the land. It is manufactured into an endless variety of useful and necessary articles, giving employment to many thousand laborers. There is not one pound of tin produced from any mine in the United States.

A few individuals or corporations who claim to be the owners of undeveloped tin mines appeared before the Committee on Ways and Means and asked for a protective duty on tin-plate. Their request was granted by an obliging committee and all the people of the country are to be taxed for the benefit of corporations and individuals in aiding them in the experiment of developing their mines, to determine if it can be produced in paying quantities. They must be guarantied a sufficient protective duty in advance before they will commence their venture.

It is not to-day one of the industries of this country, but one that is prospective, and may or may not be developed into something if the Government will give it the support asked.

It is estimated by those most competent to judge that the people will be taxed $50,000,000 before these mines can be made to supply the market in the United States.

If this bill becomes a law, it is quite certain, on this one article, it will take from the pockets of the consumers nearly $16,000,000 annually to be charged entirely to the account of protection.

This is only one of the many instances in which the ordinary neces-

saries of life are loaded with taxes for the benefit of the few and without justification or reason. It is as strikingly unjust as any one measure in the proposed bill, although it does not take from the consumers as large amounts as many other of its provisions.

Let me give you a statement of the increase in the cost of tin-plate from the present law as compared with the bill under consideration:

	Present duty.	McKinley bill.
IC 14	$1.08	$2.43
IX	1.36	3.06
IXX	1.57	3.54
IXXX	1.78	4.01
IXXXX	2.00	4.50
IC, 20 by 28	2.16	4.86
IX, 20 by 28	2.72	6.12
IXX, 20 by 28	3.14	7.08
IXXX, 20 by 28	3.56	8.07
IXXXX, 20 by 28	4.00	9.00
Roofing plates:		
IC, 14 by 20 ..... per box	1.08	2.43
IC, 20 by 28 ..... do	2.16	4.86

An increase of over 125 per cent. in amount of duty to be paid to these favored beneficiaries. This enormous increase is made by a willing committee to satiate the demand of a half dozen clamoring capitalists that they may speculate and experiment with a few tin mines of which they are the owners. If a farmer or laboring man undertakes a new venture he must do so at his own risk, but in these wild schemes of the capitalist the Government is made a partner and guaranties so far as it can against loss.

It would be far cheaper and to the advantage of the people for the Government to buy these mines, paying a sum sufficient to make every one of the owners millionaires, and leave them untouched.

Mr. Chairman, let us consider for a moment the effect of duties upon the cost of some of the other articles of common necessity, and as an illustration I will direct your attention to the tariff on woolen blankets. The duty by the proposed bill (McKinley) is to be 110 per cent. We will take a blanket that will cost at our custom-house before the duty is paid $1, and add to this the import duty of 110 per cent., which makes the cost to the consumer of this blanket $2.10, being $1 for the blanket and $1.10 for the tax that goes from the custom-house into the United States Treasury and paid by the consumer when sold to him by the merchant, who never forgets to add this tax to the cost and his own profits.

The effect is exactly the same to the consumer as if he paid it to the tax collector directly.

Supposing this blanket, instead of being imported is made by the domestic producer. He has appeared before Congress and obtained this duty to be imposed on woolen blankets, claiming it to be only a reasonable protection for his industry and is only sufficient to enable him to compete with the foreign producer; therefore he must and does sell his article at or near the price of the imported blanket with the duty added in order that his business may pay him the profits he desires. The difference is, and it is a very important one to both the producer and consumer, that when the consumer buys the imported article the tax which has been paid at the custom-house goes into the United States Treasury to pay Government expenses, while on the other hand the home product increased in price to the amount of the duty goes into the pockets of the producer instead of the public Treasury.

Does the consumer stop to consider that he is paying over $2 for this necessary article, which, were it not for the duty, he could buy for $1? Does he stop to ask why this is so? Very seldom, I think, because many and probably the majority of our people do not understand the extent of import duties and the heavy burden they place upon the common necessities required in every household.

But when they do realize the injustice of excessive protection and ask for an explanation from the manufacturer, he will tell you that these duties are necessary to make his industry remunerative, and for the chief reason that he is unable to compete with the cheap labor of Europe; that it is for the interest of the community that his business should continue, as it gives employment to labor, it builds up thrifty villages of the laboring class, etc.

Mr. Chairman, the consumers, the sixty millions of people of this country, may with reason reply that, though they have no share in your profits or business, We are willing to be taxed a reasonable sum to aid your industry, but when you compel us to pay from 20 to over 100 per cent. additional upon the necessary articles and four times as much as the labor in the article cost you are placing upon us oppressive burdens which we are unable to bear. We are paying the taxes and you are taking the profits. Mr. Chairman, all parties admit that the revenue to meet Government expenditures must be raised by tariff duties.

Mr. Chairman, the gentleman from Ohio [Mr. McKINLEY] tells us that the "agricultural condition of the country has received the careful attention of the committee," and every remedy which was believed to be within the power of tariff legislation to give has been granted by this bill.

What tariff legislation can you give the farmer which will be of any practical benefit to him? Very little, except to reduce the import duties on those commodities he is obliged to buy, the cost of which is largely enhanced by the duties you have imposed upon them. In this direction you can relieve the farmer substantially, instead of compelling him to pay from his scanty savings enormous tariff duties.

The gentleman would undertake to alarm the American farmer by telling him that his products are near the "danger line" of foreign competition in the home market, for the reason that France last year produced 316,000,000 bushels of wheat; Italy, 103,000,000 bushels; Russia, 189,000,000 bushels, and the total product of Asia, including Asia Minor, Persia, and Syria, amounted to over 315,000,000 bushels.

Is this a new industry in those countries that has so suddenly sprung into existence as to bring the American farmer near the "danger line" of competition in his home market, and that therefore the increase of duty on wheat to 30 cents per bushel will provide the necessary bulwark against its importation from Russia, India, France, Persia, and Syria? It is possible that the gentleman may by his eloquent speech convince some farmer that Russia and Asia Minor and the nations named are watching their opportunity when we shall drop off, if that time shall come, the tariff on wheat, to invade our country and drive our farmers from their home market.

But I do not believe there can be serious danger from this competition until the Western farmers shall have ceased to use their grain for fuel. And besides it would seem as if the question of freight, especially from Persia to our shores, would be a rather serious obstacle in the way of successful competition with the wheat-growers of this country. But all things are possible, and there is no danger to the home market, though it be no more than a speck in far-off Persia, but what our protection friends, through their microscope, will discover it. But another obstacle stands in the way; if these countries shall send us their wheat, where will they obtain their supply to feed the many hundreds of millions of their own people, for which their production is often inadequate? These people will probably come to us at the same time with their wheat and then surely the American farmer will have reached the danger line. The one is as likely to happen as the other, and my friend upon the other side knows it.

Mr. Chairman, I do not think the question of protecting our farm products can in any aspect be more strongly put or tersely stated than in this one instance by the gentleman from Ohio [Mr. McKINLEY], and is a fair illustration as any that can be given of the necessity of import duties on farm products.

It demonstrates the consciousness of these apostles of protection of the injustice of their scheme to the farmer and the sophistries to which they resort to persuade and frighten him into submission while they rivet more tightly to his neck the slavish yoke of protective duties that bow him down under their heavy weight of taxation.

They do not claim that the "danger line" has yet been reached, for the reason that the facts and statistics would overwhelmingly disprove it, but they say that they are near it, and when it is once crossed the "pauper" farm products of Europe, Asia, and Africa will be dumped mountains high upon our shores to the destruction of home industries.

They seemingly manifest much sympathy and pity for the overworked farmer, but it is like the generosity of the highwayman to his victim, who says, "You owe me your life because I have spared it."

If the statement of the protectionist is true, the farmer is in a pitiable plight. He stands between high-tariff taxes on the one hand and threatening importations and competition from the Orient on the other, between the upper and nether millstones, which are sure to grind him to powder.

It would be doing injustice to the intelligence of the farmers to believe that they will be deceived and misled by such arguments, by these tales of woe, predicted by their professed friends, the real enemies to their thrift and prosperity.

Mr. Chairman, the questions involved in the bill under discussion are of vital consequence to the farmers and laboring men. They should be carefully and intelligently studied and considered by them, that they may not be deceived or misled by the sophistries of the political fortune hunter or a subservient press.

This bill has made a plausible attempt to aid the farmers by increasing the import duties on agricultural products. They hear their complaints from all over the land and realize that something must be done or else the farmers' votes will slip from their grasp.

Our friends upon the other side would have you believe that protective duties are the true panacea for every industry in this land without regard to its relation to industries in other countries.

If there is a depression in any branch, no matter what may be the product, they apply their universal remedy of more protection; more blood-letting is needed to relieve the system and restore health and prosperity.

They apply the old allopathic remedy, which was discarded many years ago by the great advance of science in the medical profession as debilitating and pernicious to the victim of that sort of practice.

But the dominant party on this floor are continuing their old methods with greater vigor and increasing the draughts of life-blood from the body of the industrial pursuits of this country until the farmer is

famishing and his crops are stored away in granaries awaiting a time when he may sell them for at least their cost. He as yet sees nothing in the future to encourage him.

If there should be a depression in the business of the coal barons of New Castle, and should they seek the advice of our Republican friends, they would by force of habit and to make themselves consistent urge as a remedy a high protective duty on coal, and it would be as consistent and as effective in stimulating that industry and closing their ports to other competitors as when they turn their smiling faces to the farmers and say, "We have guarded and provided for your interest in this bill by placing a protective duty on your farm products, which are near the 'danger line' of competition with the wheat of Asia Minor, Persia, and Italy, etc., in our own markets."

When Pennsylvania shall export its coal to New Castle, European and Oriental countries will be likely to export their wheat, rye, and corn into this country, and not before.

Protection to the farmer on his chief products means directly the opposite to what it does to the producers of raw material and manufacturers.

It is conceded that no country on the face of the earth can approach this in the extent of its great agricultural resources and the cheapness and facility with which farm products can be raised.

There is no civilized country in which the land is so cheap and fertile or that can be tilled at less expense. The best lands in the West can be had almost by asking for them. Hundreds of millions of acres of virgin soil, as productive as any on the globe, are waiting for the farmer to put them under cultivation.

All this is in marked contrast with the lands of other nations, most of which are densely populated and worn down by hundreds of years of cultivation, and their farming machinery and tools are far inferior to those used in this country. When they tell you that your home market is seriously threatened by the products of other nations or will be for the next one hundred years, they attempt to deceive you and to allay your protest against the excessive duties on their own products.

Examine the statistics furnished by the Government and see for yourselves the fallacy of this claim.

During the year 1889 there were imported into the United States 16 bushels of rye and exported 287,000 bushels; 1,946 bushels of wheat, and this was imported by the farmer for seed and cost him $2.05 per bushel; we exported 90,000,000 bushels of wheat at an average cost of 57 cents per bushel; we imported 2,400 bushels of corn and exported 69,000,000 bushels, and raised over 2,000,000,000 bushels.

These are our chief agricultural products in the Northern States, and the figures show the peril the farmers are in from foreign competition, and how near they are to the "danger line," and the gratitude they owe their protection friends for the relief they have so generously furnished them by increasing the duty on corn from 10 cents to 15 cents per bushel, on wheat from 20 to 30 cents per bushel, but rye they have neglected, leaving it where it stood before, at 10 cents per bushel. The above are the most profitable crops produced on our Northern farms and are the principal products.

Mr. Chairman, after the farmer has disposed of his surplus crops and received his money, he finds it necessary to take a large share, if not the whole of it, to buy those necessary articles needed in his family, in supplying his worn-out agricultural implements, and repairing his buildings, etc.

He has already discovered that a protective duty on farm products reads and sounds well, but brings him no comfort or relief; but, as he comes to read on the other side of the page, he finds the duty placed upon the articles which are produced by the woolen and other manufacturers and which he is obliged to buy, means something. He discovers that protective duties cut quite a figure with his small surplus.

When he goes to his merchant and buys a ready-made suit of clothing for himself, the price of which is $20, he counts out the $20 which he received on 35 bushels of wheat, the average price about 57 cents, and returns to his home. He has heard about the duty on woolen clothing and has a curiosity to know to what extent it has enhanced the price of his suit of clothes, and finds that the tariff tax on ready-made woolen clothing is 84.72 per cent., and learns to his surprise that he has paid $11.52 for his suit of clothes and $8.47 tax or tariff duty which goes to benefit the manufacturer.

Our protective friends tell him that tariff taxation is a grand scheme for the development of the farming industry; that the manufacturers give employment to a large number of laborers, and they in turn buy your produce, and without the factories in your neighborhood you would be without a market in which to sell them. This is the way the subject is presented to the New England farmers. If the farmers of the East will take the trouble, as many have, to examine into this question a little further they will discover that the farmers of the great West are their competitors in nearly every village and town in New England, and their products regulate the prices there; and if they go a step further they will discover that the prices for their products are regulated by the market in London and Liverpool, of which the large dealers in this country are daily advised by cable as a guide in fixing prices to the consumers at home; so it will be seen that the manufacturers in your villages have no appreciable influence in enhancing values or furnishing a market for your chief products. You pay the tariff duty of 84.72 per cent., which is directly or indirectly for the benefit of the manufacturer and the wool-producer of the West and South and the few who raise sheep in New England, although it is an industry rapidly declining in that section and is of slight benefit to them.

The wife and daughters are not overlooked in this bill. They fare no better. They are taxed for the wearing apparel they buy, as follows: On cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel, composed wholly or in part of wool, etc., is a duty of 82.10 per cent. On women's and children's dress goods, coat linings, Italian cloths, from 92.75 per cent. to 110 per cent., more than doubling the cost of these articles, and increasing the present duty from 20 to 25 per cent. On blankets, hats, or wool and flannels composed wholly or in part of wool, the duty is from 72.21 to 110.84 per cent., an increase of about 25 per cent., more than doubling the cost of these goods to the consumer. Woolen or worsted cloths and all fabrics made on knitting-machines, and all manufactures of every description, made wholly or in part of wool, not specially provided for in this act, a duty of 130.45 to 146.99 per cent., an increase over the present tariff of about 70 per cent.

Umbrellas, 35 to 50 per cent., an increase from 30 per cent. On cotton cloths, the duties are fixed at from 40 to 56.45. The raw material of which these goods are made is produced here, and the fact being that no manufacturer in England can produce them as cheaply, so far as the element of labor enters into that cost, as can our home producer, which has been fully demonstrated, while he has an advantage over the foreign manufacturer in the cost of transportation and in every other respect, yet this article of common necessity is burdened with a tax of from 40 to 56.45 per cent., which finds its way into the treasuries of these large manufacturers and enables them from the accumulation of profits extorted from the people to build immense factories and private palaces which vie in splendor with those of the nobility of Europe, while the laborer dwells in his humble and plainly furnished cottage and is obliged to be content so long as he is able to obtain sufficient food and clothing for himself and family from his scanty earnings. Still our friends upon the other side tell us that the Government imposes these duties for the benefit of the laboring man, that he may escape contact with the pauper labor of Europe. Why is it then he does not receive these fruits of tariff legislation instead of the employer who grows rich, while the pretended beneficiary on the contrary remains poor? Somehow the tariff duty goes into the wrong pocket, and yet it is the one for which it is intended by our high-protection friends.

Let us consider for a moment the carpet schedules, and this is an article which should adorn and make comfortable every home. Brussels and tapestry carpets are subjected to a tax of 82.25 per cent., an increase over the present duty of 26 per cent. Treble ingrain and three-ply carpets are subject to a duty of 67.74 per cent., oil-cloths 66.31 per cent., an increase of 26.30 per cent.; mats and rugs share about the same fate.

These articles without an exception are a necessity in every family, and yet our friends manifest their love and sympathy for the people by increasing these already heavily taxed articles from 20 to 50 per cent. If you will take a look at the schedules in this bill in which the capitalist's interests are in the opposite direction, you will find that they are not overburdened with tariff duties. On silk partially manufactured and waste silk, the duty is 28.21 per cent.; silk goods in the piece, including ribbon, 30 per cent.; velvets, 50 per cent.; pearls and precious stones of all kinds, 10 per cent. No 100 per cent. of increase of duty on these articles so essential to the comfort and happiness of the rich.

These import duties are far below those placed on woolens, cottons, and other necessary products. It requires no stronger evidence to convince the people that this bill was formulated to meet the demands of the highly protected class, regardless of the rights and interests of all others. It will be interesting to the farmer to examine the tariff duties upon some of the other articles that directly concern him. On tiles and brick the tax is 25 per cent., an increase of 5 per cent.; lime, 35 per cent., an increase of 25 per cent.—an article used extensively as a fertilizer; chains, 43.15 per cent.; lumber, from 16 per cent. to 25 per cent.; coal, 75 cents a ton; coke, 20 per cent.; pig-iron, the basis of all our metals, 50.19 per cent.; salt, 85.26 per cent.; dressed leather, from 10 per cent. to 40 per cent., which is added to the cost of every pair of boots and shoes the farmer buys, and still the committee refuse to allow a tax on hides of even 15 per cent.; here is an article largely imported, on which a duty would be of substantial benefit to him, but this duty is struck out of the bill by direction of the manufacturer after it had been placed there by the committee.

Here is another schedule which is interesting to farmers and laboring men as a curiosity. The tax on champagne and still wines is not increased; they stand low down in the scale of import duties, the former being 55.82 the latter 16.95. These friends of protection have no sympathy for ginger ale, as it is a temperate beverage, and it has fared hard at their hands. An increase from 20 to 71.15 per cent. has been added to this article. Mineral waters, imported extensively for medicinal purposes, are subject to a tax of 54.93, an increase of 34.34 per cent. The bill makes a new and radical departure in placing a bounty of 2 cents a pound on sugar which is to be paid from the United States

Treasury to every sugar producer in this country. It extends the time for which this bounty shall be paid to July 1, 1905, a period of fifteen years. It is estimated that this bounty will take from the Treasury over $7,000,000 the first year, and that it will so stimulate the cultivation of this product in the United States that there will be a large increase yearly, and a consequent increase in the bounty to be paid to the producers, which will reach $50,000,000 annually during the last years of this period.

The authors of this bill tell us that they have so draughted it, and designedly, that no future, meaning Democratic, Congress can repeal it until it shall reach the limitation of the fifteen years, however mischievous it may prove to be. By what authority does Congress put its hands into the United States Treasury and take from it the people's money and give it to a certain and limited number of sugar-producing farmers? The same partial and kind bounty is to be extended to the silk-producers. It is establishing a dangerous and mischievous precedent. They tell us they want to make sugar-raising profitable in this country to the small number, including the great sugar trust, engaged in that industry. Upon the same principle and for the same reason could the farmers who raise wheat, rye, corn, and other products ask Congress to give them a bounty on each bushel they shall raise. They desire, also, to make their industry as profitable as the sugar and silk producer. I am opposed to the entire scheme, and if one thing is more obnoxious than another in this bill, it is this provision.

Mr. Chairman, one word more as to a protective duty on farm products, and which, in my judgment, concerns the farmers of this country more than any other and threatens greater danger to their interest than anything else that has yet been proposed. Their principal products far exceed the demands of the home market and will continue to for an indefinite time, and their surplus must necessarily find a foreign market or it will be a total loss to them. They stand in a very different relation to the foreign market from our manufacturers, as they are confined substantially, by reason of protective duties, for the sale of their commodities, to the home market, and for the same reason are unable to compete with England and other countries in the foreign market; but the contrary is true of our farm products.

It is of the utmost consequence to them that they shall continue to hold their place in the foreign market in the future as they have in the past, and there is no reason why they should not, unless prevented by unwise legislation. Nations, so far as respects imports and exports, are like immense business corporations, each of which produces a great diversity of commodities, but differing either essentially in kind or extent. The one desires from the other those commodities that it can not produce or not in sufficient quantities to supply its demand. The one has a surplus and desires to exchange that surplus article for the product it is deficient in, and thereby a trade or exchange is carried on through reciprocal relations, which are beneficial and profitable to both.

But let one nation place an embargo on the other's products by way of a prohibitory tariff, and the other is very certain to pass retaliatory measures, and commerce will be interdicted between them, to the great injury of both. A prohibitory tariff on foreign farm products will not, as I have already said, essentially benefit the farmers of this country, as they are imported to such a limited extent as not to be appreciable in the home market in respect to those products that are successfully and profitably raised in this country. But foreign nations might, and very likely would, be induced, by reason of our own restrictions upon their products, to place a prohibitory import duty upon ours. It may be said that England and other nations must necessarily buy of us to supply their wants. But our friends on the other side say to you that this is not the case; that, on the contrary, your home market is in danger from the farm products of those countries.

The effect of the present bill, if it shall become a law, will be to invite retaliatory legislation, which would tend in a marked degree to influence England to bend every energy to stimulate and increase her farming products in India, which already produces 250,000,000 bushels of wheat annually. These products could be easily doubled in Canada, and the time, by reason of inimical legislation, might and very probably would come when they could say to the farmers of the United States, "We have no further need or use for your commodities." If the effect of this bill, as has been declared by the distinguished gentleman from Ohio [Mr. MCKINLEY], in presenting it to the consideration of this House, shall be as stated, essentially prohibitory its operation would be most prejudicial and dangerous to the interest of the farmers.

If our imports are limited, our exports will be correspondingly decreased. As said by one of the ablest statesmen of our country, "It is plain that no nation, any more that a family, can long continue to buy with cash only. Industry must be used; labor must be employed; something must be raised, made, or produced in exchange, or the money gives out, and then resort must at last be had to industry, for in the course of a limited time the imports and exports must be equal."

This is no new doctrine; it has been discussed many years by political economists. No one can fail to see the force and accuracy of this proposition. During the year 1889 our imports were in round numbers $745,000,000. Our exports were $742,000,000. On this enormous sum the difference between our imports and exports, as will be seen, was less than $3,000,000. It will be interesting to notice the exported products that make up this vast amount:

Agricultural products	$532,141,490
Products of the forests	26,997,127
Products of manufactures	138,675,507
Products of mining	19,947,518
Products of fisheries	7,106,388
Other products	5,414,579

More than two-thirds of the total amount exported are farm products, and less than one-fifth are products of the manufacturers. The export trade is of vital consequence to the farmers, their interest in maintaining and encouraging exports being far greater than all others combined. No legislation should be permitted which shall injure or prejudice the exchange of their surplus crops. Consider for a moment what will be the effect of interdicting the import of foreign merchandise. There can be but one answer to this question; it will greatly diminish if not destroy our foreign market. The foreign producers thus far have exchanged their goods with us and the balances on either side have not been very large compared with the extent of the transactions. The last year it was $2,700,000 on a trade amounting to nearly $1,500,000,000.

To prohibit imports and compel, if we could, the foreign merchants and dealers to buy of us to the same extent that we have exported our goods in the past would require them to bring into this country annually between seven and eight hundred million dollars of money. In a short time it would drain them of all their money. They could not continue to deal with us on this plan for one year without creating a stringency and a contraction of their money market that would embarrass and depress their own industries. To place a prohibitory duty upon foreign products, or one that will materially diminish our present trade, as proposed by this bill, is the most serious and crippling blow that any party can inflict upon the farming industries of this country, and only in a degree less injurious to the manufacturer and all other industries conducted on fair and legitimate business methods.

The farmers are the largest consumers of our manufactured products of any class of our people. If you clog or stop the avenues which bring to them hundreds of millions of dollars yearly you are depriving them of the means to buy your products.

High tariff diminishes imports, diminishes trade, and diminishes commerce.

I believe the farming industries, by reason of their importance, deserving merit, and depressed condition, should receive the first consideration at the hands of Congress. They should have all reasonable legislation that will tend to alleviate and improve their condition. If they can be benefited by tariff duties, since all other industries are highly protected they should receive their full share; but, as I have already said, this will only add, in my judgment, to their miseries.

Penal laws should be enacted to suppress all combinations of capital and trust formed to depress the price of their products and to prohibit the manufacture of vicious, adulterated food. Duties should be largely reduced upon all articles of general use among them.

They should not be discriminated against or taxed to pay bounties to the producers of sugar and raw silk. If this bounty system is to be established it should be extended to all our chief farm products, which are more deserving than either of these industries.

Our manufacturers should receive every reasonable and fair consideration in the adjustment of tariff duties. No worthy industry should suffer injustice. It is to the advantage as well as the desire of every class and the people of all parties that thrift and prosperity should be assured to all.

The injustice and harmful effect of our tariff system is nowhere more manifest than upon the iron, steel, and wool manufacturers of New England.

These great industries are struggling for life. Some have been obliged to close their mills, others have reduced the wages of their help far below prices paid in Pennsylvania and other favored localities for similar services. The iron and steel manufacturers are compelled by reason of the duty on the raw material, which is the largest element of cost in their products, to buy and transport it from the mines of Pennsylvania and other interior States by railroad at a cost from $3 to $4 per ton, which is saved in a large measure by similar manufacturers located near those mines, and which places our mill-owners at a great disadvantage with these competitors.

New England has its natural advantages. She has an extended seacoast which furnishes cheap transportation for her commerce were her people permitted to use it; but excessive import duties deny them commerce with other nations and drive them from the sea. They are compelled to take their heavy freights from the interior by railroads. Remove the tax on raw material, New England would obtain her coal and coke from Canada and her iron from England at greatly reduced prices on both cost and freights.

These industries, upon which the prosperity of many cities and villages depends and to which tens of thousands of laborers look for employment, are blighted and throttled by protective duties at both ends: On the raw material and the manufactured product, the excessive

duty on the latter furnishing an excuse for the duty on the former. If you will give them free raw material they would be successful competitors in all the markets of the world. Speaking of the duty on copper the gentleman from Ohio [Mr. BUTTERWORTH], a leading Republican on this floor, said that—

The great producing mines of the country are the Calumet and Hecla, they produce copper cheaper than any other mines in the world, yet as a mere gratuity, as a mere bonus, we have paid these owners millions upon millions of dollars within the last ten years and not one dollar of it went into the United States Treasury, but yet they have been able to impose upon Congress as to their real needs and thus prevent a reduction of the tariff.

All this is true of the coal and mine owners of Pennsylvania and other States. They have been paid tens of millions of dollars where the copper miners have been paid one million during the same time, as a "mere gratuity," a "mere bounty," and not one dollar of it has gone into the Government Treasury, but into their own pockets, and still our Republican friends tell us that not only must these bounties be continued, but they must also be increased. Their strong and able leaders in Congress, backed by the mine-owners outside, have been able to control this pernicious legislation in their interest. They have imposed upon Congress, assigning as their chief reason for these taxes that their labor was more costly than that of the miners of Canada and England, while at the same time they were importing that same cheap labor to displace American labor.

It has been truly said, "O Liberty! Liberty! how many crimes are committed in thy name!" and it may as truly be said, "What frauds and robberies are committed in the name of American labor!" Mechanics and laborers from every land are coming to us daily by the hundreds—every steamer is freighted with them—to compete with American labor, and the protected employer avails himself of that labor when he can obtain it at a less price.

These highly protected owners of mines, or their allies, were never known, when appearing before Congressional committees, where the laboring men are never to be seen or heard to ask or suggest that there should be some law enacted to protect the American mechanic or laborer from the cheap imported foreign labor, and if such move should be made they would be the first to resist it. Their labor has always been in competition in the "home market," at the doors of every factory and other industry, with the cheapest labor of the world.

The mechanic or laborer receive no benefit from high-tariff duties, but on the contrary they are taxed from 20 to 100 per cent. on nearly every article they buy, as I have already said.

Excessive duties lessen the demand for manufactured products and consequently for labor, as they create higher prices, which necessarily diminish their consumption and contract the market.

The Democratic party will stand steadfastly by the people against all encroachments upon their rights, against class legislation, unequal taxes, bounties to a favored few in whatever form or guise they may come, whether at the instance of monopolist, combinations of capital, or from whatever source. It will, in and out of Congress, at all time, and in all places continue, as it has in the past, to combat these evils, the fruits of excessive tariff taxes, until the day of their triumphs which we believe is not far off.

Chickamauga Park.

SPEECH
OF
HON. JAMES BUCHANAN,
OF NEW JERSEY,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 28, 1890,

On the bill (H. R. 5461) to establish a national military park at the battle-field of Chickamauga.

Mr. BUCHANAN, of New Jersey, said:

Mr. SPEAKER: This bill seeks to set apart for preservation as a national military park forever, under the care and supervision of the Secretary of War, the grounds comprising the battle-field of Chickamauga. It provides as a condition precedent to this that the States of Georgia and Tennessee shall respectively cede the jurisdiction of those States over the grounds to the Government of the United States. Another condition precedent to this is the acquirement by the United States of the legal title to the land.

It seems to be a proper bill. Chickamauga witnessed one of the most fearful struggles of the late civil war. The proportion of killed and wounded to the number of men engaged was higher, I am told, than in any other engagement of recent times. While not decisive in its immediate results, it can not be denied that it was one of a series of results which made possible Sherman's historic march to the sea and the cutting in two of the confederacy. No one can tread the historic heights of Gettysburgh and observe the monuments there erected, which mark the ebb and flow of the battle's tide, without a feeling of gratefulness for the care taken to mark accurately each historic spot.

But, sir, while these efforts have their merit, we must not forget the earlier struggles of this nation for life. There are other battle-fields, much older than these, where no monument has been placed to keep alive the memory of the heroism there shown, and there are fields where defeat to us would have been the extinguishment of the cause of liberty. Sir, these fields saw no fratricidal strife. They mark the place where the sons of America together met a foreign foe.

One of these is the battle-field of Trenton, in the State of New Jersey. In the course of some remarks I had the honor to make upon the occasion of the centennial celebration of the battle of Trenton, December 26, 1876, I took occasion to say:

Called upon at a late hour to supply the place of the gentleman originally selected to share in this part of the ceremonies of the day, I deem it but simple justice to myself to say that the time I have been able to snatch from the performance of other and imperative duties has been so limited that it has been simply impossible for me to make that careful preparation for this duty which you have a right to expect, and which, alone, would be at all satisfactory to myself.

* * * * * * *

And it is to do honor to those heroic spirits and to celebrate the noblest of those deeds that we are met here to-day. One hundred years ago to-day the battle of Trenton was fought and won. Here, upon ground within the sound of my voice—ay, in part, upon this very spot—was enacted a scene which has passed into history as the turning point in the fate of the infant nation. Lend me your patient attention for a few minutes while I somewhat fully, yet as rapidly as possible, place the scene before you with its antecedents and surroundings.

The spirit of resistance which had been aroused in the breasts of the Colonists by the perverse and arbitrary measures of a wrong-minded British ministry and an obstinate King, had been rapidly strengthened by succeeding events. The insolent and brutal behavior of many of the soldiery stationed in the Colonies had still further exasperated the Colonists, and preparation was made for forcible resistance. Then came the Lexington massacre, and war, with all its attendant horrors, burst upon the land. Then followed the battle of Bunker Hill, the elevation of Washington to the commander-in-chiefship of the American forces, the rapid organization of that force into a well disciplined army, and the struggle passed from being a series of desultory skirmishes at isolated points, without plan or unity of purpose, into a regular system of carefully devised campaigns, with their strategy, and battles, and varying fortunes.

Thus passed the time from April 18, 1775, to July 4, 1776, when, upon the leaden air of that heated summer day burst the tones of the old liberty bell in the state-house at Philadelphia, proclaiming "Liberty throughout the land unto all the inhabitants thereof," and the Declaration of Independence announced to all the world that another nation was born and claimed its place among the principalities of the earth. The exultant joy with which the Declaration had been hailed soon gave way to feelings of gloom and despair. The disastrous defeat upon Long Island, the occupation of New York by the enemy, the loss of Fort Washington with its garrison, the evacuation of Fort Lee, the retreat of Washington and his army across "the Jerseys," pursued by an exultant foe, left the patriot cause in a critical condition. The army was reduced to a mere handful of men and was daily dwindling. In a few days, by reason of expiration of terms of enlistment, but about 1,500 effective men would remain. They were ill fed, unpaid, and poorly clad. The militia, little used to the stern discipline of camps, disbanded by companies and returned to their homes. The enemy were numerous, well fed and clothed, and re-enforced by hirelings from a distant land.

The British commander had announced a free pardon to all who within a certain time should sue for clemency, and many who had loudly applauded the Declaration when the skies seemed bright now that the storm beat fiercely forgot their manhood and knelt for the royal pardon, and "Tories and pardoned turncoats flaunted their red badges like autumn's melancholy leaves." The Congress had fled from Philadelphia to Baltimore. It was without funds or credit. And thus the year and the campaign were together drawing to a disastrous close, when the Commander-in-Chief determined to strike a bold blow for the cause of his country.

Christmas day, 1776, found Washington and his army upon the west bank of the Delaware, encamped near Taylorsville, then known as McConkey's Ferry. Troops were scattered along that side of the river, some of the detachments reaching nearly up to Coryell's Ferry, now New Hope, opposite Lambertville, and some under General Dickinson extending down the river to the Trenton Falls. The Pennsylvania troops, which had been raised through the persistent efforts of General Mifflin, were posted at Bristol, then known as Donk's Ferry, under General Cadwallader, and another body of Pennsylvania troops, with some others, were stationed at Morrisville, opposite Trenton Ferry, under General Ewing. The effective force under Washington's command did not exceed 2,500 men, and the term of enlistment of many of these, as already stated, would expire in a few days.

The British forces, which, under Cornwallis, had closely followed Washington in his retreat across the Jerseys, and which occupied Trenton as the Americans left it, had been spread along the eastern shores of the Delaware. Detachments were stationed at Mount Holly, Burlington, Bordentown, and Trenton. They were mainly Hessians, under the command of Count Donop. The force at Trenton, under the immediate command of Colonel Rahl, comprised three regiments of Hessians, numbering about fifteen hundred men, together with a troop of British light-horse, numbering about sixty.

Trenton at that time was a village of about seventy houses, ranged principally along King and Queen, now respectively Warren and Greene streets. The river road came into what is now Quarry street; thence curving toward the river, a little north west of the present location of Willow street, it sent off a branch down Laurel, now West State street, and, continuing, reached the building now used by the Widows' Home in West Front street, and then used as a barracks by the Hessians; from that building it continued as Water street and West Front street to Queen, now Greene street. At the foot of Queen street a bridge 16 feet in length led over the Assanpink Creek to the Bordentown road, now Broad street. King, now Warren street, extended no farther south than Water street. East of Queen street were a few buildings, among them the Friends' Meeting House (part of the walls of which are yet standing, incorporated in the present building), standing on the northwest corner of Hanover and Montgomery streets; south and east of this extended an orchard, reaching, it is supposed, on the south nearly to the creek; north was open ground. I have sought in vain for sufficient authentic data to fix beyond dispute the exact location and limits of this orchard and the eastern limit of this open ground. There is a radical disagreement in the maps, and oral traditions vary greatly.

The regiment of Lossberg occupied this meeting-house and probably some buildings in its vicinity. The regiment of Rahl occupied the Episcopal Church building which then stood upon the present site of St. Michael's, on Warren street. The regiment of Knyphausen occupied the old Hessian barracks, now

known as the Widows' Home, in Front street. Colonel Rahl had his headquarters in the house of Stacey Potts, then standing on the westerly side of Warren street, opposite Perry. It is probable, also, that other officers and perhaps some of the privates occupied other private houses. The regiment of Knyphausen had its pickets out as far as the Dickinson mansion, now Mr. Atterbury's. This residence, which, remodeled and enlarged, still stands, was then owned by General Dickinson, who was in command of the American forces upon the opposite side of the river. When he, with Washington's army, had abandoned Trenton a short time before, he had in his cellar some wine that he was loath to lose, and, before he left, buried it in his garden.

While posted upon the opposite side of the river he discovered the Hessian pickets busily engaged in digging up the bottles, breaking off the necks, and draining the contents with evident relish. Enraged at the loss of his wine and the loose regard evinced for the rights of private property, he hastily wheeled a field-piece into position and was about to send them his compliments when some one remarked, "General, if you fire upon them they will fire your house." Struck by the probable truth of the prophecy and concluding that he had better lose his wine than his house, he swallowed his wrath and left the Hessians to swallow his wine.

Rahl, recently promoted to the command of the post, had been directed to throw up intrenchments, but with foolish boasting put aside the suggestion. He did not even place his cannon in position, but used them to increase the pomp and show of his daily parades.

The blow which Washington resolved to strike was to secretly cross his forces over the river, capture the posts mentioned, and then prosecute his successes farther east in New Jersey. He made his preparations carefully. He, with the main body, under Sullivan and Greene, was to cross at McKonkey's Ferry and move south upon Trenton. Ewing was to cross at the lower ferry, below Trenton (somewhere near the present railroad bridge), and prevent the escape of the enemy to the south. Cadwallader was to cross at Donk's Ferry, near Bristol, and surprise the enemy at Burlington and Mount Holly. All were to cross after dark of the 25th and to attack the enemy before daylight of the 26th. The night of the 25th set in bitter cold, with a blinding storm of sleet and snow, and the river was filled with floating ice. Cadwallader succeeded in getting a portion of his infantry over, but finding it impossible to transport his artillery and horse, he was compelled reluctantly to return. Greene did not succeed in crossing at all. Washington, the iron-minded leader, alone succeeded. But the delay from the storm and the floating ice was so great that it was 4 o'clock in the morning before the troops were again in line and ready to move. They passed from the river up to the Bear Tavern, and thence down to Birmingham. Here the two divisions into which the troops had been formed separated, one, under Sullivan, marching down the River road, and the other, under Washington himself, crossed over by the Scotch road to the Pennington road, and thence down.

The storm and bad roads impeded their march, and it was sunrise before they reached the town. Washington's division encountered an outpost upon the Pennington road, but immediately drove it in, and marching down the Pennington road planted a six-gun battery upon the high ground at the present junction of Greene and Warren. The Hessians, completely surprised, ran out of their quarters and endeavored to form in the street, but the battery swept the streets, and the attempt to make a stand failed. In this attempt the Hessians endeavored to wheel two guns into position in Warren street, near the present "feeder" crossing, but Capt. William Washington and Lieut. James Monroe (afterward President of the United States), at the head of some troops, dashed forward, and, capturing the guns, turned them at the flying foe. The Hessians who were in Warren street ran through Church alley into Greene and the open ground beyond. Rahl here attempted again to form his men in this open ground.

Meanwhile Sullivan had reached the outer picket on the River road, driven it in, dislodged the Hessians from their barracks, and, amid a sharp fire of musketry, drove them rapidly down Water or Laurel street (in all probability Water) to Greene, where some of them, including the dragoons, crowded over the narrow Assanpink bridge and made their escape by the Bordentown road. Rushing rapidly into and up Greene street, Sullivan thus cut off any further retreat by that route. The Hessians then fell back into the orchard, and endeavored to escape by the Princeton road. Washington saw the movement, and at once threw out Hand's rifle corps and Barker's Virginia troops, so as to cut off escape in that direction. The enemy, finding themselves with every avenue of escape closed, and their commander having been meantime mortally wounded, and the battery spoken of on the high ground at the "head of town" in full play upon them, threw down their arms and surrendered.

It is difficult to determine with entire accuracy just where the final surrender took place. It is probable, in fact we almost know, that the surrounding troops were at quite a distance from each other. Sullivan's forces, in all probability, reached no point farther north or east than about where the First Presbyterian Church now stands in State street. Some maps locate Barker's Virginia troops near the Assanpink, and above its head and somewhere between Wall street and Model avenue. Others place them east of where the canal now is and not far above State street, about where Carroll street now runs. Hand's rifle corps is invariably placed upon the maps northwest of the Virginia troops, and between these troops and the battery. All agree in placing the battery at the present junction of Greene and Warren streets, with its fire sweeping down those streets, and commanding the open ground to the east. Nearly all agree in extending Washington's line of battle somewhat to the east of this, and toward Hand's rifle corps.

The Hessians, disordered and confused, probably occupied more or less of the space from Greene street east to Stockton, and from Academy street south to or near to the creek. The fugitives from Sullivan's advance, those turned back by the rifle corps and the Virginians and those flying from the upper part of town, in all probability did not come together into one compact mass, but scattered over much of this ground, surrendered where they stood, and afterwards formed into line to ground their arms. It may therefore be that the remark that "half the houses in Trenton are built upon the very spot where the Hessians surrendered" is nearer being strictly true than has been suspected.

Much that is written as history never happened. Lack of detail, unauthentic material, fervid imagination by the narrator, partial accounts accepted as complete, all these combine to prevent strict accuracy. I have striven for accuracy. I have studied carefully many separate accounts of the battle, some of them written by eye-witnesses and actors in the scene. I have inspected many maps and plans of the town and positions of the troops. I find much of contradiction and great inattention to those details, which, if given, would have been of material aid in determining disputed points. The account I have given is not vouched for as accurate beyond dispute. It is a narrative of facts as, in my judgment, they seem to be established by the weight of evidence.

Let me call attention to two points as to which it is quite apparent that public conception has been to a great extent erroneous. It seems to be not true that the Hessian commander neglected that night all precautionary measures. He had neglected to fortify. He dismissed with contempt a friendly caution to beware of an attack. He spent the latter part of the night at cards in the building on the northeast corner of State and Warren streets, and continued his game, while he placed unread a note of warning in his pocket. His troops undoubtedly enjoyed their drunken festivities the day before, with all the appliances within their reach. But in the early part of the night his outposts had been attacked by a small body of wandering militia, and hastily gathering his forces he had easily beaten the attacking party off. He then strengthened his outposts and threw out additional pickets, and made all as secure against surprise as seemed necessary. That he was completely surprised was due not so much to lack of precaution as to the suddenness and fierceness of the American onset. It swept the outposts before it, and before the alarm could be given the Americans swarmed into the town.

Another point. Historians have agreed in regretting that Ewing did not succeed in crossing his force that night. Washington himself regretfully alludes to this failure. It is quite plain that Ewing's failure prevented the miscarriage of the whole plan. Washington intended to reach the town before dawn. He was delayed and did not arrive until after sunrise. Had Ewing crossed at the lower ferry and awaited there the attack above, his troops with the coming of the dawn would have been in plain sight from the Hessian barracks, an alarm would have ensued, and Washington would have found a foe prepared and alert.

The success of this bold stroke reanimated the wavering, encouraged the faithful, and made possible the following successes.

Upon this spot where the battery was planted it is proposed to erect a monument of suitable design and character. An association has been formed, many liberal private subscriptions have been given, and the property has been purchased. It is believed that the nation should feel it a privilege to join in this patriotic work. Upon the 16th day of December, 1889, I introduced the following bill:

A bill (H. R. 8) in regard to a monumental column to commemorate the battle of Trenton.

Whereas an association by the name of "The Trenton Battle Monument Association" has been formed under and by virtue of the provisions of an act of the Legislature of the State of New Jersey, entitled "An act to provide for the incorporation of associations for the promotion of art and for the erection of museums and monuments," for the purpose of erecting a monument on the battle-field of Trenton, in the State of New Jersey: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $30,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by said association in erecting and completing on the battle-field of Trenton, in the State of New Jersey, a suitable monument, the money to be paid to the association aforesaid under the order of the Secretary of War: *Provided, however*, That the said "The Trenton Battle Monument Association" shall have raised, prior to the issue of said order, to be expended in the erection of said monument and in the purchase and improvement of the site, at least the sum of $30,000 additional thereto: *And provided further*, That the design for the said monument shall be approved by the Secretary of War; and the sum herein appropriated shall not be available until a contract is made to complete the work.

Similar bills were introduced in the Forty-ninth and Fiftieth Congresses. In each Congress these bills have passed the Senate and been favorably reported in the House, but in each instance they have failed in the House because not reached upon the Calendar. The report of the Committee on the Library of the House in this Congress is as follows:

The Committee on the Library, to whom was referred the bill (H. R. 8) in regard to a monumental column to commemorate the battle of Trenton, submit the following report:

The battle of Trenton has passed into history as the turning-point in the American Revolution. Its history needs no repetition here. Upon the identical spot where Washington planted the cannon which swept the two diverging streets (then known as King and Queen, now Warren and Greene), into which had poured the surprised troops of Colonel Rahl, and turned a surprise into a panic, it is proposed to erect a monument to commemorate this momentous event. The Trenton Battle Monument Association has raised by private subscription $30,000, has purchased the site, and is prepared to fully carry out the proviso in the bill. Your committee believe that in this work the Government should feel it a privilege to join. Precedent justifies it and patriotism demands it.

Your committee recommend that the bill do pass.

The Tariff.

SPEECH
OF
HON. JUSTIN R. WHITING,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, May 21, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. WHITING said:

Mr. CHAIRMAN: The claim that the tariff is not a tax, that the duty paid at the custom-house is not an actual item of cost which must be paid by the consumer just as certainly as a freight charge or any other charge, seems to me so absurd as hardly to admit of controversy. Yet, as this claim is repeatedly made by gentlemen upon the other side of the House, I may be pardoned in making a detailed statement covering the application of import duties upon some article of common use; and to do this let me take for illustration goods imported under clause 394 of "Schedule K, wool and manufactures of wool," in the McKinley bill, which is as follows:

On women's and children's dress goods, coat linings, Italian cloth, bunting, and goods of similar description or character, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, and not specially provided for in this act, the duty shall be 12 cents per square yard, and in addition thereto 50 per cent. ad valorem: *Provided*, That on all such goods weighing over 4 ounces per square yard the duty per pound shall be four times the duty imposed by this act on a pound of unwashed wool of the first class, and in addition thereto 50 per cent. ad valorem.

It is the custom among the larger importers and jobbers of dry goods to send buyers directly to England, France, and Germany to make purchases. One of these buyers selects, for instance, goods coming under the clause above referred to; he desires the lowest price. Does he say,

"I am buying these goods to go to the United States, and I want you to throw off enough to cover the custom-house charges?" As a matter of fact, no; for he is aware that no other nation in the world but his own collects a duty on raw material and then allows a drawback on exports. He also knows that the manufacturer will not sell at less than cost wherever the goods may go; so he closes the trade and orders the goods shipped to his firm in the United States. When they reach New York or the nearest port of entry, they are placed in the custody of a Government official, to whom the duties must be paid before they can be withdrawn for sale.

Now, will any one claim that the charges paid the customs official are not of necessity a real item of cost? It would seem not. Then let us see how they affect the cost under the clause referred to:

	Cents per square yard.
On dress goods of the lowest quality, one yard wide, costing	20
The specific duty is	12
Fifty per cent. ad valorem duty	10
Making total duty	22
Being 110 per cent. duty.	
On goods costing an English shilling, or in our money	24
The specific duty is	12
The ad valorem duty, 50 per cent., is	12
Making total duty	24
Being 100 per cent. duty.	
On goods costing	30
The specific duty is	12
Ad valorem duty, 50 per cent	15
Making total duty	27
Being 90 per cent. duty.	
On goods costing	60
The specific duty is	12
Ad valorem duty, 50 per cent	30
Making total duty	42
Being 70 per cent. duty.	

It will be observed that the goods costing 20 cents per yard pay a duty of 110 per cent. while the goods costing 60 cents per yard pay only 70 per cent., but this unjust discrimination against the buyer of the lower priced goods is not an intentional plot against the poor, but is a necessity of the system, for our manufacturers must learn to make the ordinary or cheap goods first, and only need such protection on the finer goods as will keep them out of the reach of those who can not pay above a certain price.

But our Republican friends say that the greater portion of the foreign goods sold in this country are placed here in charge of agents of foreign manufacturers, and that the duty is paid by them for the privilege of entering our market. In reply to this, I say that of course the duty is paid by them, but it must still be added to the cost, or the goods must be sold at a loss; and the reasoning in favor of this claim is not entitled to as much consideration as that of the old lady who claimed that while she sold eggs at less than cost she was able to do well because of the great quantity she sold.

But I am asked, "How do you harmonize this with the fact that some of our articles of manufacture are sold in Canada, for instance, at lower prices than in our own country, although subject to an import duty when entering Canada?" It occurs solely from the fact that our more liberal patent laws and our higher duties on imports enable our manufacturers to exact such excessive prices from the very ones granting the privilege that they find it more profitable to sell the goods which accumulate at lower prices abroad than to throw them upon the home market, which, to their way of thinking, demoralizes the market, but which in fact would only have a tendency to secure to the people at home the benefits which in the advocacy of the law were promised, but which in fact never come; for only those refrain from selling abroad who limit production to the high prices obtainable at home, which latter policy works greater injury, for it deprives labor of employment.

So, Mr. Chairman, this question of who pays the duty is of utmost importance, for if it can be absolutely determined that the foreigner pays it, then it must be evident that we ought not to engage too extensively in manufacturing here, for every dollar's worth of goods we make displaces an equal amount of foreign goods, and diminishes to the amount of the duties the contributions the foreigners are willing to make towards the support of our Government. We know that our manufacturers do not pay anything into the Treasury of the United States. What compensation, then, do they offer for stopping this flow of foreign gold into our Treasury?

To be sure, they pay large amounts into the Republican campaign fund, but that is a matter they do not feel like boasting of publicly (with a few noticeable exceptions), and in fact, by reason of the frequency of the elections and the increasing assessments on account of the growing opposition to protection, some are fearful that it will work their ruin.

Last summer a Boston gentleman said in my presence that during the campaign of 1888 he was induced to contribute $2,400 toward the publication of a series of articles to prove the advantages of the "American system," and that if it had to be repeated every two or four years he doubted whether he could add it all to the cost of his goods, for, while his business was very profitable now, the conditions might suddenly change.

Upon being asked what business he was in, he replied the manufacture of "wool shoddy," and that his business was growing rapidly, being hardly able to supply the demand for his goods; that many manufacturers of cloth were using coarse stock for the body and were working this shoddy into the face of the cloth, making a very sightly and salable article which could be warranted all wool and which bore a very handsome profit. When asked as to its durability, he replied, "Oh, it does not wear very well, but so much the better, for the greater sale is assured." Such was the brag ten-dollar suit Mr. MCKINLEY exhibited in the last Congress.

This condition of things I claim is only a natural result of the system which permits manufacturers to demand high prices and does not provide corresponding purchasing power on the part of the people. It necessarily imposes the substitution of inferior and far less economical goods, which amounts to "laying up wrath against the day of wrath."

Such cases, Mr. Chairman, as the one I have just cited, and which are being practiced in many lines of manufacture, together with the persistency with which the gentlemen upon the other side of the House most solemnly declare that the sole purpose of rising the duties is to give to American labor higher wages and to benefit the American farmer by furnishing a "home market," subject their whole course to the suspicion not only of selfishness and insincerity, but of absolute fraud upon the people, and in my opinion the belief is rapidly gaining ground throughout the country that the men who favor this system do not do so from motives of philanthropy, but because they at least believe that, socially, politically, or financially, there is "pork in the pot" for them.

It does not seem difficult to me to be able to discover the reason why manufacturers want a high duty. It certainly prevents the people from buying the cheaper goods made abroad and so certainly forces them to buy the higher-priced goods made at home. In other words, it produces a scarcity of such goods, and such goods only, as the tariff prevents the importation of. What must then be the conclusion? Scarcity produced by law benefits the owner of the article. It can not benefit labor, for in effecting the scarcity labor is only partially employed, and in prohibiting the importation of the products of foreign labor it forces the immigration of labor itself. Therefore a law which provides for the scarcity of the product of labor and at the same time provides for an abundance of labor itself is manifestly so unjust and one-sided that if one will stop to reason he will readily discover how impossible it is for even organized labor to secure its natural and therefore its just share of the products of labor.

Lastly, Mr. Chairman, how does this law affect agriculture, which by reason of our vast extent of territory, peculiarly adapted to producing the best and most important staples of life, is the greatest and most important of all our industries?

The most superficial mind must discern that the chief products of agriculture must be in excess of home consumption and must, in finding a foreign market, be subjected to loss, unless permitted free exchange for the products of whatever country they enter.

Any law which restricts this must tend to glut the market at home and of necessity produce low prices.

Herein the tariff law accomplishes and completes its full purpose. It secures the scarcity and high price of the manufactured goods and abundance and low price of both labor and farm products; in view of which it is not surprising that vast railroad systems, great combinations and trusts controlling all the products of Mother Earth, great manufacturing and banking corporations, have with marvelous rapidity sprung into existence and have become the property of comparatively few men; for this law is the lever by which the entire increment, above bare subsistence, of the most energetic, skilled, and patient people the world has ever known has been literally swallowed up by sharp, unscrupulous men. It has developed an era of greed and money-worship unequaled in the history of the world, and a corresponding disregard of the rights of honest toil.

Mr. Chairman, this system is not, as its promoters claim, an "American system," except as it exceeds in boldness, hypocrisy, and amount of burdens levied any previous enforcement of the same system. The methods and workings of the present system are well illustrated in the following story of The Three Aldermen, written forty-five years ago by a Parisian merchant named Bastiat, and which I print as part of my remarks:

THE THREE ALDERMEN.

(A demonstration in four tableaux.)

First tableau.

[The scene is in the hotel of Alderman Pierre. The window looks out on a fine park; three persons are seated near a good fire.]

PIERRE. Upon my word, a fire is very comfortable when the stomach is satisfied. It must be agreed that it is a pleasant thing. But, alas! how many worthy people, like the king of Yvetot, "Blow on their fingers for want of wood!" Un-

happy creatures; heaven inspires me with a charitable thought! You see these fine trees? I will cut them down and distribute the wood among the poor.

PAUL and JEAN. What! gratis?

PIERRE. Not exactly. There would soon be an end of my good works if I scattered my property thus. I think that my park is worth twenty thousand livres; by cutting it down I shall get much more for it.

PAUL. A mistake. Your wood as it stands is worth more than that in the neighboring forests, for it renders services which that can not give. When cut down it will, like that, be good for burning only, and will not be worth a sou more per cord.

PIERRE. Oh! Mr. Theorist, you forget that I am a practical man. I supposed that my reputation as a speculator was well enough established to put me above any charge of stupidity. Do you think that I shall amuse myself by selling my wood at the price of other wood?

PAUL. You must.

PIERRE. Simpleton! Suppose I prevent the bringing of any wood to Paris.

PAUL. That will alter the case. But how will you manage it?

PIERRE. This is the whole secret. You know that wood pays an entrance duty of 10 sous per cord. To-morrow I will induce the aldermen to raise this duty to 100, 200, or 300 livres, so high as to keep out every fagot. Well, do you see? If the good people do not want to die of cold, they must come to my wood-yard. They will fight for my wood. I shall sell it for its weight in gold, and this well regulated deed of charity will enable me to do others of the same sort.

PAUL. This is a fine idea, and it suggests an equally good one to me.

JEAN. Well, what is it?

PAUL. How do you find this Normandy butter?

JEAN. Excellent.

PAUL. Well, it seemed passable a moment ago. But do you not think it is a little strong? I want to make a better article at Paris. I will have four or five hundred cows, and I will distribute milk, butter, and cheese to the poor people.

PIERRE and JEAN. What! as a charity?

PAUL. Bah! let us always put charity in the foreground. It is such a fine thing that its counterfeit even is an excellent card. I will give my butter to the people, and they will give me their money. Is that called selling?

JEAN. No, according to the merchant; but call it what you please, you ruin yourself. Can Paris compete with Normandy in raising cows?

PAUL. I shall save the cost of transportation.

JEAN. Very well; but then Normans are able to beat the Parisians, even if they do have to pay for transportation.

PAUL. Do you call it beating any one to furnish him things at a low price?

JEAN. It is the time-honored word. You will always be beaten.

PAUL. Yes; like Don Quixote. The blows will fall on Sancho. Jean, my friend, you forgot the tax on imports.

JEAN. The tax on imports! what has that to do with your butter?

PAUL. To-morrow I will demand protection, and I will induce the council to prohibit the butter of Normandy and Brittany. The people must do without butter or buy mine, and that at my price, too.

JEAN. Gentlemen, your philanthropy carries me along with it. "In time one learns to howl with the wolves." It shall not be said that I am an unworthy alderman. Pierre, this sparkling fire has illumined your soul; Paul, this butter has given an impulse to your understanding: and I perceive that this piece of salt pork stimulates my intelligence. To-morrow I will vote myself, and make others vote, for the exclusion of hogs, dead or alive; this done, I will build superb stock-yards in the middle of Paris "for the unclean animal forbidden to the Hebrews" I will become swine-herd and pork-seller, and we shall see how the good people of Lutetia can help getting their food at my shop.

PIERRE. Gently, my friends; if you thus run up the price of butter and salt-meat you diminish the profit which I expected from my wood.

PAUL. Nor is my speculation so wonderful, if you ruin me with your fuel and your hams.

JEAN. What shall I gain by making you pay an extra price for my sausages if you overcharge me for pastry and fagots?

PIERRE. Do you not see that we are getting into a quarrel? Let us rather unite. Let us make reciprocal concessions. Besides, it is not well to listen only to miserable self-interest. Humanity is concerned, and must not the warming of the people be secured.

PAUL. That it is true, and people must have butter to spread on their bread.

JEAN. Certainly. And they must have a bit of pork for their soup.

ALL TOGETHER. Forward, charity! Long live philanthropy! To-morrow, to-morrow, we will take the council by assault.

PIERRE. Oh, I forgot. One word more which is important. My friends, in this selfish age people are suspicious, and the purest intentions are often misconstrued.

PAUL. You plead for wood; Jean, defend butter, and I will devote myself to domestic swine. It is best to head off invidious suspicions.

PAUL and JEAN (leaving). Upon my word what a clever fellow!

Second tableau.

(The common council.)

PAUL. My dear colleagues, every day great quantities of wood come into Paris and draw out of it large sums of money. If this goes on, we shall all be ruined in three years, and what will become of the poor people? ["Bravo!"] Let us prohibit foreign wood. I am not speaking for myself, for you could not make a tooth-pick out of all the wood I own. I am, therefore, perfectly disinterested. ["Good!" "Good!"] But here is Pierre, who has a park, and he will keep our fellow-citizens from freezing. They will no longer be in a state of dependence on the charcoal dealers of the Yonne. Have you ever thought of the risk we run of dying of cold, if the proprietors of those foreign forests should take it into their heads not to bring any more wood to Paris? Let us, therefore, prohibit wood. By this means we shall stop the drain of specie, we shall start the wood-chopping business, and open to our workmen a new source of labor and wages. [Applause.]

JEAN. I second the motion of the honorable member, a proposition so philanthropic and so disinterested, as he remarked. It is time that we should stop this intolerable freedom of entry, which has brought a ruinous competition upon our market, so that there is not a province tolerably well situated for producing some one article which does not inundate us with it, sell it to us at a low price, and depress Parisian labor. It is the business of the state to equalize the conditions of production by wisely graduated duties; to allow the entrance from without of whatever is dearer there than at Paris, and thus relieve us from an unequal contest. How, for instance, can they expect us to make milk and butter in Paris as against Brittany and Normandy? Think, gentlemen, the Bretons have land cheaper, feed more convenient, and labor more abundant. Does not common sense say that the conditions must be equalized by a protecting duty? I ask that the duty on milk and butter be raised to a thousand per cent., or more, if necessary. The breakfasts of the people will cost a little more, but wages will rise. We shall see the building of stables and dairies, a good trade in churns, and the foundation of new industries laid. I myself have not the least interest in this plan. I am not a cowherd, nor do I desire to become one. I am moved by the single desire to be useful to the laboring classes. [Expressions of approbation.]

PIERRE. I am happy to see in this assembly statesmen so pure, enlightened, and devoted to the interests of the people. [Cheers.] I admire their self-denial, and can not do better than follow such noble examples. I support their motion, and I also make one to exclude Poitou hogs. It is not that I want to become a swineherd or pork-dealer, in which case my conscience would forbid my making this motion, but is it not shameful, gentlemen, that we should be paying tribute to these poor Poitevin peasants who have the audacity to come into our own market, take possession of a business that we could have carried on ourselves, and, after having inundated us with sausages and hams, take from us, perhaps, nothing in return? Anyhow, who says that the balance of trade is not in their favor and that we are not compelled to pay them a tribute in money? Is it not plain that if this Poitevin industry were planted in Paris it would open new fields to Parisian labor? Moreover, gentlemen, is it not very likely, as Mr. Lestebandois said, that we buy these Poitevin salted meats, not with our income, but our capital? Where will this land us? Let us not allow greedy, avaricious, and perfidious rivals to come here and sell things cheaply, thus making it impossible for us to produce them ourselves. Aldermen, Paris has given us its confidence, and we must show ourselves worthy of it. The people are without labor, and we must create it, and if salted meats cost them a little more, we shall at least have the consciousness that we have sacrificed our interests to those of the masses, as every good alderman ought to do. [Thunders of applause.]

A VOICE. I hear much said of the poor people: but, under pretext of giving them labor, you begin by taking away from them that which is worth more than labor itself—wood, butter, and soup.

PIERRE, PAUL, and JEAN. Vote! Vote! Away with your theorists and generalizers! Let us vote. [The three motions are carried.]

Third tableau.

(Twenty years after.)

SON. Father, decide; we must leave Paris. Work is slack and everything is dear.

FATHER. My son, you do not know how hard it is to leave the place where we were born.

SON. The worst of all things is to die there of misery.

FATHER. Go, my son; and seek a more hospitable country. For myself, I will not leave the grave where your mother, sisters, and brothers lie. I am eager to find, at last, near them, the rest which is denied me in this city of desolation.

SON. Courage, dear father; we will find work elsewhere—in Poitou, Normandy, or Brittany. They say that the industry of Paris is gradually transferring itself to those distant countries.

FATHER. It is very natural. Unable to sell us wood and food, they stopped producing more than they needed for themselves, and they devoted their spare time and capital to making those things which we formerly furnished them.

SON. Just as at Paris they quit making handsome furniture and fine clothes in order to plant trees and raise hogs and cows. Though quite young, I have seen vast store-houses, sumptuous buildings, and quays thronged with life on those banks of the Seine which are now given up to meadows and forests.

FATHER. While the provinces are filling up with cities, Paris becomes country. What a frightful revolution! Three mistaken aldermen, aided by public ignorance, have brought down on us this terrible calamity.

SON. Tell me this story, my father.

FATHER. It is very simple. Under the pretext of establishing three new trades at Paris, and of thus supplying labor to the workmen, these men secured the prohibition of wood, butter, and meats. They assumed the right of supplying their fellow-citizens with them. These articles rose immediately to an exorbitant price. Nobody made enough to buy them, and the few who could procure them by using up all they made were unable to buy anything else; consequently all branches of industry stopped at once—all the more so because the provinces no longer offered a market. Misery, death, and emigration began to depopulate Paris.

SON. When will this stop?

FATHER. When Paris has become a meadow and a forest.

SON. The three aldermen must have made a great fortune.

FATHER. At first they made immense profits, but at length they were involved in the common misery.

SON. How was that possible?

FATHER. You see this ruin; it was a magnificent house, surrounded by a fine park. If Paris had kept on advancing, Master Pierre would have got more rent from it annually than the whole thing is now worth to him.

SON. How can that be, since he got rid of competition?

FATHER. Competition in selling has disappeared; but competition in buying also disappears every day, and will keep on disappearing until Paris is an open field, and Master Pierre's woodland will be worth no more than an equal number of acres in the forest of Bondy. Thus a monopoly, like every species of injustice, brings its own punishment upon itself.

SON. This does not seem very plain to me, but the decay of Paris is undeniable. Is there, then, no means of repealing this unjust measure that Pierre and his colleagues adopted twenty years ago?

FATHER. I will confide my secret to you. I will remain at Paris for this purpose; I will call the people to my aid. It depends on them whether they will replace the tax on its old basis and dismiss from it this fatal principle which is grafted on it and has grown there like a parasite fungus.

SON. You ought to succeed on the very first day.

FATHER. No; on the contrary, the work is a difficult and laborious one. Pierre, Paul, and Jean understand one another perfectly. They are ready to do anything rather than allow the entrance of wood, butter, and meat into Paris. They even have on their side the people, who clearly see the labor which these three protected branches of business give, who know how many wood-choppers and cow-drivers it gives employment to, but who can not obtain so clear an idea of the labor that would spring up in the free air of liberty.

SON. If this is all that is needed, you will enlighten them.

FATHER. My child, at your age one doubts at nothing. If I wrote the people would not read, for all their time is occupied in supporting a wretched existence. If I speak the aldermen will shut my mouth. The people will therefore remain long in their fatal error; political parties which build their hopes on their passions attempt to play upon their prejudices rather than to dispel them. I shall then have to deal with the powers that be, the people and the parties. I see that a storm will burst on the head of the audacious person who dares to rise against an iniquity which is so firmly rooted in the country.

SON. You will have justice and truth on your side.

FATHER. And they will have force and calumny. If I were only young! But age and suffering have exhausted my strength.

SON. Well, father, devote all that you have left to the service of the country. Begin this work of emancipation, and leave to me for an inheritance the task of finishing it.

Fourth tableau.

(The agitation.)

JACQUES BONHOMME. Parisians, let us demand reform of the tax; let it be put back to what it was. Let every citizen be free to buy wood, butter, and meat where it seems good to him.

THE PEOPLE. Hurrah for Liberty!

PIERRE. Parisians, do not allow yourselves to be seduced by these words. Of what avail is the freedom of purchasing if you have not the means? and how can you have the means if labor is wanting? Can Paris produce wood as cheaply as the forest of Bondy? or meat at as low price as Poitou? or butter as easily as Normandy? If you open the doors to these rival products what will

become of the wood-cutters, pork-dealers, and cattle-drivers? They can not do without protection.

THE PEOPLE. Hurrah for Protection!

JACQUES. Protection! But do they protect you, workmen? Do not you compete with one another? Let the wood-dealers then suffer competition in their turn. They have no right to raise the price of their wood by law unless they also, by law, raise wages. Do you not still love equality?

The PEOPLE. Hurrah for Equality!

PIERRE. Do not listen to this factious fellow. We have raised the price of wood, meat, and butter, it is true; but it is in order that we may give good wages to the workmen. We are moved by charity.

The PEOPLE. Hurrah for Charity!

JACQUES. Use the tax, if you can, to raise wages, or do not use it to raise the price of commodities. The Parisians do not ask for charity, but justice.

The PEOPLE. Hurrah for Justice!

PIERRE. It is precisely the dearness of products which will, by reflex action, raise wages.

The PEOPLE. Hurrah for Dearness!

JACQUES. If butter is dear it is not because you pay workmen well; it is not even that you may make great profits; it is only because Paris is ill situated for this business, and because you desired that they should do in the city what ought to be done in the country and in the country what was done in the city. The people have no more labor, only they labor at something else. They get no more wages, but they do not buy things as cheaply.

The PEOPLE. Hurrah for Cheapness!

PIERRE. This person seduces you with his fine words. Let us state the question plainly. Is it not true that if we admit butter, wood, and meat we shall be inundated with them and die of a plethora? There is, then, no other way in which we can preserve ourselves from this new inundation, than to shut the door, and we can keep up the price of things only by causing scarcity artificially.

A VERY FEW VOICES. Hurrah for Scarcity!

JACQUES. Let us state the question as it is. Among all the Parisians we can divide only what is in Paris; the less wood, butter, and meat there is, the smaller each one's share will be. There will be less if we exclude than if we admit. Parisians, individual abundance can exist only where there is general abundance.

THE PEOPLE. Hurrah for Abundance!

PIERRE. No matter what this man says, he can not prove to you that it is to your interest to submit to unbridled competition.

The PEOPLE. Down with competition!

JACQUES. Despite all this man's declamation, he can not make you enjoy the sweets of restriction.

The PEOPLE. Down with restriction!

PIERRE. I declare to you that if the poor dealers in cattle and hogs are deprived of their livelihood, if they are sacrificed to theories, I will not be answerable for public order. Workmen, distrust this man. He is an agent of perfidious Normandy; he is under the pay of foreigners; he is a traitor, and must be hanged. [The people keep silent.]

JACQUES. Parisians, all that I say now I said to you twenty years ago, when it occurred to Pierre to use the tax for his gain and your loss. I am not an agent of Normandy. Hang me if you will, but this will not prevent oppression from being oppression. Friends, you must kill neither Jacques nor Pierre, but liberty if it frightens you or restriction if it hurts you.

The PEOPLE. Let us hang nobody, but let us emancipate everybody.

The Tariff.

SPEECH

OF

HON. RICHARD P. BLAND,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. BLAND said:

Mr. CHAIRMAN: I wish to say only a few words. I believe we have already a tax on almost everything entering into building operations, and now we propose to tax granite, marble, stone, etc., raising the tariff all along the line to a prohibitory duty.

Gentlemen on the other side, in the last few votes which have been taken, have confessed before the country that the whole tariff system is but a bounty operating for the benefit of privileged classes. In order to protect individuals and classes and put money into their pockets, instead of putting it into the Treasury, you repeal a purely revenue tax, the tax on sugar, and in lieu of it you provide for a direct bounty, a confession, I say, that the whole protective system is but a bounty.

Gentlemen here have no regard for revenue. They have not been consulting the question of revenue or the interests of the people of the country, but only the interests of classes. There has been a scramble and a fight on the other side of the House as to who should have the most in this division of bounties and special privileges given by the bill.

The lead men came along and the earthenware men, and they have all got something, but they have crowded out my friend from Louisiana [Mr. COLEMAN], who came here, he says, as a protectionist, and the Republicans came down in his district, my friend from Michigan, whom I now see walking down the aisle [Mr. BURROWS], amongst them, and made him promises——

Mr. COLEMAN. I beg the gentleman's pardon. It was not in my district; it was the Third. I had no help.

Mr. BLAND. Well, I suppose they thought you were all right. Any way these promises were made all through the country, and yet when you come here you find that they were always false promises; at least they have proven to be false. I do not mean, of course, to say that the gentlemen who made them to you designedly misrepresented, but that the result has not justified your expectations. You come here and find these very gentlemen voting against their own promises, and so the only purely revenue duty in the whole bill is stricken from it. The tariff on sugar ought to have been reduced probably 50 per cent., but to repeal it for the sole purpose of an excuse to raise the duties on woolen and cotton goods, tin-plate, hardware, crockery, farm implements, etc., is not justified. The sugar duty is in fact a purely revenue duty; very little of it goes to private pockets.

Wanamaker, I believe, has ribbons, bands, and things of that sort all on the free-list; magnificent paintings that cost large sums of money are brought in free——

Mr. FLOWER. Why, has the gentleman from Illinois [Mr. PAYSON] returned?

Mr. BLAND. All of these things come in free and the poor man is taxed on the little he is able to buy. The whole bill is intended for favoritism, for monopoly, to accommodate the Republican party in order that they may arrange not only to pay the debts of the last election, but the promises for the next. [Applause.] [Cries of "Vote!" "Vote!"]

Mr. Chairman, we are now in the closing hours of the consideration of this bill. No amendments have been made to the bill. No fair opportunity for debate and amendments has been permitted. We have been gagged by an order adopted by the majority which in a few hours from now cuts off all opportunity for amendments and all debate. That enforces the previous question and direct vote on the bill. We have not reached one-half of the paragraphs of the bill.

The people whom I have the honor to represent here are for the most part farmers. Farming is in the main the basis of their wealth. The merchant, mechanic, and laborer, the lawyer and the doctor, or of whatever profession or calling, are dependent upon the prosperity of the agriculturists. Their interests are interests in common. There is no necessary antagonisms among them. They must all suffer together or prosper together.

From self-interest they will act together on these questions. Hence I know that anything that could be done here to relieve the languishing industries of the farmer would be heartily approved and sustained by all classes.

To this end I offered amendments to this bill to secure wider markets for the agricultural communities of this country. They are to be found, and the vote on them, in the CONGRESSIONAL RECORD of May 13 and 15. The amendment was voted down by a strict party vote.

I here subjoin the amendment and my remarks upon them at the time:

Mr. BLAND. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

Amend by adding, after the word "namely," in line 7, the following words: "That in all cases where it can be shown by proof satisfactory to the Secretary of the Treasury that any goods, wares, or merchandise imported into this country have been purchased abroad by exchange of farm products for such goods, or where such goods have been purchased with the proceeds or avails of farm products in foreign countries, such goods, wares, or merchandise shall be imported free of duty."

Mr. BLAND. That is substantially the amendment which I offered to the administrative bill about the middle of January last. It provides that where it is shown to the satisfaction of the Secretary of the Treasury that farmers, through their own agencies or otherwise, shall export the products of their farms to foreign countries and there exchange them for other products of such countries, the products of such foreign countries thus purchased or obtained by exchange may be imported free of duty. If that amendment is adopted it will go very far toward abolishing all trusts, at least all trusts on farm products.

We hear complaints throughout the country, especially from the farmers' organizations, that their food products are purchased and held by trusts for larger prices and that the sale of their cattle and hogs and other products is in the hands of Chicago trusts. In other words, by our high tariff duties upon foreign products we have virtually compelled the farmer of this country to look only to the home market for the disposition of his goods, because when he takes them abroad and exchanges them for foreign products, as soon as the articles for which he has exchanged them reach our ports they are taxed from 50 to 100 per cent., and thus the whole profit of the exchange is confiscated at the custom-house.

Now, if the farmer had the right, as this amendment would give him, to take his products to foreign countries and there exchange them for his clothing, for example, or his refined sugar, for instance, his farm implements, the things that he uses upon his farm, that difficulty would be removed, and he would have a free and open market the world over, a market a little too large for any trust to control, and he could import the goods which he obtained in exchange for his products without having his profits confiscated at the custom-house. The effect would be to make the world itself the warehouse of the farmer.

We hear that the Alliances in the West, the Northwest, and the South are demanding that we shall establish in the several counties throughout the country warehouses in which the farmers may store their prod-

ucts and have issued upon them by the Government 80 per cent. of their value in money, so that they may be enabled to hold their products free from the control of trusts and monopolies. Instead of that, why not give them the natural freedom which they ought to have in the sale of their products? Why not let them have the markets of the world for their warehouse, so that at all times and under all circumstances they should have a steady and a certain market for everything which they produce?

This amendment was introduced May 12, and is to be found in the RECORD of next day.

The RECORD of May 15 shows the following:

Mr. BLAND. I offer the following amendment, to come in at the end of the paragraph under consideration.

The Clerk read as follows:

Add after line 14, page 14, the following:

"That it shall be lawful for the farmers of each State and Territory of the United States to organize or establish for themselves such agencies as they may deem expedient for the purpose of exporting, selling, and exchanging the product of the farms of the United States in foreign markets, and to import free of duty into this country all articles of commerce procured in such foreign markets by the sale or exchange of the farm products of this country: *Provided*, That all subjects of trade or commerce so imported free of duty shall be for the use and benefit of the farmers so importing the same and for their own consumption, and shall not be sold in the markets of this country in competition with like articles on which a duty shall have been paid. That it shall be the duty of the Secretary of the Treasury to make all needful rules and regulations to properly carry into effect the foregoing provisions relating to the sale and exchange of the products of American farms in foreign markets."

Mr. BLAND. Mr. Chairman, that is a modified form of the amendment which I offered the other day when a bill was under consideration. I will have printed as a part of my remarks the amendment that I offered in this connection heretofore. The amendment that I offered on a former occasion provides for the exchange of products of American farms in foreign countries and the importation of articles for which the products of the farms were exchanged free of duty without any limitation. But that amendment, on a strict party vote in this House, our friends on the other side all voting against it, was voted down.

Now, I offer a modified proposition, and certainly as it is now modified no gentleman who pretends to represent a farming constituency that is languishing to-day for the want of a market for its products can vote against it. The farmers are now organized and have their stores all through the country, which are organizations for the purpose of trade, and this simply enables them to extend their trading powers to other countries. It enables them to ship their surplus products and get in exchange for them such articles of commerce as they consume among themselves. These articles are to be brought in free of duty, and not to be put upon the market in competition with articles that pay a duty.

What fairer proposition can be made than that? Where is the objection that can be raised to a proposition that permits the agriculturists of this country who export about 80 per cent. of all our exports, by which our foreign trade is practically carried on, to exchange their surplus products for articles abroad and for such commodities as they use and consume on their farms?

Gentlemen on the other side say that these high protective duties make their commodity cheaper to the farmer.

Mr. WALKER, of Massachusetts. Yes.

Mr. BLAND. If that is so, the amendment itself will have no effect. I dare you to put it to the test. I deny that it makes articles cheaper here or that the tariff rates reduce the price of commodities beyond what they can be purchased at in other countries. Why not give them this poor privilege? for they are bearing all the brunt of tariff burdens in the first instance, at least, because it is on their articles of commerce that we sustain the tariff system. We bring from abroad all the imports on which the tariff is levied and the duties collected. In the first instance they pay it by advancing their commodities, so to speak.

Now, why not allow them the privilege of a drawback, the same as you permit a drawback on all articles of manufacture sent out of this country? You give drawbacks on articles which are exported. Why not give it to them?

The amendment which I offered a few days ago is as follows:

That in all cases where the products of the farms of the United States shall be sent abroad to foreign markets and there exchanged for goods, wares, or merchandise, or where such goods, wares, or merchandise shall have been purchased with the avails or proceeds arising from the sales of farm products, then, and in all such cases, such goods, wares, and merchandise so purchased or exchanged for in foreign countries shall be admitted free of duty.

SEC. 2. That proof of such exports and imports herein provided for shall be made under such rules and regulations as may be necessary to carry out in good faith the provisions of this act; and it shall be the duty of the Secretary of the Treasury from time to time to adopt and promulgate such rules.

[Here the hammer fell.]

[Cries of "Vote!" "Vote!"]

Mr. KERR, of Iowa. Mr. Chairman, the first objection there is to the gentleman's proposition is that if his proposition were adopted it would abolish our tariff system altogether, and it would take away from us all the revenues that were received from that system.

Mr. BLAND. Then the gentleman admits that the farmers support the whole tariff system? [Applause on the Democratic side.] I expected to bring that out in this discussion.

Mr. Chairman, I desire to have read as part of my remarks an editorial from the St. Louis Republic, to show how the farmers of this country are prospering as compared with the manufacturing industries.

The Clerk read as follows:

WHERE THE MONEY IS.

It is pretty well known that when one of those revulsions in business, called panics, comes over the country money disappears in the West and goes to the East, finding its hiding places in the bank vaults, safe deposits, and money drawers of the manufacturing States. Farm values and crop prices fall, farms become unsalable, and farmers find it impossible to pay their debts or to borrow money, and are forced to stagger along in half despair for several years till times grow better. The explanation of this disagreeable phenomenon is that the manufacturing States control the money of the country; they are the creditor States, while the Western and Southern States are debtors; they are money-lenders, while the other States are money-borrowers; they hold mortgages on a third of the property of the West and South, and there is a perpetual drain of money from all other States and Territories into them to pay the interest on these enormous claims.

The last report of the Comptroller of the Currency furnishes some interesting information on the distribution of money in the country, in a table showing the amount of capital, surplus, undivided profits, and individual deposits in banks of all kinds, for every State and Territory of the Union. A compendium of the table is given in the following statement:

CAPITAL, DEPOSITS, ETC., IN THE NINE MANUFACTURING STATES.

Maine	$71,516,000
New Hampshire	79,281,000
Vermont	36,000,000
Massachusetts	691,000,000
Rhode Island	113,448,000
Connecticut	188,316,000
New York	1,585,800,000
New Jersey	104,367,000
Pennsylvania	508,567,000
Total	3,378,295,000
All other States and Territories	1,823,376,000
Population of the nine manufacturing States	17,000,000
Population of all other States and Territories	47,000,000
Per capita in the manufacturing States	$198
Per capita in other States and Territories	$40

It will be seen that protected manufacturing has given the nine States of the Northeast control of the banks, banking power, and money of the country. They have only about one-fourth the population of the country, but they own over three-fifths of the banking capital and deposits. The per capita is $198 for them and only $40 for the other States and Territories. Massachusetts alone ($691,154,000) has more than the eight States of Indiana, Michigan, Wisconsin, Iowa, Minnesota, Kansas, Nebraska, Missouri, and Colorado put together. New Hampshire, with a population of only 381,000, has as much ($79,281,762) as the two States of Indiana ($63,852,000) and North Carolina ($12,160,000), with an aggregate population of 4,000,000; and Rhode Island, with a population of only 343,000, has ($113,448,036) more than Georgia ($27,299,000), South Carolina ($12,000,000), Alabama ($15,600 000), Mississippi ($10,000,000), Louisiana ($29,000,000), and West Virginia ($8,831,000), with an aggregate population of 8,000,000.

It will be said in explanation of this unequal distribution of the money wealth of the country that, while the manufacturing States have a large share of their wealth in money, the farming States have theirs chiefly in farms, cities, towns, and railroads. This statement is true, but the force of it is broken by another very important fact, namely: That nearly all the railroads of the farming States, and one-fourth their farms, cities, and towns are mortgaged—and the mortgages are held chiefly in the manufacturing States. Indeed, the manufacturing States own not only three-fifths of the money of the country, but a full fourth, and probably one-third, of the wealth in the other States and Territories besides.

[Here the hammer fell.]

Many MEMBERS. Vote! Vote!

The question being taken on the amendment of Mr. BLAND, there were—ayes 62, noes 76.

Mr. BLAND. Great stress is laid upon the fact that there is a tariff on wool. Upon this point I shall quote from the few remarks I made when that schedule was under discussion:

Mr. Chairman, my colleague who has just taken his seat [Mr. NIEDRINGHAUS] alludes to Missouri and the tariff in connection with the State. I do not know any gentleman on this side of the House, nor do I know any gentleman on the other side of the House from Missouri whose interest is direct, immediate, and unconditional in a high protective tariff except my good friend himself who has just addressed the committee. I do not know, indeed, under the rules of the House, if they were properly enforced, that he could vote for this bill or vote against it, on account of his personal interest in the protection it carries.

But another objection I have to the attitude of my colleague is this: While he is willing to receive for himself the benefits of the robbery that this bill will give him, he wants to reduce the tariff on borax, an article that he himself consumes, and yet he is not willing that my farmer constituents shall have the benefit of any reduction on what he is compelled to buy. [Applause on the Democratic side.] There ought to be what might be called a good understanding among gentlemen who are making up these "combines," mutuality in robbery. [Laughter.]

Now, for this woolen schedule. My people are interested in cheap woolen goods. Missouri has about 1,200,000 sheep all told, and we have nearly 3,000,000 people in the State.

We have not got one-half a sheep apiece. I would like to know how the people of that great State, during the frozen snows of December, might go out and attend their flocks and to their factories with half of a sheep-skin on their backs, one-half of a sheep to each of the population. We do not produce the wool that clothes us, or scarcely any part

of it. I have about fifty head of sheep on the farm on which I live; and, sir, you might take all the wool on the sheep and take the mutton on my whole flock, and it will not pay the tribute I pay to the wool manufacturer under the provisions you put in this bill—nothing like it; and yet they talk about the duty on wool for the benefit of the farmer.

The States of Iowa, Nebraska, and the great Northwestern States are similar to Missouri in that respect. They are producing grain, hogs, cattle, mules, and horses, and sheep are a mere by-product. You will never produce sufficient sheep to clothe this people, or nearly clothe one-tenth of them. My friend from Michigan alluded the other day to four counties in my district—Laclede, Wright, Osage, and Cole—and on them, according to his own showing, there were 7,600 mortgages, or nearly 8,000 altogether. Now, the population of those four counties is about 45,000 or 50,000 people. Every mortgage represents the head of a family——

The CHAIRMAN. The time of the gentleman has expired.

Mr. NIEDRINGHAUS. My friend and colleague——

Mr. BLAND. I would like to have three minutes in which to complete my statement. [Cries of "Regular order!"]

Mr. McKINLEY. I hope the gentleman from Missouri will be heard without objection.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for three minutes. Is there objection? The Chair hears none.

Mr. BLAND. Mr. Chairman, I was going on to say that these nearly eight thousand mortgages represent about eight thousand heads of families, and taking the average number in a family to be five, that would be some forty thousand, so that nearly every man, woman, and child in those four counties has a mortgage over his head. Now, I do not know why the gentleman from Michigan was claiming his farmers are prosperous. Whether they are or not it is for him and for his farmers to know; but for the farmers in my district, I know them, for I have mingled with them, and I am one of them myself. I get complaint from them daily, and I know that they are not prosperous. The very statistics he has given that nearly every farmer in these counties, or at least one-half of them, have mortgages upon their farms, give conclusive proof that they are not prosperous.

Now, Mr. Chairman, what has reduced them to this? This high protective tariff system is one of the main causes for their being reduced to this condition, and it is a question of whether the Michigan donkey or the Missouri mule or the Kansas grasshopper can longest endure the burden of this infamous system, for that seems to be the contention here. We are comparing notes as to who have the most mortgages and who are the least prosperous. We find when we can get the statistics that all of them are suffering alike. These are the real facts in the case, and yet the majority propose nothing for their relief; no report is made in their interest, but simply a bill that increases their burdens.

Speaking for the farmers whose farms are mortgaged, I protest against it, and I say when gentlemen undertake to make the farmers of this country believe that they are prosperous they will have upon their shoulders a great burden. In the coming canvass you will not be able to convince them that they are prosperous, so that it behooves Congress to do something in the interest of this country. One way of affording them relief is to reduce taxes and to give them more money in circulation. That will be a benefit.

The tariff tax I get upon the wool I sell will not compensate me for the tariff tax I pay to the woolen manufacturer. Ten persons constitute my family, and when we pay, as proposed in that bill, a tax from 80 to 100 per cent. on woolen goods our little tariff of 30 per cent. on wool is confiscated at once. And not only that, but a tribute of from 50 to 80 per cent. in addition is exacted for the benefit of the manufacturer.

Great stress is laid upon the fact that it is proposed to tax wheat by a tariff of 25 cents a bushel. This is a glaring fraud, intended only to deceive. We exported last year 88,600,742 bushels of wheat in form of wheat and flour. We imported only 1,946 bushels, and this was for seed. It is proposed to aid the wheat-grower by taxing his seed-wheat. The bill proposes a tax of 15 cents a bushel on corn. Of course when the law takes effect there will be no more burning of corn in Kansas. There is a tariff duty now of 10 cents per bushel—this is supposed to be too low—so that to prevent the burning of cheap corn for fuel it is proposed to increase the tariff to 15 cents per bushel. Well, we exported last year 69,592,929 bushels of corn and imported only 2,388 bushels. This 2,388 bushels of corn was imported for seed, at least for the most part; so to benefit the Kansas corn-burner we put a tax of 15 cents per bushel on his seed-corn.

Any one who does not see that this tariff on seed-wheat and seed-corn will in a few years pay off all the farm mortgages of the West must be willfully blind. I give a list of surplus farm products showing exports and imports, all going to prove the fallacy of a tariff tax benefiting the farmer:

Tallow: Exports, 77,844,555 pounds; imports, only 34,931 pounds. Lard: Exports, 318,242,990 pounds; imports, only 1,703 pounds. Beef, mutton, and pork: Exports, 286,991,121 pounds; imports, but 215,575 pounds. Bacon and hams: Exports, 400,224,646 pounds; imports, but 272,130 pounds. Apples, dried: Exports, 22,101,579 pounds; imports, none reported. Apples, green or ripe: Exports, 942,406 barrels; imports, none reported. Oats: Exports, 624,226 bushels; imports, 22,324 bushels.

These tables go to show that our exports of farm products should be protected as I proposed; that is, by permitting their exchange for commodities in other countries, and the admitting free of tariff duties the articles thus exchanged for. This would be in the nature of protection to the farmer from the tax he has to pay at the custom-house for the imports of foreign goods exchanged for his farm products. This is the only protection that can benefit him. In other words, it would protect him against a high protective tariff. If our agriculturists can once be thus protected they will find no need of further protection or further favors at the hands of Congress. If they can be protected against a tariff law that practically enslaves them they will find a way to prosperity.

The present tariff is about 47 per cent. The Republicans promised a reduction, but instead they have by the McKinley bill raised it on the average to over 50 per cent. on all dutiable goods.

Mr. Chairman, I have no patience to argue this subject; argument here is useless. If the people of this country submit to it, they must suffer on and on.

The Democratic party can do no more than protest. But we trust the day is near at hand when we shall be intrusted with power, not only to protest, but to act, to legislate, to reduce, reduce, and still reduce this system of high protection to the millionaires, until we get to a basis of revenue for the people.

The State of Missouri is the greatest State in the Union. Her resources of agriculture, mining, and manufacturing are unsurpassed; her Democratic State government is the most economical, perhaps, of all the States; her school system the best provided for. That Missouri is more prosperous than her neighboring States of Kansas, Iowa, or Illinois is due to these causes. Yet I would be false to the true interests of her people if I did not tell the truth, and say that owing to this high protective tariff system her agricultural interests are in great straits.

The Missouri farmer, like his brethren throughout the entire Union, is not prosperous. His markets have broken down at home. A protective tariff prevents him from exchanging his products abroad; consequently his surplus must be sold at a great sacrifice. This surplus in turn regulates the price of all he has to sell at home, and thus his prices for what he has to sell are not remunerative. There is no longer any profit in farming.

During the war and since, every revision of the tariff has been done by the Republican party or the party of high protection. As a consequence we have seen farming steadily declining in profits. The tariff duties were increased in 1883 under the pretext of tariff revision; since that time tariff barons and monopolists have fattened off the farmer. The McKinley bill again increases rates from an average of 47 per cent. to over 50 per cent. The farmer can therefore patiently wait, quietly submit, till he is turned out of house and home. The McKinley bill means the foreclosure of the mortgages on Western farms; it means the transfer of lands and property of the West to the tariff millionaires of the East.

The Western farmer who voted for Harrison and protection signed a bill of sale to his future prosperity. He unconsciously mortgaged his home, his labor, his all to the trusts, monopolies, and combines that now mercilessly demand the pound of flesh. The Wanamakers, Carnegies, and other millionaire contributors to the campaign fund, must be reimbursed. They are being repaid by tariff bills that filch the money from the labor of the country. Thus campaign contributions are made up with interest. And so other campaign funds are readily provided for.

Mr. Chairman, I have faith to believe that this system will speedily sink in its own rottenness and corruption. Faith in a republican form of government compels me to say this. The signs indicate a groundswell of the masses in a war of extermination to all privileged, aristocratic, or class legislation.

God speed the day when justice shall resume her place in our councils.

But, Mr. Chairman, it is proposed, now that monopoly has control of this Government in all its branches, to raise duties and otherwise strengthen the monopoly power, and in turn to place the election of Congress and the President under the control of monopoly by taking the machinery of those elections out of the hands of the people of the States, and instead to place radical election officers and returning boards in all the districts, so as to count out Democrats and tariff reformers, thus, by Federal election laws, to hold by force and fraud the laboring people in this country in the grip of monopoly power to be robbed and fleeced, not of their wealth alone, but of their political rights as well.

This may be a cheaper and easier mode for the protected barons to elect a Congress and President to do their bidding than to put their millions in the campaign fund, as they did at the last election. But will the people submit? That is the question. We shall see what we shall see. "Whom the gods wish to destroy they first make mad!"

The Tariff.

SPEECH
OF
HON. JOHN A. BUCHANAN,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, May 12, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. BUCHANAN, of Virginia, said:

Mr. CHAIRMAN: If it was not for the special interest the people of Virginia, whom I have the honor in part to represent upon this floor, have in the taxation of commercial fertilizers and the chemicals which are used in their manufacture I would not take part in this debate at this late hour and in the short time allowed for the discussion of the provisions of this bill, covering one hundred and fifty-six pages and involving questions of taxation of the greatest importance to the people of this country.

Paragraph 6 of this bill, the one now under consideration, provides for a tax of $5 per ton upon all sulphuric acid or oil of vitriol imported. In many portions of Virginia we are unable to grow wheat or tobacco and other farm products successfully without the use of commercial fertilizers, and in their manufacture sulphuric acid is one of the most important materials used. Under existing laws this acid is on the free-list and has been ever since the use of commercial fertilizers has become so general.

It has been the policy of the Government, as I understand it, in all of its tariff laws to place and keep upon the free-list all farm fertilizers, and as far as practicable the chemicals also which enter into their composition. They were so treated by the tariff laws of the year 1857. Under those of 1870 the legislation was somewhat less favorable to the farmer, but in the year 1883 they were again restored to the free-list.

In the bill now under consideration, as stated above, it is proposed to place sulphuric acid upon the dutiable list and to fix that duty or tax at $5 per ton.

I wish to call attention to the effect that this and legislation like this will have upon the farmers and the agricultural interests of the country. It is estimated, as I understand, that we use annually about 450,000 tons of sulphuric acid in the commercial fertilizers manufactured in this country. Five dollars per ton duty or tax upon it will amount to the sum of $2,250,000. The quantity manufactured in this country, as stated in the evidence taken before the Ways and Means Committee, is from 375,000 to 400,000 tons annually. The duty of $5 per ton proposed by this bill will therefore have to be paid by the consumers of the article. This additional burden will still further depress the agricultural interests of the country.

I had not supposed, until to-day's discussion developed the fact, that there was any difference of opinion upon the subject of the farmers' condition. I do not know what their condition is in other States, but I do know what it is in many portions of Virginia. There they are engaged, for the most part, in the production of corn, wheat, tobacco, cattle, horses, and hogs, and their condition has not been much worse, if so bad, since the war ended, when they went to their homes stripped of everything but their lands.

The burdens of taxation are increasing whilst the prices of their products are growing less. They were told that this Congress would furnish a remedy for existing evils. They had a right to expect such relief as can be had from friendly legislation. But so far as I can see there is no relief in this bill for them. It is said that the tariff on farm products has increased and thus they are put upon an equal footing with the other industries of the country.

The products of the farm are in excess of the demand for them in this country, and therefore a tariff, no matter how high, can not increase the price of their products or furnish them relief. A tariff only benefits producers when the home production is less than the home demand. Then it increases prices. Their products will not be increased in value under this bill. What they need is a foreign as well as a home market. This bill practically destroys their foreign market, and by so doing injures the home market. It is a tariff for prohibition, not for protection, not for revenue. Its object is, or at least its effect will be, to reduce to the smallest quantity the articles purchased abroad by our people, to destroy our foreign trade; for, if we will not buy from others, how can they buy from us?

All laws that lessen competition increase the prices of all articles where the supply is less than the demand and decrease the prices of all articles where the supply is greater than the demand. This tariff bill, if it becomes a law, will doubly injure the agriculturist and all who are engaged in unprotected industries. It will cause them to pay more for what they have to buy and to get less for what they have to sell.

I submit, therefore, Mr. Chairman, since our agricultural classes are to receive no benefit from this bill, that they have the right to demand that Congress shall at least keep its hands off of the fertilizers that they are compelled to use in improving their lands and in raising larger crops. If you will legislate so as to lessen the prices of their products do not increase further the cost of their production.

Mr. KERR, of Iowa. Let me ask the gentleman a question. How many pounds of this substance enter into a ton of fertilizer?

Mr. BUCHANAN, of Virginia. I do not know the exact quantity.

Mr. KERR, of Iowa. I understand it is only ten pounds.

Mr. BUCHANAN, of Virginia. Well, that is all the more reason in favor of the point I am making. My information is that the quantity is much greater. But whether the amount entering into it be little or much, there are about $2,250,000 proposed by this bill to be taken out of the pockets of the farmers on this one item alone more than they are now compelled to pay for the same article, and that, too, without any consideration.

But, Mr. Chairman, this is but one of the many unjust features of this bill. Instead of reducing the duties and removing the inequalities of the existing law in many instances the duties have been increased and the inequalities made greater. Some of these increases have been on the necessaries of life, upon articles which the very poorest of our people must have, such as woolen goods, tin, and window glass. The existing duty on woolen goods averages 67.15 per cent.; that is, a tax of over 67 cents must be paid on an average for every $1 worth of woolen goods imported. This bill increases that duty from $67.15 on the $100 worth of woolen goods to $91.72, an increase of $24.57 on every $100 worth imported.

Not only is this increase made, but the tariff is levied highest upon the cheaper goods so that taxation falls heaviest upon those least able to bear it. The lowest grades of woolen yarns are taxed $1.12 on every $1 worth of goods imported, whilst the most costly yarns are taxed only 72 cents. The coarsest and cheapest wool hats imported are subjected to a tax of $1.11 on every $1 worth, whilst the finest hats are only subjected to a tax of 73 cents. The lowest grades of woolen cloth are taxed $1.25, whilst the highest grades are only taxed 86 cents on the $1 worth imported. Woolen shawls and worsted goods of the lowest grades and worn by the poorest people are taxed $1.30 to $1.35, whilst the highest grade is only taxed 90 cents on the $1 imported.

The existing tariff on tin-plate, out of which our tinware is made and which is used in every home, is 1 cent upon the pound; under this bill it is increased to about 2½ cents per pound, and that, too, when there is not a single tin-plate factory in this country to be protected and when there is no certainty that tin ore can be found in this country in any quantity. This tax on tin is not levied for the benefit of the American laboring man, as is pretended by the friends of this bill. There are no laborers engaged in it. If we manufactured all the tin we use in this country it would, according to the report of the committee who prepared this bill, only give employment to twenty-four thousand men. Yet to do this all the remainder of the more than sixty millions of people of this country will be compelled to pay a largely increased price for their tinware. Is such legislation wise? Is such legislation just?

Not only have the duties been increased upon many articles used by the great body of the people, but a new departure is made in this bill. Heretofore the consumer of the article upon which the duty was levied paid the tax and received the benefit of the article, but this bill proposes to compel consumers to pay a much heavier tax upon the articles they consume in order that money can be raised, not merely to pay the expenses of the Government, but to pay bounties or make gifts to people who produce articles which many of the consumers who pay the tariff or tax do not use. The tariff on raw sugar is taken off by this bill, and a bounty of 2 cents a pound is to be paid to sugar-growers for the sugar produced in this country for a period of fifteen years. All duty is to be taken off of raw silk and the sum of $1 a pound is to be paid for all the silk grown in this country for a period of ten years.

What is the object of these bounties? To induce people to engage in industries that do not pay, with an undertaking on the part of the Government to pay them a sum sufficient to cover all losses and furnish a profit. Where does the Government get the money with which to do this? It taxes the people who are engaged in other industries to raise money for the bounties, just as it does to raise money to pay the ordinary expenses of the Government. The farmer, the mechanic, the day-laborer, all purchasers, whether engaged in protected or unprotected industries, are forced to pay a part of their earnings to the Government that it may make a present of it to the sugar and the silk grower.

All of the citizens of this country who purchase any of the thousand articles upon which there is a tariff must pay a greater price for them in order that the Government may bestow these bounties. I said that the bounty system proposed was a new departure. It is in name, but really not so in fact. It is only doing directly what the Government has been doing indirectly for many years. All tariff duties which increase prices are to the extent of that increase bounties to the protected industry, and they are paid by the people engaged in other industries. This bill boldly proposes to do directly what has heretofore been done indirectly.

The people can now understand better what they pay to the specially favored industries of the country. I have made an approximate calculation of what the sugar and silk bounties will cost the

people of this country during the period they are to continue under the provisions of this bill. Estimating the population of this country now at 62,000,000 and that it will reach 80,000,000 by the time the bounty to sugar-growers is to cease and that each person on an average will consume the same amount of sugar as he now consumes, the following table shows what the sugar bounty alone will cost the people during its existence under this bill.

Year.	Sugar produced, in pounds.	Bounty paid.
1891	380,000,000	$7,600,000.00
1892	449,090,909	8,981,981.80
1893	530,753,470	10,615,069.41
1894	627,254,101	12,545,182.03
1895	741,301,210	14,826,024.20
1896	876,183,248	17,523,664.96
1897	1,030,943,838	20,618,876.76
1898	1,218,388,172	24,367,763.44
1899	1,439,913,294	28,798,265.88
1900	1,701,715,711	34,034,314.22
1901	2,011,118,567	40,222,371.34
1902	2,376,776,488	47,535,529.76
1903	2,808,917,667	56,178,353.34
1904	3,319,629,970	66,392,599.40
1905	3,923,199,055	78,463,981.10
Total		468,681,977.64

From this table it appears that the sugar bounty during the fifteen years it is to be paid aggregates the enormous sum of $468,000,000 and that for the last of the fifteen years the bounty will cost nearly $80,000,000.

The silk bounty will cost, by a like calculation, not less than $50,000,000 during the ten years it is to exist. I have made these calculations upon the assumption that these bounties will accomplish the objects which the majority of the committee reporting this bill think they will, namely, to establish the sugar and silk industries in this country so that our own people will produce both articles in quantities sufficient to supply the requirements of our own country.

If this legislation does not accomplish this it will be a fraud upon the people, for they will have paid out millions of dollars for no purpose. If it does accomplish the objects in view, what will be our condition? Can you stop paying them bounties then? Or will they not have to be continued or a tariff imposed in their stead? Will the people engaged in these industries who have received from the Government more than $500,000,000 in bounties be willing then to say: "We have received enough aid from the Government. Our infant industries have been established and we can hereafter rely upon ourselves?" Or will they not do as all the other protected industries have done and are now doing, demand continued and in many instances increased assistance?

Many industries in this country have been receiving aid from the Government by means of tariff laws for nearly a century. Have they ceased to ask aid? This bill is the best answer. The tariff of the year 1816 was the first levied directly as a protective tariff. Its average rate was about 25 per cent. The average rate of this bill is 51.82 per cent. Under the tariff of 1816 blankets, one of the commonest articles in use among all our people were taxed 15 per cent. Under this bill they are taxed 72.21, nearly five times as much. In the bill the average rate of every schedule has been increased. Its average rate is 51.82 per cent., whilst the average rate on the same articles under existing law is only 41.03, an increase over the present rate of 25 per cent. and more than 100 per cent. increase over the rate of the year 1816.

Manufacturing industries are the chief beneficiaries of the provisions of this bill. Other industries and interests are practically ignored. It disregards those great fundamental doctrines that all taxation should be for public purposes and for public purposes alone; that the Government has no right to tax one class of men for the benefit of another; that in imposing tariff laws justice should be done to all classes and conditions. In the early days of the Republic, before class legislation had become the avowed object of any political party, Mr. Webster said:

> With me it is a fundamental axiom, it is interwoven with all my opinions, that the great interests of the country are united and inseparable; that agriculture, commerce, and manufactures will prosper together or languish together, and that all legislation is dangerous which proposes to benefit one of these without looking at consequences which may fall on the others. All domestic industry is not confined to manufactures. The employments of agriculture, commerce, and navigation are all branches of the same industry; they all furnish employment for American capital and American labor. And when the question is whether new duties shall be laid for the purpose of giving further encouragement to particular manufactures, every reasonable man must ask himself whether it can be done without injustice to other branches of industry.

In framing the tariff laws of this country for the last thirty years that question has not been asked, neither has the axiom laid down by him been acted upon. What is the result? Our commerce has been swept from the seas and our agricultural interests are crushed to the earth by burdens which they no longer can or will bear. There must be a change. The Government must not continue to encourage the growth of trusts and monopolies by its laws. It must treat all the industries with justice and fairness. It must legislate not for a few favored classes, but for the whole people.

The price of manufactured articles must not be raised by destroying competition by prohibitory tariffs whilst at the same time the foreign laborer is imported here free of duty and brought in competition with the American workingman so as to reduce his wages. Higher prices for manufactured articles and lower wages for the workingmen have continued long enough. Enact laws that are equitable and just, and agriculture, manufacture, and commerce, and all the various industries of this country will flourish and prosper together, and all the men engaged in them, whether they furnish the capital or the labor, will receive their fair share of the results of their united efforts. This much the Government owes to its people. And if they be true to themselves they will yet obtain it.

[Here the hammer fell.]

The Tariff.

SPEECH
OF
HON. WILLIAM D. BYNUM,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 13, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. BYNUM said:

Mr. CHAIRMAN: In 1843 the tariff was an engrossing question, and the minds of the people were then as now absorbed in its consideration. Hon. James Whitcomb, of Indiana, during the campaign of that year, wrote a pamphlet upon the subject entitled "Facts for the people."

Governor Whitcomb was pre-eminently a man of the people, having won his way to honor and distinction by his own energies and exertions from the humble life of a farmer's boy to a seat in the United States Senate. He was appointed Commissioner of the General Land Office by President Van Buren, was elected Governor of Indiana in 1843, and re-elected in 1846. In 1849 he was chosen United States Senator, but, owing to feeble health, his great abilities were never disclosed in that body, but after serving about half his term he passed away.

Those who were personally acquainted with Governor Whitcomb and competent to judge united in the opinion that he was the ablest man the State ever developed; and not a few accord to him the distinguished position of being the ablest political logician the country ever produced.

The pamphlet written by Governor Whitcomb nearly fifty years ago as an argument has never been surpassed. This remarkable production was for many years supposed to be lost to future generations, but was fortunately rescued by Hon. Lycurgus Dalton, late an official of this House, and reprinted by direction of ex-Senator McDonald, of Indiana, in 1882.

I esteem it an honor of no small proportions to present to this committee a copy of this work of Governor Whitcomb and to have the same perpetuated in the records of this Congress.

LETTER FROM HON. JOSEPH E. M'DONALD DESIRING ITS REPUBLICATION—REPLY OF HON. JOHN C. SHOEMAKER.

The following correspondence explains itself:

INDIANAPOLIS, *July* 31, 1882.

SIR: In 1843 a pamphlet, entitled "Facts for the people, by an Indianian," was published and extensively circulated in this State. Its author was Gov. James Whitcomb, one of the most distinguished men of his times. It related to a "protective tariff" and its influence upon our industrial interests. The tariff question was at that time engaging the attention of the people and was being discussed by the ablest men of the country, the question being then, as now, between a tariff for revenue and a tariff for protection. Governor Whitcomb took strong grounds against a tariff for protection, and demonstrated in his "Facts for the people" that such a tariff was not authorized by the Constitution and that its burdens rested mainly on those least able to bear them, unjustly discriminating in favor of the rich and against the poor; that a tariff for revenue was a tax, and when most equitably imposed for the support of the Government was to be classed as one of the necessary evils incident to governments, but that a tariff for protection was an unqualified evil to all except the favored classes, for whose benefit it was imposed.

The pamphlet is written in a style easily understood by the whole people, illustrated by familiar examples of easy application, and supported, by the most convincing logic. Its influence at the time was felt throughout the State, and it did more to establish in the minds of the people of Indiana sound principles on this most important subject than any other publication of that day. The particular tariff act discussed in it was the tariff of 1842, a tariff which even in that day was regarded as highly protective, and yet it was more than 20 per cent. below the present tariff on manufactured articles. Since that time improvements in machinery and many other causes have changed the relative prices of manufactured articles as compared with the prices of that day, but the principles applicable to revenue and protective tariffs remain unchanged, so that that great production of one of Indiana's ablest men in its discussion of the principles of taxation and class legislation is as applicable to the present time as it was 1843. It has long since gone out of print and remains only in the memory of the old men of the State and those who have passed the middle time of life. Lately, through the efforts of Mr. Dalton, late State librarian, now superintendent of the Senate folding-room, a copy of this important docu-

ment has come into my hands, which I request you to publish in precisely the same form and manner of the original without any change whatever.

J. E. McDONALD.

Hon. JOHN C. SHOEMAKER,
Publisher of the Sentinel.

To the foregoing Mr. Shoemaker replied as follows:

INDIANAPOLIS, *July* 31, 1882.

DEAR SIR: Referring to your favor of the 31st, I reply that I fully appreciate the value of Governor Whitcomb's pamphlet and the interest it necessarily possesses at this time to all classes in view of the discussion that must soon come upon the tariff question. It will, therefore, afford me great pleasure in reproducing it at the earliest possible day as it originally appeared.

Very respectfully,

JOHN C. SHOEMAKER.

Hon. JOSEPH E. McDONALD.

FACTS FOR THE PEOPLE IN RELATION TO A PROTECTIVE TARIFF; EMBRACING A BRIEF REVIEW OF THE OPERATIONS OF OUR TARIFF LAWS SINCE THE ORGANIZATION OF THE GOVERNMENT, INCLUDING THAT OF 1842. BY JAMES WHITCOMB.

FACTS, ETC.

WHAT IS A TARIFF?

This question is often asked, but not often satisfactorily answered. It is of the greatest importance to every tax-payer that it should be correctly understood. What little information we have on the subject among the farmers, mechanics, and laborers is either derived from interested sources, and is therefore one-sided, or it is so covered up with hard words as not to be understood by the mass of the people. When plainly expressed, the humblest individual of sound mind in the community can understand it. To all such we say, "You are precisely the class of men who, above all all others, should understand it." We believe that the mass of the people are virtuous and intelligent and that they are capable of self-government. We believe that God in His kind providence has given them minds equal to the management of their own affairs. It is only necessary that they should know about the facts to enable them to form a correct judgment on every question, public or private, in which they are interested.

The doctrine that a freeman must surrender the right of thinking for him to some knowing neighbor is essentially slavish and unworthy a rational being. Let not the poorest lay away the noble faculty of his reason, like a talent in a napkin. It was bestowed on him by the author of his being for active use. It is of little consequence that the hands are used in procuring a livelihood or in acquiring property if the mind is neglected. In that case too frequently it is others only who are benefited. All wealth comes through the hands of the laborer. "The cloud-capped towers and gorgeous palaces," the splendid cities, and the smiling fields of cultivation are of his creation.

And why, then, do they generally retain so little of that which passes through their hands? It is because the ingenuity of a few, who work their minds and neglect their hands, to make a living from those who work their hands and neglect their minds, has been exercised in all ages. When a fair return is made for all this no objection is made. It is necessary, or at least desirable, that some should engage in business or callings that require the particular exercise of the mind. It is a division of labor and is for the advantage of the whole community.

But we do object to those who, by unjust or partial laws or by their mere wits, suck up their living from the roots that strike into the earth, without contributing anything themselves to the common wants of society. They are a dead weight on the community, for the more idlers there are the harder must the rest work. Let it not be said that we make war on the rich. We only defend the poor. Industry, enterprise, and skill are in the highest degree meritorious, and wealth acquired by their means is a merited reward and should be protected. We only desire that all should start fair in the race for wealth and happiness. Poverty at the best is a heavy weight to carry, and it should not be made heavier by unjust laws. Our country is our common mother, and if she is excusable in showing more of her sympathy and kindness toward some of her children, it should be for the weak and unfortunate. Let it not be said that we are playing the demagogue. We abhor the character. The demagogue flatters the people for his own sinister advantage in the shape of power or wealth, and it is precisely that character that we are about to combat. But are not the sentiments and opinions we have put forth true? Can any man of correct feeling, can any friend of justice, can any lover of mankind, who looks into his heart, object to them? We think not.

Again we ask,

WHAT IS A TARIFF?

It is a law of Congress which requires goods landed in our ports or brought into our country to pay a tax, and this tax is called a duty. The great object of such a law is to raise money for the national Treasury, to pay the expenses of the Government. The goods, when landed, pass through custom-houses at the ports, where they are examined, weighed, measured, or counted by the Government officers, who receive the amount of the tax.

But this tax, although at first paid by the importer of the goods at the custom-house, is at last paid by the people, because the higher the tariff or tax is on a particular kind of goods, the higher must the wholesale importer sell it afterwards to make a profit in his business. For instance, if the importer brings in cloth for which he gave $1 a yard, and he wants to make 10 per cent. profit on it, he must sell it for $1.10. If the tariff duty, or tax, on it is 100 per cent., that is another dollar on the yard, and as he wants to make 10 per cent. on all his outlay, he must sell it for $2.20. This he sells to the Indiana merchant, and the latter also wants to make his profit of 50 per cent., being one-third more. He will therefore have to sell it to one of our farmers or mechanics for $3.30 a yard. Here we see that the importer in the first place paid only $1 a yard tax into the Treasury, but the dollar at last comes out of the farmer or mechanic who buys the cloth for use, with the profit on it, making 60 cents more. Thus we see that the importing merchant when he sells his goods not only charges the first cost and a profit on it, but he adds the amount of the tax at the custom-house and a profit on that also. And an additional profit is charged on both cost and tax by every merchant through whose hands they afterwards pass, until they are at last bought for actual use of the retail merchant, who charges his profit at, say, from 33 to 100 per cent. on the whole.

In this manner it is clear that the tax caused by the tariff is always paid by the consumer; and that, too, with the addition of the profits on the amount of the tax at every step.* The further the consumer lives from the seaboard, the greater are the profits which he is compelled to pay on the tax, besides refunding it. The tax, therefore, is swelled much larger to the people of the new States than to those of the old.

Hence it is clear that a tariff makes the goods just so much dearer to the people as the tax amounts to with all the profits added to it.

That this is the nature and result of a tariff, all parties admit; and they are only mentioned here that what we may say hereafter may be fully understood by every person. It is our intention to guard the people against the deceptions too frequently practiced on this subject and to enable them to be their own judges in a matter which so nearly concerns them.

To apply this to our own State revenue. If the law of Indiana were to require that all the taxes should be paid by the merchants of the State for the privilege of selling their goods, it is plain that in selling their goods, they would charge a profit not only on their first cost and carriage, but on the taxes also. And if they charged but 50 per cent. profit, the purchaser or consumer would thus have to refund to the merchant not only the taxes by him paid, but 50 per cent. or one-third more than the buyer would have had to pay if called on by the collector. And this is precisely the operation of a tariff tax, excepting that in the latter case the goods generally pass through more hands before they are finally bought for use by the real tax-payer, and there is a fresh profit charged at every step.

Every tax is an evil. But so far as a tax is necessary to defray the expenses of Government it is a necessary evil. When such expenses become extravagant, the additional tax thereby created is an unnecessary and unmitigated evil. It is the duty of Government, therefore, to cut down and retrench its expenditures as much as possible, so as to lessen the burden of the taxes.

There has always been a tariff law in the United States, of some kind or other, since the first Congress under the Constitution. No serious proposition has ever been made in Congress or by the Government to abolish it. The only contest has been between those who are for a high or (as it is sometimes called) a protective tariff and those who are for a low or revenue tariff.

On this point the testimony of Daniel Webster himself, who is in favor of a high tariff should be sufficient.

In his speech on the tariff, in Congress, April, 1824, he says: "Consider that our whole revenue, with a trifling exception, is collected at the custom-house, and always has been, and then say what propriety there is in calling on the Government for protection [to manufacturers], as if no protection had heretofore been afforded."*

Then, as both political parties have always been in favor of a tariff of some kind and have always had one, the question is, in what do they differ on this point? It is simply in this: Those who style themselves the Democratic party are in favor of a revenue tariff and those who style themselves the Whig party are in favor of high or, as they call it, a protective tariff.

A revenue tariff is such a tax on imported goods as is sufficient to pay the expenses of the Government, and no more.

A high or protective tariff is a higher tax on such goods, and, of course, beyond what is necessary for the support of Government.

The friends of a high tariff insist that such a measure is necessary to protect our own manufactures; that many foreign articles are made so cheap abroad that they would, unless they were heavily taxed, undersell similar articles made by the manufacturers in the United States.

They contend that the people ought to be made to pay a higher price for their cotton shirting and sheeting, their flannels and baizes, their cassinettes and other coarse woolen cloths, their articles made of iron and steel, their salt, and many other articles of necessary and daily use in every log cabin in the country, so as to enable the large cotton and woolen cloth and other manufacturers in some of the old States, and the salt companies, to sell their articles at a higher price. And this they insist is necessary to enable these manufacturers and companies to carry on their business.

They know, however, that the people, and especially the poorer part of them, would like to sell the fruits of their labor for a full or at least a fair value, and to buy their necessaries as cheap as possible; and therefore, to reconcile them to this tax, they say that it is to last only until the manufacturers and companies are able to stand alone and make these articles as cheap as the foreign ones, and therefore that the people, in the long run, will be benefited by it.

But the smallest amount of a tariff tax is some protection to similar articles made in our country.

This is too plain to be denied, and we have always had some kind of a tariff. The question then is, had any of the domestic manufacturers which were protected by the tariff bill passed at the last session of Congress been sufficiently protected before?

DID ALL SUCH MANUFACTURES NEED MORE PROTECTION?

The Democrats do not say but what some of them needed protection; but did all of them? We mean all of them which were protected by the late tariff bill.

The Whigs say ay, the Democrats say no. Let facts speak. There is a great deal of frothy declamation on this subject on the stump and in party papers. Sober argument is much better. But facts are better than either. We shall confine ourselves to facts and on such authority as will not be disputed.

Henry Clay, who is claimed as being the father of the high tariff or protective system, in his speech in Congress, on the 25th of March, 1816, on the tariff bill, said the object of protecting manufacturers was that we might eventually get articles of necessity made as cheap at home as they could be imported, and thereby produce an independence of foreign countries. In three years, he said, we could judge of the ability of our establisments to furnish those articles as cheap as they were obtained from abroad, and could begin to legislate with the lights of experience. He believed that three years would be sufficient to place our manufactories on this desirable footing.†

Well, that tariff bill passed, and what did the three years produce? Let the the fifth annual message of President Monroe to Congress, of December 3, 1821, five years afterwards, answer. He there says: "It may fairly be presumed that under the protection given to domestic manufactures by the existing laws we shall become, at no distant period, a manufacturing country on an extensive scale."

President Monroe has been sometimes claimed as being in favor of a protective tariff, but so far was he from recommending an increase of the tariff tax that he declared the laws as they then stood were sufficient for the purpose of protection.

We shall show shortly that protection means that one part of the people are to pay to another part a higher price for their articles than they could be got for elsewhere, to enable them to carry on their business. But when this is done there is no justice in compelling them to pay more. This, all must admit.

Only three years afterwards, however, the manufacturers had another bill brought before Congress, largely increasing the tariff. They were not satisfied with the great prosperity they enjoyed at the time of Mr. Monroe's message and which was still increasing. The bill laid higher taxes on imported articles, although similar articles were then made by them so cheap that they could be afforded as low, at least, as the imported ones.

That this was so, we have the word of Daniel Webster himself, in his speech in Congress on that very bill. He then represented a manufacturing State, and his testimony on that point, therefore, must have been true. He said: "I consider the cotton manufacturers not only to have reached, but to have passed the point of competition. I regard their success as certain, and their growth as rapid as the most impatient could well expect. If, however, a provision of the nature of that recommended here were thought necessary to commence new operations in the same line of manufacture, I should cheerfully agree to it if it were not at the cost of sacrificing other great interests of the country.

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*All the money paid by the consumer which is caused by the tariff does not go into the Treasury. A part of it is the merchant's profits.

* Webster's Speeches, volume 1, page 291.
† See National Intelligencer of March 25, 1816.

"I need hardly say that whatever promotes the cotton and woolen manufactures promotes the most important interests of my constituents. They have a great stake in the success of those establishments and, as far as those manufacturers are concerned, would be as much benefited by the provisions of this bill as any part of the community."*

Mr. Webster, it must be presumed, understood, at that time, the interests of his own constituents. Some of them were manufacturers and some were farmers. He was willing to "protect" the former, only he saw it would injure the latter. He knew that imported articles would be just as much dearer to the buyer as the tax on them amounted to. He knew, too, that similar articles, made in his State, would not be sold below the same increased price. He saw that this extra price on the domestic article would have to be paid by the farmer who wanted it, and that it would go into the pocket of the manufacturer. Hence it was that he was not disposed to help, by a tariff, the manufacturers of his State, because it would be at the cost of sacrificing other great interests of the country, the interests of the farmer, small mechanic, and those engaged in trade and navigation. The wealthy manufacturers, however, had sufficient influence to get the bill passed. And the consequence was that it discouraged trade, injured the farmer, and greatly injured the shipping interest. But it increased the wealth and power of the manufacturers, so true is it in such operations that "what is the loss of one is the gain of another." Wealth and power give influence and command votes; and we find Mr. Webster, in after years, supporting the high-tariff principle. The manufacturing had become the controlling interest of his State.

Let us pause for a moment and ask ourselves what would have been Mr. Webster's course on the tariff bill passed at the session of Congress, in 1842, if he had been there as a member from Indiana. He would scarcely have found a single article raised or made in our State which is protected by that bill. If, in 1824, when he was a Representative from Massachusetts, he had voted against a tariff bill for the benefit of manufacturers, when a large and powerful class of them were in his own State, would he not, if he had been a Representative from Indiana in Congress, at its last session, have voted against a bill laying a still higher tax on imports, when scarcely a manufacturer to be benefited by it can be found in the whole State? Would he not have said, "I voted against the tariff bill of 1824, although it benefited a part of my own constituents, because it injured others, and I can not now support this bill, because, as to the people of Indiana, it injures all and benefits none. It taxes every man in Indiana, not to benefit others in that States, but to fill the pockets of the wealthy in other States."

Let us not be misunderstood. We do not say that no tariff bill should have been passed at the last session. We only say that the bill which did pass was, in many respects, highly objectionable. The taxes imposed were entirely too high on many articles. Some kind of a tariff was desired to supply a revenue. And, indeed, a few of the Democratic members felt themselves compelled to vote for the bill; but they protested against it at the same time as unequal, wicked, and oppressive and avowed their intention to amend it when they had the power. The Whigs had a large majority; the vote was taken just at the close of the session, and the few Democrats who voted for it did so because the tyrannical majority would suffer no Democratic amendments to be made to the bill, and if it had not passed in the shape it did the Whig majority would have adjourned and left the country without a revenue! Their motto seems to have been an unrighteous tax or stop the wheels of Government! The first was thought the least of two evils. It may be asked if the Whigs had the majority, why not let them pass it? Why the necessity of any Democratic member to vote for it? But the fact was the Whigs would unite to prevent any Democratic amendment to the bill, some of them all the time intending not to vote for it on its final passage for fear of their constituents. They were willing to help their friends in everything about the bill except the final vote.

We cannot but view this course as the effect of party feeling and party prejudice. They looked with distrust upon every proposition coming from a Democratic member. No good could "come out of Nazareth." They were but too apt to lose sight of the interests of our common country to indulge in mere party warfare. They were flushed with victory, revengeful and vindictive. We wish not to be uncharitable. We are far from charging all the Whig party as being governed by such motives. We believe there are many among them, especially those who desire to make an honest living by their farms, or by labor, who, on being satisfied of these facts, will withhold their support from such leaders. They desire not to be led to their ruin merely to gratify the ambition of a few men.

Our limits will only permit us to point out a few of

THE EVILS IN THE TARIFF BILL OF 1842.

We have seen that, as long ago as 1824, nearly twenty years, Mr. Webster said that the cotton manufactures in Massachusetts, etc., had even then "passed the point of competition;" that is, they needed no "protection." In fact, the articles of that class which are used by the mass of the people, especially in the Western States, such as shirtings, sheetings, and the average prints and calicoes, are made cheaper in this country than in Europe. The friends of a high tariff insist that the English manufacturer has an advantage over ours in the cheap labor there. But labor is but one item of the expense in carrying on a manufactory of that kind, and it is but a very small item. The principal items of expense are land, buildings, water-power, cotton and other materials to work, and provisions. And all these are far cheaper here than in England.

They are so much cheaper here that the owner can afford to give his workmen much higher wages and yet make much larger profits. In proof of this we are hearing daily of manufactories stopping in England because they are found unprofitable, although the wages paid to the hands employed are so extremely low that many are on the point of starvation, many are striking for higher wages, and quitting work. Frequent instances of this we saw take place during the last year before our tariff bill passed. Our tariff, therefore, did not cause this distress. At the same time—that is, about three months before our tariff passed—we find the following statement in a New York paper:

"*Factories.*—We learn from the Troy Whig that Mr. Benjamin Marshall, of New York, is about erecting four factories on the Poestenkill in addition to the two already in progress there. The amount of money to be expended is about $500,000." Several new factories were to be built in Pennsylvania, and the large factories in Lowell had been enlarged. This, let it be remembered, was when the tariff was low, as compared with the bill that has since passed. Have we not proved, then, that our factories can give better wages and yet make larger profits than the English factories? And now, where was the necessity of "protecting" our prosperous and wealthy factories against the half starved and broken English ones?

This is not all. Before our late tariff was passed, it was published in a paper (the Portland Argus) as follows: "Messrs. A. & A. Lawrence & Co., of Boston, who sell the Lowell cotton goods, have on hand 28,000 bales, or about 25,000,000 yards. James W. Page & Co. and James H. Mills & Co., from various other establishments in New England, have about an equal amount, making 50,000,000 yards of goods piled up in the stores of merchants waiting for market."

Here we see that only three houses in Boston had on hand more than 3 yards of cotton goods of American make for every man, woman, and child, white and black, in the United States. This was only in a single city. But there are other large and numerous factories in New York, New Jersey, Pennsylvania, and other States, and they had also, no doubt, large quantities of such goods on hand. Now the object of a protective tariff, its friends say, is to enable our manufacturers to make goods. But these 50,000,000 yards were already made. They needed no protection. They were ready for sale. And yet we shall shortly see that just such cotton goods are protected by the last tariff bill enormously. We ask every reasonable, thinking man, can this be right?

But we are not yet done with our proofs. It is said that the object of a protective tariff is to have goods made in our own country as cheap as they are made abroad. This we have already seen was stated by Mr. Clay to be the object in 1816. That foreign goods were then made so cheap abroad that unless they were taxed when they were brought into the country they would undersell and drive our goods out of the market, and stop our factories.

But our factories have, for a long time, turned out our cotton goods so cheap that they not only furnished all our home wear of that description, but large quantities of them are actually exported! Yes! They are sent by the American manufacturer to South America, for instance, and landed there at the foreign custom-house alongside of the English vessel, loaded with English goods of the same description, both paying the same tax, and the American article not only fully competes with the English article, but actually outsells it! Did such articles need more protection?

We ask the honest, laboring farmer and mechanic of all parties, was it necessary to tax them still higher to benefit such manufacturers?

If we can export such goods and still compete with the "pauper labor" of England, as it has been called, in foreign ports, it must follow that such English goods can not be brought into our country for sale when compelled to pay a high tax at our custom-houses.

And this is the fact. If you go into one of our "stores" in Indiana you never see a bale of cotton shirting or sheeting with the mark of an English factory on it. You will find none of English make. They all have the mark of an American mill. And this was the case when the duties were low, several years ago. Again we ask, did such goods need more protection? Why, the manufacturers themselves, before the election of 1840, proclaimed in Congress, through their members, that they should ask for no more protection!

But this was for the purpose of getting the Southern and Western Whigs to go with them in that election. For, after getting fully into power, they ask and receive "protection" in the shape of an enormously high tax on the consumers. Is this a fair proceeding?

It is evident that their object was not "protection," but taxation. For there were 50,000,000 yards in a single city waiting for market! That is they were waiting for the passage of a tariff to enable the few wealthy owners to sell them higher than the old prices. If, under the old duties, they had raised the price much above the real value, they were afraid the English article might have been brought into the country and kept them in check. They thought it best for their interests, therefore, to keep out all foreign articles of that description by inclosing the country with the wall of a high tax, and have the whole market to themselves. As these immense factories are almost entirely in the hands of a few wealthy companies, they can easily agree among themselves what prices to impose upon the people. It requires companies of men of great wealth to carry them on.

Let us make all this plain by

A FAMILIAR EXAMPLE.

Suppose one of our incorporated towns in Indiana should pass a law or ordinance that all articles brought within the town limits to market from the country should pay a tax. Among others, suppose the tax of 50 cents on every bushel of potatoes. Suppose a bushel of potatoes could be raised for 50 cents. The farmer, taking them to market, to "make himself whole," would be obliged, then, to charge $1 a bushel; that is, 50 cents for the trouble of "raising and hauling" them to town and 50 cents for the tax which he would be obliged to pay for the privilege of selling them.

Now, one raising potatoes in town, in his garden or on his out-lot, with the same trouble or expense of 50 cents a bushel, could get his $1 a bushel in market also, although he would have to pay no tax; because he would ask and could get the highest price in market. For the tax on the farmer's potatoes would keep them up to a dollar, and the town people must pay that or do without. And it is manifest that the tax, although paid by the farmers in the first instance, would, after all, be paid by the people in town, who were the buyers, the farmers being obliged to charge just so much more. So high a tax, to be sure, would cause fewer potatoes to be eaten in town, and of course fewer would be sold by the farmer. The farmer also could not buy as many articles in town as he would have done had he sold more potatoes. He could not be as good a customer to the mechanics in town, nor get as much sugar, tea, coffee, salt, iron, etc., as he would have done if he had sold or exchanged more of his potatoes. He can not, for instance, get leather from the tan-yard in town because the people in town can not afford to give the money for his produce. He is not well prepared for tanning leather on his farm, and besides has too many other matters to attend to; but leather he must have, and the time that he takes to tan an inferior article would have enabled him to raise potatoes enough to buy twice as much from the tanner if the tax was not in the way.

So far, such tax would diminish trade and be injurious to both parties.

Now, the operation of such a law between town and country is precisely that of a tariff between this and a foreign country.

The most difficult national question can be understood by any man who is able to attend to his own business without the aid of a guardian, if exhibited to him by a familiar example and if he will think for himself. There are too many who are interested in veiling such questions beneath the mist of deceptive words and pompous declamation.

But to return. Another and more important effect would be produced by this town tariff. The advanced price on potatoes occasioned by the tax would not all be paid into the town treasury. That part paid on the potatoes sold by the farmer would go into the treasury, but the extra 50 cents a bushel paid for those raised in town would go into the gardener's pocket. The gardener would be benefited by that part of the operation, and not the town government, for carrying on which the tax was imposed.

Again. If the tax on potatoes should be so high that the farmers would take theirs to other towns where the taxes were not so high, then none would be brought from the country to the first town and no tax would be derived from that source. That would be a prohibitory tariff; and the first town would be compelled to resort to direct taxation to pay the town expenses. The farmers, too, being compelled to trade with other towns, the mechanics, merchants, etc., in the first town would lose the benefit of their custom.

But the potatoes that might yet be raised in our own town would still bring a dollar a bushel, although it would cost the gardener but 50 cents a bushel to raise them. The remaining 50 cents would then be a tax on the rest of the community for the exclusive benefit of the gardener, not a cent of it going into the treasury for the common benefit of the citizens.

All this would be bad enough; but the argument of the town council would be that they wanted to protect the gardeners until they could raise and sell potatoes as cheap as the farmers, and make the town independent of the country. Well, suppose the ten or a dozen gardeners should have bought up nearly all the out-lots for that purpose and, having no other cultivation to attend to, should, by the aid of machinery, wealth, etc., actually raise potatoes so cheap that after the people of the town had bought all the potatoes they wanted of them, at a high price, there would still be an overplus, which the gardeners could afford to be at the expense of sending to the other towns and undersell the farmers. Would the gardeners need a tax on their neighbors for their own protection any longer?

* Webster's Speeches, volume 1, page 295.

But perhaps it might still be urged that, if the profits of the gardeners were so high, it would encourage others to turn gardeners also, and so cheapen the article. But (to make the comparison just as to our large manufactories) suppose it required great wealth to procure machinery, etc., to engage in the business, that it could generally be done only by rich companies. They could then undersell any new beginner, and break him up, and then indemnify themselves by again raising their prices. Besides, it is seen that they already raised more potatoes than were used in town. And would the gardeners ask for an increased tax if they believed it would cheapen the article and diminish their profits?

Another argument is that by encouraging others in town to turn gardeners there would be fewer mechanics, etc., left to attend to their old business and more gardeners to buy their work. But there are but few gardeners needed, as their work is carried on by machinery, etc., and it is not machinery, but human beings that need shoes, leather, salt, sugar, coffee, etc. The gardeners can use only a small part of these articles which are for sale in town, and by their high tax they have driven off the farmers, who would have used them in exchange for their productions. Is it strange that under such circumstances the gardeners should become rich and the rest of the town complain of "hard times?"

Not satisfied with all this, however, suppose the gardeners made wealthy by this very tax should beg the town council to lay a still higher tax on potatoes. Would there be any reason or justice in it? It might be natural enough for the gardeners to ask, but would you suppose that a town council fairly elected by all the citizens would pass such a law? Would you suppose that, to gratify one-tenth part of the people in the town, they would be willing to increase the already heavy burdens of taxation on the other nine-tenths?

Now, let us suppose that each one of the twenty-six divisions or wards of the town was entitled to elect a member of the town council and that these gardeners lived in the four or five outer divisions, and where, by their wealth, which they had got by this very tax, they should be able to control the elections and elect members friendly to their wishes and interests. It would not be very strange if these members should vote for any amount of tax; but would it not be passing strange if the members elected in the other wards or divisions should vote for it? If, however, they should be so ignorant, or so far seduced by plausible speeches and flattery, as to desert the interests of their confiding neighbors and vote to tax them still more, ought they ever to be elected again?

Now, this is a plain and familiar example of the operation of the last tariff upon the whole United States as to most articles of necessity. The reader will be able to make the application.

After the tariff upon imported cotton cloth of the kind generally used by the mass of the people had been kept up until it could be made in the country so cheap that no more was imported, the Whigs have not only continued, but actually increased the tax. And, from what has been said, it is clear that the effect of it is to enrich the wealthy manufacturer without putting a dollar of it into the Treasury of the nation.

We have now the tariff bill before us as it passed at the last session, but our limits will only permit us to examine a few of the necessaries of life, for the farmer, mechanic, and laborer, as to

THE AMOUNT OF THE TARIFF TAX.

The last tariff law provides that all imported manufactures of cotton cloths shall pay a tax of 30 per cent. on the value. So that if a farmer or laborer buys at the "store" $1 worth for shirts he pays 30 cents more to benefit the manufacturer. This is not a small tax for persons in their condition of life. But when looked into it is far worse. For mark the deception. It is provided in another part of the same bill that all cotton cloth which is not worth more than 20 cents a square yard shall be valued up to 20 cents. Now, there is a great deal of that article that costs only from 6 to 8 cents to make it at the factory. And this is what is generally used, especially by the laboring part of the people. And yet, by this unjust law, this is valued as high as the superior article; that is, at 20 cents a yard! That is, all cotton cloth, however coarse, inferior, or low-priced, is to be valued at 20 cents a yard, in fixing the amount of the tax. Now let us take a yard of this cloth, which costs but 6 cents to make it. That is valued at 20 cents. Then a tax of 30 per cent. is put on that value. And 30 per cent. on 20 cents, is just 6 cents for the tax.

So the tax (6 cents) is equal to the cost of making (6 cents), which is really a tax of 100 per cent. on the real value, instead of 30 per cent.! So, too, calicoes or prints are taxed at the same rate; but, however inferior or low priced, they are all valued at 30 cents the square yard. It costs only about 9 cents, on an average, to make calicoes such as are generally worn by the people in the West. Take a yard of calico that costs 9 cents a yard to make it. It is valued at 30 cents. Then 30 per cent. tax on that is 9 cents, making the tax just equal to the original cost.

Some articles of this sort are, in this deceptive way, taxed as high as 140 per cent. There are many other articles of necessity for the farmers, mechanics, and laborers that are taxed in the same partial and unfair manner, which we are sorry we have not time to notice. It applies to almost all such articles. But the finer and better article, that really costs 30 cents a yard to make it and which is used by the rich and fashionable, pays only the same duty. The poor man pays then just a double price for his article on account of the tax, while the rich man pays only the real value, and not quite a third more, for the tax!

For instance: The poor man buys at the "store" $6 worth of the common article, $3 of which is for the tax, while the rich man, who buys $6 worth of the superior article, pays less than a dollar and a half of it as a tax!

Does not such a tariff make the rich richer and the poor poorer?

Let us make this plain by a reference to our State revenue law. Suppose it required a man to pay as a tax 1 per cent., which is $1 on every hundred dollars' worth of property. Suppose that, like our boasted tariff law, it provided that all horses not worth more than $100 should be valued by the assessor up to $100, the poor old man who, to raise bread for his children, would plow with an old blind horse worth only $15 would have to pay as much tax for it as the rich young spark would pay for his horse worth $100.

We ask our farmers and laboring men, without distinction of party, seriously if they can approve of such a law. We ask them if they have not been deceived, if their confidence has not been abused.

We have heard this, ay, this very law, imprudently praised on the stump and in the press as the poor man's best friend. And if a modest complaint is only hinted we are told that we are making war against the rich. If the friends of the poor who are ground under the iron heel of taxation mildly protest against such treatment they are told not to make war against the rich. The rich are to be protected; but if war is made against the poor they are not to be allowed the privilege of defending themselves.

This unjust distinction against the poor is made still greater in other articles. The coarser kind of woolen goods, so much used by the farmer and laborer, and especially flannels and baizes, so necessary for infancy, for old age, and sickness, is taxed still higher by this bill. Flannels that are made for 8 cents a yard pay the enormous tax of 14 cents a yard, being 175 per cent. And the profits charged afterwards on the tax, as well as the cost, make it a heavy burden on the laboring man. But the highest priced broadcloths and the finest flannels pay a far less tax on the value. And yet such articles are in most danger of foreign competition.

It would be some consolation to the farmer if the tax he had to pay should go into the Treasury for the common benefit. But where, as we have shown, the taxes are so high that the foreign article is excluded, the domestic article only can be bought, and the tax or tariff on it of course goes into the pocket of the manufacturer.

So as to salt—salt, that prime necessary of life, which the wealthy inhabitant of the city only uses on his table, but which the Western farmer uses so extensively to save his pork, and beef, and bacon, and to salt his stock, etc. This article, even in tax-oppressed England, is admitted tax free. It is there regarded, like the air we breathe, as an absolute necessary. But in this land of liberty, where we have so many stump professions for the poor, the poor man's salt is sorely taxed. Ay, taxed by this boasted tariff, this "poor man's best friend."

Our Western farmers will be surprised to learn that salt is made in some of the West India Islands at 7 and 8 cents a bushel; that it is made on the seacoast of Spain for 4½ cents, and in Sicily even as low as 2½ cents a bushel of 80 pounds weight. It is made in immense quantities in those and other southern countries by evaporating or drying away sea-water in the sun. It is stronger, dryer, and far superior for curing meat compared with that made at our salt works. Pork and beef cured with it does not need repacking.

Under our present system our produce dealers are compelled to pay an extravagant price for a damp, inferior article of only 50 or 56 pounds to the bushel, and to have their beef and pork repacked at New Orleans at an expense of a dollar a barrel. This is a heavy drawback on their profits, and of course a heavy burden on the prime staples of our State. The produce dealer must buy with an eye to his profits, and is consequently not able to give the farmer as much for his hogs and cattle. Like most laws to raise revenue, the burden is at last borne by the industry of the country.

The census taken in 1840 shows that the salt companies, etc., of the United States manufactured a little over 6,000,000 bushels in the year. The public documents show that we imported in the same year a little above 8,000,000 bushels. The tariff tax on this imported salt was largely above 100 per cent. This enabled the salt companies to sell as high as the tariff would suffer them to go.

The consequence is that we pay an amount of tax on the imported and home-manufactured article both that would buy a far greater quantity of the best salt from abroad than is made in the whole United States.

Ought this tax to be continued for the benefit of salt monopolies, and the people of the West be forced to buy a wet, indifferent article, at a higher price and less weight, and frequently at a still further loss in weight, if bought by the barrel, occasioned by drainage?

If we were to notice all the articles of necessity that are enormously taxed by this bill, it would far exceed our limits. We shall dismiss this part of the subject, therefore, by calling attention to a very few more, of which every man is a competent judge. As very few persons are acquainted with the low price of some articles abroad, we annex a list and their prices, even as long ago as 1832.

The cost of making—	Cents.
One set of 6-inch bed screws is	6
A carpenter's square, weighing 1½ pounds	6½
One chest lock	2½
Carpenter's hammer, weighing 1½ pounds	5½
One six-barred curry-comb, weight ½ pound	1½
Pair trace chains, weight 8 pounds	36
Shovel and tongs, 4½ pounds a pair	21

These prices may seem incredible, but the wonder will cease when we consider that the manufacture of these articles is brought to great perfection by machinery, etc. We refer for our authority to Document No. 106, of the House of Representatives, second session, Twenty-second Congress.

Making every allowance for merchants' profits, the reader can, from this list, form a faint idea how heavily the people are taxed on such articles, to make them command the prices they do in our Western "stores."

The fault is not in the Western merchant, as we have shown. It is in the tax originally imposed by the high tariff, which goes with the goods and is at last paid by the retail buyer.

It may be said that the laborer may pay as little tax as he pleases by buying less from the merchants. To this we answer that his necessities compel him to buy something: and even if he were to buy nothing he would still pay his portion of the tariff tax. This is well understood and easily proved. If the laborer should stint and deprive himself of the comforts and necessaries of life, sold at the "store," yet those who did buy, would, by paying the increased price, be so much the less able to pay the laborer his fair wages, so true is it, in most instances, that all such impositions, in the long run, weigh on the hands of the laborer. Such a policy is not only unjust, but it is impolitic and unwise. For there is nothing at last that gives solid and permanent wealth to a country but labor. All wealth comes from that humble and too frequently despised source. It is the business of trade, commerce, and navigation, merely to traffic in or exchange the products of labor. If labor should cease these proud interests would be annihilated, they would pass out of existence. A free and prosperous laboring and farming interest in a country is its glory and its pride. It constitutes the very sinews and life-blood of its prosperity. Without its life-giving breath every other interest would sink in death. Every wise Government, therefore, should foster and encourage, cherish and protect the laborer.

Why, then, manacle, cripple and palsy its hands?

The poor man pays, under this tariff, in proportion to his purchase, more for his coat, his shirt, his blanket, his salt, and other necessaries than the rich man does for his wines, his furniture, his silks and apparel.

Will it be said that this is spoken for effect? Let us look into the bill itself. "Facts," it is said, "are stubborn things," and "figures won't lie." The custom-house tax on salt was only 20 per cent. in 1842, and is now raised to above 100 per cent., taking the difference of weight into consideration. Common shirtings, sheetings, and calicoes, from 25 to, in most instances, 100 and even 140 per cent. The silk shoe worn in the ball-room pays no higher duty than the cow-hide shoe worn by the laborer and plowman.

On the other side, wines and foreign fruits pay but 50 per cent. and silks generally but 30 or 40 per cent. Ornamental feathers, artificial flowers, hair bracelets, chains, ringlets, and curls pay only 25 per cent.; gold or silver jewelry, only 20 per cent.; diamonds, only 7½ per cent.; other gems, pearls, and precious stones, only 7 per cent. Is this a poor man's law?

WILL THIS TARIFF CREATE A HOME MARKET FOR OUR PRODUCTS?

Those who contend that it will say that there are too many engaged in tilling the earth, and that we must hire some of them to manufacture by promising to give them more for their articles than we should have to give others. We now complain that we can not sell what we produce, or that we sell it too low, which is a loss, and we are, it seems, to balance it by buying at a higher price what we do not produce, which is also a loss! Suppose we could sell to a starved foreigner a barrel of flour for 200 yards of "domestic," what do we gain by refusing to take his "domestic" and be compelled to sell our barrel of flour to one of our own factories for 100 yards? Will not man's self-interest prompt him to engage in the most profitable business? Is he not generally the best judge of what is the most profitable for himself? If you hire him to betake himself to a different business, do you not pay dear for it? Do you not pay "one price to make him willing" and "another price for his article?" If you have to pay the manufacturer to purchase your produce, what do you gain by it? If, by the tariff, you have to give him a double price for his article, are you not just where you were at first, supposing that he gives even a double price for yours? But we shall prove, shortly, that he will not give the double price for yours. If he does give you the double price, wherein is he benefited? How is he "protected?" If he had to do that he would not be striving in Congress for protection. If he has to pay out as much as he receives he is just where he started. No. When any class of men are "protected" in their business it must

be that they obtain an advantage, a substantial benefit. And if so it comes from others. "Protection" to one class is therefore a tax on the rest of the community. In buying and selling "what is one man's gain must be another's loss."

Rest assured that however successful members of Congress from manufacturing districts may be in "humbugging" our members on this subject, they are too wise to be "humbugged" themselves. We have already shown from the speech of Mr. Webster himself, in 1824, that he regarded the protection of his constituents who were manufacturers as a sacrifice of the other great interests in his community.

We have seen, too, that Mr. Clay, in 1816, viewed a tariff as a tax on the rest of the people for the benefit of the manufacturer, for he did not venture to propose that it should last always. It was to continue only until the "protected" article could be made as cheap here as abroad. And how far that has been and is the case we have shown already.

Let us see if the manufacturers can give us the double price for our produce. Let us see if they can consume it. In the good old times of virtue and simplicity the mother and daughter in a thrifty farmer's family did their own spinning and weaving and were able to clothe their fathers and brothers. By modern improvements most of our clothing is made in the large manufactories. Now suppose that ten men engaged in manufacturing were to clothe as many who might be engaged in raising provisions, and that they should mutually supply each other. But the thrifty farmer and his sons could easily raise a great deal more provisions than the whole family, men and women, could eat. Ten able-bodied men, on our Western farms, therefore, can furnish far more than ten puny manufacturers could consume. But this comparison would be conceding entirely too much. Calculate the number of yards of clothing, the number of hats and pairs of shoes, that the ten farmers would use in the course of a year, and then how long it would take the ten manufacturers to make those articles. Now, the real condition of our manufactories makes the difference still greater. That great difference consists in the wonderful improvements made in machinery. It is ascertained that one man, with a spinning machine, can produce as much yarn as two hundred and sixty-seven men can, with each a one-thread wheel. Now, even if it took one manufacturer all his time to make clothing for one farmer, the same manufacturer, with the assistance of a machine, could make enough, from the above calculation, to clothe two hundred and sixty-seven farmers. But this labor-saving machine has but one mouth to feed (the man who "tends it"), and one farmer, by planting a few more rows of corn, could stuff that mouth into an apoplexy. What will the other two hundred and sixty-six farmers do with their surplus produce?

So much for arguments. Now let us see how far they are borne out by facts. Boston is the great market nearest the principal manufactories. We have examined the prices current of that city for different years, when the tariff was high and when it was low. If the protection of manufactures by a high tariff increases the consumption of our provisions and raises their price, these price currents will show it.

In 1810, before the last war, the tariff was low. The prices in Boston in that year were, for a barrel of flour, $8.25; in 1816, when the tariff was raised, flour was $7.37; in 1824, when it was raised still higher, flour was $6.62; and in 1828, when the highest tariff was imposed, flour was only $5.52. So, in 1816, pork was $22 a barrel; in 1828 it was only $12. In 1816 corn was $1 a bushel; in 1828 only 55 cents. Tobacco, in 1816, was $20; and in 1828 only $6.50. Cotton, in 1816, was 30 cents a pound; in 1824 it was 16 cents; and in 1828 only 11 cents.

But it is needless to multiply examples. Do we not know that it would take but a small part of our State to supply every manufactory in the United States with provisions? The great Mississippi Valley would almost bread the world!

But, say some, can we not induce our farmers to abandon their lands and turn their attention to something else? But to what shall they turn their attention? To manufacturing? We have shown that the cotton factories not only supply the whole United States at a high price, but send a surplus to foreign countries. The large manufactories at the East glut our markets with boots and shoes and hats and saddles and tinware and wooden-ware, etc., until our village and country mechanics are nearly broken up.

Well, but what is the remedy, then? To ascertain this, we must first know what is the evil. The fact is that the few manufacturers necessary to glut this country with their goods can not consume the twentieth part of our surplus produce.

They exclude, by a high tariff, an immense amount of cheap necessaries that we could get from abroad in exchange for our provisions. But the foreigner can not buy our produce, unless we buy his articles. This is easily proven. It is charged, indeed, as an argument for a high tariff, that we can not buy goods from abroad unless our staples are taken in return. This is certainly true. And is it not just as true that those from abroad can not buy our produce unless we buy their goods in return? If one proposition is true, the other is also.

The fact is that exports and imports must, in a given length of time, be about equal. This is admitted by every man of experience who has any regard for his reputation as a statesman. Mr. Webster, in sustaining this position as true, in a clear and forcible argument,* observes: "We inhabit a various earth. We have reciprocal means for gratifying one another's wants. This is the true origin of commerce, which is nothing more than an exchange of equivalents, its only object being, in every stage, to produce that exchange of commodities between individuals and between nations, which shall conduce to the advantage and happiness of both."

Mr. Clay himself has said: "For we are instructed by all experience that the consumption of any article is in proportion to the reduction of its price, and that, in general, it may be taken as a rule that the duty [tax] forms a portion of its price." John Quincy Adams, in his fourth annual message, also says: "In our country a uniform experience of forty years has shown that whatever the tariff of duties upon articles imported from abroad has been the amount of importations has always borne an average value nearly approaching to that of the exports, though occasionally differing in the balance, sometimes being more and sometimes less."

Imports and exports, then, being equal, they who are opposed to our getting goods from abroad are necessarily opposed to our sending off our surplus produce; the one depends on the other.

The census of 1840 shows that there were then engaged in trade and manufactures in the United States, including every description of mechanics, white and black, slave and free, only 791,749, while the number of the tillers of the soil was 3,719,951.

A comparison of these numbers proves, first, that if the number of the manufacturers was much increased we could not consume all their products and, second, that as largely increased as they could be in reason—that is, to the extent of our being able to use all they might make—they could not consume the twentieth part of our surplus provisions.

This is evident from the fact that even our manufacturing States are largely agricultural and yield great quantities of our staple products, and in the next place there is no country of the same extent on the face of the globe that, from the cheapness and quantity of land and the activity and industry of the population, is so well adapted for furnishing immense quantities of cheap provisions as the United States. On the other hand, in Europe, the dearness and scarcity of land and the dense population frequently occasion a distress for bread, often amounting to actual starvation. They would be compelled to sell their articles cheap and give a high price for our provisions in return. They offer to our articles, therefore, a more varied and extensive market. Where we have our thousands to feed, they have their hundreds of thousands.

As "imports and exports must, on an average, be equal," it is evident that these famishing millions can not buy our provisions unless we buy the cheap products of their labor in return.

It is but fair, if we are compelled to buy all our goods from our own manufacturers, that they should buy all our produce in return. But this they can not do, and if they did they would remain where they were, "unprotected." If we go into a partnership of this kind, let not the benefits be all on one side. Why should they be suffered to act the part of the "dog in the manger," neither eat our provisions themselves, nor suffer others to eat them?

So it is in relation to cotton, the great Southern staple. This is our most important export in paying off our balances for foreign goods. In 1840 our agricultural exports amounted to about ninety-two and one-half millions of dollars, of which nearly sixty-nine millions were in cotton. There are about 2,000,000 of bales produced annually in the United States, and of these our manufacturers consume but about 300,000. The other 1,700,000 bales must find a foreign market, and if imports are not received in exchange how are they to be disposed of? If Southern planters find a ready market abroad for their cotton it will be their interest to appropriate every spare acre to its cultivation, as the most profitable article. And in that event, as in former years, they will supply themselves with much of their pork, flour, and other provisions from the West. More hands are employed in raising the same value of cotton than in making, with the aid of machinery, the same amount in value of manufactures. In the former employment many mouths are to be fed and backs clothed; in the latter but few. If our imports are diminished or excluded by too high a tariff our exports of cotton must fall off in the same proportion. And, in that event, the cotton planter will be driven to the necessity of devoting a portion of his plantation to raising his own provisions. The result is, then, that too high a tariff will not only, to a great extent, cut off a foreign market, but also the Southern, which is an important domestic market for Western produce.

WILL A HIGH TARIFF MAKE MANUFACTURES CHEAPER?

If its friends did not sometimes urge this as an argument in its favor, we should scarcely deem it worthy of a reply.

Does the manufacturer himself believe it? He complains that they are now too cheap, and therefore he asks for a high tariff to enable him to sell at better prices. If the manufacturer is embarrassed because he can not sell his goods high enough, would he ask for a high tariff, if it would cause his goods to fall still lower in price? By no means. That would not be "protection." Yet the manufacturers were foremost in urging the high tariff upon Congress at its last session; and Mr. Simmons, of Rhode Island, himself a wealthy manufacturer, was the chairman of the Committee on Manufactures in the Senate, which reported in its favor.

But it is said that prices of manufactures have declined; that cotton goods, for instance, are much cheaper now than they were twenty or thirty years ago.

This is very true. But this has been owing, not to a high tariff, but to the vast improvements in machinery. If one man, with the aid of a machine, can now spin as much cotton or wool as two hundred and sixty-seven men could formerly, the only wonder is that goods are not much cheaper than they are. The truth is low prices are the excuse for and cause high tariffs. But high tariffs are the enemies of and prevent low prices. If it were not for high tariffs, machinery would supply our wants at far less expense. High tariffs are the deadly enemies of all the advantages flowing from improvements in the social arts, and confine those advantages to a privileged few.

It is also insisted that we must resort to a high tariff as a measure of

RETALIATION.

The argument assumes that the British dominions will not receive our produce except under higher duties, and concludes, therefore, that we must retaliate by imposing high duties on goods we receive from that country. Those who urge this argument admit that it would be better for every country to tax imports from other countries low and encourage a free exchange of articles, but that this plan should not be adopted by one country unless all adopt it.

In the first place there is a mistake as to the fact. The public documents, based on returns, show that, during the seven years ending with and including the year 1840, the United States exported of our products to foreign countries to the amount of nine hundred and fifty-eight and one-half millions of dollars, and that of this large amount the British dominions alone received more than one-half.

In the four years ending with 1840 our exports to Great Britain and Ireland alone amounted to above two hundred and thirteen millions of dollars, besides the profits being considerably above what we received thence in return.

It is said, too, that Great Britain takes none of our provisions. But the returns show that in the year 1840 alone our farmers supplied Great Britain and her colonies in the single article of flour and wheat to the amount of above twelve and one-half millions of dollars. Great Britain, at that time, had a heavy duty on foreign provisions, which no doubt diminished her imports in that line, though it could have had but little effect on the profits on what was sold, because, as we have shown, the consumer, not the importer, pays the tariff tax. The principal effect, then, which it had was to make provisions there so dear as to deprive her own laboring classes of a comfortable sustenance. She wished to "protect" the rich landed aristocracy by imposing a heavy tax on imported provisions and compel the other classes to buy their domestic supply. In this way numbers have actually died of starvation. They benefited their aristocracy by trampling millions of the poor into pauperism. And now because they have acted so inhumanly and unjustly towards their poor we must impose a high tax to benefit our wealthy manufacturers by grinding the farming interests into the dust. If our high duties could reach the landed aristocracy of England it would be retaliation. But instead of that they diminish our imports from that country, and that, as we have shown, diminishes our exports of provisions to it, and the fewer provisions we send there the greater monopoly is enjoyed by their landed aristocracy in supplying their market.

In short, because the wealthy land-holders of England oppress their poor, our wealthy manufacturers must retaliate by oppressing ours!

Besides, just before our late tariff was passed Great Britain had greatly reduced her duties on our provisions. A comparison of her tariff and ours shows that her duties on grain are lower than one-half of the articles in our tariff. She actually takes, directly and indirectly, three-fourths of all the grain we export. Can we talk with propriety of retaliation when our tax on her cottons, woolens, and crockeryware is nearly double as high as hers on our grain?

When our opponents admit that the system of low duties is the best policy, if acted on by all nations, why do we select the very time for increasing ours when England had just set the example of diminishing hers?* Is there not danger that it may induce her to raise hers again? She will certainly do so if she is governed by the same miserable policy that produced our late tariff. And such an event, it is evident, must injure the sale of our surplus produce of the West.

Again, if we exclude, or materially diminish, the importation of goods from abroad by taxing ourselves with high prices at home, it will increase the amount of freight on our exports. A vessel can take the farmer's produce from

* Webster's Speeches, volume 1, page 282.

*Saxony, Prussia, Holland, Belgium, and England have all made advances towards a system of low duties.

New Orleans to a foreign country cheaper if it can bring another cargo back. If the foreign cargo is excluded from our ports by a high tariff the vessel must charge as much for taking our produce abroad as it would for the outgoing and return cargo, both. If it had a return cargo that cargo would pay half of the expense of the voyage. High freights diminish the profits on the cargo; and the merchant can not, in that case, give the farmer as much for his produce, for the purpose of shipping it abroad. So that in this, as in the other cases we have mentioned, the burden at last falls on the farmer and laborer, to benefit the manufacturer by excluding necessaries from abroad.

A HIGH TARIFF IS INJURIOUS TO COMMERCE, NAVIGATION, AND THE DEFENSE OF THE COUNTRY.

The United States are happily separated from the most powerful nations of the globe by the wide ocean. A war with either of them, therefore, must, to a great extent, be fought on that element. Ships and sailors are necessary in such a contest. Who has not heard—who among us does not feel proud of the valor of a John Paul Jones, of the Revolution; of the Porters, the Decaturs, the Bainbridges, the Lawrences, and our other naval heroes of the last war, in successfully grappling with proud England, the queen of the sea, the first naval power of the world, on her own boasted element, and tearing from her reluctant grasp the wreath of victory? Who does not see the necessity of keeping up the numbers and spirits of our hardy sailors, with whose assistance we can hold foreign arrogance and foreign aggression "at arm's length?"

Now, it is well known that nearly all our brave tars are reared in the merchant service. They commence their life of peril and daring on the stormy deep in trading vessels. This is their apprenticeship. Thence they go into our ships of war and make our glorious flag respected in every port and on every sea or they enter on board of privateers, despoiling the enemy's commerce and crippling his energies.

But if our merchant vessels are thrown out of employ, what becomes of this apprenticeship of the American tar, this nursery of seamen? Whence can our men-of-war get their supply of skillful hands and stout hearts?

Now, it is manifest that a high tariff, by diminishing imports, diminishes trade, and of course diminishes the number of vessels employed in trade. It diminishes the shipping interest engaged in exchanging our products over the whole world. Its direct tendency, therefore, is to cripple our naval force, which has been well termed the "right arm of the national defense."

Now let us see how far this is borne out by the facts. During the ten years from 1800 to 1810, although our merchant vessels were annoyed by both England and France, they increased in tonnage nearly 50 per cent. In the five following years, even when we were engaged in a war with the immense naval power of Great Britain, our tonnage was but slightly diminished. But in the following fifteen years, ending with the year 1830, under the high tariff of 1816, 1824, and 1828, our shipping was reduced to the amount of 277,819 tons, being over 50 per cent., although our population was increased over 50 per cent. Thus the high tariffs had nearly destroyed our shipping and had accomplished what England, with her thousand ships of war, was unable to effect.

Now contemplate the other side of the picture. In 1833 the compromise tariff was passed, by which the tariff tax on imports was gradually diminished, from time to time, for ten years, and within the nine years since we have more than recovered all that we had lost, our foreign tonnage amounting in 1841 to 946,073 tons. And let it be said that this shipping interest has been exclusively engaged in importing goods from abroad. It was also employed in taking out at least an equal amount of exports, as we have already established.

WILL A HIGH TARIFF PREVENT A FLOW OF SPECIE FROM THE COUNTRY?

This is sometimes asserted, and by some may have been believed. But it is plain that no nation, any more than a family, can long continue to buy with cash only. Industry must be used; labor must be employed; something must be raised, made, or produced in exchange, or the money "gives out." And then resort must at last be had to industry; for, in the course of a limited time, "the imports and exports must be equal," as we have said already.

A resort to our own history—to facts—shows, indeed, that high tariffs rather have had a tendency to drive specie out of the country. From 1821 to 1832, both inclusive, there was imported into the United States about eighty-two and one-third millions of dollars ($82,331,067), and there was sent out during the same time about eighty-five and one-half millions of dollars ($85,604,131). This was during the continuance of all our high tariffs; that is, those of 1816, 1824, and 1828. During these twelve years, therefore, there was sent out of the country rising three and one-quarter millions of dollars ($3,273,064) more than was brought in.

In March, 1833, the compromise act was passed, which, as we have shown, gradually diminished the amount of the tariff to the revenue standard. But in the seven following years, ending with 1840, under a decreasing tariff, there was imported into the country about fifty-five millions of dollars more than was sent out ($55,004,288). Our authority for these facts is the report of the Whig chairman of the Committee on Manufactures of the House of Representatives, made at the last session of Congress. If this proves anything, therefore, it proves that high tariffs drive specie out of the country and that low tariffs bring it back. Let us hear no more of low duties robbing the country of specie. What sophistry will selfish interests not resort to!

IS A HIGH TARIFF AT THIS TIME NECESSARY TO MAKE US INDEPENDENT?

Our ability to supply ourselves with the necessaries, comforts, and many of the luxuries of life is now on a footing entirely different from what it was during the last war, and even then we were able to live within ourselves. We did not import from abroad, and retain for use in 1840, when the duties had been diminished to the revenue standard, of blankets more than about 3 cents' worth to each of our people, young and old, black and white. Our whole imports of woolen goods of every kind, including broadcloths, fine worsteds, etc., in the same year, was only about 30 cents each.

The last census shows that we have 20,000,000 of sheep, and our yearly crop of cotton amounts to 2,000,000 of bales, and of this we use less than the sixth part. Who can say that we should suffer for want of clothing in time of war?

Our whole import of iron in that year after deducting what was used by railroads and admitted free of duty was only 22,718 tons, being less than one-twentieth part of our own production. Yes; nineteen-twentieths of the iron we ordinarily use is made within ourselves.

Then, as to articles and munitions of war. We have long been in the habit of making our own cannon. Of arms, we have the most abundant supply. We have two public armories, and contracts with seven private armories, which furnish above 40,000 arms every year. And we have on hand above 600,000 muskets and more than 20,000 rifles belonging to the public. Of gun-powder, we imported in 1840 only about four thousand five hundred dollars' worth ($4,521), and we exported the same year nearly one hundred and twenty thousand dollars' worth ($117,347).

We have, therefore, an abundant and increasing supply of the materials of war; but, if we had not, what sort of an argument is that for taxing cottons, woolens, salt, and crockeryware? It is the best, however, that the manufacturers have, and if it is a poor one they try to make it up by urging it the oftener. Selfishness never sleeps.

IS THE PRESENT HIGH TARIFF IMPARTIAL IN ITS OPERATIONS?

Many of the remarks already made might be referred to this head. But we desire to submit a few more to the candid reader. We say the candid reader, for in the recent state of political excitement, there were, and doubtless there yet are, some who will not be convinced; some whose prejudices are too strong for argument; some who are so anxious for office that the permanent interests of the people are of less importance in their eyes than the attainment of short-lived distinction. Strange as it may seem, there are some who would be sorry to find their opponents right. With such, it would be lost time to argue. We only ask the attention of those of all parties who desire to know the truth for its own sake.

We have already proved that the operation of a high tariff is to compel one part of the community to pay another class of persons a higher price for their products. We will now examine the whole amount of these higher prices caused by the late tariff and compare the numbers and occupation of those who pay and those who get paid.

The census taken in 1840 shows that there were then in the United States 3,700,000 persons engaged in "farming" or agriculture, and that the products of their labor and their farms amounted in the year to $794,000,000. This makes $213 to each tiller of the soil.

The census also shows that there were 791,000 persons engaged in trade and manufactures, and that their products were $394,000,000 in the year, which gives $500 to each of them.*

Now, in the present times, which man most needed protection, the manufacturer, who makes $500 a year, or the farmer, who makes only $213 a year, not one-half?

The above does not yet show the full extent of the evil.

For from this number of 791,000 persons engaged in trade and manufactures should be taken our village and country mechanics, whose profits generally are not larger than those of the farmer and who are greatly injured by the overshadowing competition of the large factories of the old States.

And we should also take from that number the mere hands or workmen employed in these factories; for, as they receive only their humble wages, the profits caused by the high tariff go to the rich companies or individuals who own those establishments.

Is not the farmer and laborer equally entitled to protection? At any rate, if either part of the community is to be favored, ought it not to be the many and not the few? Yet we find the smallest class, who are already doing more than twice as profitable a business as the others, are to be still further benefited at their expense.

Is it just, is it sound policy that these few wealthy manufacturers on whose behalf it was promised in 1816 that a "protection" of three years would be sufficient, and who have since received higher and higher "protection," should again be quartered on the country?

Is it just, is it fair that they should have many of their goods "protected," when there are none of the same kind brought into the country to compete with them?

Is it just, is it necessary, that on articles costing 6 cents a yard they shall make the farmer pay 9 cents a yard more; on one costing 3 or 4 cents, 6 cents more; on one costing 8 cents, 14 cents more?

And now, how are the farmers and laborers benefited in return? The manufacturer, as we have shown, can not consume the twentieth part of the farmer's provisions. Further than that, although a heavy duty on coarse and cheap woolens from abroad is imposed, for the purpose of compelling the laborer to pay a high price to the manufacturer for his article, yet the farmer's wool is inadequately protected in return. One of the reasons urged for a high tariff on woolen goods was that, if the manufacturer could get a high price for them, he would be able to give the farmer a high price for the wool to make them of. Now, the wool of which such are made can be and is imported from South America at 7 cents a pound. But our farmers can not afford to sell such wool for less than 30 or 35 cents a pound. And now mark the difference. While the manufacturer insists that cheap woolen goods, such as he makes, shall not be brought into the country except a tax, ranging from 40 to 175 per cent., which allows him, to a great extent, a monopoly of the market, the South American wool is taxed only 5 per cent. A pound of such wool, costing 7 cents, is taxed, therefore, but one-third of a cent! It is useless for the farmer to try to sell his wool for a saving price under such circumstances and against such competition.

Now, the main object of a tariff, say its friends, is to make us independent. But what is the use of being independent as to the cloth if we are not independent as to the wool of which it is made?

We here see that the manufacturer can sell his woolen goods at a high price, to the farmer, but instead of taking the farmer's wool in return, at 30 or 27 cents, he buys an equal article from South America for not more than 7½ cents! Private gain is his object; and to blind the eyes of the people he talks about independence.

And what is the amount of tax caused by the tariff that we pay? Not only that which is paid into the Treasury by the importer, and which is at last paid by the consumer, as we have shown, but also the profits charged on it which goes into the pocket of the merchant. But all that is much the smallest part.

The articles imported from abroad, and which are taxed, amount to not quite one-seventh part of similar articles made in our own country. The object of imposing that tax, as we have said, is to enable the manufacturers of similar articles at home to sell them higher. It follows, therefore, that as the price is increased on all those articles, home-made as well as foreign, for every dollar we pay into the Treasury on foreign articles we pay $7 to the manufacturer on the domestic article besides the profits charged on it by every trader through whose hands it passes until it is bought for use. The whole amount collected for the national revenue is very large (estimated under the present Whig administration at $32,000,000); but when it is considered that seven times that amount is also paid to manufacturers, and swelled to from one-half as much to an equal amount more for profits, is it wonderful that the mass of the people are kept poor? Is it strange that the sterile and barren manufacturing States should be prosperous and wealthy and that the people of the other States should complain of distress?

If A B should determine to avoid his share of this tax by buying no articles from the merchant which are taxed by the high tariff, and should be able to carry out this resolution by depriving himself of salt, iron, tea, sugar, coffee, knives, forks, plates, cups, saucers, blankets, clothing, and many other necessaries of life, still he would fail in his object. The rest of the community would continue to buy as before; the same amount of money or property would go off in exchange for these articles as before; the country would be left just so much the poorer, and just so much the less able to pay A B a fair price for his labor or for his property. He would still, in this indirect manner, feel his share of this odious tax. His property melts away under its influence as the snow before the sun. He is surrounded with it as by an invisible pestilence from which he can not escape.

If this could be seen in the shape of a direct tax, exempting rich manufacturers living in Indiana from its operation and making it so much heavier on the rest of society, who would submit to it? But what would be said if the law in addition to that should require that we should pay seven times as much more as a direct tax to the manufacturers themselves? Bad as this would be, yet, if the manufacturers were living among us, the money would still be in the country and we might hope to get a part of it back for our labor. But under the

*Strictly speaking, all laborers and mechanics, inseparable from agriculture, should be counted with them, because they are not favored by the tariff. This would make the number above four millions. And from the manufacturers should be taken those engaged in commerce and navigation, which would leave a little above a quarter of a million.

operation of a high tariff the money goes to swell pampered wealth in other States, and as not one-twentieth part of the farmer's produce could be taken in exchange for it nineteen-twentieths of the tax would go, never to return.

NOW WHAT, IN RETURN FOR ALL THIS, HAS THE FARMER AND LABORER RECEIVED?

In vain do we look into this bill for "protection" to the farmer of Indiana. We beg pardon. To preserve the appearance of impartiality it is most graciously provided in this bill that any beef, pork, wheat, flour, oats, and corn imported from abroad shall pay a duty! As if we were afraid that the half-starved of foreign countries could spare these articles, send them here and undersell us! Undersell us in our own country, when our complaint is that we raise more than we can sell and can only sell at the lowest prices!

Pretend to exclude foreigners from sending provisions into our country when they themselves are dying in their cellars and in their streets for want of such provisions! The manufacturers prevent the importation of articles from abroad, which, of course, must prevent the foreigner from exchanging them for our produce, which is rotting in our stacks, barns, and cribs. And then, as a set off, say the foreigner shall not bring agricultural produce to Indiana! This is nothing but the mockery of protection to the farmer. They know that such produce can not be brought here. They might as well protect the buckeye trees and beech logs of our endless forests. In fact, in return for the taxes we pay the manufacturer, we have the consolation of finding by this bill that no hewn timber can be brought from a foreign country into Indiana without paying a duty!

It appears from the official documents that the revenue would be increased by all the butter brought into the country only about $400 in the year, by all the wheat flour only $83, and by all the lard not quite 93 cents! How ridiculous to talk of the amount of such accidental importations as a competition!

Let us not be misunderstood. We are the friends of the manufacturers. We rejoice in the mechanical and chemical improvements of the age, by which nations are clothed with far less labor and at far less expense than formerly. We are gratified to see industry encouraged and rewarded everywhere, but we do object to the elevation of the interests of a few above those of the many, to give assistance where it is not needed at the expense of honest labor which is crying for relief.

Let it not be said that we are opposed to American labor or to home industry. We claim to be, and can prove that we are, more friendly to these great interests on which, under a kind Providence, our national wealth and happiness depend, than our opponents themselves. We are not for the home league, on the part of a pampered few, to fleece and rob the needy and suffering multitude. Is there no American laborer but what is found in the wealthy factories? Is there none at the plow, the scythe, and the sickle? Have we no home crops, home herds of cattle, and home flocks of sheep?

Home industry! At that inspiring name the tide of patriotism rushes to our heart, we raise our heads and cast our eyes over our whole beloved country. We can not fetter and contract our affections to the noisome precincts of the factory alone. But see! Look abroad over our thousand hills and boundless plains. "See the emigrant cutting down the trees, building his log cabin, and turning up the prairie, where golden harvests have slept ever since the flood." There is "home industry." Look at the farmer improving his fences, feeding his cattle, and taking his crops to market. There is "home industry." Look at his wife and daughters cooking his food, making his clothes, doing everything to save what he has earned and giving comfort to his habitation. This is "home industry."

This class exceeds all others in society, both in numbers and importance. Without them our widespread and fertile lands would be as valueless as the deserts of Arabia. Not a house would be built did he not feed the builders. Not a village or city would spring into existence or continue to exist did they not draw substance and wealth from the farmers around them. Not a ship floats whose freight is not, in the first instance, the product of his toil or the labor of those whom he feeds. The lawyer, the doctor, the divine, the mechanic, the seaman, the soldier, the public officer, the merchant, the banker, the broker, the idler, and the knave are all fed from his hands, clothed by his toil. The wealth of the Girards and the Astors is the accumulation of his industry; it is he who fills the treasury of states and nations, builds navies, and supports armies. Without him society can not exist and the world would be surrendered to a few wandering savages, living by the chase.

This is the "home industry" which, above all others, merits "protection." But what "protection" does he obtain or ask? Or what is it possible for the Government to give? Does the emigrant expect or ask the Government to cut down the trees for him or build his cabin and plow up the prairie? Does the farmer ask or expect the Government to build his fences or plow his fields? Does he go to his Government and say: "My land is poor; I can scarcely get a living; I beg for protection; I beg you to impose a tax on the produce of my neighbor's more productive lands, that my crop will sell higher and I may get rich?" If he were to approach Congress or the State Legislature with such a petition he would be laughed to scorn. He would be told that he had himself chosen his occupation and chosen his home; that he must encounter the hazards of the one and the inconveniences of the other; that it would be as unjust to tax his neighbor's crops to enable him to sell his goods at a higher price as it would be to take his neighbor's property without consideration and give it to him.

There are but few men in society who advocate an equal distribution of property by law, and these are stigmatized as agrarians and levelers. But is not a protective tariff, so called, founded on the same principle? When the law compels me to pay more for a hat than I should otherwise be obliged to pay, does it not take a part of my property and give it to the hatter? If the law compels the farmer to give 5 bushels of wheat for goods which he could otherwise purchase for 4, does it not take from him a part of his property and give it to the manufacturer?

And this is called "protecting home industry." The industry of thousands is taxed to swell the income of one; but the thousands are forgotten and the one only remembered! And because he gets rich there is as much gratulation as though the rest of the community had not thereby become poor.

It is frequently insisted that the great wealth of England is occasioned by her high tariff system, and that the United States should copy her example. We were not a little surprised to see the same ground boldly taken by one of the speakers in the late Whig convention, held in Indianapolis, January 17, 1843. In dwelling somewhat on this topic he said that "England's palaces were produced by her high tariffs." He ought to have added that they had also produced the toil, the starvation, and death of millions. There is no doubt that the tendency of a high tariff is to create the wealth of a few, but it is by robbing the many. Suppose two adjacent counties in Indiana to have the same number of inhabitants and that the same amount of labor is done in each county. If the inhabitants of one county should build a palace or one or more splendid mansions, it is clear that the labor necessary for that object must be taken from other pursuits, the pursuits of ordinary industry. The county, therefore, would not be able to send off as much produce or furnish as much from the mechanic's shop as the inhabitants of the other county would be able to do who had confined themselves to their farms and shops. In that case there would be more to eat and wear and it would be cheaper. The laborer would retain more of the fruits of his labor. A man can do but a certain amount of work in a given time, and so of a county or State or a nation.

The products of this labor constitute the wealth of the individual or community. If these products are engrossed by a few so much the less would be left to the others.

If half the people are engaged in erecting splendid buildings, which of themselves put nothing in the mouth nor on the back, it must make provisions dearer and the people poorer. Great wealth is always found in company with great poverty. As much as the higher classes of England surpass the wealthy of our country in splendor and luxury, in the same degree is the poverty and wretchedness of the rest of the community there seen greater and more widely extended. We object, therefore, to any policy which tends to make the distinction between the poor and the rich still greater in the United States. We believe there is more real virtue and happiness in a farming community than there is in large towns, and for the reason, not only that all persons, male and female, labor in the country, more or less, but also that there the inequality is not so great between the rich and the poor.

In no other country is there so unequal a distribution of wealth as in England, and in none has the condition of the laborer so steadily become worse. The misery of the great body of the people seems to have increased in precisely the same proportion that the nation has become more wealthy. We have seen the English laborer under this system losing the comforts, the necessaries, and sometimes even life itself. We have seen him give up the use, first, of meat, then of bread, and, in some cases, even of potatoes, until he was actually reduced to eat the "sowings," made of the starch in which the cloth had been sized at the factories.

And this is the country whose tariff system we are called upon to adopt, that we may have our palaces and poor-houses also!

Whatever may be the secret wishes of their leaders, especially in other States, we are confident that the mass of the Whig party—especially their virtuous and industrious farmers and mechanics—do not wish that England should be held up as an example for imitation in this respect.

HIGH TARIFFS ARE CALCULATED TO DEFEAT THEIR PROFESSED OBJECT.

The main object of a tariff, as we have said, is, or should be, to raise a revenue. But if the taxes imposed on articles from abroad are too high, they either diminish the amount imported or shut them out altogether. If less goods are imported, less taxes are paid at the custom-house. If the tax is so high that the foreign article can not afford to pay the tax and afterwards sell for a saving price, it will not be brought into the country at all. In that case no goods would pass through the custom-house to pay taxes, and, no taxes being collected in that manner, there would be no way left to supply the Treasury but by excises or direct taxation, which the friends of a high tariff profess to abhor. The quantity of articles from abroad that can be used in a country is in proportion to the number of its people. Every tax on such articles, as we have proved, raises their price, and the price is raised in proportion to the amount of the tax. If such articles are raised but a little by a small tax, the poorest of the people only will be prevented from buying them.

If such taxes are raised still higher, those who are a little better off than the poorest will next be unable to buy, and so on, until they are so high that, from inability or on account of domestic competition, none will buy, and then the revenue from that source will cease altogether. If the taxes are very high, although the amount paid on a particular article is then greater, yet there will be fewer of such articles sold on account of the high price, and consequently fewer brought into the country, and therefore less revenue collected. So that, if the taxes are either too high or too low, the revenue will be diminished at the custom-house. If the object is to raise a great amount of revenue, therefore, a medium should be observed.

A high tariff also diminishes the revenue by encouraging smuggling. It raises the price of the article so much that the smuggler is tempted to bring it into the country secretly to avoid paying the tax at the custom-house. More or less of this smuggling is practiced in every country; but the temptation to it is stronger where the tariff is high and of course more extensively practiced.

It is computed that when the tariff duty in England is 20 per cent. the smuggler can afford to run the risk of punishment by violating the law.

But Great Britain is densely populated and has but a limited coast or frontier to guard against the smuggler. The revenue officers and naval and military force for the prevention of smuggling in that country are also far greater than they are in the United States. Now, if, in the face of all these obstacles, a tariff of 20 per cent. causes smuggling in England, what will be the effect in our country, with a coast and frontier of 8,000 miles and a tariff of 36 per cent. and upwards? The United States is divided from Canada only by lakes, a river, or a mere fence. Nothing has been more common than for persons near the line to cross into Canada to buy their "store goods," which they could get much cheaper there, on account of our tariff; and since it has been raised so much higher smuggling must be continued on a much larger scale. We all know the smuggling done on that line during the embargo and the last war. All this may be advantageous to some in New York and the New England States, which border on Canada, but it is a fraud on the honest importer and a fraud on the revenue, and consequently makes the burdens heavier on the people of the other States.

That a high tariff diminishes the revenue has been proved by experience. In England, when the duty on coffee was reduced from 1s. 6d. (35 cents) to 6d. (11 cents) a pound, that is to only one-third, the revenue collected from it was, notwithstanding, three times that of the former amount. And so in our own country. A public document of last session shows that we collected vastly more revenue from sugar when the tax on it was low than when it was high.

Even in tax-ridden England the truth is admitted. One of her statesmen, Lord John Russell himself, lately observed: "Upon a careful view of our commercial imports, we came to the conclusion that by removing prohibitions and lessening restrictions it was possible to replenish the treasury, and at the same time to secure to the working classes a greater command of the necessaries of life at steady and moderate prices." Ought we to be less anxious in this free country to devise a system that will put the taxes more into the Treasury and less into the pockets of the manufacturer, and that will cheapen the necessaries of life to the poor man? Or is an American statesman to be less humane than an English lord?

The trade of the Island of Cuba, exports and imports, is nearly four times the amount of ours, per head of her population, and three times that of England, and yet the duties there are often less than 20 and seldom exceed 25 per cent.

But in Spain, whose tariff is higher than that of any other country in Christendom, a constant warfare by the military is carried on against the smuggler or contrabandist, to prevent a violation of the laws.

We have then impartially endeavored to show some of the evils of a high-tariff system, and especially of that passed at the last session of Congress, and its injurious effects upon the morals of the country and the prosperity and happiness of laboring millions. We have sought to warn our virtuous countrymen, before it is too late, not to follow the fatal example of despotic countries by adopting their laws or their policy, for the unequal distribution of wealth—a system of laws and policy which inevitably tends to make the rich richer and the poor poorer.

It may be asked, that as a tariff has always existed in this country and neither party proposes to abandon it, what kind of a one does the Democratic party offer?

We answer promptly a tariff for revenue, and lest that should be regarded as too vague a reply we will set forth the plan in detail. We believe, nay, we are confident, that if only the expenses of the Government which are absolutely necessary were raised by means of a tariff it would give every desirable protec-

tion to our manufactures of every kind, and at the same time repress monopolies and yield an ample revenue for the wants of the country.

To ascertain what would be a sufficient revenue it will be necessary to compare different periods of our history.

At the last session of Congress, Mr. Fillmore, the Whig chairman of the Committee of Ways and Means, estimated our national expenses at $27,000,000. To raise this amount it would be necessary to impose a tariff of thirty-two millions, the overplus being required to pay the expenses of collection.

Next, judging from the average quantity of goods then and previously imported into the country, when the duties were low, and on which a duty or tax was to be laid, it was estimated that the amount of such imports would be about $89,000,000 in a year.

Now, if $32,000,000 were to be raised on eighty-nine millions of goods, it would make an average duty on each article of about 36 per cent.

Then, as cash payments of duties and other restrictions are required by the last tariff law, it has been computed that it would amount, as compared with former tariffs, to about 39 or 40 per cent., for an average tax, or, as it is called, a horizontal tariff.

This amount, the Democratic party contend, is entirely too large, and that, in many cases, it would amount to a prohibitory tariff; that is, the tax imposed would be so high as to prevent many articles being brought in, which would, to that extent, dry up the revenue from that source.

But this was the smallest part of the evil. Not satisfied with having this high average duty, the Whigs insisted on having, in an excessive degree, what are called discriminating duties; that is, to raise the duties on some articles far above the average duty (of from 36 to 40 per cent.) up to 100 and even 175 per cent.

The different interests—the lead mines, the iron works, the woolen manufactures, the cotton manufactures, the salt companies—were each struggling in Congress, which should get the greatest discriminating duty in their own favor. And we have shown that in many cases, especially in those of cottons and woolens, of the class of necessaries, the tax imposed was enormous, even after such manufacturers had attained such strength and wealth as, by the former admissions of their own friends, not to need further "protection."

Now, supposing the principle of "protection" to be just, the question arises, how far it ought to be carried, as to the amount of the tax imposed. To ascertain this it will be proper to see how high the tariff has been at different times in the United States.

The average duties from 1789, and covering the administration of General Washington, were only 12½ per cent., and often much less, except in the case of one article, and even that was but 15 per cent.

From 1800 to 1808, covering Mr. Jefferson's administration, the average duties were but 20 per cent. And yet the names of Washington and Jefferson are sometimes claimed as favorable to a high "protective tariff." Even the tariff of 1816 averaged not quite 30 per cent. And it was under that tariff that Mr. Webster admitted that the cotton manufacturers had "passed the point of competition." Notwithstanding this, the tariff of 1824 (which, it is confessed, was a protective tariff) raised the duties to an average of 35 per cent. The tariff of 1828, which has been called the "bill of abominations," went still beyond that, and such was its unequal and oppressive operation that it had well-nigh occasioned a civil war and a disruption of the Union.

Finally, to restore peace and quiet, what was called the "compromise bill" was introduced by Mr. Clay in 1833, which provided that every two years a part of this enormous tax should be taken off until at the end of nine or ten years it should be reduced to a duty of only 20 per cent. nearly or quite "horizontal," for a revenue tariff. In his speech on that bill, Mr. Clay said: "Now give us time, cease all fluctuation and agitations for nine years, and the manufacturers in every branch will sustain themselves against foreign competition. I am anxious to find out some principle of mutual accommodation, to satisfy, as far as practicable, both parties; to increase the stability of legislation, and at some distant day, but not too distant, when we take into view the magnitude of the interests which are involved, to bring down the rate of duties to the revenue standard, for which our opponents have so long contended."

He further observed that "viewing it in this light it appeared there were eight years and a half and nine years and a half, taking the ultimate time, which would be an efficient protection; the remaining duties would be withdrawn by a biennial reduction. * * * He had no doubt the rate of duties guarantied would be continued after the expiration of the time if the country continued at peace." And he asked: "What man who is entitled to deserve the character of an American statesman would stand up in his place, in either House of Congress, and disturb this treaty of peace and amity?" In his speech, on the 25th of February, on the same bill, Mr. Clay further remarked:

"The bill before us strongly recommends itself by its equity and impartiality. It favors no one interest and no one State by an unjust sacrifice of others. It deals equally by all." What was this but saying that the tariff of 1828 (which was changed by the compromise) was not equitable and impartial; that it did not favor some interest and some States by an unjust sacrifice of others; and that it did not deal equally by all? And had not the people a right to confide in the promise thus solemnly made, that no man entitled to the character of an American statesman would afterwards endeavor to disturb "this treaty of peace and amity."

The compromise bill was passed by Congress, both parties generally voting for it (though the Democratic members preferred a shorter time than eight or ten years to bring the duties to the revenue standard), and President Jackson approved the bill. Mr. Clay received much praise for this measure, and was regarded by his political friends as the "pacificator" of the country.

Many of the Democratic party, however, expressed their fears that there would be another attempt made to impose a high protective tariff on the country, but they were denounced by their opponents as alarmists and as endeavoring to excite the public mind for mere political effect.

To quiet the people on this subject, Mr. Clay in his speech at Hanover Court-House, Va., renewed the pledge that the compromise act should not be disturbed; and General Harrison, also, in his Zanesville letter, stated that he never would agree "to its being altered or repealed."

After the anti-Democratic party came into power by the election of 1840 and after the death of General Harrison, their leaders still professed to be in favor of the compromise. They still professed to favor a tariff for revenue only. They knew that Mr. Clay had said that by the time the compromise act had brought down the duties to the revenue standard the factories would be in a prosperous condition and need no protection, and no change should be made in the compromise. Notwithstanding all this, the result shows that they wanted to have a high protective tariff, and many of the less prudent among them and political editors came out openly for that measure. But how were they to accomplish it, in the face of all their pledges to the contrary.

General Harrison was gone, to be sure, and he would be no obstacle to their designs.

They took the ground, therefore, that they were still for a tariff for revenue only. But the amount of that revenue was another question, and if they could find a plausible excuse for increasing it, there would be no difficulty in the way; because, according to their reasoning, the greater the amount of revenue the higher must be the tariff, and thus by increasing the revenue and expenditures they could push up the tariff to any amount. Every expedient, therefore, was resorted to for an excuse to expend money.

They charged that the Government had been left greatly in debt by the previous administration. Some boldly asserted that a debt had been created under Mr. Van Buren's administration of $40,000,000 and that it would require a high tariff to raise money to pay it.

Their own Secretary of the Treasury since, however, reports officially that the whole amount of that debt was not quite five and a half millions.

Was any increase of the tariff necessary to pay off that debt; and, if so, how much?

To answer that question we must advert to a few other facts.

It will be recollected that Mr. Clay, before the election in 1840, declared in his speech at the Hanover Court-House that the $13,000,000 was sufficient for the yearly expenses of the Government, that being asserted to be the yearly amount expended under Mr. Adams. The same amount was insisted upon by the Georgia Whig memorial at the extra session.

Our population, public works, Revolutionary pensions, purchases of Indian territory, etc., had very much increased, however, since that time, and men of reflection saw that such pledges could not be redeemed. Still the administration of Mr. Van Buren considered it practicable to reduce the yearly expenses to eighteen (and probably to only seventeen) millions, and were gradually lessening to that amount. The public documents show that the expenses of General Jackson's and Mr. Van Buren's Administrations, taken together, averaged but $21,000,000 a year.

Under those Administrations more money had probably been expended for Indian lands, and certainly more for pensions (which had been greatly increased), than all the other Administrations since the foundation of the Government. The whole of the public debt had been paid off. Three and a half millions in the shape of duties had been relinquished on imported railroad iron. And there was a clear gain besides of $28,000,000 of surplus revenue, divided among the States, over and above all expenses, and which ought to set off the small debt of five and a half millions left by Mr. Van Buren's Administration; that is, on the supposition that Secretary Forward's and Secretary Ewing's reports are correct as to the amount of that debt, and they would not be likely to underrate it. And all these were not the only benefits conferred on the country during those Administrations. We have said that the tariff was reduced by the compromise in 1833. It is ascertained by the public documents that the duties actually paid into the Treasury from 1834 to 1838, inclusive, under that reduction was about eighty-six and one-third millions of dollars ($86,344,299), and that, if the high tariff of 1828 had continued in force and the same amount of imports, one hundred and twenty millions more would have been drawn from the profits of the people in the shape of a tariff tax, besides at least an equal amount as a tax into the pockets of the manufacturers, on domestic articles. If the calculation were continued down from 1838 to the time that the late high tariff was passed the amount would be still greater.

Independent of all this, the Florida war was a source of expense and embarrassment. The paper money system, too, was at its height, money was plenty, and property of all kinds high. Yet Mr. Van Buren's Administration was making strenuous exertions to reduce the expenses. The estimates for the public expenses which his secretaries laid before Congress were low; but that body always made the appropriations far beyond the estimates. And nearly every Whig in Congress voted for the excess uniformly, with a few of the Democrats, and hence the appropriations would pass. The public journals show these facts.*

In spite of all of these obstacles, however, the expenses of Mr. Van Buren's Administration fell, in 1839, to twenty-five, and in 1840, to less than twenty-three millions ($22,339,356,)† and if the same policy had been persevered in by the Whig party, after they came into power, the expenses of 1841 would have been under twenty millions, and those of 1842, not over $18,000,000.

Instead of this, they expended, in 1841, above twenty-six and one-third millions ($26,396,997), being about four millions of dollars (4,057,641) more than was expended under Mr. Van Buren in the previous year.

The amount expended and appropriated by them during the extra session alone was rising five millions of dollars ($5,013,705). If this sum had been saved there would have been no debt, at least not exceeding half a million of dollars.

They also largely increased the civil list, and after all that was said of the extravagance of the Florida war under the Democratic Administration they increased the military expenditures alone in 1841 $2,000,000 more than those of 1840, under Mr. Van Buren, with the Florida campaigns on his hands.

In less than two years the national debt had been increased by them to above $16,000,000!

We omit noticing the many items of extravagance by which this indebtedness was brought about, as that is foreign to our subject. Our only object is to show that the country was needlessly plunged into debt as an excuse for a high tariff. We have seen that solemn pledges were made that the compromise should not be violated, that an "impartial and equitable tariff," which should "favor no one interest or State to the injury of others," should be maintained; in a word, that the tariff should be brought down to the revenue standard. They did not dare to violate this pledge openly or directly. But mark the deceptive movement! If the expenditures or debt of the nation are large the revenue to meet it must be large, and then the tariff to supply the revenue must be large, so true is it that extravagance breeds high taxes and high taxes breed extravagance in return. It was then determined that the Government should be plunged into debt, and we have melancholy experience that it is not so difficult a thing to get into debt, however hard it may be to get out.

But it had been said that it was necessary to impose a high tariff to pay off the debt left by the last Administration. Let us examine this position. We have seen that what is at last admitted by the official report from the Treasury Department, that the amount of that debt did not exceed five and one-half millions. We have seen, too, that it was proclaimed by Mr. Clay that thirteen millions would defray the expenses of the Government. And yet, we have also seen that Fillmore estimated, for the yearly expenses of the Government, twenty-seven and a half millions. That is, he estimated fourteen and a half millions more than he had proposed as sufficient for all expenses, to pay off five and a half millions! We ask the honest and reflecting of all parties if this is reasonable?

But what is still worse, with all this excess in the revenue, they issue Treasury notes, and go into the market to borrow money; and yet, so far are they from paying off that debt that they have in less than two years, since they have been in power, created a debt of their own to the amount of at least $16,000,000 more! And this debt in a state of rapid and fearful increase! The last report from the Treasury Department (December 15, 1842) shows that the expenses of the present year will far exceed the receipts, and the Secretary expressly recommends, to meet these expenses, further taxation, by an extension of the tariff!

But the Whig majority in Congress, it seems, are apprehensive that all this debt will not be sufficient excuse or justification for violating the compromise and keeping up a permanently high tariff. They therefore propose a

DISTRIBUTION OF THE PROCEEDS OF THE PUBLIC LANDS.

These proceeds have always been paid into the National Treasury, and, with the tariff revenue, have defrayed the national expenses for the common benefit of all the people, and, as we have shown, are not now even sufficient for that purpose.

If the public lands money is taken out and applied to any other object it is

*The whole amount of these appropriations above the estimates was more than seventeen millions of dollars ($17,779,074).

†See Secretary Ewing's report to that effect.

evident that the tariff must be increased to supply its place. If this is done, what is gained by the operation?

In laying on or increasing the tariff tax for that purpose, we have seen that the people who buy the taxed articles of the retail merchant pay the tax at last, besides an increase on it, in the shape of merchants' profits. We have seen, too, that they pay a still greater tax by means of the tariff to the manufacturer on similar domestic articles. But a small part of this increased tax, therefore, gets into the Treasury, and even of that part something is lost, by the way, in paying revenue and other officers for the collection of it. The part which reaches the Treasury supplies the place of just so much money derived from sales of the public lands, and which the Whigs propose to distribute to the different States. But even of these proceeds of lands the whole would not reach the National Treasury. A part goes to pay other officers employed by the Government in that branch of the service. But the money proposed to be distributed to the States does not reach the people themselves. It goes into the State treasury, and whether it will afterwards be prudently managed, whether it will share the fate of the surplus revenue funds formerly distributed to the States, whether it will be lent to favorites who will break and leave their securities to pay, or whether it will be uselessly expended would depend altogether on the Legislature. The whole circle of this operation, therefore, is easily seen. The money is first paid by the people for public lands. A part of it gets into the Treasury for the common benefit. It is distributed at some further expense to the treasuries of the different States. And this is called a gift. But it is like the Indian's gift: something is expected in return. The hole made by the operation in the National Treasury must be filled again. To do this the tariff must be increased. If the people had to pay but the same amount back again the operation would only be a foolish one. But, as in the way of manufacturers' profits, merchants' profits, and officers' fees, they pay back a far larger amount, it is oppressive. And, as in the other case we have mentioned, it is at last wrenched from the hand of labor to benefit the manufacturer. Away, then, with this policy of taking money from one pocket and putting less back into the other. Stripped of its disguise, it is thus seen that if distribution is intended as a gainful speculation it is ridiculous, if it is regarded as a gift it is a mockery, and if it is intended as a bribe it is an insult.

To fill this deficiency in the Treasury, occasioned by taking away the proceeds of the public lands, it was proposed by a leading Whig in Congress* to lay a higher tariff on tea and coffee. The tax by the last tariff on the importation of these articles is 20 per cent.; that is, for every 5 pounds of tea or coffee that is now bought 1 pound is paid to the Government as a tax, besides the merchants' profits on the tax, and it was proposed to increase this tax still more. It was stated that $3,000,000 could be raised in this way on these articles, which would about supply the place of the proceeds of the lands to be withdrawn from the Treasury for all the States. Now, if our State's share of these proceeds should reach the State treasury and should be judiciously applied by the Legislature, it may be said that it will save just so much tax from being laid on the people of the State. But we must recollect that our State taxes are on the ad valorem principle; that is, every one pays a tax in proportion to the amount of his property. The rich man, therefore, properly pays more State taxes than the poor man. And thus the rich man would be more benefited by our State treasury receiving the proceeds than the poor man. But in making a return for this "Indian's gift"—that is, in supplying the deficiency in the National Treasury occasioned by withdrawing the proceeds for us—the poor man pays at least as much as the rich man. Because, being paid back by a tariff on necessaries—say tea and coffee—the poor man has to buy at least as much of these articles as the rich man, and if he has "the poor man's luck" he has more mouths to feed. He pays back, therefore, in the shape of an unrighteous tax on necessaries at least as much as the rich man in return for money which benefits the rich man the most. And yet it is pretended that this distribution and high tariff policy is the poor man's best friend.

Many other arguments against distribution might be urged, but our limits forbid, nor are they regarded as necessary. It is only surprising that the scheme was ever proposed, and still more so that it should be seriously persisted in. It was intended to benefit peculiar interests, and it was hoped that the ignorance of the people would fail to detect its fallacy.

We have thus seen the vast and rapid increase of a national debt. We have seen that the declaration that thirteen millions was sufficient for the yearly expenses of the Government was confidently made in 1840. We have seen that on getting into power the Whigs have changed their views, and now expend more than twice that amount, exceeding what was expended under the former Administration. And that, too, although money is much scarcer and will buy at least twice as much as could be done with the inflated currency when Mr. Van Buren had charge of the Government. We have seen this extravagance in high places, while the people are groaning under debt, are pinching themselves in their own expenses. The States also are reducing the salaries of their officers, and are passing their "valuation laws" and "stay laws." Why at this time of universal distress are the expenditures of the nation not diminished also? Why are their taxes increased? Do the Whig leaders suppose that by bawling so lustily for reform they will not be suspected of extravagance themselves? Did they not do it for that purpose? Do they suppose that as they have "got their names up as pure men they can now lie abed till noon?" Where, we ask, are the pledges of retrenchment and reform so profusely made before the election in 1840? Where is the improvement in business so loudly proclaimed and so loudly promised? Where is the "change"—ay, that is the word—where is the change and what sort of a change have we got at last?

The honest and hard-working of their own party have not forgotten these deceptive promises; and, unless we are grossly mistaken, they will also not forget the deceivers themselves at the ballot-box.

Before we proceed further we will notice what may be urged as an argument in favor of the late tariff, namely, that some articles have been sold among us lately, and especially at auction, very cheap. This has been occasioned by the general and deep distress which pervades the country. Many dealers are in failing circumstances or have become bankrupt or insolvent, and have been under the necessity of sacrificing their goods. Besides, there was a large amount of goods brought into the country just before the tariff bill was passed for the purpose of avoiding the increased tax imposed by that bill. Many of these goods had to be re-exported, and what remained must be sold cheap. But to say that goods brought in hereafter, and taxed high, can be sold as low as the same goods would if taxed low is ridiculous. The tax must increase the price.

THE DEMOCRATIC POLICY AS TO A TARIFF,

in the first place, is to reduce the national expenses.

If the statement of the Whigs before the Presidential election that the Government could be carried on for thirteen millions a year is true, they certainly ought to be able to carry it on for seventeen millions a year, which would still be ten millions a year less than what they have expended, and what they propose to expend as a regular, permanent system.

In fact, the President's last message calculates the expenses for 1842 at thirty-four millions, and the Whig majority have never excepted to that or any other act of the President on the score of extravagance. On the contrary, they have voted for high tariffs, Treasury notes, and loans to meet and continue all expenses proposed or practiced.

We have seen, after all that was said about "gold spoons" and other extravagance at the President's house in Mr. Van Buren's time, that the Whigs passed a bill in February, 1841, after the election was determined in their favor, giving $6,000 more for furniture, etc., for the President's house.* This proves either that they did not believe in their previous charges of extravagance or that they were still more extravagant themselves. It is not surprising, therefore, that one of their own party (John Quincy Adams) lately said in a speech which he delivered in Congress on the 10th of August, 1842, that the Democracy had more of a sincere and honest determination to reduce the expenses of the Government than the other party.

After these admissions and after this conduct and after this mode of performing promises, who can be surprised at the recent changes in the elections?

In the next place, the Democratic party take the ground that a tariff which will produce only revenue enough to pay the necessary expenses of the Government will necessarily, and of its own mere operation, give every protection that is needed or ought to be desired. And this is sometimes called "incidental protection." Do our manufacturers really need any more than such protection? Let Mr. Clay himself answer the question. We have shown that in the debate on the compromise bill he declared that after the tariff should, by a gradual reduction, be brought down at the end of the eight or ten years to the revenue standard the manufacturers in every branch would sustain themselves against foreign competition.

And is it not reasonable that it should be so? If, in 1816, three years' protection was thought sufficient for manufacturers, has not twenty-six years been sufficient? Rest assured, my countrymen, the object is to inflict a permanent tax on the industry of the country, a tax not for the support of "home labor," but to tax nineteen-twentieths of our home labor, now bowed down to the earth, to fatten the other twentieth already made rich!

In the next place, the true policy is to have low duties, so as to encourage a free exchange of the farmer's provisions and other products for cheap necessaries in return from abroad. There are mouths enough among the starving millions of the Old World to consume our surplus produce. Our own manufacturers can not do it. But the foreigner can not buy our produce unless we buy the cheap products of his skill in return. Imports and exports must be equal. The leading Whigs pretend that they would open our ports wider if foreigners would do so in return. That they are not sincere in this was proven at the last session of Congress when this very tariff bill was before that body.

On the 2d day of August, 1842, Mr. Tappan, one of the Senators from Ohio, moved to amend the bill by providing that whenever our corn, flour, and salted provisions should be received free of duty into any nation of Europe that the President should make proclamation of that fact to the people of the United States, and that three months afterwards the articles made in that nation should be admitted into the United States at only 20 per cent. tax on the value. Every Whig Senator voted against the amendment, including the Senators from Indiana, Smith and White. Every Democratic Senator voted for it.†

We have already seen that England has lately reduced her duties on our produce. A barrel of flour taken from Indiana, Ohio, or Michigan into Canada pays a tax of only 12½ cents, and from thence to England only 48 cents more, making but 60 cents tax on a barrel of flour, scarcely the twentieth part of its value in England. This was setting a liberal example; but, instead of following it, we immediately passed our high tariff, taxing articles from that country in return, 30, 50 and even to 100 and 200 per cent.! We may next expect to hear that she has raised the tax on our produce up to the "old mark," unless in future we give her better encouragement to continue to do what is right.

CONCLUSION.

We have thus endeavored seriously to place this great question before our countrymen. If we know our own hearts, we have been actuated only by an anxious desire to guard their labor and their property from the spoiler. The manufacturers are rich and powerful. They can afford to employ writers and politicians to battle for their interests. They crowd their papers and their speeches with praises of high tariffs. Members of Congress scatter their speeches in their favor throughout the country.

But if you listen to or read those speeches carefully, you will find that they are loose and "flowery." They do not go into explanations. They do not descend to facts. They are plausible and pretty, but not to the point. They avoid the true question and endeavor to excite prejudices.

But while wealth commands its thousands of advocates, poverty and labor is too often left undefended. In such a case we can not withhold our humble aid. We have confined ourselves to public documents and to the speeches of our opponents themselves—to facts and to figures. We ask a patient hearing.

We know that we are exposing ourselves to the assaults of selfishness. Whoever undertakes to protect the many from being plundered by the few must expect all the abuse, ridicule, and misrepresentution that hireling talent, political prejudices, and aristocratic interests can bring into the field.

Our support and consolation will be found in an approving conscience.

Our opponents claim to be the exclusive friends of a tariff for the purpose of smuggling in an unrighteous tax upon the backs, the mouths, and the labor of the country. They know that if their scheme of taxation stood out in its naked deformity it would receive the hootings and execrations of the honest and unsuspecting of their own party. To avoid urging the question, they pretend to get into a passion, and say "the time for argument has gone by, and that for action is come." They brand those who will not bow to their dictation as locofocos, agrarians, and levelers. They cast the severest reproaches and indulge in the vilest epithets and the grossest personal abuse. They seem to regard that "stump orator" who can talk the loudest and abuse with the most flippancy as possessed of the most talent. Slander is their element and defamation their calling. But we ask our countrymen if, when a man engaged in a discussion gets into a real or pretended passion, and bandies abuse, is it not a "sign" that he has "run out of arguments?"

If one of their own select number is a candidate for office, whatever may be his defects or demerits, he is lauded to the skies. But if a Democrat is so presumptuous as to offer himself for the popular suffrage, however unexceptionable his character and conduct may have been, how much soever they may have praised him formerly themselves for his conduct as a man or as an officer, he at once becomes a mark for the shafts of slander and detraction.

But we warn such interested and kind detractors that the moral sense of this free people will no longer permit such party dictation. A love of justice, a keen sense of right and wrong, and a determination to show "fair play" towards all is felt by the honest and high-minded Indianians of every party, and they will not sanction nor suffer a systematic attempt to build up or put down without regard to truth or justice.

We say again that we are far from including in the above the great majority of our opponents. We allude only to a corrupt press and those leaders who desire to float into office on the waves of public commotion. To the great body—the rank and file of them—we would say, "We know there are many of you who are honest and sincerely attached to our republican institutions. We believe that the majority of your farmers, laborers, and mechanics are, in feeling and tendency, Democratic." Your selfish leaders are compelled to assume the name of Democratic Whigs to induce such men as you are to support them. In usurping that name, they undesignedly pay the highest compliment to the abused men and principles of the Democracy.

"Let us reason together." We are satisfied that, striving as you do, to make an honest living, you do not desire to be robbed of your hard earnings. We are

*Henry Clay.

* See acts of Congress for the year 1840-'41.

† See United States Senate Journal for 1842.

convinced that you are anxious for the best interests of our common country. Many of us are attached to you by mutual acts of neighborly kindness, by the ties of relationship, and often by a common religious faith. Can we not have charity towards each other and, throwing away passion and prejudice, go earnestly in quest of truth for its own sake?

Our opponents (disguise it as they may) are afraid of the people. They doubt their capacity for self-government. They believe the mass of them to be ignorant and vicious. Hence their constant endeavors to excite their passions, their prejudices, and their imagination by mere shows, parades, and spectacles. Hence, too, their endeavors to gratify their appetites, as if the readiest channel to man's reasoning faculties was down his throat. And why do they so?

It is because they do not believe the laboring part of mankind have any reason, or at least not enough to understand their own rights or the nature of our Government. They can only allow them sense enough to attend to the narrow limits of their humble calling. And the only use that they can imagine they have of them is that they should grope and drag out an obscure life of toil and weariness, to pay taxes, to be cajoled, deceived, and "humbugged," to serve as stepping-stones for men to get into office, and finally to sink into the earth, unmourned and forgotten. Let us repel so unworthy an estimate of us, as independent freemen.

Let us rise up to the dignity of our nature. If a foreign or savage foe invades our beloved country, these dictators are ready to call upon us in their behalf, to bare our toil-worn bosoms to the strife of battle; they are compelled to admit that we can then "do our own fighting." Let us show them, also, that we can "do our own thinking and our own voting." They are forced to admit that we are men in the battle-field; let them not treat us as children at the ballot-box. Let us, by protecting the hand of labor, press on in the road of national wealth and social happiness. And let our rallying cry be, "No political advantages from birth or fortune; no monopolies or special privileges; equal rights and equal taxes; and equal and exact justice to all men."

The Tariff—Tin Plate.

SPEECH

OF

HON. HERMAN STUMP,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 16, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. STUMP said:

Mr. CHAIRMAN: Representing a district composed of a constituency largely engaged in canning industries, I rise to protest against the increase of tariff on tin-plate.

I believe that the necessary revenues for an economical administration of the Government should be raised by tax upon such manufactured goods imported into this country, but so adjusted that no more revenue should be collected than is actually required, and so imposed that the necessaries of life should bear the least burden in proportion to cost, and that American workmen should have free material, so as to compete for the markets of the world.

No one contends that an additional duty on tin-plate is required "to provide for the common defense or general welfare of the country." The title of the bill under which this increase of duty is sought to be imposed is "A bill to reduce the revenue and equalize duties on imposts." The revenue collected under the present duty of 1 cent per pound and paid directly into the Treasury by the consumer amounts to $7,000,000, and with the additional 1 cent per pound proposed will make $14,000,000 to be paid annually by the people of the United States into a Treasury already overflowing with a surplus illegally and unconstitutionally extracted from them to foster a private enterprise. And what excuse is offered for this outrage? The most ultra-protectionist can not justify it, first, because there is no tin ore being mined in this country and, second, no tin-plate factory to protect. Then why not protect an industry that furnishes food for 15,000,000 of people and supplies the raw material for tin-roofing, kitchen, and dairy purposes?

The canning business is an infant industry and needs special protecting care. There are 1,900 factories in the canning business, scattered over the broad area of thirty-nine States and two Territories. These concerns consume the entire product of 1,000,000 acres of land. The yearly output, according to recent compilations, is 40,000,000 cases, or 80,000,000 dozen. These products, at the average market value the past year, would amount to $60,000,000, of which the farmer and producer receives $10,000,000. Six hundred million cans are manufactured in Baltimore alone for fruit, vegetables, and oyster packing.

The labor cost in canning products is very considerable, as the fruits and vegetables have to be planted, cultivated, harvested, and then carefully prepared before they are ready for the process. At least 2,000,000 people, including skilled and unskilled laborers, are dependent upon the success of the canneries; this includes the label manufacturers, the box manufacturers, can-makers, farmers and their help, and the great swarms of men, women, and children directly employed in gathering the products and packing the goods.

Engaged in it are the farmers, who are no longer able to compete with the corn and wheat growers of the West. They buy largely of the manufacturers of fertilizers to enrich their lands. The laborers are increased fourfold, and when the gathering and packing season commences fifty or one hundred hands are brought from the cities to each farm and given employment. The cans and cases are filled and the goods shipped to market. Five cents per dozen cans is considered a good profit on a farmer's pack, and the chairman of the Ways and Means Committee says that the additional tax of 1 cent will only add 3 cents per dozen to the cost, and that cost to the tin can or outside wrapper of the goods, which is thrown away. The fact is it adds over 4 cents to the cost of one dozen cans, thus leaving only 1 cent profit.

The entire destruction of this industry, which is now languishing, is apparent to every one. It can not stand this additional burden.

But we are told that if this unnecessary and therefore illegal additional tax is imposed some syndicate or company might be induced to manufacture tin-plate in this country, and that in a few years such syndicate or company might be able to reduce the price of tin-plate to the consumer and employ 23,000 men in making it. What right has the chairman of the Ways and Means Committee to speculate with the hard earnings of the American people? What right has any political party to inaugurate a special business for a few favored capitalists and charge an established industry and every man, woman, and child in the land with its support? Who are petitioning them to impose this duty? From the testimony taken before the committee it seems that only two or three persons ask for it, and one of these, Mr. Cronemeyer, is charged with saying "that tin-plate could be made in this country at the present rate of duty and sold at a profit," whilst men representing the whole canning business, North, South, East, and West, were before them protesting against its action.

It is said that there is tin ore in the Black Hills of Dakota. If so, why has it never been mined before? Why has it not been manufactured into tin-plate? The duty of 1.1 cent per pound from 1875 to 1882 and 1 cent per pound on the manufactured article since has in the course of fifteen years taken near $100,000,000 in duties from the poorer classes of the people. Was this not a sufficient protective tariff to stimulate this industry into existence? And no tin-plate manufactured yet. The distinguished gentleman from Ohio, Mr. BUTTERWORTH, adds that it will cost $50,000,000 more before any company pays a dividend.

With the ore at our door, why was not the plate manufactured at home? With this protective tariff, why was not the ore imported from the Straits of Malacca and Australia, whence England (so says the gentleman from Missouri, Mr. NIEDRINGHAUS) imports nine-tenths of all the ore she manufactures. With free ore, the American having a protective tariff of 1 cent per pound and the Englishman handicapped with freight charges, do you mean to say that an Englishman can undersell the American in the home market? No one will believe you. It is an insult to an American workman. There must be other reasons why our own ore or foreign ore is not manufactured here. It is because tin-plate comes in competition with the highest protected iron industries of this country, and that sheet iron for roofing and siding pay a better profit than tin, and hence tin should be excluded from that market.

The iron men control the tin-plate output, and the iron manufacturers are the largest contributors to the Republican campaign funds. The Republican party promised to twist the lion's tail of free-trade England. What happened? The free-traders of England have been able to send capitalists here and buy up the pet protected industries of this county, and with others are grinding the American laborer down to the starvation prices of the old country. This is the case to such an extent that this Congress has deemed it of the utmost importance that a joint committee of the Senate and House should investigate the effect on immigration, and incidentally on American workmen, which is likely to follow the purchase of American industries by foreign capitalists.

The Englishman has control of all the tin ore in this country and abroad, and he owns the ore (if there is any) in the Black Hills of Dakota, except some owned there by a certain Republican politician of the State of New York. If this is so, will not this legislation advance the interests of foreigners? Mr. MCKINLEY, the chairman of the Committee on Ways and Means, seems to think it is desirable to have the English plant locate here. This might be so under certain circumstances, but certainly not to the detriment of millions of people interested in the canning industries.

I have not seen the farmer or laborer going before the committee asking for protection, but the committee claim that all the legislation in the bill will result in their benefit, but no intelligent farmer or laborer can find where the relief is afforded him. The Republican majority is engaged in keeping in power their own political party. They have a bill pending (the Lodge bill) to compel the ignorant negro to vote their ticket for past services rendered them. They endeavor to bribe the soldier with pensions, seeking to have him forget the true love of country which called him to the field in defense of the Union, the Constitution, and equal rights to all men. They give the manufacturing, banking, and business interests of the country into the hands of capitalists for the sinews of war when political contests are at hand.

One industry on a capital of $1,250,000 made a dividend of $60,000,000, so Mr. BUTTERWORTH says. How much should it have contributed? He further says that he could name capitalists whose profits exceeded the profits of all the agriculturists of any one State. They create

what they call a home market, by prohibiting commercial intercourse with other nations, where the supply and price of the commodities to be sold are regulated by trusts, combinations, and syndicates, fostered and protected by such vicious legislation as is contained in this iniquitous measure, where the free American citizen is compelled to make his purchases at such prices as are demanded and where the American laborer is obliged to sell his labor at such remuneration as is offered.

Truly the privileged classes and protected manufacturers, under the present laws, have a monopoly, and are sitting in the temple arrayed in purple and fine linen, changing the money from the pockets of the hard-working, struggling masses of the people into their own.

But the day of reckoning is at hand. The time is coming quietly, steadily, certainly. It will come with the resistlessness of the mighty wind. It will be the voice of an outraged and long-suffering people. The tables will be overturned and the temple will no longer be a "den of thieves."

The Tariff—Missouri's Wealth.

SPEECH

OF

HON. NATHAN FRANK,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 19, 1890.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, the question being on the amendment of the gentleman from Kansas [Mr. FUNSTON] to strike out the provision "that silver ore and all other ores containing lead shall pay a duty of 1½ cents per pound on the lead contained therein"—

Mr. FRANK said:

Mr. CHAIRMAN: I am opposed to the adoption of the amendment offered by the gentleman from Kansas because I believe it is a direct blow at the principles of this bill, a direct blow at the national interests, and a direct blow to the prosperity of the State for which I now raise my voice. I regret, Mr. Chairman, that this amendment should have emanated from this side of the House. The gentleman might as well and with equal propriety propose that gold, iron, and lead should be put upon the free-list. When this amendment was proposed some days ago I had confidently hoped that my colleagues from Missouri on the other side of the aisle would join me in an effort to defeat it in order to encourage the capital which has been invested in the mines of Missouri and which is fast developing her vast and varied resources. But from what I have heard I believe that I have hoped in vain.

Mr. Chairman, during this debate the purity of elections in my district and the grand old State of Missouri has been attacked by my colleagues on the other side in a most unjustifiable and unwarrantable way. Mr. Chairman, none of Missouri's sons honored by her Democratic vote would rise in their places and do her reverence. The gentleman from the Third district [Mr. DOCKERY], in his remarks with reference to the State of Missouri, has been guilty of this language. I quote from page 5035 of the RECORD:

> I desire to make a brief statement as to the indebtedness of Clinton County. In the tariff reform campaign of last year I made the assertion that, notwithstanding the wealth of her agricultural resources, the farming wealth of the county had declined until its decadence was manifest in an appalling aggregate of farm mortgages.

Again:

> I was about to say, Mr. Chairman, that the assessed value of the ten counties I represent amounted in 1888 to over $46,000,000.

Thereafter, proceeding further, he says:

> I have stated the assessed valuation for 1888, but, guided by the general results of the census of 1880, I should estimate that the wealth of the ten counties has not increased.

Now, what are the facts? In Clay County, to which the gentleman refers, the taxable wealth in 1880, according to the census, was $4,987,083. On June 1, 1888, the data of the last assessment, it was $5,581,475, an increase of about $550,000 in that county. Now, the gentleman says that as to the ten counties in his district he would estimate that the wealth of those ten counties has not increased in eighteen years. The fact is that the wealth of the ten counties of his district has increased nearly $6,000,000; and his is a purely agricultural district. In 1880 there was not a town in his whole district that had 1,500 inhabitants.

[Here the hammer fell.]

Mr. FRANK. I ask unanimous consent for five minutes more.

Mr. BLAND. I have no objection to the gentleman occupying five minutes if I can have five minutes to answer him. I am willing he shall have ten minutes to my five.

Mr. FRANK. I will accept the proposition with very great pleasure, because I want to pay my respects to the gentleman.

Mr. BLAND. I hope the gentleman may do so because I have very great regard for him and I want to pay my respects to him.

Mr. FRANK. When I was interrupted, Mr. Chairman, I was demonstrating that the attack made upon the State of Missouri by her honored sons on the other side of the aisle was inexcusable and unjustifiable. I had demonstrated that the Third Congressional district, which has sent Mr. DOCKERY to Congress four times, had increased in material wealth between the last census, 1880, and the reliable State assessment of 1888, nearly $6,000,000. I was interrupted by the gentleman, my colleague [Mr. BLAND], who wished to know what the condition was as to his district. Though he represents the most inaccessible, the most sparsely populated, and perhaps the most barren part of the State of Missouri, his district, Mr. Chairman, in the same eight years has increased in taxable wealth over $2,000,000.

Now, what is the truth about the State of Missouri? Is the picture drawn by my Democratic colleagues, who are holding her up to pity and scorn, reliable? Is her husbandry in this distress? Mr. Chairman, in 1880 the taxable wealth of the State of Missouri was $530,000,000. In 1888, by the same assessment hitherto referred to, it was $750,000,000, an increase of $220,000,000. Now, to what is this marvelous prosperity attributable? I say, Mr. Chairman, it is attributable to the financial legislation of this country. It is attributable to the protection of labor. The thrift of the population of that State is exceptional. It is also attributable to this, that in 1880 she gave 153,000 Republican votes and in 1888 gave 242,000 Republican votes [applause on the Republican side], with a corresponding decrease in the Democratic vote. [Applause on the Republican side.] So that now the governor of the State of Missouri is a minority governor, lacking 6,000 votes of having a majority, while the governor elected in 1880 had 55,000 majority.

Mr. PERKINS. Is that what is the matter with Missouri?

Mr. FRANK. That is what is the matter with the other side. The credit of the State was never so high before. She has reduced her State debt from nearly $20,000,000 in 1880 to less than $10,000,000 now. With her fertile fields, with her mines, with her vast resources, she resents these unwarranted attacks. She does not wish to be held up to the world as poverty stricken. As none of her honored Democratic sons sees fit to come forward, I come in the name of 242,000 Republican voters to say that their statements are unreliable. [Loud applause.]

The bonded debt and the aggregate available resources of the counties of the State of Missouri have been compiled from official sources under the law for the taking of the eleventh decennial census (1890), and I shall have this compilation attached to my remarks. The situation as exhibited by it will refute with undeniable accuracy the extravagant statements made on this floor for political effect.

I am for a revision of the tariff; the bill under consideration is based on the principles which I indorse, but the duties, in my humble judgment, are pitched too high. The campaign of 1888 was conducted on the line of protection to labor, insuring a home market for our products as against a tariff "for revenue only," or as against free trade, if you wish. The time may come, but I apprehend it is far distant, when this country can safely indorse this last policy. When it does arrive, Missouri will be a State which, because of her varied resources, thoroughly developed, will demand no quarter from any source. Her advantageous situation, watered by the largest rivers on this continent, with navigable streams within and at her territorial limits, with her two great commercial and manufacturing cities, fertility of soil, and rich mineral deposits, favorable climate, together with intelligent and industrious people, all combine to make her the sovereign State of the West.

In the language of the poet, I can truthfully say:

> The wandering mariner, whose eye explores
> The wealthiest isles, the most enchanting shores,
> Views no land as beautiful or fair,
> Or breathes the spirit of a purer air.

I want no better or more conclusive proof of the advantages of the American system of protection than the position this country occupies in the civilized world under its beneficent influence, a place which it has secured in the last twenty years.

I shall not impose on the indulgence of the House with traversing the same ground so ably covered by the gentlemen who have preceded me on the merits of the special schedules; but against the amendment now directly under consideration, proposing to strike out the provision for the payment of a duty of 1½ cents per pound on lead ore in silver and other lead-bearing ores, I wish to be understood, as I said in the outset, as emphatically protesting.

APPENDIX.

Indebtedness of Missouri by counties as units.

Counties.	Years.	Bonded debt.	Gross debt.	Total available resources.
Adair	1880	$190,000.00	$190,000.00	.....
	1890	155,730.00	155,730.00	$37,177.00
Andrew	1880	7,000.00	7,000.00	.....
	1890	.....	.....	.....
Atchison	1880	.....	4,968.03	.....
	1890	.....	19,310.94	2,842.97
Audrain	1880	.....	.....	.....
	1890	.....	.....	6,000.00

Indebtedness of Missouri, etc.—Continued.

Counties.	Years.	Bonded debt.	Gross debt.	Total available resources.
Barry	1880			
	1890			
Barton	1880	$36,500.00	$36,500.00	
	1890		20,000.00	$20,000.00
Bates	1880			
	1890		20,000.00	
Benton	1880	165,000.00	165,000.00	
	1890	295,600.00	295,600.00	
Bollinger	1880			
	1890		14,183.12	
Boone	1880	285,000.00	285,000.00	
	1890	41,000.00	41,000.00	41,000.00
Buchanan	1880	400,000.00	575,000.00	
	1890	526,000.00	526,000.00	69,036.94
Butler	1880	50,000.00	56,000.00	
	1890	57,800.00	59,400.00	
Caldwell	1880			
	1890			50,000.00
Callaway	1880	503,000.00	503,000.00	
	1890	430,900.00	430,900.00	14,000.00
Camden	1880	5,785.00	9,235.00	1,289.20
	1890	3,046.00	5,437.00	
Cape Girardeau	1880			
	1890			33,663.00
Carroll	1880			10,000.00
	1890			5,000.00
Carter	1880		3,519.00	
	1890			1,089.00
Cass	1880	333,000.00	333,000.00	
	1890	228,000.00	630,000.00	46,267.43
Cedar	1880			
	1890	5,000.00	5,000.00	
Charlton	1880	161,000.00	161,000.00	
	1890	96,000.00	96,000.00	23,236.34
Christian	1880		5,000.00	
	1890		9,000.00	
Clark	1880	325,000.00	325,000.00	
	1890	232,500.00	258,690.00	
Clay	1880	189,900.00	189,900.00	10,000.00
	1890	71,000.00	71,000.00	10,416.88
Clinton	1880	110,000.00	110,000.00	
	1890	50,000.00	50,090.00	3,740.00
Cole	1880	131,000.00	131,000.00	
	1890	108,000.00	108,000.00	11,310.00
Cooper	1880	254,000.00	281,598.00	
	1890	8,000.00	8,000.00	8,000.00
Crawford	1880	30,000.00	30,000.00	
	1890			
Dade	1880	200,000.00	201,750.00	
	1890	270,009.00	280,000.00	29,631.49
Dallas	1880	235,000.00	235,300.00	
	1890			
Daviess	1880	105,000.00	105,000.00	10,000.00
	1890			
De Kalb	1880	1,244.00	1,244.00	
	1890		26,362.99	
Dent	1880	47,000.00	47,000.00	
	1890	19,000.00	24,000.00	
Douglas	1880	19,660.00	23,100.00	2,500.00
	1890		10,806.34	
Dunklin	1880		2,500.00	
	1890		9,000.00	
Franklin	1880	313,191.00	313,191.00	
	1890	378,195.00	378,195.00	224,713.63
Gasconade	1880			
	1890			1,071.70
Gentry	1880			
	1890			
Greene	1880	290,000.00	290,000.00	
	1890	519,000.00	519,000.00	186,000.00
Grundy	1880	175,000.00	175,000.00	14,153.00
	1890	140,000.00	140,000.00	39,000.00
Harrison	1880			
	1890		5,000.00	
Henry	1880	630,000.00	630,000.00	
	1890	551,000.00	551,000.00	8,153.31
Hickory	1880		3,800.00	
	1890		5,400.00	
Holt	1880			
	1890			
Howard	1880	397,000.00	397,000.00	
	1890	242,200.00	242,200.00	55,862.59
Howell	1880	15,200.00	17,530.00	2,310.00
	1890	7,000.00	7,000.00	5,625.00
Iron	1880			
	1890			2,730.61
Jackson	1880	910,000.00	910,000.00	
	1890	200,000.00	200,000.00	
Jasper	1880	120,000.00	125,500.00	
	1890		2,000.00	
Jefferson	1880	102,910.00	115,538.00	
	1890	12,000.00	18,528.35	11,918.22
Johnson	1880	148,200.00	148,200.00	
	1890	142,200.00	142,200.00	27,139.65
Knox	1880	75,000.00	75,000.00	
	1890	311,475.39	331,475.39	
Laclede	1880	78,000.00	79,500.00	
	1890	72,000.00	73,600.00	8,146.56
LaFayette	1880	725,350.00	725,350.00	
	1890	586,500.00	586,500.00	
Lawrence	1880	5,500.00	5,500.00	
	1890			6,899.63
Lewis	1880	45,000.00	45,000.00	4,235.27
	1890			
Lincoln	1880	257,000.00	257,000.00	
	1890	361,800.00	361,800.00	14,997.42

Indebtedness of Missouri, etc.—Continued.

Counties.	Years.	Bonded debt.	Gross debt.	Total available resources.
Linn	1880	$9,682.00	$10,882.00	
	1890			
Livingston	1880	68,000.00	85,220.00	
	1890		21,698.00	$1,929.90
McDonald	1880	3,600.00	13,600.00	
	1890			1,000.00
Macon	1880	339,400.00	339,400.00	
	1890	311,900.00	326,550.00	14,000.00
Madison	1880	8,250.00	15,672.00	1,672.00
	1890			1,829.55
Maries	1880	14,550.00	20,632.00	
	1890		3,000.00	
Marion	1880	73,150.00	73,150.00	
	1890			6,820.45
Mercer	1880	163,000.00	163,000.00	12,000.00
	1890	75,000.00	75,000.00	
Miller	1880		4,500.00	
	1890		400.00	1,107.91
Mississippi	1880		10,000.00	
	1890			
Moniteau	1880			
	1890			
Monroe	1880	213,000.00	213,000.00	
	1890	70,500.00	70,500.00	
Montgomery	1880	11,000.00	11,000.00	
	1890		4,533.67	
Morgan	1880	103,000.00	103,000.00	
	1890	147,500.00	147,500.00	4,272.00
New Madrid	1880	4,700.00	4,700.00	
	1890			4,457.70
Newton	1880		5,000.00	
	1890		15,000.00	
Nodaway	1880			
	1890	16,000.00	16,000.00	11,000.00
Oregon	1880	20,000.00	23,500.00	
	1890	4,000.00	10,112.52	1,294.64
Osage	1880	800.00	800.00	
	1890			11,379.38
Ozark	1880	7,200.00	9,160.00	1,000.00
	1890			
Pemiscot	1880	6,100.00	6,100.00	
	1890	4,600.00	6,600.00	
Perry	1880			
	1890			7,606.77
Pettis	1880	344,000.00	344,000.00	
	1890	425,500.00	425,500.00	30,327.00
Phelps	1880	22,400.00	32,863.00	
	1890		152.51	3,613.28
Pike	1880	57,000.00	57,000.00	
	1890	15,000.00	15,000.00	15,223.00
Platte	1880	282,100.00	282,100.00	
	1890			
Polk	1880	33,500.00	36,500.00	
	1890	33,500.00	39,500.00	32,135.38
Pulaski	1880	1,500.00	5,600.00	2,000.00
	1890			4,000.00
Putnam	1880	74,360.00	79,360.00	
	1890	73,500.00	78,402.01	200.00
Ralls	1880	266,500.00	270,000.00	
	1890	346,000.00	346,000.00	
Randolph	1880	38,000.00	41,500.00	18,000.00
	1890	2,200.00	3,000.00	18,000.00
Ray	1880	204,512.00	204,512.00	
	1890	216,000.00	216,000.00	22,288.88
Reynolds	1880		2,449.00	2,449.00
	1890			
Ripley	1880	7,000.00	13,000.00	
	1890		6,000.00	4,814.12
Saline	1880	5,000.00	5,000.00	387.00
	1890			
Schuyler	1880	150,000.00	150,925.00	
	1890	172,800.00	180,800.00	2,000.00
Scotland	1880	192,600.00	192,600.00	
	1890	131,709.65	331,709.00	
Scott	1880			
	1890			1,904.49
Shannon	1880	23,000.00	35,742.90	7,500.00
	1890	500.00	500.00	1,285.14
Shelby	1880	3,000.00	3,000.00	
	1890			11,000.00
St. Charles	1880	15,000.00	15,000.00	
	1890	15,000.00	15,000.00	29,000.00
St. Clair	1880	250,000.00	250,000.00	
	1890	231,000.00	231,000.00	
St. François	1880			
	1890			
Ste. Genevieve	1880	6,000.00	6,000.00	
	1890			2,917.14
St. Louis	1880			6,730.00
	1890			32,121.57
Stoddard	1880	32,600.00	42,764.00	5,554.00
	1890		25,000.00	
Stone	1880		8,454.00	
	1890			
Sullivan	1880	154,250.00	154,250.00	
	1890	185,000.00	185,000.00	510.00
Taney	1880	30,112.00	37,112.00	
	1890	45,398.75	45,398.75	
Texas	1880			
	1890			
Vernon	1880	210,000.00	210,000.00	30,000.00
	1890	168,700.00	168,700.00	20,500.00
Warren	1880	16,141.00	16,141.00	
	1890			
Washington	1880			
	1890			

Indebtedness of Missouri, etc.—Continued.

Counties.	Years.	Bonded debt.	Gross debt.	Total available resources.
Wayne	1880	$4,200.00	$5,700.00	$5,560.00
	1890			
Webster	1880	20,903.00	20,425.00	
	1890			434.95
Worth	1880	4,900.00	4,900.00	
	1890		6,000.00	
Wright	1880			
	1890		6,000.00	3,000.00
Totals	1880	11,574,499.00	11,994,493.93	129,845.47
	1890	9,334,174.89	9,974,733.90	1,513,132.41

The Tariff—Argentiferous Lead Ores.

SPEECH
OF
HON. WILLIAM M. KINSEY,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. KINSEY said:

Mr. CHAIRMAN: This is simply a question of whether the mining and smelting of the lead and silver ores of this country shall be done in the United States or whether the mining shall be done in Mexico and the smelting here.

That is all there is in this proposition.

It is a question between half a dozen smelters on the one hand and fifty thousand miners on the other hand.

It is a question whether the Republican party shall stand by a principle to which we are pledged or whether we shall make an exception to it in this case.

My friend from Nevada [Mr. BARTINE] has said that he would not have been surprised if this amendment to admit argentiferous lead ores from Mexico free had come from the other side of this House. I join with him in that statement.

I am surprised that any man on this side who was elected on the Republican platform of 1888 should ask that an exception be made to the principle of protection enunciated in that platform.

About 140,000 or 150,000 tons of this Mexican silver and lead bearing ore are now brought into this country each year. Mr. Meyer, who is the apostle of this movement, who is the owner of a smelter at Kansas City, who is also the owner of a smelter at El Paso, and who is the owner of lead mines in Mexico—the man who is backing up this amendment—said to the committee when he was before it, "We do not import these ores for the purpose of making lead, but we import them for the purpose of using them as fluxing ores, enabling us thereby to reduce the dry ores mined in the far West." But the fact is that having used these ores for that purpose there is a by-product of 25,000 to 30,000 tons of pig-lead secured, which is dumped upon the market here, thus breaking down the lead industries of Missouri and of the West, by bringing the product of the cheap labor of Mexico in competition with the lead produced by the higher wages of this country.

The argument is made that the Mexican ores are necessary to the economical treatment of the dry or refractory ores of the Rocky Mountain region, and that we do not produce a sufficient quantity of fluxing ores to supply the wants of our smelters.

This proposition is denied by every Representative and Delegate on the floor who represents a State or Territory producing argentiferous lead ores, while every advocate of this amendment, with one exception, represents a district containing a smelter.

The statement has also been made that the ores imported from Mexico now amount to about 200 car-loads per day, from which it may be inferred that certain railroad companies are interested in the adoption of this amendment. I submit, Mr. Chairman, that we are not framing this tariff bill in the interest of the railroad companies, but in the interest of the producer and laborer of this country.

Another fact worthy of note is that three-quarters of the silver mines of the far West could not be successfully operated but for the lead they produce. If you destroy their market for lead by the introduction of the cheaper Mexican lead free, you also render valueless their silver mines.

The situation of the lead-mining industry in Missouri is somewhat different from that in the States and Territories farther West. There our operations are confined to the production of lead alone. Under the encouragement afforded by the protective system about $10,000,000 have been invested in the business, one-half of which is in plants. In my own district there is between three and four millions invested, giving employment to 2,500 men and causing the expenditure of about $2,000,000 annually for wages and supplies among my constituents.

Our ores are found disseminated through rock one to two hundred feet below the surface, and after a very expensive and elaborate treatment yield from 5 to 15 per cent. of pure lead.

It is impossible to reduce these ores profitably at the prevailing prices of lead unless it be done on a very large scale, and then the margin of profit is so small that we are not developing our mines to anything like their full capacity.

Missouri can produce at least one-third of the lead consumed in this country if we are assured that the home market will not be overrun by the product of cheap foreign labor.

The rapidly increasing importation of Mexican ores is a continual menace to the producer of lead in Missouri. If these cheap ores, imported free of duty, have not already fixed the price of lead in this country, no man can tell how soon we will be at the mercy of our neighbors on the south, who with the active assistance of the smelters on this side of the Rio Grande can control the price of our lead and thus cripple if not destroy one of the greatest mining industries of the country.

When it is remembered that Mexican ores are much richer in lead than ours, that the labor cost of mining is about one-third what it is in this country, that transportation facilities are rapidly increasing in Mexico, and that these ores when imported are made to serve a double purpose by our smelters, being used first as a flux, then to produce pig lead, it does not take a great stretch of imagination to see what the result will be in the future, unless Congress shall refuse to agree to this amendment.

David Wilber.

REMARKS
OF
HON. MARK S. BREWER,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, May 17, 1890.

The House having under consideration resolutions of respect to Hon. David Wilber, late a Representative from the State of New York—

Mr. BREWER said:

Mr. SPEAKER: Another of our number has ended his earthly labors and has passed from the known to the unknown world, whither we are all rapidly moving. David Wilber is no longer numbered with the living, but that he still has a spiritual existence will not be doubted by the great majority of us who are still engaged in life's contests.

I first became acquainted with Mr. Wilber at the opening of the Forty-sixth Congress. I had been a member of the Forty-fifth Congress, while he had represented his district in the Forty-third and filled many other positions of trust. For some time after we had made the acquaintance of each other we made our home at the same place here in the city, and our personal relations became somewhat intimate.

We both retired from the House at the close of the Forty-sixth Congress and returned here again together at the opening of the Fiftieth Congress, when our former acquaintance was renewed.

Mr. Wilber was a man somewhat advanced in years when I first knew him, but his mental and physical powers were strong and well preserved. He was a plain, unassuming man and faithfully and honestly represented a plain but intelligent constituency. He was not known by his eloquence in speech; he took but little part in public debate; but he was recognized by all as a clear-headed, warm-hearted business man, and his associates upon the committees upon which he served gave much weight to his judgment and suggestions touching pending measures of legislation. The business in which he had been engaged for many years had brought him into close and intimate relations with the people whom he represented here, and no one knew their views touching business matters or political questions so well as Mr. Wilber, and no member of this House ever possessed the confidence of his constituency to a greater extent than did he of whom we speak. They had dealt with him in business affairs and they had great confidence in his integrity as a citizen and in his judgment as a representative, as is clearly manifest by the support which they so often gave to him. Although a majority of the people of his district belonged to another party than that of which Mr. Wilber was a member, yet their confidence in Mr. Wilber won to him their political support.

The life and character of Mr. Wilber must have impressed itself upon the people of his district and State for the individual and public good, and the world was made better because he lived.

How often have we during this Congress been called upon to pay a last tribute to our colleagues who have passed "beyond the river."

Gay, Laird, Nutting, Cox, Kelley, Randall, and others have laid down life's burdens and gone to join the great majority, and now our friend and associate, David Wilber, ripe in judgment and full of years, sleeps with his late associates on the bosom of Mother Earth, and his spirit has returned to Him who gave it. He has fulfilled his mission; his work was well done, and we doubt not it is well now with his gentle spirit.

The Tariff.

SPEECH
OF
HON. J. A. GEISSENHAINER,
OF NEW JERSEY.
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. GEISSENHAINER said:

Mr. CHAIRMAN: It is never to be forgotten that a prosperous people make a prosperous country. While it is indisputable that Government is entitled to support, it is equally undeniable that the people are entitled to the according of their support upon a just and equitable basis and without hinderance to their progress and prosperity. Taxation must, by the adoption of a wise policy, be so regulated as to fall with fairness upon all. No body of citizens must be preferred or permitted to prey upon another.

The tax should be so collected that the necessities of our great population be not placed almost beyond reach, while unnecessary luxuries are permitted to escape. Neither must the manufacturer be oppressed. He should be so treated that he may honestly compete with other nations and at the same time deal with his fellow-citizens upon an honest competitive basis. He should not be advanced by any partial legislation in his favor; he should not be surrounded by plausible theories that make an exorbitant market for his wares. It is his due that a fair opportunity be given him and that he be not excluded from disposing of his manufactures to his own countrymen.

The problem before this House is not whether a tariff shall be levied for the maintenance of the Government, but how to arrange the tariff taxes with the least possible injury to the people.

It is a military maxim, Mr. Chairman, that when five hundred men are to be sacrificed in capturing a fortification the loss of every one exceeding that number is to be regarded as murder. This rule may be aptly applied to the collection of the revenue.

When a particular sum of money is needed for Government expenditures, any amount collected beyond that sum is to be considered as an extortion from the helpless citizen. Revenue is collected not only from the produce of the country, but from the labor of the individual and the comforts of life. In order that this burden may fall with the least possible force, it would seem just that those articles which are luxurious in themselves and contribute to ostentation and vanity rather than to the support and sustenance of life should bear the heavier portion of the sum to be collected.

While costly works of art, representing a sum equivalent to a large yield of the earth's produce, and many days, perhaps years, of labor, may be regarded as special objects of luxury, it is to be borne in mind that whatever contributes to a taste for the ornamental and beautiful is an educator of mankind and tends to advance his usefulness both as a public and private citizen.

Where expensive works of art are free to be studied and enjoyed by all, where each one may share with the other his appreciation of what is hewn or depicted, the treasure is possessed in common and may be regarded as the property of the people; but where such treasure is the property of one individual and is reserved for his own gratification and that of a chosen few, it becomes an object of pomp and an exhibition of wealth, for which the possessor should submit to a tax with the same willingness that he pays to insure the preservation of the same.

The exemption from tariff of works of art privately owned necessitates an increased tax upon all other dutiable articles, among which food and clothing are included to no small extent.

The bill now under consideration appears to so operate, in many respects, as to discriminate against the consumer. It is well known that in trade the goods used by the workingman yield a materially larger profit than richer and more elaborate ones, and the duty on these goods, instead of being reduced, has been augmented. On certain articles which this country appears to be incapable of furnishing as yet the tariff has been increased, while upon others that are produced by our people in quantities the tariff is immensely reduced, and bounties and drawbacks are allowed in addition. Bounties and drawbacks are in themselves often detrimental.

It has been well said that they increase taxation, promote monopoly, foster corruption, imperil the capital invested, encourage illegitimate demands on the Treasury, and favor one body of citizens at the expense of another. Bounties and drawbacks discriminate, too, as against the home consumer, by permitting goods to be sold for less money abroad than at home. Agricultural implements, sewing-machines, and other innumerable articles will be found, by comparison of export lists with the domestic lists, offered abroad at from 10 to 20 per cent. less than in this country.

This bill, therefore, appears to consider the foreign consumer better than the American. It is proposed to more than double the tariff on tin-plates. The bill known as the "Mills bill," having taken into consideration the many and varied uses of the plates and their great importance to the consumer, placed them upon the free-list.

A box of tin costs 13*s.* 6*d.*, or $3.31, less 4 per cent. discount for cash and 8 cents for putting it aboard at Swansea, making $3.18. Three pounds of tin are required to coat 108 sheets and cost about 63 cents, which deducted from the $3.18 makes a sum total of $2.47. (There is no duty on the pig-tin and it sells at the same price in this country as abroad.)

The duty on a box of tin-plates at 2.20 cents would be $2.37. In other words, $2.37 for coating a box of sheets with 3 pounds of tin. It will therefore be seen that the duty imposed is equivalent to the entire cost of the box of sheets. It is estimated that the actual labor in producing 108 sheets is $1.32. All articles composed of tin are doubled in price in consequence of the duty, and every one is more or less affected in order to protect an "infant industry" in the handling of an ore which the gentleman from Ohio [Mr. BUTTERWORTH] stated has a very doubtful commercial existence in this country.

The increased tariff will fall heavily in various directions. First, as to the consumer: His roofs and all utensils of tin (including the oft-quoted dinner-pail), together with his packed provisions, will be greatly increased in cost. His can of food will be raised by various gradations between the importer and the grocer, or, if the cost is not increased, the can will contain a lesser quantity. He may pay the same money, but will get less food. Consumption will be greatly restricted, and the packers and canners, as well as the consumers will suffer in consequence.

At a convention of the National Association of Canned-Food Packers, held at Baltimore May 7, 1890, it was stated that—

The canning trade included the farmer, the laborer, and the consumer; that 6,000 firms were engaged in this industry, with an invested capital of $100,000,000, giving direct employment to 1,000,000 persons. That while 3,500,000 boxes are made up into cans yearly for our food products our importations of tin-plates have increased from 546,000 boxes in 1862 to 5,659,734 boxes in 1889. The tariff on tin has been tinkered with since 1842. The duty was then 2½ per cent. ad valorem. In 1846 it was increased to 15 per cent. In 1857 it was reduced to 8 per cent. In 1861 it was raised to 10 per cent., and in 1862 it was raised to 25 per cent. In 1872 it was again reduced to 15 per cent. In 1875 the duty was changed to a specific rate of 1.1 cents per pound. In 1883 it was fixed at 1 cent per pound. Since 1872, which is only seventeen years out of the forty-eight, in which the unborn industry has been protected, $3,300,000 in duties have been paid by the consumers of tin-plates.

The proposed tariff will increase the duty on tin-plates to over $7,000,000 (the amount estimated to be paid as bounty on sugar), and the cost to the consumer will be from eight to nine million of dollars, added to the retail price. As a consolation the increase in this tariff is not to take effect until July 1, 1891, but no assurance is furnished that the year's delay in this duty will not result in raising the price of foreign plates at once. Again, it does not seem possible that even American genius can supply home-made tin-plates in sufficient quantities for the United States in five or ten years, and during that period they must be bought abroad.

Under the tariff proposed the importer and manufacturer will, of course, be obliged to charge an additional price. As the tin-plates pass through the various hands, the tariff, interest, profit, etc., will be added, but it is by no means improbable that the whole tax will not fall on the farmer, in whose interests we are assured this tariff bill has been draughted. He is not passing through a period of unalloyed prosperity. When his products brought good prices all over the country he was tempted to invest in improved tools (at American rates) and in other ways to take upon himself a debt which he has as yet been unable to satisfy. As it does not pay him to cultivate the cereals, he grows fruits, corn, tomatoes, and other vegetables in the hope of bettering himself. He receives but scanty prices now, and may hereafter find no buyer in the packer, unless he concedes to a price that will cover all the expenses of the duty on tin-plates.

Whether the packer buys or not, under the proposed tariff he will find his condition not very materially improved. He is taxed on his fertilizers, his farming implements, his crocks, his linens, his cottons and woolens, his lamp-chimneys, and about everything else, including his coffin and his grave-stone. In short he is given no straw and must deliver the same tale of bricks. We are assured that this bill has been framed to reduce the revenue. It, in fact, increases the revenue many millions of dollars. On the schedules other than sugar the increase is $65,000,000. All are affected; all are called upon to contribute, not only to the tariff, but to drawbacks and bounties as well.

The condition of the workingman is not improved by it. In many instances it creates greater hardships for him, and one of these is to my mind the increased duties on tin-plates.

Our large population, having proportionally large demands, the revenues increase in like proportion.

Shall the rate of duties be so arranged as to produce greater sums than the requirements of the Government?

Shall this excess be allowed to languish idly in the Treasury or shall it be left where it belongs: in the hands of the people?

The report of Special Revenue Commissioner David A. Wells may not inappropriately be applied to the present situation. He says:

With the termination of the war and with accruing receipts from the tariff in excess of the actual requirements of the Treasury the popular tendency, as expressed by legislation, accomplished or projected, has been to reverse the order of importance of these two principles and make the idea of revenue subordinate to protection rather than protection subordinate to revenue. And in carrying out, furthermore, the idea of protection but one rule for guidance would appear to have been adopted for legislation, namely: The assumption that whatever duty could be shown to be for the advantage of any private interest the same would prove equally advantageous to the interests of the whole country. The result has been a tariff upon small issues rather than upon any great principle; a tariff which is unjust and unequal, which needlessly enhances prices; which takes more indirectly from the people than is received into the Treasury; which renders exchange of domestic for foreign commodities nearly impossible, and which, while professing to protect American industry, really, in many cases, discriminates against it.

The Tariff.

SPEECH

OF

HON. EDWARD C. VENABLE,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 19, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. VENABLE said:

Mr. CHAIRMAN: If this whole country were engaged in manufacturing, there would be no protective tariff. There is but one feature of a protective tariff that commends itself to our protected industry, and that is the unprotected consumer. To the successful operation of a protective tariff, the unprotected consumer is an absolute necessity. Nobody in this country would care anything about the so-called protection if it applied universally and equally. Its inherent inequality is its inherent strength. The moment it becomes just and equal it becomes useless to its votaries.

If one industry asked the Government to hold the owners and employés of another and make them buy its goods at its own high price, there would be trouble among "the infants" and they would rebel one against the other.

It is only when "the infants" are united in pursuit of somebody else that there is harmony among them. The gist and essence of their demands are that the Government shall catch the consumer and hold him fast by "protection" while they force him to buy their goods. If the Government hesitates to accede to their demands the cry is that "labor" is being destroyed. They rely on labor for a shield. The game that they pursue is the great taxed multitude of unprotected consumers in all professions and callings. These are the udders that are dear to "the infants."

The philosphic beauty of protection is most admirably shown in the following sentences from the majority report of the Ways and Means Committee on the proposed wool tariff. On page 10 they say:

In revising the woolen-goods schedule so as to afford adequate protection to our woolen manufacturers and wool-growers, we have continued the system of compound duties which have proved to be so essential in any tariff which protects wool, providing first for a specific compensatory pound or square yard duty, equivalent to the duty which would be paid on wool if imported, for the benefit of the wool-growers, and an ad valorem duty of from 30 to 50 per cent., according to the proportion of labor required in the manufacture of the several classes of goods, as a protection to the manufacturers against foreign competition, and 10 per cent. additional upon ready-made clothing for the protection of the clothing manufacturers.

Was there ever such minute perfection? Everybody is protected except the consumer. He stands forth the victim of the "classes." He was naked and they made laws to make him buy clothes at a high price.

If there were no consumers to be "fleeced" but themselves there would be no use for this increase of duties on wool and woolen goods. "The infants" have, as we see by this bill, determined to part company with one of their *confrères*. The sugar tariff is to go. The unprotected consumer, that fount of every blessing to "the infants," was becoming a little restive. Free sugar is given him that he may labor the harder to pay the higher taxes on wool.

A bounty is given "the infant" from whom the tariff is taken. It is equally as good an udder; but the American people, I have no fear, will not stand a bounty.

Once let the Government make a publication that under its licenses to grow sugar and draw bounties Mr. A and Mr. B, sugar planters, were each paid by the Government $50,000 or $100,000 of the people's money yearly because they raised sugar, and the Government that does it will be destroyed by the ballots of the people. I want the Republican party to put this sugar-bounty scheme into execution. This bounty strips all the veil from protection. It sets it forth in full view of the people. I want the bounty to stand by Republican votes as an object lesson, clean cut and conclusive, to the American people of what protection is. The public can well afford to pay the price for the lesson.

That part of my State which I have the honor to represent on this floor is one among the many sections of the country which are simply victims of protection. I do not believe that a more industrious people exist.

I have carefully gone over their avocations, and I can find no provision of the tariff bill which tends to advance the interest of any number of them, except those provisions which partially relieve them from taxation by the sugar tariff. This is only partial relief, because the sugar bounty takes their substance to give it to the sugar-growers.

For the boon of free sugar they are made to stand increased taxes on all the products of wool. Every user of tin-plate is subjected to largely increased taxation. Crockery, hardware, and cotton goods are all subjected to increased duties.

These taxes are made the more unendurable because of the provisions of the bill that enable producers of manufactured articles for export to collect rebates of the Government equal to the duties paid on the imported articles used.

Thus while every little packer of vegetables or fruits is made to pay largely increased prices for his tin cans, the Standard Oil Company is given a bounty on every tin can of oil it exports. This is protection for the people with a vengeance. It is the kind of protection from which our people want deliverance. This is the protection that has produced in this country an aggregate wealth of $62,000,000,000, half of which is the hands of 30,000 citizens in a population of 65,000,000.

The ideal of government is equality of opportunity. This bill denies equality of opportunity to its citizens. It prefers one class of its citizens to another. No aristocracy in Europe is so fortified with privileges as are the protected classes. I realize the fact that a change in the protective system will have to be a matter of gradual growth.

But why longer deny the manufacturers and the consumers the boon of free raw material? Free raw material would be a great step forward; it would mean more work for labor and cheaper goods for consumers. It should be uniform along the whole line. I wish that every hamlet in Virginia could have its factories. I recognize the fact that her future development depends greatly upon the growth of her industries, and nothing could stimulate them more effectually than free raw material. The necessities of this Government, with its immense debt, will compel the imposition of a tariff for many years to come. If it is to be, let it be humane. Let it be just to all sections.

I am thankful that the odious institution of human slavery has passed away forever. Let us not by our laws entail upon one part of our people the slavery of penury in order to endow with useless affluence another and much smaller class. It is legislation such as this that makes the socialists and anarchists flourish. I object not only to the tariff rates in this bill, but also to its continuance of the tax on tobacco. There is a reduction of the tax and a deliverance from some of the restrictions on its sale. This is the money crop of my people. From it comes the means with which they buy their food and their clothing. It is a poor reason to them that you tax their product in order that you may be able to make higher the duties on all the articles they buy.

Virginia has asked for the abolition of the tax on tobacco for years past, and I now ask it of this Congress.

It is a tax that is hateful to my people and hurtful to their interest.

It restricts the sale of their leaf-tobacco to a few customers, and thus, by destroying competition, tends to make the raiser of tobacco receive less for his product.

The majority report of the Ways and Means Committee says that to prevent the increase of prices due to the tariff the country will have to rely upon the unchecked competition among the protected industries.

It thus says that this Government must yield up its right and duty to give the people the protection of equal and just laws. It turns over the American public to the uncovenanted mercies of the protected classes. It denies to the people in their purchases the benefit of free competition in the open markets of the world. When they come to deal with the tax on tobacco they deny to the tobacco-grower the benefit of free competition for an increase in the price of his product. The tax they impose restricts the buyers and accordingly lowers the price.

This is the height of injustice to the tobacco-planter. He is made to bear the double burden of protection. He is not free either in his purchases of the necessaries of life or in the sale of his products. I protest against this unjust discrimination against him and appeal to this House for justice.

If the tobacco-raiser were allowed to buy what he wants in the open markets of the world, he would have less ground of complaint. But he is not. The Government ties his hands both when he buys

and when he sells. There is no other class of farmers thus unjustly hampered.

The Treasury vaults are loaded with the people's money, taken from them beyond the needs of the Government, and it is the duty of the Government to relieve every class of its citizens of every dollar of taxation possible. The tobacco-planters have been taxed on every article upon which the tariff is laid as well as upon their product, and they now ask a relief that takes not one dollar from the Government which it needs.

The Tariff.

SPEECH

OF

HON. AUGUSTUS N. MARTIN,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 14, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. MARTIN, of Indiana, said:

Mr. CHAIRMAN: It is with great surprise that I hear Representatives upon this floor declare that the Democratic party is the party of free trade and opposed to American industries. It is with indignation that I hear these same Representatives declare that an alliance exists between Great Britain and the Democratic party. Such assertions spring from a hardihood born of a perversity that stops short of nothing within its power to accomplish its purposes.

FREE TRADE.

The charge that we favor free trade has no foundation in fact, and it is hardly excusable in any Representative to repeat a charge that every fair-minded man knows is gratuitously false. A desperate cause, for want of a better argument, might perhaps be excused for such assertions, when made to persons who might be deceived thereby, but it reaches a limit when they are made to men who know they are untrue.

I here and now denounce these assertions as being as wholly and inexcusably untrue as were the forged quotations from British newspapers circulated as campaign literature by the high protectionists in 1888. The iniquitous twin of this campaign falsehood was the assertion, and the campaign cartoons representing, that the Democratic party was rallying under the British flag. No British flag ever yet floated from a hickory pole. When that gallant Democrat, Andrew Jackson, popularly known as "Old Hickory," led the Democratic hosts to victory on the 8th day of January, 1815, he conquered Britain's most famous army, and he did it under the Stars and Stripes, and the spirit that impelled him then still lives in the old party of Jackson, and no British flag has ever yet peeped from amongst the green leaves of the Democratic hickory.

NEW YORK IN 1888.

The assumption here vaunted, that the battle of 1888 was a victory for the principle asserted in this high-tax bill, is not true. It is well known to us all that the great fight turned upon the result in the States of New York and Indiana. Did New York vote for high protection? Look at the result there. The election, by a sweeping plurality, of Governor Hill, a consistent advocate of tariff reform, and the equally sweeping plurality for General Harrison, at once suggest to those outside of that State the perpetration of treachery having its origin in something else than the tariff, a treachery reasonably to be imputed to the politicians who shamelessly bribed the employés of prohibition newspapers into selling subscription lists of those papers to the conscienceless buyers. Away with the false pretense that the great State of New York has declared in favor of taxing her own citizens yet more heavily in order to create a few more millionaires.

The vote in New York in 1888 was not an expression in favor of this bill, but was simply a result of treachery or corruption or both.

The voice of that great State in 1882, 1883, 1884, 1885, 1886, and 1887, in favor of tariff reform, simply tumbled into falsetto in 1888, but righted itself again in 1889.

INDIANA IN 1888.

And how was it in Indiana in 1888? In 1868 the Republican candidate for governor had carried the State by less than 1,000 plurality, but at every succeeding election except that of 1880 the Democracy elected their State ticket until 1886, when, by reason only of quarrels within the Democratic ranks, the Republicans elected their State ticket by a small plurality.

I think it is well understood by every one that upon a full and fair vote there never has been a day since the war but what, as between these two parties, Indiana has been Democratic.

In 1888, with whatever State pride there may have been in having a candidate for the Presidency, with the powerful aid of great newspapers which have ever professed to advocate the doctrine of tariff reform, the Republican leaders there hedged on the doctrine of high protection in every possible way. The principle which so almost entirely controls this bill was disavowed measurably upon a thousand stumps, and the promise was made that the tariff would be reduced on necessaries of life by the Republican party.

CAMPAIGN STORIES.

In every way possible was the attention of people diverted by the protectionists from the real issue of tariff reform to other and false issues. It was denied on every hand by Republican orators and newspapers that their national platform meant an increase of duties on the necessaries of life. While it is true that tariff reform advocated by the Democracy in 1888 meant but a reasonable reduction of taxation, the falsehood was dinned into the ears of the unwary that tariff reform meant a free-trade alliance with Great Britain, and every corner of that State was black with forged quotations from leading English newspapers, purporting to indorse the candidacy of Cleveland and Thurman. But this was not all, nor half. The private character of President Cleveland was attacked, not in public, where the falsehoods could be refuted, but by men who, even some clothed in the garb of ministers of the Gospel, went from home to home, from family to family, privately repeating falsehoods black as perdition, concerning the private character and conduct of President Cleveland during his sojourn in this city—slandering him in secret, where refutation could come only too late to set him in his true light before many a voter who was misled by these stories.

PENSIONS.

Nor was this all. The gentleman from Ohio [Mr. MCKINLEY] has gravely informed this House and the country that the operations of this bill, if enacted into law, will reduce the revenue collected under existing tariff laws as much as sixty or seventy millions of dollars, and yet in 1888 many Republican orators and newspapers denounced as false the statement that any such surplus existed as was announced by Mr. Cleveland. Not only that. These same orators, with their party workers, not only denied the existence of that surplus, but they visited every pensioner who would listen, and declared that the real meaning of tariff reform was to cut down the revenue so that no more pensions would be granted to the wounded or sick veterans and to the widows and orphans of the dead soldier, and that even the pensions already granted would be in danger of being reduced if not cut off. Nor was this all. Many a Republican worker turned his energies into an appeal to the old soldiers to vote the Republican ticket for President, governor, and Congress, with the assurance that success would not only mean increased pensions to the blind, the deaf, the dumb, the maimed, and the sick, but that every soldier in the land should have a liberal pension, to begin with the date of his disability and not of his application. Not only this, but it was also promised that in every appointment to office the old soldier's claims should be held paramount to all others in the event of Harrison's election.

Many of the old soldiers, and certainly all of them who were Republicans, were led to believe that there would be no reduction of tariff taxes until every soldier who had served sixty days or more in the war for the Union and was entitled to an honorable discharge had received a service pension of $8 per month during life, and that all those who had so served for more than eight hundred days should receive, in addition to the $8 per month, a further sum per month equal to one cent for each day served by him in excess of eight hundred days. All this was promised by the high protectionists if Harrison and Morton and a Republican Congress should be elected. It is a fact that many of the old soldiers who believed that tariff reform was right, and were inclined to vote for it, were induced to vote for Harrison and Morton, and to turn away from tariff reform, solely by this promise that no tariff reduction should take place until every soldier had been thus pensioned by the passage of the bill known as the Grand Army service-pension bill.

The Democrats of Indiana forced the fight on the tariff in 1888, but in every way that the ingenuity of skilled Republican leaders could devise, was attention drawn from the real question of a reduction of taxation to these other matters.

Nor was this all. In addition to these promises to the old soldiers; in addition to this frightening of pensioners into the belief that their pensions would be disturbed; in addition to the most outrageous scandalizing of Mr. Cleveland; in addition to the public charges of his dislike of the old soldiers; night was made revolting and the stars themselves shamed by men who rode the highways and byways of Indiana, screened by darkness, seeking out men at their homes and calling them from their slumbers at midnight, to offer large bribes to them if they would but cast their votes for the Republican candidates. With all this mass of wrongful means, a plurality of only 2,348 was obtained for the Republican electors, and yet Representatives here have the hardihood to assume that that vote was an indorsement of the higher taxation embodied in this bill! I tell you that Indiana stands more than ten thousand majority to day against this measure.

BALLOT REFORM.

I feel that I am justified in saying that I believe that if the simple question could be presented to the people of Indiana to-day, this

fall, "Are you or are you not in favor of a reduction of the tariff taxes on all necessaries of life to the lowest point consistent with the needs of Government economically administered?" the majority in favor of that reduction would be more than 20,000. I am glad that since 1888 the Democratic Legislature of Indiana has not only enacted a law that will protect every voter by enabling him to vote in secret, but will punish corruption in elections in a most exemplary manner. The night riding corruptionist can no longer make bargains for votes, for he can not know that the goods are delivered, and you know "Capital is very timid."

The time has come in this country when public sentiment demands the enactment and enforcement of a law which will not only disfranchise both the vote-seller and vote-buyer, but that will also place the buyer behind the prison bars as an enemy of good government. When this is done, and not till then, will the honest laboring and business men of the land have equal power at the polls with monopolists who never care a straw as to the result of any election unless it is one that affects the profits of their business. This time is coming. It is almost here. And woe will be to the men or party that stand in the way of ballot reform. And hand in hand with ballot reform will come tariff reform, reduction of taxes, reduction of high fees and salaries, abolition of useless offices, requirement of honesty in office and punishment of official dishonesty, the shortening of the hours of labor, the wresting of control of public finances from the national bank millionaires of Wall street, who love dear money because the masses can not retain it.

Yes, with ballot reform will come the election of Congresses that will give the people of this country legislation that will fill the veins of legitimate business with enough money to meet every demand honestly, enough money to enable the poor man to earn sufficient to lift the mortgage that preys upon his home and makes the future look dark to him and to his dear ones.

SILVER MONEY.

Mr. Chairman and gentlemen, you are reckoning without your host when you count upon the majority you think you can continue in the United States Senate to perpetuate the burden you think you are fastening on our land when you pass this bill. Do you remember when by a trick you demonetized silver money in 1873? The men who tricked that infamy through Congress doubtless counted upon a majority in the Senate to perpetuate it. And yet the day came when the public sentiment of this country forced Congress, including the Senate, to in part undo that wrong, even over the veto of a President, the only one, who held his seat by a fraud consummated through the same power that had demonetized silver.

GREENBACKS.

Mr. Chairman and gentlemen, you remember the act, the boasted resumption act, which proposed to retire every dollar of the greenback money from circulation by providing for its redemption with coin to be procured by selling more bonds.

Doubtless the money power which secured that outrageous enactment counted upon a surely continuing majority in the Senate. And yet we all remember that force of sentiment of an indignant people, which compelled that Senate to join in the enactment of the act of April 29, 1878, which stopped the retirement of the greenback currency by a virtual repeal of the most odious feature of your boasted resumption law.

HIGH TAXES.

Mr. Chairman and gentlemen, do you suppose the people will submit to the imposition of higher taxes upon their clothing, medicine, and homes; higher taxes upon the farmer's plow and harrow and wagon; higher taxes on the laborer's spade and ax and pick; higher taxes upon the carpenter's square and chisel and hatchet; higher taxes upon the blacksmith's anvil and hammer and bellows; higher taxes on the sewing woman's thread and needle and sewing-machine; higher taxes upon the teacher's book and ink and ruler; higher taxes upon the physician's lint and medicines and scalpel; higher taxes on the attorney's law-books and furniture and legal cap; higher taxes on the merchant's scales and ledgers and receipt-books; higher taxes upon the clergyman's prayer-book and concordance and commentaries; higher taxes upon the swaddling clothes of the newly born infant, the school-books of the children, the wedding garments and outfit of the bride and groom, the coffin and shroud and gravestone of the dead; all to put money into the pockets of the rich under the miserable pretense of coddling and protecting the business of the rich for the benefit of labor? If you so imagine, get ready to be undeceived when the whip of public opinion, the scourge of intelligent indignation, shall drive you or your successors, and even the United States Senate, into trembling restoration of the rights which this bill would deprive them of.

TAXES ON BANKS AND INCOMES.

Mr. Chairman and gentlemen, you long ago removed almost every tax upon wealth, the taxes on manufacturers and incomes and banks, without lowering the taxes on the great body of the people, and you are now about to add insult to injury by heaping mountain high the taxes on the necessaries of life. But remember this: The wealthy iron barons have been offered a tax bill which would have only reasonably reduced the taxes they are collecting from the poor people of this land. If you refuse this offer—ay, even refuse it in order to retain what you are now exacting from labor—much more if you exact more by passing this oppressive tax law, the time will soon come when this new oppression will be removed by law at the bidding of a free people, and the day will forever have passed when they will give you the measure of protection you now so scornfully spurn. Representatives from great, splendid Iowa, have you not heard and will you not hearken to the voice of your people, which so nearly dragged from his place your Senator, Mr. ALLISON, who is expected as chairman of the Senate Tax Committee to help this bill through that body?

FARMERS' ALLIANCES.

Representatives from Wisconsin, do you not hear the rumbling that presages the storm which will shake almost every high-tax man of you from your seats? Representatives from Kansas, do you not intend to heed the demands of the Farmers' Alliances which are even now overthrowing you in your own conventions? Representatives from Ohio, from Illinois, from Missouri, from Massachusetts, and from Rhode Island, you men who have helped unseat low-tax men and seated high-tax men like yourselves, will you not heed the indications from your own homes and stay your hand from further wronging your own constituents? Do not imagine you can stay the anger of your constituents by telling them that sugar is free, for they know that that freeing is more for the sugar trust than for them. Do not imagine you can pacify their just indignation by telling them of bounties for sugar-raising and subsidies for ships, for they know that you are simply compelling them to hire and pay other people to go into business, and compelling your people to pay great steamship corporations to carry protected manufactures to foreign lands and thence bring back foreign grain to the great seaboard cities, while the crops raised at home are rotting for want of buyers or burning almost within sight of the coal-mines.

REPUBLICAN PLATFORM OF 1888.

I say, with all due respect, that the leading features of this bill were not presented by the Republican leaders to the voters in 1888 and that it has never been passed upon by the people.

In the discussion in this House in 1888 upon the question of tariff reform, the Republicans simply assaulted the bill known as the Mills bill, but they never proposed such a bill as this as a substitute for the Mills bill.

Mr. Chairman, the Republican national platform never hinted at paying a bounty to manufacturers of sugar and silk.

That platform is generally ascribed to the gentleman from Ohio [Mr. MCKINLEY], who is now presenting and defending this bill, and it was not pretended by him in the House of Representatives, in 1888, that such exactions as this bill contains were contemplated by that platform. I think I can safely assert here that he never even hinted at the idea that his party, if successful, would present a bill in this Congress to give seeming relief to the people by taking off the tariff on sugar and in the same bill oppressing the people by offering a bounty of 2 cents a pound for every pound of sugar manufactured in this country, and by paying a bounty of $1 per pound for silk. It is true that he and his party in 1888 fought every proposed reduction of taxes, not only on sugar, but on every other necessary taxed under the existing tariff law.

REPUBLICAN SENATE BILL.

On the 21st day of July, 1888, the Mills bill passed the House of Representatives, which was Democratic, and went to the Senate, which was Republican, and that body refused to consider the House tariff bill any further than to strike out every word in it after the enacting clause, and then inserted what is known as the Senate tariff bill of 1888, and this bill was reported back to the Senate by its Finance Committee on the 3d day of October, 1888, less than thirty days before the election.

With such a short time to consider this bill that its provisions could not be fully considered and understood by the people, it was heralded abroad through the land as the Republican plan of revising the tariff. From Maine to California and from the Lakes to the Gulf, this Senate bill was proclaimed to the people as being a practical construction of the Republican national platform.

It was held up to the old soldiers of the land as the bill that would provide plenty of money with which to pay them all a service pension.

Mr. Chairman, that Senate bill was held out by the Republican party as its promise to the people, and many people mistakenly believed it was a better reduction of taxes than the one passed by the Democratic house. If the men were sincere who made this new promise to the people that that Senate bill was the highest rate of tax that would be imposed on them, why are you now, in this House, violating these promises, and adding much heavier taxes?

MCKINLEY BILL INCREASES TAXES.

Let us look at a few of the items: In the Senate bill of 1888, muriatic acid was left on the free-list, while in this bill, the one we are now considering, a duty of ¼ of a cent is to be levied on each pound; in the Senate bill, sulphuric acid was left on the free-list, while in this bill a tax of ¼ of a cent is to be laid on each pound; in the Senate bill a duty of only 25 cents per pound was levied on tannic acid or tannin, while in this bill the tax is fixed at $1 per pound; in the Senate bill the tax on sulphuric ether was fixed at 30 cents a pound, which this bill raises to 40 cents; in the Senate bill butyric ether

and other fruit others were taxed at $1.25 a pound, which this bill raises to $2.50 per pound; in the Senate bill all other others were taxed at 75 cents a pound, which this bill raises to $1 per pound; in the Senate bill, unrefined glycerine was taxed 1 cent a pound, which this bill raises to 2 cents; in the Senate bill, flaxseed or linseed oil was taxed 25 cents per gallon, which this bill raises to 30 cents; in the Senate bill, sulphate of baryta or barytes, manufactured, used in preparing paints or colors, was taxed at $5 per ton, which this bill raises to $7; in the Senate bill, after fixing taxes on certain paints named, all other paints were taxed at 25 per cent., which this bill fixes at from 25 to 50 per cent.; in the Senate bill, all medicinal preparations containing alcohol, and not otherwise specifically named, were taxed at 40 cents per pound, which this bill fixes at 50 cents; santonine, taxed at $1 per pound in the Senate bill, is taxed $2.50 in this bill; in the Senate bill, common brown earthenware and stoneware, not ornamented, were taxed 20 per cent., which this bill raises to 25 per cent. ad valorem. The rates fixed on certain china and other wares in the Senate bill are raised by this bill in one instance from 50 per cent. ad valorem to 55, and in two other instances from 55 per cent. ad valorem to 60. The taxes fixed by the Senate bill on glass-ware is raised by this bill from 1¼ cents to 1½ cents, from 1¾ cents to 2 cents, from 2⅜ cents to 2½ cents, from 2⅞ to 3 cents per pound, and so on. By this bill anvils are raised from 2 cents per pound to 2½, and tin-plate from 1 cent per pound to 2½ cents, an increase of 120 per cent. over present rates.

By this bill, too, brown and bleached linen cloth is raised from 35 per cent. to 50 in one instance, and in another to 50 per cent. ad valorem and 3 cents a pound, and oil-cloth is raised from 10 cents per yard to 15.

On flannels, blankets, and wool hats, the duties in the Senate bill were 10, 12, and 18 cents per pound; with 35 per cent. ad valorem in addition, while in this bill these duties are raised to 11, 22, 33, and 38½ cents a pound, with an addition of 30 to 40 per cent. ad valorem.

On women's and children's part woolen dress goods, the duties in the Senate bill were 6 and 7 cents per yard, with an addition of 40 per cent. ad valorem, which this bill raises to 7 and 8 cents per yard and an additional duty of 40 and 50 per cent. ad valorem.

These same goods, when all woolen, were taxed in the Senate bill at 11 cents a yard and 40 per cent. ad valorem, which this bill raises to 12 cents a yard and 50 per cent. ad valorem.

Hats for men, women, and children, the little girls' dolls, brushes and brooms, carpets, ready-made clothing, ladies' cloaks, dolmans, jackets, and ulsters, the dress goods of women and children, blankets, flannels, and wool hats, brown and bleached linens, house and cabinet furniture, lamp-chimneys, anvils, one kind of copper, penknives, and pocket knives are all taxed at a much higher rate in this bill than they were in the Senate bill which the Republican party sent out to the people in 1888 as the highest rate of tax which that party would fix if Harrison and Morton and a Republican Congress should be elected.

Mr. Chairman and gentlemen, I ask the Republican majority in this House what it means by daring to now propose a tax bill putting the tariff so far above what it promised in 1888. Is it not because you now have the people where they can not help themselves?

The most oppressive and indefensible raise in this bill over the Senate bill is in woolen goods, the clothing, hats, flannels, and blankets.

Mr. Chairman and gentlemen, again I repeat that the result of the election in 1888 was no authority or justification for the outrages concealed in this bill.

If the majority of the Committee on Ways and Means knew what they were doing, why did they fix these high taxes so much higher than they advocated in 1888? The gentleman from Iowa [Mr. GEAR] has claimed that he was looking after the interests of the farmers and laboring men, as a member of that committee. Will he explain why he helped to fix these rates so much higher than he told his constituents in 1888 they would be fixed? I wonder what he told the people of Iowa last fall, during the campaign, on this point?

THE PROTECTIVE TARIFF A TAX.

Mr. Chairman, if the tariff on imported goods creates competition and brings down the price, let me ask if the object of raising the tariff on imported wool is to bring down the price of the wool raised in this country? If that is true, why do you talk about compensating the manufacturer by raising the tariff on imported woolen goods?

If laying a tariff on imported woolen goods or any other article that may be imported creates competition and brings down the price of the goods manufactured at home, how can the manufacturer afford to pay the tariff on such wools as he must import from foreign countries that he must have in his business and which are not raised in this country?

Mr. Chairman, I believe there is an attempt on the part of organized monopoly to "pull the wool" over the eyes of farmers, laboring men, and business men in this whole bill.

A tariff for revenue is a tax, a tariff for protection is a higher tax, and a tariff such as this bill proposes is protection with a vengeance upon the consumer.

The only authority for levying a tariff is found in the Constitution of the United States, which reads as follows:

SEC. 8. The Congress shall have power: To lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

There is not a line, word, or syllable in the Constitution that authorizes Congress to lay a tax on woolen goods, farm implements, medicine, or anything else in order to protect some man or corporation in setting up a factory to manufacture these things at a profit, by giving him the privilege of charging more for his goods than the consumer could buy them for if there was no protective tariff.

Mr Chairman, I desire to illustrate this idea of protection, so as to show that it is not only a tax, but that it creates monopolies and trusts. In the district which I have the honor to represent there lives a gentleman of high character, who has been engaged in the manufacture of glass for some years, and who was previously engaged in the manufacture of the "D" spade-handle, so much used by farmers and laborers in many different ways.

Upon my nomination for Congress in 1888, I sought out this gentleman at his place of business and told him I desired information as to the actual workings of the protective tariff. Upon his asking me why I wished to know, I informed him I was about entering upon a canvass where it was absolutely necessary for me to discuss the workings of the protective tariff and its effect upon the price of manufactured articles and the wages of labor, and that I desired the actual truth, so that the discussion might be intelligent and based on fact rather than theory. "Well," said he, "I have had only a limited experience as yet in the manufacture of glass, but I have had a full experience in manufacturing the "D" spade-handle, upon which was, and yet is, a protective tariff of 35 per cent., being a protection of 17½ cents on a 50-cent spade-handle and 8¾ cents on a 25-cent handle. "This duty," said he, "was a complete protection from all competition from abroad, and gave the domestic manufacturers complete control of the 'home market.' Every year," said he, "the manufacturers ascertained as nearly as they could just how many spade-handles would be needed to supply the 'home market,' which was more profitable than the foreign, and then these manufacturers arrived at an understanding as to just how many spade-handles should be manufactured by each one, with the further understanding that when that limit was reached the factories should cease work and discharge their hands until that product had been disposed of. Upon reaching that limit," said he, "we shut down our factories according to our understanding, discharged our hands, and remained closed until the product was disposed of. More than that," said he, "whenever it was found that the product was in excess of the demands of the 'home market,' we paid the freight on the surplus handles to the seaboard, and the freight and insurance clear across the ocean, and sold them in Europe at a profit, for 10 per cent. less than we had sold the same handles to the farmers and day laborers in the United States."

"But," said I, "tell me how this protective tariff affected the wages of your workingmen." "O," said he, "it did not affect their wages at all, for we simply went into the labor market, which was unprotected, and bought the labor as low as we could." Said he, "If I could hire John to do the same work as Harry for ten cents a day less, I always let Harry go and hired John."

Mr. Chairman, this was indeed a practical object lesson. The gentleman who related these facts to me grew wealthy at the business, and is to-day highly esteemed by all who know him. If fault there be in this, the fault is in the system and not in him who, without helping to create or perpetuate it, enjoys the benefits it confers.

Mr. Chairman, this recital is entirely reasonable. The manufacturer of these goods bought his timber wherever he could buy it cheapest, out of which to manufacture his handles. He also bought the necessary labor wherever he could find it, just as cheaply as he could. When labor had converted his timber into spade-handles, the manufacturer, and not his hired men, sold the handles, collected the money therefor and placed it to his credit in bank, and labor had no legal rights in it.

PROTECTION AND LABOR.

Mr. Chairman, the pretense is made that these high protective duties are laid for the benefit of the laboring man whose labor is used in manufacturing, and yet there is no method provided by this or any law by which he can enforce his right to receive the benefit of this protection. The tariff duty enables the employer to charge for his manufactured goods more than he otherwise could, and when he collects it he not only keeps it, but he claims the right to cut down the wages of his laborers whenever he chooses to do so. The only remedy the laborer has is found in the trades unions and in the weary, costly process known as a strike.

Mr. Chairman, if I were to offer here a proviso, by way of amendment, to give the employés a right to go into court and sue the protected manufacturer to compel him to pay to the laborer the increased price added to the manufactured goods by reason of this high tariff, I do not doubt that the high protectionists here and elsewhere would denounce it as unconstitutional, as being a violation of his right to hire his labor as cheaply as he can and to sell his goods at as high a price as he can get.

Mr. Chairman, one of the absurdities of high protectionists is the argument that, because the prices of certain manufactured articles are less than they were in 1860, that is a result of protection. This I deny. I insist that if it were not for protection the necessaries

of life would all be cheaper than they now are. The prices have come down somewhat, not because of protection, but in spite of it. The improved machinery of to-day enables one man now to perform as much as a half dozen men or more used to perform without this machinery. It can not be truthfully claimed that protection produced this machinery, for gentlemen must remember that they have equally good machinery in countries where they have no protection.

The big printing-presses that are running off the many thousand copies of our great newspapers daily, with the help of comparatively few hands, are working no faster than the big printing-presses that are daily running off the thousands of copies of the great daily newspapers in countries that have no protective tariff laws. And so it is with the machinery in the woolen mills, foundries, cotton factories, and the hundreds of different kinds of business carried on in many lands, whether they have protective tariffs or not.

As an illustration in point, I remember well the labor it cost me, when working on a saw-mill, to dispose of the slabs we run off the sides of the logs we sawed up. It was hard lifting and tugging to get the slabs pulled away from the log carriage and thrown off the side of the mill, there to lie until I could get at them with my ax, to cut up such of them as were needed for wood. That was in 1869. Some time since I went upon a saw-mill near my home, and there saw a simple arrangement by which the slab was dropped from the log onto rollers that transported it a few feet to a table upon which was revolving a small circular saw. It was without great labor that the "tail sawyer" fed that slab to the saw, which not only cut it into firewood but dropped the pieces on a belted contrivance which carried the wood up through the roof of the saw-mill and there dumped it upon the wood pile ready for the market. That man was daily doing ten times as much as I had been able to do in 1869, without working so hard, and yet he was receiving no higher wages than I had received.

No one, surely, will claim that protection perfected this machine which made labor so much more effective, without bringing the workman any better wages. No, Mr. Chairman, this cheapening of prices is the result of invention and not of protection. Our great country has achieved her greatness not because of protection, but in spite of it.

PROTECTION MAKES MILLIONAIRES.

Mr. Chairman, some great things exist in this country to-day which have been produced by the protective tariff. I mean the great fortunes of monopolists like Mr. Andrew Carnegie. On my way to this city, as I passed along Federal street, in Allegheny City, Pa., I saw a massive building, rich in material and beautiful in architecture. Upon looking more closely I saw that, in splendid letters, some artist had engraved thereon the words, "Workingmen's Library," the gift of Andrew Carnegie. There it stood, having cost Mr. Carnegie more than $300,000. As I looked and wondered at its beauty, I felt, as I thought of the millions Mr. Carnegie had coined under the benefits of a protective law enacted professedly for the benefit of workingmen: "Yes, it really is the 'Workingmen's Library'—the results of their labor builded it. Yes, the price of labor withheld by Mr. Carnegie from his own workingmen has enabled him to build himself a monument which is a mocking proof of the wickedness of the system which enabled him to tax the consumer in the name of his workingmen and fill his coffers with millions of money, only a small part of which was necessary to build this great building." I thought too, I think and say now, how many an humble home might have been cleared of the mortgage or filled with books to read at home if Mr. Carnegie had either left the protective tax in the pockets of the consumer of his goods or if he had paid the same to the workingmen in whose name a protective law had enabled him to collect it on the product of his great Bessemer steel works.

Even now this same Carnegie is preparing to build another "Workingmen's Library" in Pittsburgh, Pa., at a cost of one million more of the dollars he unjustly withheld from his workingmen. What hypocrisy!

Mr. Chairman, while many large fortunes have grown up as the result of the protective tariff, yet it is true that they are few as compared with the number of people in this country. There is not one such fortune for every ten thousand people, hardly one for every twenty-five thousand. The great ranges of mountains have their high peaks that rise into the icy coldness of eternal snow, but their bases are pressing upon their brethren below, and pouring down upon them and upon the fertile valleys between their chilling winds and frosty streams. So our great people are the bases of these mighty fortunes which rise into the icy height where plenty breeds forgetfulness of want, until the millionaire easily believes there is no want among his fellows except what they deserve.

Mr. Chairman, labor is the basis upon which all these mighty fortunes have grown and fattened, and yet labor receives no benefit therefrom. Yes, in the name of labor, a system of law has been unjustly enacted, which robs labor in its own name and leaves it helpless except by the repeal of these laws. These protective-tariff laws were not enacted at the request of laboring men. They were not enacted at the request of the farmers of our land. They were enacted at first as a war measure to raise money to carry on the war and are now continued at the demand of the same monopolists who are now demanding the passage of this additional tax on the farmers and workingmen of our land.

Yes, let me say, further, that the enactment of this law will be a curse, a withering, blasting curse to the business men of our western towns and cities, who are not engaged in carrying on business based only on a protective tariff.

THE TARIFF AND THE FARMERS.

From the beginning of the protective system until now the farmers of this country have been taxed at every turn in the name of labor and American industries, until to-day they are staggering under the load and asking for relief. And yet, when a Representative rises in his place in this House to urge that his great farming constituency are demanding relief, he is met almost with jeers and he is derided with the question, "Are your farmers mendicants, beggars?" For myself, I hurl back the insinuation that they are beggars. Our constituents are the sovereign power in this land and we are only their servants. It is our duty to listen and learn the wants and wishes of our constituents. In fact, we ought to pay most attention to the needs of laboring men. By their votes were we elected. We were elected because they put confidence in us that we would honestly try to serve them. They are paying us salaries, and we ought to be glad to render them the fullest service we have within our power. Will we serve them right by voting to pass this bill and increase their taxes, all for the interests of monopoly?

Mr. Chairman, in the great Eleventh Congressional district of Indiana, which I am proud to represent here as best I can, there are more than two hundred thousand people who are the equals of any body of people on earth in patriotism, honesty, intelligence, morality, and business thrift. Any man who has ever lived might well be proud to stand here as the Representative of that district. Knowing the great honor these people have done me by sending me here and feeling my responsibility, I daily ask Almighty God to give me wisdom of mind and strength of body and honesty of purpose, so that I may be of some use here to my constituents.

With great farming, business, and manufacturing interests, and without a single large city within the district I represent, more than one hundred thousand of my constituents are engaged in farming. Of the over 47,000 voters of that district, I make no doubt that more than 25,000 of them are farmers.

Mr. Chairman, in the name of these farmers, I demand that their interests be looked after, their voices listened to, without even the thought, much less the insinuation, that they are mendicants. They have been taxed under these protective-tariff laws upon their clothing, furniture, and household goods; upon their farming implements, binding twine, and homes; upon their books and newspapers and school books; upon their buggies and wagons and medicines—in fact, down to the grave, and upon almost every article they use, until it is no wonder many of them have fallen in debt in spite of all they could do. When they see how the money lords and monopolists have demanded principal and interest of this Government in gold and got it; when they have seen the money lords engaged in demonetizing silver and battling to make and keep money scarce; when they see the tariff monopolists wringing from them a tariff tax of $47 on every $100 they expend for the common necessaries of farm-life; when they see these tariff monopolists here demanding of this Congress a still higher tariff and in a fair way to get it; when they see the great steamship corporations here demanding millions of dollars in subsidies to make their business more profitable; when they see these same protective-tariff barons wheedling this Congress into spending $17,000,000 to build battle-ships that these monopolists will get the contracts to construct; when they see millions of dollars being spent on unnecessary buildings and on rivers and harbors; when they see the values of farm products growing less and less from year to year; when they see their own necessary debts mounting a little higher from Christmas to Christmas; and when they see Congress about to cut off markets for millions of dollars' worth of farm products in order to enable a few capitalists to start up the manufacture of tin-plate, and at the same time increase the cost of every tin cup, bucket, roof, spoon, and dipper the laborer must buy, is it any wonder that the voices of our farmer constituents are heard in wrathful protest as well as earnest entreaty?

This system of protection is leading the farmers and workingmen to blame the men who retail goods which have been increased in cost more by the rapacity and greed of the protected manufacturer than by the profits of the retailer. This system is breeding distrust among our constituents by exciting their wonder as to who is getting the benefit of the high prices on goods covered by the protective tariff. Such a system is a burning shame, an outrage, and ought no longer to be borne. The great mass of our people must stand or fall together. What benefits the farmer and workingman benefits all but the monopolist, and what hurts the farmer hurts all but the monopolist.

TARIFF ON FARM PRODUCTS.

Mr. Chairman, in this bill you are purposely trying to deceive the farmers by placing high duties on wheat, corn, hay, rye, buckwheat, oats, barley, cabbage, and other articles, in order to "protect" the farmer. What do you mean? You tell the farmer in one breath that the effect of protecting the manufacturer is to cheapen the price of his goods and in the next breath you tell him you are putting a high tariff on farm products in order to make the prices high. Now, which is true?

There has been a tariff on wool, canned meats, corn and vegetables, lard, tallow, poultry, bacon and ham, beef, mutton and pork,

meat, grapes, plums and prunes, potatoes, flaxseed, garden and agricultural seeds, vegetables, beans, peas, cabbage, cider, hay, honey, hops, milk, cheese, butter, rye, wheat, flour, oats, cattle, horses, mules, sheep, barley, buckwheat, corn, and corn meal for many years under the present tariff law, and yet look at the prices of farm products. In 1889 there were imported into this country 22,325 bushels of oats, 2,389 bushels of corn, 1,947 bushels of wheat, and 16 bushels of rye, and now the high-tariff men are trying to make the farmers believe that farming has been depressed by competition from foreign countries.

During the year 1889 the farmers of the United States exported and sold to foreign countries 624,226 bushels of oats, 69,592,929 bushels of corn, 46,414,129 bushels of wheat, and 287,252 bushels of rye, and 10,210,413 pounds of oatmeal, 312,186 barrels of corn meal, 3,669 barrels of rye flour, and 9,374,803 barrels of wheat flour.

During the year 1889, the value of these grains and breadstuffs imported into this country from foreign countries was $305,886, while the value our farmers sold and exported to foreign countries of these farm products was $123,876,661. In other words, for every dollar's worth of these articles imported our farmers exported $405 worth. Any farmer can see at a glance that the tariff on the things he raises was of no value to him at all, and that an increase of that duty in the new tariff law is a mere blind, to be used as an excuse for raising or keeping a high tariff on the things he must buy.

Mr. Chairman, I have not the time to go into details as to all the hundreds of items embraced in the tariff, but I must speak of another matter of vital interest to our farmers. In 1889 there was imported into this country an article called tin-plate, which enters into the tin spouting, roofs, buckets, cups, spoons, and many other articles used by the people of the United States. The people in foreign countries who manufacture this tin-plate bought and lived on the corn, wheat, rye, and other agricultural products of the farms of the United States, and thus made a market for our farm products. The amount of tin-plate exchanged for our products last year was $21,222,653, which would buy more than 30,000,000 of bushels of our wheat at 70 cents per bushel, or about 90,000,000 of bushels of our corn at 25 cents a bushel. Under the new tariff law, the tariff is to be placed so high on tin-plate as to enable a few men to manufacture it in this country and sell it to us at much more than it costs now, and at the same time the foreign market will be cut off, and that much more of the farmer's products will be left on his hands. And this is to be done under the pretext of protecting American industries. The real truth of the matter is that it is to be done to make a few more rich monopolists.

The farmers can not fix their own prices, but must take the prices fixed at the great seaboard cities, and those prices are fixed in Europe, where the surplus of farm products is sold.

Mr. Chairman, although these protective taxes have been levied for many years, it is true that very few manufactures of protected articles were ever established in the great district I represent until since the discovery of natural gas. Since that discovery a large number of protected manufactures have been established within that district, but no one can be deceived into the idea that such manufactures were there erected because of the tariff. No, it was largely on account of the cheap fuel. No one is proposing to attack the proprietors of these factories, nor their legitimate profits. They are, indeed, welcome, and are a source of pride to the people of that district. And yet it is true that the farmers in the immediate neighborhood of these factories do not get a penny more for their corn and wheat and flour than they did before these factories were located there. It is true that in parts of the East, some manufactures have languished. One reason for this is that these factories have moved into Ohio and Indiana, where they find cheap fuel and have splendid railroad facilities for transporting both the raw material and the manufactured product. Our manufacturers in the natural-gas belt are distancing their Eastern rivals on account of these advantages, and these Eastern manufacturers feel that unless they can get higher protection our Indiana manufacturers will largely absorb their business. If the tariff were either left as it is or even made lower, the latter would soon control the business the others have so long enjoyed.

Mr. Chairman, the Democratic party has no war to make on any business, no attack to make on manufactures. On the contrary, there never has been a greater increase in the manufactures of this country than from 1850 to 1860, under the tariff law of 1846. The Democratic party is the unyielding foe of monopoly wherever it attempts to lift its cruel hand and lay it on labor and the true business interests of this country.

Within the district I represent we have a soil that can not be excelled and which responds bounteously to the planting of the farmer. Nowhere else does the soil send up finer crops of corn, wheat, oats, and other crops than in that district, and yet the farmer is hard driven to supply the wants of his family.

Nowhere is labor more constantly employed than it is in the Eleventh Congressional district of Indiana, and nowhere else can be found more intelligent, honest, sober workingmen than there, and yet, Mr. Chairman, who can tell of the patient, arduous, painful endeavors of the men and women, boys and girls, who daily toil ten hours or more, when labor can be had, for wages so small as almost to bring the blush to the face of him who names the small sums these good people receive!

How the laborer provides for the wants of his family from his small earnings is known only to his God and himself. It seems to me that he has the right to be able to buy just as many of the necessaries and comforts of life with his small wages as possible, and that any law which interferes with that right by increasing prices of these necessaries to benefit a class is wickedly wrong and ought not to be tolerated. Class legislation is always injurious to the great mass of the people and tends to build up monopoly.

The Democratic party does not propose to injure any interest in the country, nor to oppress any industry within the district I represent. It opposes this bill as a false pretense, an attempt by monopoly to fill the pockets of a few, a favored class, with money extorted from the great body of the people on the false pretense that it is done for the benefit of those whose money is extorted.

The Tariff—Missouri.

SPEECH

OF

HON. ALEXANDER M. DOCKERY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 19, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. DOCKERY said:

Mr. CHAIRMAN: I should not occupy the time of the committee one moment, since I know a number of gentlemen are desirous to be heard on the pending amendments, were it not that my colleague from Missouri [Mr. FRANK] has made some observations which seem to demand a reply. A few days since, in the course of debate upon this bill, I referred to the election in St. Louis in 1888, and stated that it was "notorious and 'known of all men' that the result in that city was largely due to the contribution of money by 'protected industries,' which carried it for the Republican party and elected three members to this House."

My colleague [Mr. FRANK] challenged this declaration with the assertion that "not one single dollar was contributed from any source to carry the Ninth Congressional district of Missouri" and further avowed his belief that the election in all the St. Louis districts was entirely "honest." In making the statement I did it goes without saying, of course, that I had no purpose or desire to connect my colleague with any improper use of money, because I do not believe he sustained any such attitude. If money was corruptly used my friend would not likely have been taken in upon the "ground floor" of the scheme.

I desire, however, to present, as a basis for some observations, a secret circular, issued October 17, 1888, by L. M. Hall, secretary of the Republican club, calling together a number of prominent Republicans for the purpose of raising a "liberal fund" for campaign purposes. I will not occupy the time of the House in reading the circular, as debate is limited, but will incorporate it in my remarks.

Mr. MASON. I make the point of order that the gentleman can not put in his remarks a Republican circular unless he adopts the language as his own. [Laughter.]

Mr. DOCKERY. I want to say, Mr. Chairman, that if the circular is to go into the RECORD with that understanding, it will not be incorporated in my remarks, because I do not care to indorse either its letter or its spirit. I will say, however, that it differs from a certain letter which has been introduced during the course of this discussion——

Mr. MASON. I withdraw the point of order.

Mr. DOCKERY. It differs from that letter in this, that it does not reflect upon the character of any Representative upon the floor.

The language of the circular is as follows:

ST. LOUIS, *October* 17.

DEAR SIR: At an informal meeting of a few business men held to-day the situation of the Republican party of this State was discussed, and it was determined to call a meeting of several hundred prominent business men to lay before them the whole matter. It is believed that with a liberal fund to draw upon it is possible to prosecute such a campaign for the next two weeks as will cause Missouri to cast her electoral vote for Harrison and Morton.

The situation is unparalleled heretofore in the history of the State, and no such enthusiasm on the part of the Republicans has heretofore been known. The enormous sums of money being spent in the doubtful States has led both parties to slight Missouri. The opportunity is a golden one. Speakers and canvassers must be sent out in all directions at once. You are requested and urged to attend a meeting on Saturday, 20th instant, at 8 o'clock p. m., at the Mercantile Club.

The uncertainty of the result elsewhere makes it imperative that the vote of this State be cast for the Republican national ticket. Come.

By request,

L. M. HALL, *Secretary.*

Mr. Chairman, the caucus of Republicans called together by this circular assembled at the League Club in St. Louis October 20, 1888.

Its proceedings, although in executive session, through some inadvertence or otherwise, appeared in the columns of the public press on the morning after the session. All the speakers seemed possessed with the urgent necessity of raising money, and sought to impress that necessity upon the minds of others. The chief of one of the "protected industries" of that city insisted that "$50,000 had to be raised." His suggestion met with favor on every hand, and the chairman of the meeting appointed fifteen committees of two members each to canvass the city, having first apportioned the work among the different business districts.

The record of the proceedings shows that the most active and vigilant among those enlisted in the work of raising the $50,000 were the representatives of "protected industries." It may also be stated in their behalf that they were the most liberal contributors to the fund. It is, indeed, an open secret that one firm contributed as much as $6,000, whilst many in addition to their contributions employed much time in the work of the campaign. The criticism of the Foster "fat-frying" circular, therefore, could have no application to the protected "infants" of St. Louis.

Mr. Chairman, in determining the real purpose of this large campaign fund, it is well to remember that it was raised within two weeks of the election and with the distinct understanding that it was to be used exclusively in Missouri.

Sir, I do not believe that the raising of this immense sum on the threshold of election day meant an "honest election." I am, on the other hand, entirely convinced that $50,000 could not have been employed in the payment of legitimate campaign expenses. The amount of the fund, taken in connection with the circumstances under which it was raised, is wholly inconsistent with the theory of an honest and unpurchased ballot.

I should not, however, have made any further reference to this matter but for the fact that my colleague, Mr FRANK, has seen proper to call the subject again to the attention of the House. The facts in part only are before the House, but I shall not, at least at this time, pursue the subject further.

MISSOURI'S WEALTH.

Now, Mr. Chairman, I desire to submit but a single observation with reference to the State of Missouri; and in so doing will say that in the history of the last twenty-five years we have been confronted with two causes which have operated to retard the growth and prosperity of our State, and that yet, despite these adverse influences, Missouri's wealth in the aggregate has increased, while she has at the same time largely augmented her population.

The first obstructive cause, Mr. Chairman—a cause most detrimental and pernicious—was the long, dark night of the rule of the Republican party in the years immediately following the war. During this harsh and sinister period many of our counties were involved in the thralldom of bonded debt, our State credit became depreciated, our bonds sold at a ruinous discount, and our railroads were bartered at a loss to the tax-payers of about $20,000,000.

Notwithstanding, however, these untoward conditions at the time the Democratic party took control in 1873, by honesty and economy in the administration of State and county affairs, as also by frugality in the conduct of private interests, we have lifted in most cases the bonded burdens from our counties, have decreased the interest-bearing debt of the State from about $20,000,000 to less than $10,000,000, whilst at the same time reducing the State taxes from 50 cents to 30 cents on the $100. We have also lowered the interest rate from 6 per cent. to 3¼ per cent., while the State bonds which were finding reluctant sale in the markets under Republican rule, have to-day a standing in financial circles of equal dignity with the bonds of the Federal Government.

The second hindering cause, Mr. Chairman, is the existing system of "protection," which has restricted enterprise, retarded the growth and development of industries, limited the markets for agricultural products, impoverished labor, and reduced the earnings of our farmers by its inordinate and oppressive exactions. That there is trouble with the agriculturists of Missouri, as elsewhere in the Union, can no longer be successfully controverted. The leader of that side of the House [Mr. MCKINLEY], in his report on the bill under consideration, concedes "that there is widespread depression in this industry," and says that this fact "can not be doubted." I also desire to submit the following editorial testimony of the St. Louis Globe-Democrat of December 11, 1889, to establish the fact of agricultural decadence. That journal is the leading Republican organ of the State and avers that—

Their [the farmers'] business has become unprofitable, in spite of all their industry and economy; and they are firmly of the opinion that this is due to causes which can be and should be removed, causes for which they are not responsible, but which involve devices of injustice and unfairness aimed strictly against them. The prices which they are obliged to accept for their grain are below the actual cost of production. There are millions of bushels of corn west of the Mississippi River which will not bring enough to pay for taking it to market. Live-stock can not be sold for much above the expense of feeding. The farmer can not get a decent remuneration for his labor in any branch of his calling; he is lucky if he realizes as much as a dollar a day, counting nothing for interest on his investment.

It will be seen at a glance that these people have substantial reasons for complaint. There is manifestly something wrong somewhere, and they can not be blamed for seeking to find out what it is and to have it corrected. The familiar argument of overproduction is not a sufficient explanation and answer in their case. They can readily sell all they produce at the prevailing prices, which proves that it is needed for consumption. The supply does not exceed the demand or they could not sell the surplus at any price. They know very well that all the food products which they turn off year by year are consumed; and they have a right to demand a reasonable return for the work by which those products are made available for the uses of all other classes. The question is one of vital importance to them. Adverse influences have placed them where they can not make a decent living by the hardest toil and closest saving; and they have a right to demand a fair share of the proceeds of their labor.

Again, Mr. Chairman, Senator INGALLS, of Kansas, President *pro tempore* of the Senate, in an interview in the New York World of April 13 last, in reviewing the commercial relations of the West and South, supports the view I have expressed as to the depressed condition of agriculture and the relation of the tariff thereto. He says:

These great communities, that were only separated by the system of slavery, have since its destruction been alienated by factions that have estranged them only to prey upon them and to maintain political supremacy by their alienation. Unfriendly legislation has imposed intolerable burdens upon their energies; invidious discrimination has been made against their products; unjust tariffs have repressed their industries.

As an illustration of the effects of the "intolerable burdens," the "invidious discrimination," and "unjust tariffs" referred to by Senator INGALLS, it may be well to read the following special dispatch to the St. Louis Globe-Democrat from Boston, Mass., of date February 4, 1890, wherein it is stated that—

Western farmers will hereafter find it more difficult than ever of late to get Eastern capital by mortgaging their farms. Within two weeks the Showalter Western Farm Mortgage Company, doing business here, has asked for an extension. A farmers' loan company, of Anthony, Kans., recently was obliged to close up business, and there is more than one local company that is able to meet its semi-annual interest only with the most violent struggles. There are seventy-five Western farm-mortgage companies in this State with a total capital of $22,797,514. The first-mortgage loans owned by these companies aggregate $54,975,876 and the second mortgages $4,853,030.

Again, Mr. Chairman, the subjoined special to the Chicago Tribune of the 21st of March last tells the same story of "intolerable burdens," "invidious discrimination," and "unjust tariffs:"

The passage of the bill extending the time of redemption on real-estate mortgages from one year to two years in North Dakota has created a panic in financial circles. This telegram, signed by all the loan agents in Grand Forks, was sent to the governor yesterday:

"If the bill extending the time of redemption becomes a law it will drive capital from the State, increase the rate of interest and force the companies to use trust deeds, which would enable the companies to get title immediately after default."

The mortgage men assert that in case this bill goes upon the statute-book a tornado of foreclosures will break loose upon the entire State and all outside mortgage loaners will pull their capital out as rapidly as possible. Furthermore, they say that all capital inside the State will turn into other channels and the farmers will find themselves absolutely unable to procure accommodations. The bill was passed at the request of the Farmers' Alliance. The loan men say there are $15,000,000 of mortgage loans in North Dakota, and that upon 15 per cent. of it the interest is delinquent and being extended from time to time by the mortgagees.

As conclusive upon this issue, Mr. Chairman, I desire to submit the following excerpts from a letter of the Secretary of Agriculture, given to the country on the 21st of April last through the medium of the Associated Press. Secretary Rusk is certainly the very highest Republican authority on all questions relating to agriculture. He says:

For months past from all parts of the country there have reached me communications, many of them from large bodies of men, all of them from persons deserving consideration, and all of them deeply in earnest respecting the present condition of agricultural depression.

Further on in the communication he declares:

It would be a work of supererogation at this time to undertake to prove the existence of severe agricultural depression. This is universally admitted. Representative farmers and farmers' associations are constantly calling my attention to their condition, urging the necessity for some measure of relief. The situation warrants all the attention which our wisest minds can devote to it.

Upon the question of farm mortgages the Secretary is explicit and direct. Unlike some gentlemen on this floor and elsewhere in the country, he concedes in a frank and manly way their widespread and baneful presence in the following language:

FARM MORTGAGES.

The burden of mortgages upon farms, homes, and lands is unquestionably discouraging in the extreme, and while in some cases no doubt this load may have been too readily assumed, still, in the majority of cases, the mortgage has been the result of necessity. I except, of course, such mortgages as represent balances of purchase-money, which are rather evidences of the farmer's ambition and enterprise than of his poverty.

On the other hand, those mortgages with which land has been encumbered from the necessities of its owner, drawing high rates of interest, often taxed in addition with a heavy commission, have to-day, in the face of continued depression in the prices of staple products, become very irksome and in many cases threaten the farmer with loss of home and land. It is a question of grave difficulty to all those who seek to remedy the ills from which our farmers are suffering. At present prices the farmer finds that it takes more of his products to get a dollar wherewith to pay back the dollar he borrowed than it did when he borrowed it. The interest accumulates, while payment of the principal seems utterly hopeless, and the very depression which we are discussing makes the renewal of the mortgage most difficult.

Mr. Chairman, two days since, as appears by the RECORD of May 17, on page 5035, the gentleman from Michigan [Mr. ALLEN], among other matters relating to the wealth of certain Missouri counties, made the following statement touching two of the counties of my Congressional district. He said:

I will direct your attention to two counties, the counties of Clinton and Clay. There were recorded from 1880 to 1889, inclusive, in these two counties 7,993 mortgages. The difference in the number recorded in the years 1884 and 1889 in the two counties was 329 only, and the great county of Clay, which is to-day one of the most prosperous counties in Missouri, in part adjoining Kansas City, has had more mortgages recorded in 1889 than any other of the eighteen counties to which I have referred.

Replying to this statement, the following occurred in the course of the debate, as appears by the RECORD of the same date:

Mr. DOCKERY. Mr. Chairman, I desire to ask the gentleman from Michigan to state the amount of the mortgage indebtedness in Clay and Clinton Counties.

Mr. ALLEN, of Michigan. In dollars and cents?

Mr. DOCKERY. Yes, sir.

Mr. ALLEN, of Michigan. I have not the amount and I am not able to state it. I am simply stating that—and I repeat what I said—in 1889 there were only about 329 more mortgages put upon record than in 1884. So that the people were not mortgaging themselves very heavily, as we have been lead to believe.

Mr. DOCKERY. The statement of the gentleman, showing simply the number of mortgages, without the aggregate amount of such indebtedness, is meaningless, and indicates nothing either one way or the other. I have not said that my people were not prospering to a limited extent. [Laughter and applause on the Republican side.] Oh, you may laugh, gentlemen, but your laughter will turn to mourning in November. [Applause on the Democratic side.]

And I want to say here and now——

Mr. ALLEN, of Michigan. I have figures from the other Congressional districts which I will give in the morning.

Mr. DOCKERY. Mr. Chairman, have I the time or the gentleman from Michigan? [Laughter.]

Mr. BOUTELLE. The gentleman from Missouri may have a mortgage on the time.

Mr. DOCKERY. But the Republican party seems determined to foreclose it. [Laughter.] I only desire to occupy a few moments if I can do so without interruption.

The CHAIRMAN. The gentleman from Missouri will proceed without interruption.

Mr. DOCKERY. I desire to make a brief statement as to the indebtedness of Clinton County. In the tariff-reform campaign of last year I made the assertion that, notwithstanding the wealth of her agricultural resources, the farming prosperity of the county had declined until its decadence was manifest in an appalling aggregate of farm mortgages, amounting to $600,000.

That statement was contradicted by one of the most prominent Republicans in the county, who made an investigation of the records, and as a result conceded that the county of Clinton, which is one of the fairest counties in Missouri, was burdened with $640,000 of mortgage indebtedness upon her farms.

Mr. CUTCHEON. You refer to farm mortgages?

Mr. DOCKERY. Yes, sir.

Mr. ROWELL. How much money did they have on deposit in bank? Enough to pay for that?

Mr. DOCKERY. I do not know what the deposits were, but I am quite sure that the mortgaged farmers had no surplus to their credit, for if they had they would not have mortgaged their farms. [Laughter and applause on Democratic side.]

Mr. HOPKINS. Let me ask the gentleman a question.

Mr. DOCKERY. No; I must decline to yield, as I have but a moment of time remaining.

Mr. HOPKINS. As regards foreclosures, can the gentleman give any information?

Mr. DOCKERY. I can not yield to the gentleman now.

Mr. HOPKINS. I venture the statement that the foreclosures do not amount to 2 per cent. of the mortgages.

Mr. DOCKERY. Mr. Chairman, if I can get the floor from the gentleman from Illinois, I want to say that the ten counties I represent——

The CHAIRMAN. In debate like this, to interrupt a gentleman who has only five minutes is simply to destroy the force of his speech. Everybody has a chance to reply in their own time, and if they will do so we will get along much better. The Chair thinks the proprieties of the occasion have not been observed.

Mr. DOCKERY. I was about to say, Mr Chairman, that the assessed value of the ten counties that I represent amounted in 1888 to about $46,000,000. There is not a more productive body of agricultural land in any Congressional district in this country, but, notwithstanding the exceeding fertility of our soil, notwithstanding the industry of my people, notwithstanding that in business sagacity they are the peers of the foremost, farm mortgages have piled up not only in the county of Clinton, to which the gentleman from Michigan referred, but also in the other counties of the district. I am not able to correctly estimate their aggregate. Congress passed a bill recently which calls for information of this character, and when we get it the country will know the amount of the indebtedness of its farmers. The census returns will put the question without the pale of controversy and startle the country with its enormous aggregates.

Mr. CUTCHEON. Will the gentleman allow me to ask him a question?

Mr. DOCKERY. Yes, sir.

Mr. CUTCHEON. Can you give us what the increase in wealth has been in those ten years?

Mr. DOCKERY. I have not that information. I have stated the assessed valuation for 1888; but, guided by the general results of the census of 1880, I should estimate that the wealth of the ten counties has not increased. The census shows that in 1860 the farmers owned in round numbers one-half of the wealth of the United States, while in the succeeding decades that wealth decreased until in 1880 it only amounted to about one-fourth of the aggregate wealth of all the people——

Mr. ALLEN, of Michigan. In 1860 the wealth was largely composed of slaves. [Not heard by Mr. DOCKERY.]

Mr. DOCKERY. I am confident, Mr. Chairman, that the census to be taken in June next will show that the farmers, although constituting one-half of the people of the United States, own less than one-fifth of its wealth. I trust that my friend from Michigan when he renews his investigation at the Census Office will segregate the mortgaged farms from those unencumbered and then give us the aggregate of this indebtedness.

Mr. ALLEN, of Michigan. I would, but they had not it.

The estimated wealth referred to by me, Mr. Chairman, was, of course, the relative per capita wealth as between 1860 and 1888. This statement in the debate of the 17th instant was in entire and thorough accord with the eminent Republican authority I have just quoted, to establish the fact of our agricultural decline and the decrease of our per capita farming wealth; and yet, sir, some of the averments made in this debate have suggested the possibility that the leader of the Republican party on this floor and its Secretary of Agriculture, in common with myself, were mistaken in the conviction that we have expressed in respect to the unhappy condition of our farming interests. The doubt suggested inquiry and investigation so as thus to set this question at rest and put it beyond the limits of further contention.

RESULTS OF PROTECTION.

The result, so far as my own Congressional district is concerned, is given in the following statistical summary: The assessed valuation of all the real and personal property of the ten counties I have the honor to represent on June 1, 1880, amounted to $37,172,651, estimating the increase of wealth to have been $961,866 from June 1, 1879, to June 1, 1880. On June 1, 1888, the assessed valuation of the same counties aggregated $44,867,586, or a total increase in eight years of $7,694,935. The population of these counties, according to the census of 1880, was 158,316, whilst the population in 1888, based upon the estimate of 3 per cent. annual increase, was 196,312. I may also state, Mr. Chairman, that I have adopted this per cent. of gain after consultation with the Superintendent of the Census, who is of opinion that it is within the limits of entire accuracy.

That this estimate as to the population of 1888 is fortified by abundant caution, and is within the lines of a strictly conservative calculation, will be confirmed by the vote cast in that year.

The aggregate vote actually cast for the various Presidential candidates was 38,417. Now, assigning 5 per cent. as the number of the "stay-at-home" vote, we ascertain the entire voting strength of the district to have been 40,337. The actual proportion of those who do not vote is, however, usually nearer 10 than 5 per cent. Still, estimating on the basis of 5 per cent. and five members to every household, it appears that our population in 1888 was 201,685, and that the estimate of 196,312 population is therefore entirely safe and conservative.

On this basis I ascertain that the average per capita wealth in my Congressional district, which was $234.80 in 1880, decreased to $228.50 in 1888, an actual average loss to each individual of $6.30. Sir, it is true that there has been an increase of aggregate wealth, but it is, at the same time, apparent that the ratio of the increase of wealth has not kept pace with the ratio of the increase of population. The per cent. of gain in the increase of population has far outstripped the per cent. of gain in the increase of wealth. It is pertinent, also, to remember that within this eight years these ten counties have been traversed by many new lines of railway, and that but for this increase of railroad wealth the per capita decrease would have been more pronounced than it has been. In other words, a considerable part of the aggregate increase of wealth comes from the value of new railroads, and not from an increase of farming wealth.

Further comment, Mr. Chairman, upon the ruthless rapacity of the protective system becomes gratuitous and unnecessary when we recall the marked and superior business attainments of my people and the surpassing affluence of their agricultural resources.

I am confident, Mr. Chairman, that the census of the present year will show that Missouri's increased wealth comes largely from mining, manufacturing, commercial, and railroad investments and development rather than from any very great increase of the wealth of her splendid agricultural domain. I am further convinced that the same census will not only disclose a pronounced decrease in the per capita wealth of the farmers of Missouri, but a still greater decrease among the agriculturists of the other States of the West and the Northwest.

Everywhere there is unrest and discontent among this class of the people, whilst the sign boards along all our commercial highways point with unerring certainty to the ultimate ruin and overthrow of agriculture if the United States shall persist in maintaining its present policy in respect to foreign trade and internal taxation.

Missouri, Mr. Chairman, asks no privilege for her farmers that she does not desire extended to her sister States of the West and Northwest. Under any financial policy the measure of her prosperity will surpass that of her neighbors, since in mineral, commercial, mining, and agricultural endowments she stands to-day unequaled and without a rival.

The Tariff on Sugar.

SPEECH
OF
HON. GEORGE W. ATKINSON.
OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. ATKINSON, of West Virginia, said:

Mr. CHAIRMAN: I am opposed to the sugar feature of this bill. I have always been in favor of the all-round principle of protection. I do not indorse the doctrine of discriminating in favor of one industry as against another. I can not ask my Republican friend from Louisiana [Mr. COLEMAN] to vote to protect the glass and pottery and iron and steel and coal and wool in my district and then turn upon him and vote to place sugar on the free-list, and thus destroy that great and growing industry in his district.

That is not my idea of fairness, and I will not vote that way either, unless I am forced to do so in order to save the many valuable and essential features of the bill now under consideration. I maintain that it is our duty to protect sugar the same as we protect glass and iron and

pottery and indeed all the industries of my own and other districts. Upon this principle I stand squarely. Upon it the Republican party has stood for thirty years and has won some of the greatest political triumphs of history; and whenever we, as a party, allow invidious distinctions, like the one we are now considering, to be made between the sugar industry and other industries, we make a rent in our tent of protection that we can not sew up in a hundred years.

The last Republican platform, upon which we won a signal victory, proclaimed to all the world that before any part of our tariff protection should be sacrificed the entire internal-revenue system should be destroyed. Yet, to-day, in the face of that declaration, we find ourselves hanging on to the obnoxious internal revenue, while the sugar business is to be thrown overboard into the bottomless sea of destruction. Mr. Chairman, we make a serious mistake when we allow this to be done. There is, I know, a popular clamor for sugar to be placed upon the free-list, and a lawmaking body always errs when it allows itself to respond to a clamor.

If the duty is taken off sugar other industries may demand free raw materials and cheaper labor; and when these things are done our great tariff system will be overthrown. Then, instead of being independent, as we now are and have been ever since we instituted our present wonderful tariff system, we may again lapse into our former dependent and helpless condition as a nation.

Placing sugar on the undutiable list will doubtless cheapen the article to the consumer for a time; but, inasmuch as prices are invariably fixed by supply and demand, every reasoning individual must know that when our people cease to manufacture sugar the demand for a foreign article will increase and the price will therefore be accordingly raised.

Consignors, consignees, and refiners will combine and fix the prices to suit their own wishes, and the result will be a total loss to the Government and people of $56,000,000 of import duty plus the $7,500,000 that will have to be paid to the American producer as bounty. The entire sugar interest will, in consequence, most likely be turned over to a monopoly, a trust, and the people, in the end, will be the sufferers.

Mr. Chairman, where is the money to come from to supply this enormous deficit of $63,500,000 in the National Treasury. Whence will the money come to pay the increasing pensions to our soldiers? The service-pension bill, passed by this body a week or two ago, pledges $60,000,000 additional pensions to existing law to the soldiers of the Republic. Where is this vast sum of money to come from? Do you propose, gentlemen, to restrict rather than increase the pensions to the men that saved the flag, in order to throw money into the pockets of the sugar trust? You may not intend to do it, but, in my judgment, that will inevitably be the result of the passage of the sugar feature of the present bill. We can not afford to do it. Rather should we lift up the soldier and pull down the trust.

Mr. Chairman, we can not excuse ourselves by stating to the country that we only produce one-eighth of the sugar we use and import the rest. It seems to my mind an incontrovertible fact that, with proper encouragement, we can produce within the United States every pound of all grades of sugar that we can possibly consume. Cane is a certain crop in Louisiana, Texas, and Florida. The sugar-beet has already been introduced in some of the Western States, notably California, where sugar is being successfully manufactured from it. Why, then, do you say we can not make all the sugar we can use, if it is properly protected?

Germany and France, only a few years ago, by high protective duties, encouraged the growth of the sugar-beet, and to-day both of them are sugar-selling instead of sugar-buying nations. I use again, Mr. Chairman, a table on this subject that I prepared a week or so ago for my speech upon the general question of tariff. It shows the wonderful growth in the production of this kind of sugar in the Old World during the past twelve years. What has been done over there can be duplicated on this side of the Atlantic.

Beet-sugar products of Europe.

Years.	Germany.	France.	Austria-Hungary.	Russia and Poland.	Belgium.	Holland and other countries.	Total.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
1877–'78	383,828	398,132	330,792	220,000	63,075	25,000	1,420,827
1878–'79	420,686	432,634	405,906	215,000	69,957	30,000	1,574,183
1879–'80	411,625	277,912	406,375	235,000	58,017	25,000	1,403,929
1880–'81	594,223	383,614	498,082	250,000	68,626	30,000	1,774,545
1881–'82	644,775	398,369	411,015	308,790	73,136	30,000	1,869,974
1882–'83	848,124	423,194	473,000	284,391	82,703	35,000	2,146,412
1883–'84	986,402	473,676	445,952	310,000	106,586	40,000	2,362,616
1884–'85	1,155,000	308,400	557,500	386,400	88,450	50,000	2,545,750
1885–'86	825,000	299,400	377,000	540,600	48,400	37,500	2,127,950
1886–'87	950,000	500,000	525,000	475,000	80,000	50,000	2,580,000
1887–'88	959,156	392,824	428,616	441,342	140,742	119,260	2,481,940
1888–'89	990,604	466,767	523,242	526,387	145,804	133,040	2,785,841
1889–'90	1,260,000	775,000	750,000	475,000	200,000	140,000	3,600,000

If we have within our country the soil, climate, enterprise, and industry peculiar to the production of the sugar beet, in God's name, Mr. Chairman, why not maintain a duty high enough to encourage its growth and manufacture, so that we may produce upon our own soil and with our own labor the $93,000,000 worth of sugar we imported last year? It seems to me that such a course would not only be wise political economy, but the course of common sense and common fairness to our own countrymen.

SUGAR EXPORTS AND IMPORTS.

The following table shows, for the years indicated, the average annual imports of sugar into the countries named, with the average annual exports therefrom for the same periods, respectively. It also shows the net imports or the net exports, as the case may be, for each country, with the general net imports for the whole of Europe. Montenegro, Servia, and Turkey with its tributary states are the only European countries not included. For these no statistics are available. The figures for Austria, Hungary, Germany, Roumania, and Switzerland include molasses, and to that extent overstate the trade. All the figures are taken directly from the official documents of the respective countries, with the exception of those for Russia and Switzerland, which are from the British Statistical Abstract for the Principal and other Foreign Countries. The foreign denominations are here reduced to their equivalents in pounds:

Sugar exports and imports.

Countries.	Years.	Annual average.			
		Imports.	Exports.	Net imports.	Net exports.
		Pounds.	*Pounds.*	*Pounds.*	*Pounds.*
Austria-Hungary	1886, 1887, and 1888	2,362,964	515,840,906		513,477,942
Belgium	do	30,164,776	218,921,270		188,756,494
Denmark	do	41,477,309	5,284,461	36,192,848	
France	do	387,578,141	337,925,353	49,652,788	
Germany	do	15,541,695	1,397,216,691		1,381,674,996
Great Britain and Ireland	do	2,697,017,456	111,135,032	2,585,881,424	
Greece	1887 and 1888	14,937,983		14,937,983	
Italy	1886, 1887, and 1888	174,577,644	219,137	174,358,507	
Netherlands	1887 and 1888	232,828,738	209,201,115	23,627,623	
Portugal	1886, 1887, and 1888	54,358,528		54,358,528	
Roumania	1885 and 1886	19,909,333	1,976	19,907,357	
Russia	1885, 1886, and 1887		130,885,559		130,885,559
Spain	1886, 1887, and 1888	116,962,663	8,914	116,953,749	
Sweden	1885, 1886, and 1887	86,730,728	101,392	86,629,336	
Norway	1885, 1887, and 1888	26,089,692	1,031,200	25,058,402	
Switzerland	1885, 1886, and 1887	77,167,099		77,167,099	
Total		3,977,704,749	2,927,774,087	1,049,930,662	

I do not like the sugar-bounty feature of this bill either. To my mind it is un-American and to say the least is an experiment of questionable propriety. It is open to doubt also as to whether it is constitutional to place a direct tax upon the people for the benefit of any particular industry.

It is objectionable also because it will open a door to endless frauds upon the Government. Millions of pounds of foreign sugar will be reported as American production, and upon which the bounty will be paid. The strictest surveillance by Government officials can not prevent it.

Besides, Mr. Chairman, there is no certainty how long the bounty will be continued. Every year the Democratic party will oppose the appropriation for that purpose. The consequence will be continued uncertainty in the sugar business, and the industry will decrease in-

stead of increasing, as it should do, and ultimate destruction will follow. No distinctively American industry will prosper so long as we pay the present rate of wages for labor unless it has the certainty of loyal legal protection of a proper import duty on every similar foreign production. This is the experience of the past, and we have no means of judging the future except by the past. The old adage is as true as it is trite: "One man's experience is worth ten men's theories."

Moreover, Mr. Chairman, permit me to remark, in conclusion, that it is unjust to pay a bounty on cane, sorghum, and beet sugars, and allow nothing upon domestic glucose and corn-sugar. As a matter of fact, to do this will crush the manufacture of these latter articles in this country. Last year there was over 19,000,000 bushels of corn used in this particular industry in the United States, from which was produced 570,960,000 pounds of glucose, valued at $17,128,800, and for which $2,058,507 were paid to laborers. I can not, therefore, see the fairness of paying a bounty upon cane and beet sugars and nothing upon corn.

These, Mr. Chairman, are a few of the reasons why I hope the proposed schedule relating to sugars may not become law. I shall therefore vote with pleasure to strike it out and allow the present tariff to remain in force.

Tariff on Lead Ore.

SPEECH
OF
HON. THOMAS H. CARTER,
OF MONTANA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 15, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. CARTER said:

Mr. CHAIRMAN: The remarks made on Saturday morning by the gentleman from Texas [Mr. LANHAM] in opposition to the proviso attached to paragraph 203, which assesses a duty of 1½ cents a pound on the lead contained in imported ore are so misleading that I presume to present to the House in advance of the consideration of that paragraph the facts and figures which explode the assumptions and theories advanced by him.

The Mills bill not only left the law phraseology suitable to the Mexican smuggling, but actually reduced the duty from 1½ cents to three-fourths of a cent per pound. When that clause was under consideration in this House every Republican supported an amendment reinstating the duty of 1½ cents per pound and making a proviso identical in effect with the clause in the bill reported by the committee.

Thereafter the Senate tariff bill passed that body, containing the proviso which had been supported by the Republicans in the House. On this party record the Republican Congressional nominees were elected in every prominent lead and lead-silver producing district in this country.

Recognizing not only the logic and justice of the act, but the existing party obligation, the committee reported the paragraph as it now appears in the bill.

No section of the bill has been the subject of such continued and uncompromising controversy as the section referred to. For five long months the Ways and Means Committee has been besieged by an aggressive and opulent lobby favoring the free importation of Mexican lead-silver ore. Every sophistry which keen intelligence, sharpened by self-interest, could suggest has been employed to induce a departure from party record, principles, and pledges on this issue. Facts in nature and political economy, demonstrated by science and experience, have been misrepresented or distorted to aid a conspiracy formed to confuse and deceive the committee and the House, in the interest of five large dividend-paying smelters, whose stockholders have become opulent through palpable error in the persistent misconstruction of existing law. These five smelting concerns, located in Texas, Missouri, and Kansas, have been and now are waging war on the disorganized labor of four States and three Territories of this Union. That labor has found expression before the committee, as it now finds a voice in this House, through the chosen Representatives of the people, and not through specially retained counsel. The conflict is between the people and those who seek unfair advantage over them. In favor of free Mexican lead appears the Mexican Central Railroad and its connecting lines in this country interested in transportation from the Southwest, together with five smelters located in Texas, Missouri, and Kansas, operated or controlled by a close corporation interested in continuing brown-stone front-producing dividends; while opposed to that unrepublican idea there appear over two millions of American people who are contributing their lives to the enrichment, support, and advancement of the States of Missouri, Colorado, Nevada, Montana, and Washington, and the Territories of Idaho, Wyoming, and Utah.

After most careful investigation the Committee on Ways and Means adopted the clause now assailed. It is but proper for me to say that the committee did not give the protection asked for by the representatives of the American miners. We urged that a tariff of $30 be levied on every ton of imported lead ore and on all other ore in which the lead contents were of greater weight than any other metallic component. This demand the committee insisted we should withdraw, and while feeling that our demand was just, we did, as Republicans, accede, well knowing that Mexican ore was almost wholly classified by the Treasury Department as silver ore bearing lead, and as such would only be subject to duty on the actual lead contents. Thus where we formerly insisted that these Mexican ores should pay a duty of $30 per ton, we acceded to a schedule of 1½ cents per pound on the metallic lead contents, being only equivalent to about $6 per ton duty on the average, instead of $30 per ton, which would be collected from Mexican importers if the existing law were correctly enforced. Even this broad concession seems to be unsatisfactory to the gentlemen who seek to perpetuate abnormal dividends by striking the proviso from the bill. The amendment should prevail before this Republican majority if it is in harmony with the principle of protection to American labor, and it should fail if it is in direct conflict with that principle.

I insist that the proposal to strike out the proviso is in direct conflict with the principle of protection, and that such action would be an abandonment of that cardinal principle of Republican faith at a vital point, and a direct violation of a clearly implied party pledge.

Will you bear with me while I undertake to demonstrate this, and vote with me, if I succeed? I ask no more. I hope there is no reason to expect less. Then let us briefly to the facts. From the earliest days of the Republic we have had a tariff on pig-lead. It has varied with the ebb and flow of protection sentiment in national councils, but no party has ever been so unmindful of home interest as to place our lead miners in open competition with the Spaniards. From the 10th day of August, 1790, down to the present hour, pig-lead and lead in bars has been on the protection schedule. Rates of duty have varied, and in such variation and their sequences may be found the most powerful argument in favor of protection to American labor furnished by any protected product. In 1825 the first definite data was collected showing our home production. In that year we produced only 1,500 tons of lead; but mark the increase from year to year down to the present date.

Years.	Net tons.	Years.	Net tons.	Years.	Net tons.
1825	1,500	1850	22,000	1870	17,830
1830	8,000	1851	18,500	1871	20,000
1831	7,500	1852	15,700	1872	25,880
1832	10,000	1853	16,800	1873	42,540
1833	11,000	1854	16,500	1874	52,080
1834	12,000	1855	15,800	1875	59,640
1835	13,000	1856	16,000	1876	64,070
1836	15,000	1857	15,800	1877	81,900
1837	13,500	1858	15,300	1878	91,000
1838	15,000	1859	16,400	1879	92,780
1839	17,500	1860	15,600	1880	97,825
1840	17,000	1861	14,100	1881	117,085
1841	20,500	1862	14,200	1882	132,890
1842	24,000	1863	14,800	1883	143,957
1843	25,000	1864	15,300	1884	139,897
1844	26,000	1865	14,700	1885	129,412
1845	30,000	1866	16,100	1886	135,629
1846	28,000	1867	15,200	1887	145,700
1847	28,000	1868	16,400	1888	151,919
1848	25,000	1869	17,500	1889	155,000
1849	23,500				

It will be observed that during the revenue tariff years from 1850 to 1860, and as to lead extended to a later date, our American production decreased from 22,000 tons to less than 15,000 tons, and of course our imports increased accordingly. Before 1869 all our lead was produced from the non-argentiferous ores of Missouri, Wisconsin, Kansas, Virginia, and Illinois. Between 1860 and 1870 the development of the smelting interest in this country was so marked that it became evident to Congress that the tariff on pig-lead could be readily avoided by shipment of foreign ores to this country for reduction. To prevent such evasion, the existing tariff of 1½ cents per pound on lead ore and lead dross was enacted on the 30th day of June, 1864. Prior to 1883 no effort was made to evade this duty. This was a period of complete protection to the lead industry of this country and I challenge attention to the remarkable illustration of the happy effects of our protective policy as shown in the results obtained during that period.

The official figures I present tell the truthful and eloquent story; decrease of cost to consumer, increase of home production, and decrease of importations of lead:

Year.	Average price.	United States product.	United States consumption.	Imported.
		Tons.	*Tons.*	*Tons.*
1870	$7.13	17,514	48,500	31,460
1871	6.80	19,640	51,000	31,400
1872	7.14	25,416	54,000	29,000
1873	7.20	41,781	65,000	24,358
1874	6.67	51,150	69,590	19,440

Year.	Average price.	United States product.	United States consumption.	Imported.
		Tons.	*Tons.*	*Tons.*
1875	$6.72	58,575	56,610	8,000
1876	6.74	62,930	67,085	5,153
1877	6.74	61,000	63,330	6,970
1878	3.64	91,000	78,000	319
1879	4.18	92,780	94,000	2,460
1880	5.05	97,825	94,697	3,228
1881	4.80	117,085	117,345	3,492
1882	4.90	135,240	132,718	2,578
1883	4.32	147,345	140,535	1,085

The reduction of price from $7.18 per hundred in 1870 to $4.32 per hundred in 1883 was simultaneous with the decrease of importations from 31,460 tons in 1870 to 1,085 tons in 1883. Can there be found in the history of protected productions a more brilliant result? Can the vague theories of free trade survive this practical demonstration in the face of the further fact that our lead-miners were during those years the best paid, the best fed, and the best clothed lead-miners delving in the crust of this revolving globe? At times the home production exceeded the home consumption. During such years and in consequence the price fell below the cost of production. The result always was temporary check in the increase of supply, with only temporary inconvenience, pending the automatic adjustment through the law of supply and demand, operating justly and without foreign interference. In 1883 our home production exceeded our home consumption of lead by 7,810 tons, the importations for that year being less than the exportations.

At this point we began to experience free trade with Mexico. Under a Treasury ruling, dated March 29, 1883, it was held that where lead ore contained silver of greater market value than the lead it should be admitted duty free as silver ore. Recognizing the strained character of this construction, speculators were shy at first, but emboldened by success in doctoring the ores to bring them in free, they finally became defiant. They secured ore mined by Mexican laborers working at less than 50 cents per day, and entered our market with the lead bullion, to compete with the product of ores taken out of the ground on this side of the line, with miners' wages averaging over $3 per day. This presented a veritable bonanza. The available mines along the line of the Mexican Central Railroad were leased or purchased by the speculators without delay, and to-day that Mexican lead-ore supply is practically controlled by the voice of one man. Smelters were erected on this side of the line at El Paso, Argentine, and other convenient points to the number of five, and the importations began and have continued as follows:

Year.	Tons.	Year.	Tons.
1884	1,815	1887	15,000
1885	8,463	1888	28,646
1886	12,000	1889	33,000

These figures were in part furnished by the Bureau of Statistics and are evidently below the amounts actually imported, as the grab samples on which they were based were always, prior to November, 1889, doctored to show greater silver than lead value in the ore, and where ore was classified as silver ore no account was taken of its lead contents by the bureau. This circumstance is important in view of the claim that all the ore was used for smelting purposes because of the lead it contained, and still nearly 90 per cent. of the importations have been made free of duty as silver ore. It is not unreasonable to assume that in the five years between and including 1884 and 1889 200,000 tons of metallic lead were imported in Mexican ores and thrown on the American market in free competition with the product of our own mines. It will be remembered that in 1882 we produced in this country 132,240 tons of metallic lead to meet the total home consumption of 132,718 tons, the production being only 278 tons below the total home consumption, while in 1883 we actually produced a surplus. Consider the results since then. What are they? Home consumption has steadily increased over production. Ponder over the humiliating figures which result from the closing down of the American lead-producing mines and the opening up of the Mexican country.

The following table shows the production and consumption of lead in the United States from 1883 to and including 1889:

Year.	United States product.	United States consumption.	Consumption exceeded production.
	Tons.	*Tons.*	*Tons.*
1884	143,360	148,760	5,400
1885	135,518	145,900	10,382
1886	127,404	141,878	14,474
1887	144,980	164,416	19,436
1888	151,919	180,555	28,636
1889	155,000	188,000	33,000

During these years of decline in the home production, the Mexican importations increased from less than 2,000 tons metallic lead product in 1884 to over 33,000 net tons in 1889. During these years the Mexican miner was made happy by the steady receipt of an average of about 45 cents per day, while American miners were driven and are to-day being driven into other occupations to compete with and lower some other toilers' daily reward. American mines have been closing down since 1884 until to-day the idle silver-lead mines in the Rocky Mountains can be counted by dozens. In the mean time, the Mexican mining districts have been and are being opened up by cheap labor, and a gang of audacious speculators ask this House to enact a law calculated to insure the continuance of this suicidal policy. The demand is made not on the basis of fact, but upon dogmatic assertion of falsehoods, which investigation to the most meager extent will explode. It is claimed—

First. That lead ore can not be produced in sufficient quantities in this country to smelt the dry silver ores.

As this is the real foundation of the claim for the free importation of Mexican lead ore, it is important that we understand the exact meaning of the terms used. Let me therefore say that smelting is but one of the means by which silver is extracted from ore. Where silver in ore is found entirely free from lead and other base metals, it is extracted by a cheap method, known as the "Free milling process." The ore is crushed into powder by heavy stamps raised by steam power and allowed to drop constantly on the ore in a battery below, until it floats away in a ceaseless passing current of water running over plates charged with chemicals which attract and hold the silver, while the water and waste pass on to increase the dump and the stream beyond.

Various auxiliary methods are employed to facilitate the free milling process, but the general principle is outlined by the statement made.

Where silver ores are too heavy in lead and other base metals to yield their precious contents through the process described, they are smelted, either in a lead smelter or with copper ore, in a copper smelter. Dry refractory ores, that is, refractory ore which does not contain sufficient lead to form a liquid slag in the smelter, may be reduced either in a copper or lead smelter. Copper smelters seek these dry silver ores to run in with their copper ores so as to raise the silver contents of the copper matte. All copper ore smelted in the Rocky Mountains bears silver, but no allowance is made by refineries for the silver, unless the copper matte contains over 30 ounces of silver to the ton of matte. This fact causes the copper smelters to enter into competition with the lead smelters in many instances for the dry silver ore. I think it can be safely asserted that all the dry silver ores on the continent could be smelted in the copper smelters if there was not a pound of lead ore in existence. But the lead smelting industry has developed in this county for the express purpose of utilizing the lead ores, which exist in abundance, as a flux to run through the dry ores, and thus make a profit on the lead and silver combined. The fact that dry silver ores are being, and can be, successfully reduced in copper smelters, without the use of lead, effectually disposes of the assertion that these Mexican lead-silver ores are absolutely necessary to enable us to treat our dry silver ores.

But, sir, we are not compelled to rest on this conclusive fact alone. The whole Rocky Mountain chain, crossing the territory of the United States from north to south, is one endless network of gold, silver, copper, and lead bearing veins of ore. These veins have been barely prospected on the surface. When all the centuries shall have run their course or this race of ours becomes enveloped in the gloom of antiquity, rich lead-bearing veins of ore will still remain undeveloped in those mountains within the limits now under the jurisdiction of the United States.

But to reduce the assertion to its absurd foundation you need only reflect that the claim made requires us to believe that nature was careful to locate all the dry ores within the territorial limits of the United States and all the wet or lead-silver ores were dropped into the same long mountain chain at a point just south of the north boundary line of Mexico, as defined by the treaty of peace. Do you believe that nature performed this freak or do you believe that the statement is a mere makeshift used to mislead and deceive? If there is any doubt as to the deceitful intention of the parties responsible for the statement that this country can not produce sufficient fluxing ores to smelt the dry silver ores, consider the testimony of the following affidavits, which indicates what quantities of such ores can be produced in our intermountain region.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

James F. Woodman, of lawful age, being first duly sworn, deposes and says, I have been engaged in mining in California, Nevada, and Utah since the year 1858; I am familiar with a majority of the mining districts in Utah and Nevada, and know in a general way the amounts of lead ore which such districts could produce with a fair price on lead and good access to market. I am especially familiar with the districts on the western edge of Utah and the eastern part of Nevada. These districts contain large deposits or veins of carbonate lead ores, carrying a large per cent. of oxidised iron, making the best possible ore for fluxing dry silver ores. I make the following estimates of the ore that could be produced in the various districts named, from my acquaintance with them, and I am con-

sident my estimate of their possible production is far below the amount that might be produced:

	Tons.
Dugway district can produce annually	30,000
Columbia district can produce annually	15,000
Lakeside district can produce annually	30,000
South Willow district can produce annually	15,000
Stockton district can produce annually	30,000
Dry Cañon district can produce annually	15,000
Ophir district can produce annually	15,000
Clifton district can produce annually	22,500
Furber district can produce annually	45,000
One mine, Silver Cañon district, can produce annually	12,000
Muncie district can produce annually	7,500
West Tintic district can produce annually	7,500
Del Monte and Iron Mountain mines, annually	15,000
Bingham (West Mountain mining district), annually	100,000
Spruce Mountain can produce annually	30,000
Kinsley district can produce annually	15,000
Delano district can produce annually	15,000
Buel district can produce annually	12,000
Total	431,500

These ores thus producible will average at least 25 per cent. lead and are fine fluxing ores, containing generally, in addition to the lead, a large percentage of oxidized iron. Many of these districts are not now producing, on account of the low price of lead, and some of them, which were producing largely before Mexican importations of lead ore became large enough to be of importance, have either greatly lessened their yield or closed down entirely.

I have heard of a statement, alleged to have been made by Mr. August Meyer, that the United States can not produce enough lead ore to flux the dry silver ores produced within its borders. I know that the State of Nevada and the Territories of Utah and Idaho can produce enough fluxing lead ore to reduce not only the silver ores mined in this country, but such silver ores as may be imported from Mexico and British America.

JAS. F. WOODMAN.

Subscribed and sworn to before me, April 24, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

UTAH TERRITORY, *Salt Lake County, ss:*

W. G. Galigher, of lawful age, being first duly sworn, deposes and says that he has been engaged in the mining of silver-lead ores in the mining States and Territories for eighteen years; that he is now operating silver-lead mines in the State of Montana, and is part owner of the Spanish Hill mine of Bingham Cañon, Utah. That the said Spanish Hill mine has in the past been one of the largest producers of low-grade silver-lead ores in said Territory, and could continue to produce at the rate of at least 100 tons per day of ore, assaying about 20 per cent. in lead and 10 ounces in silver per ton. That the continued low price of lead has continued and will continue to operate as a bar to the profitable working of the mine on an extensive scale. That he has been obliged by reason of low prices to leave standing the low-grade ore-bodies and confine operations to those parts of the mine which produce the higher grade ores, and that in consequence the mine only yielded for the year 1889 about 2,000 tons of concentrate product and furnished employment for only about twenty men; whereas under favorable conditions it could furnish employment to from seventy-five to one hundred men.

That he is intimately acquainted with the larger part of the mining districts of Montana, Idaho, Utah, and Nevada, having traveled extensively among them; that he knows their resources and their capacity to produce fluxing ores, and he asserts of his own knowledge that the said intermountain mining region is abundantly able to produce enough fluxing lead ores to reduce by smelting process all the dry ores produced in the United States as well as gold and silver ores which can be shipped in from Mexico and British Columbia.

That the question under consideration is, in his judgment, a question of "wages only;" that it is impossible for the owners of the average silver-lead mines located in this region to pay $3 and $3.50 per day, the present rate of wages, and compete with the silver-lead mines in the northern parts of Mexico, with their system of cheap labor.

W. G. GALIGHER.

Subscribed and sworn to before me, April 29, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

William F. James, of lawful age, being first duly sworn, deposes and says: I have been engaged in mining and selling mineral ores for twenty-four years last past, and am familiar with the designation and character of such ores. Carbonate lead ores are usually found at or near the surface of the ground, and are the result of the combined action of air and water on sulphide ores of lead. As depth is attained the original sulphide ores, being less exposed to such action of air and water combined, are less and less changed, until at considerable depth they are found wholly unchanged. Whether in the form of carbonates or sulphide ores (galena), it is the lead which is of value in reducing so-called dry ores, or ores containing little or no lead.

The only difference in the treatment of the two classes of lead ores is that the sulphide, or galena, ores are often roasted to drive off the sulphur before they are put into the smelting furnace, while the carbonate ores go into the furnace without the preliminary roasting.

As a matter of fact most sulphide ores in the intermountain region, unless very high grade in lead, contain a considerable percentage of iron, also generally in the form of sulphide of iron, known as iron-pyrites. This ore being roasted, the iron is changed by the heat from a sulphide of iron to an oxide of iron, and the roasted ore becomes the most favorable and favored agent for reducing dry silver ores.

The lead ores, or argentiferous lead ores, of the intermountain region are composed almost entirely of these two classes, namely, carbonates, sulphides, and nearly all lead or argentiferous lead ores of that region are good fluxing ores.

The statement that nothing but carbonate lead ores can be used for reducing dry silver ores is fully met and refuted by the fact that Europe has no carbonate lead ores at all, and uses in smelting furnaces only the sulphide or galena ores, and with these ores reduces all the silver which is reduced in her lead furnaces.

I am familiar with the mines and mining districts of Utah, Idaho, Nevada, and Montana, and I know of my own knowledge that large quantities of carbonate lead ores are still produced here; that by reason of the open and broken character of the mountains here the oxidization has extended to a great depth, and even our deepest mines are still producing carbonate ores.

In addition, a fair protection for our lead ores would stimulate the development of new surface deposits of carbonate ores, and I know of my own knowledge the fact that there are large districts containing immense deposits of carbonate ores, high in lead and low in silver, which, with a fair price for lead and good access to markets through already projected lines of communication, can produce annually hundreds of thousands of tons of the very best fluxing carbonate lead ores.

WM. F. JAMES.

Subscribed and sworn to before me April 25, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

Richard Mackintosh, of lawful age, being first duly sworn, deposes and says, for many years I have been engaged in mining mineral ores, and running sampling mills for sampling the same. I am familiar with the ores of Utah, Nevada, Idaho, and Montana, and know their character and their desirability for use in smelting furnaces, to aid in reducing so-called dry ores, by which is meant ores containing silver and not enough lead to reduce the silver. The lead ores of the States and Territories above named, whether they are carbonate ores or sulphide (galena) ores, are fine fluxing ores, the chief difference being that the sulphide ores are often roasted to drive off the sulphur before they are put in the smelting furnace, while the carbonate ores are put directly in the furnaces. Very generally the sulphide ores of lead contain an admixture of sulphide of iron (iron pyrites), and the roasting changes that sulphide of iron into oxide of iron, making a most desirable ore for smelting and for reducing so-called dry ores.

There are in the various mining districts of the States and Territories above named many developed and undeveloped mines containing large quantities of both carbonate and sulphide lead ores, high in lead, but of low or medium grade in silver; these ores are excellent fluxing ores for reducing dry silver ores and are as good as the ores imported from Mexico for that purpose. Many of these mines can not be profitably worked when the price of lead is low, while, with the price of lead assured at $4.50 per hundred-weight or over, they could produce hundreds of thousands of tons yearly of the best fluxing lead ores. The chief reason, and so far as I know the only reason, we can not in the intermountain region produce these ores as cheaply as they can be produced in Mexico is because we pay our miners about six times as much wages daily as are paid to Mexican miners. I append hereto a carefully made statement of the days of labor actually paid for by me on one mine during last winter, the amount of lead produced from the ores mined, and the cost of producing each ton of lead reduced therefrom at the wages actually paid, and an estimate of what the cost would have been if the wages had only been 50 cents per day to the man.

I make that statement as a part of this affidavit and the facts therein stated are true of my own knowledge. The mine in question produces the best kind of carbonate lead ores, extremely desirable for reducing dry silver ores. This mine can be made to produce, with lead at a fair price, eighteen to twenty thousand tons of such ore annually. There are many mines in the same district containing the same kind of ore, which are not working and cannot work at the present price of lead and make a profit for the owners. With a fair price for lead the district in which these mines are located can produce at least from forty to fifty thousand tons of such fine carbonate lead ores.

DIAMOND MINE, EUREKA, NEV.

Comparative statement showing cost of extracting 180 *tons of lead for six months, ending March* 31, 1890. (*Labor at* $3 *per day and* 50 *cents per day.*)

Month.	Days.	Rate.	Amount.	Rate.	Amount.
				Cents.	
October	366½	$3.00	$1,099.50	50	$183.25
November	480½	3.00	1,441.50	50	240.25
December	536	3.00	1,608.00	50	268.00
January	531½	3.00	1,594.60	50	265.75
February	485½	3.00	1,456.50	50	242.75
March	677½	3.00	2,032.50	50	338.75
Total	3,077½	.....	9,232.50	.....	1,538.75

180 tons cost to extract at $3 per day, $9,232.50; $51.29 per ton lead.
180 tons cost to extract at 50 cents per day, $1,538.75; $8.55 per ton lead.

R. MACKINTOSH.

Subscribed and sworn to before me April 25, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

To the President and the Senate and House of Representatives of the United States in Congress assembled:

In order to show the disadvantage American lead mines labor under when brought into competition with the Mexican mines, the example of the Lead Mines and Brooklyn mine (adjoining properties, worked under one management) is brought to your notice. These properties are located in the West Mountain mining district, Salt Lake County, Utah, and jointly produced 45,000 tons of crude ore during the year 1889. Three thousand tons of this ore was first class, leaving 42,000 tons of very low grade ore to be "dressed," or concentrated into a merchantable commodity. The product of this "dressing" or concentration was 6,140 tons of second class, containing 3,500 tons of lead. Considering the single item of labor alone, 1 ton of this lead cost $41, the average cost of labor being $3 per day per man.

Contrast this with the pay received by the same classes of Mexican labor, 50 cents per day, and the cost of a ton of lead, mined and treated under the same conditions, figures out less than $7 on the other side of the border, thus demonstrating very clearly and very forcibly the urgent necessity of a protective tariff upon lead sought to be imported into this country.

The mines, tramway (connecting mines with concentrating mill), and concentrating mill employ 125 men, with a monthly pay-roll of, in round figures $12,000.

The writer of this is also engaged in the smelting business near Salt Lake City, and smelted some 10,000 tons of the above output, which after being roasted becomes a very valuable fluxing ore in connection with the treatment of dry ores (*i. e.*, ores containing little or no lead) as it contains an excess of lead. In this connection, I beg to state that all ores carrying an excess of lead, that is, more lead than is necessary for their own fluxing, are considered as fluxing ores, be they carbonate or galena.

Yours respectfully,

A. HANAUER,
Manager Brooklyn Lead Mine Group and Hanauer Smelting Works.

APRIL 18, 1890.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

Abraham Hanauer, of lawful age, being first duly sworn, deposes and says all the statements made above are true of my own knowledge.

ABRAHAM HANAUER.

Subscribed and sworn to before me this 18th day of April, A. D. 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

Thousands of sworn statements might be introduced to show that we have an abundance of lead ores in this country, but it seems useless to read further on a point so clearly apparent to any one who but reflects that the Mexicans are simply mining on veins of ore running parallel to veins in this country in the same mountain chain. As Mr. Gallagher well says in his affidavit, it is a question of wages pure and simple.

Second. It is claimed that these Mexican ores are different from our ores and that we can not produce carbonate ores like those produced in Mexico, a trifling subterfuge; but, as the statement has been made, I introduce a few affidavits which on their face bear the impress of their high authority:

TERRITORY OF UTAH, *County of Salt Lake, ss:*

John Tiernan, of lawful age, being first duly sworn, deposes and says, I have for twenty years past been engaged in mining in the Territory of Utah I know the character of the mineral ores produced here. Last summer I had occasion to examine at El Paso the character of the ores from Mexico there imported, and know by assay and analyses the character of the same. We can in this intermountain region produce enough of said ores, quite as good for fluxing purposes as they are, not only to reduce all the dry ores mined in the United States, but such dry ores as may be imported from Mexico and British Columbia. I am myself the owner of various mines containing tens of thousands of tons of such carbonate of lead fluxing ores, containing also a large percentage of oxidized iron. These mines were formerly producing, but are now closed down on account of the low price of lead.

JOHN TIERNAN.

Subscribed and sworn to before me April 26, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

William J. B. Walker, of lawful age, being first duly sworn, deposes and says: I have been engaged in smelting ores six years and refining the resulting base bullion for three years, and am familiar with the designation and character of such ores.

In my experience lead ores are entirely used as fluxes. The carbonate lead ores, which occur generally near the surface, are being replaced by galena or sulphide of lead ore as the mines attain greater depth. This ore is divided into two classes by the smelters.

Galena assaying 40 per cent. to 50 per cent. and over in lead is smelted directly without preliminary roasting to drive off the sulphur, as such character of ore will furnish enough excess of lead over that necessary to flux its own charge, to carry or flux an additional burden or weight of dry or silver ore.

Galena ore assaying under 40 per cent. lead or second-class ore usually contains enough iron pyrites, which, when changed to oxide of iron by roasting, will act as an iron flux in the furnaces and thus become also a fluxing ore by the use of which additional tons of dry or silver ores may be smelted.

From my own experience and observation I can state that, on account of the lead mines in Utah, Nevada, Idaho, and Montana being generally low grade in silver, it is necessary for the price of lead to be high enough to obtain a market for the second class, which is invariably mined with the first class to a greater or less degree; otherwise the mines would be compelled to close down. In order to treat second-class galena ore smelting plants in Utah, Montana, and Colorado are yearly increasing the capacity of their roasting plant, the resulting roasted product being used entirely as a flux for and the lead contained therein as a matrix for the silver and gold in dry or silicious ores.

To my certain knowledge galena ores have been purchased in the Salt Lake market by Colorado smelters, the high prices paid for the same proving that they were bought to be used as fluxing ores.

Smelters east of the Missouri River are at present buying galena ores from Missouri, Montana, and Idaho, which they use as a flux to smelt dry silver ores.

W. J. B. WALKER.

Subscribed and sworn to before me April 25, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

Giovanni Lavagnino, of lawful age, being first duly sworn, deposes and says: I have studied civil engineering in Italy, mining engineering and metallurgy in Germany, and I have been engaged in mining during the last fifteen years, both in Europe and in this country. I am acquainted with the principal mining and smelting districts of Germany, England, and Italy, Colorado, Montana, and Utah.

Galena, or sulphide of lead, is by far the most important lead mineral; cerusite, or carbonate of lead, occurs in the upper parts of lead-ore deposits as an alteration of galena. Both galena ores and lead carbonate ores generally carry more or less silver.

In Europe lead smelting is practically independent of the lead carbonate ores, and silver ores are generally reduced by lead smelting. In the common practice the lead ores are roasted before smelting.

I saw lead carbonate ores mined and smelted on a large scale in Leadville in 1880 for the first time, and in Utah afterward. I found that some good galena ores would be charged raw in the smelting furnaces, but low-grade sulphide ores were neglected, there being a deficiency of roasting plants at the smelters and of concentrating plants at the mines. I have observed in these ten years a marked tendency to extend the smelting process for the treatment of silver and gold ores, to reduce the proportion of lead in the smelting charge to a minimum, to subject the sulphide ores to a preliminary roasting, and to use these roasted ores in lieu of the lead carbonate ores. All smelters now have large roasting plants, and most of the sulphide ores are mechanically prepared, as in Europe, to suit the convenience of the smelters.

Inasmuch as most lead ores are not rich enough in silver and gold to be profitably smelted on their own account and are only sparingly used for reduction of silver and gold ores, therefore these lead ores should be considered only as fluxing ores. There can be no essential distinction made between galena and lead carbonate ores, save that the latter do not need the preliminary roasting. Opposite to this advantage of the lead carbonate ores I would place the fact that the sulphide lead ores are more easily prepared mechanically so as to contain more lead, more iron, and much less silica than the carbonate ores. I should say, by way of explanation, that iron pyrites occur very often with the galena ores, and that while the oxide of iron in the roasted ores used for fluxing is favorable, silica is objectionable, because the silver and gold ores carry it, as a rule, in a large excess.

I have been selling low-grade lead ores for the last six years, and my experience is that while the carbonate lead ores have been growing scarcer in this market the price, independent of the lead quotations, has been at the same time falling since 1886, and sulphide ores have been gradually selling better.

G. LAVAGNINO.

Subscribed and sworn to before me this 21st day of April, A. D. 1890.
W. G. VAN HORNE,
Notary Public.

I, W. G. Van Horne, a notary public in and for Salt Lake County, Utah Territory, and the same person before whom the above affidavit was originally subscribed and sworn to by said G. Lavagnino, hereby certify that the above is a true and correct copy of the affidavit sworn to by said G. Lavagnino, and the reason this is not subscribed by him is that he has left town temporarily.
[SEAL.]
W. G. VAN HORNE,
Notary Public.
Correct.
G. LAVAGNINO.
Witness:
J. R. NICHOLS.
APRIL 30, 1890.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

John McVicker, of lawful age, being sworn, says: I am and for twenty years past have been carrying on the business of a public assayer at Salt Lake City, Utah. I am accustomed to make assays on ores mined in Idaho, Nevada, and Utah. During the past year over 65 per cent. of the lead ores assayed by me have been carbonates; the rest sulphide of lead.

The latter ores when carrying a high percentage of lead, and they generally do, are as valuable as the carbonate for use in reducing dry silver ores.

JOHN McVICKER.

Subscribed and sworn to before me, April 25, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

To the President and the Senate and House of Representatives in Congress assembled:

I have been engaged in lead smelting in Utah during the last thirteen years, and for the last ten years have been superintendent of the Hanauer Smelting Works. In that time I have seen one large works—the Horn Silver—run for years on ores containing little or no carbonate of lead. The mine of this company was a remarkable deposit of sulphate of lead. Their smelting operation was a commercial and a metallurgical success. The lead ores of Montana and Idaho are almost exclusively galena, yet both have sustained large smelting industries and export very heavily to the Mississippi Valley galena ores for fluxing purposes.

The lead ores of Cornwall, England, the Hartz Mountains, Germany, and those of Spain as well, are all galenas. One pound of galena contains about 10 per cent. more lead than 1 pound of carbonate of lead. Since lead is the agent which collects silver (as quicksilver does in the milling operation) it is easy to see the value of galena as a flux for silver ores.

Respectfully submitted.

RICHARD H. TERHUNE,
Superintendent Hanauer Smelting Works.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

J. C. Conklin, of lawful age, being first duly sworn, deposes and says: I have been engaged in mining, sampling, and buying and selling mineral ores in Idaho and Utah for sixteen years past, and am familiar with the character and classification of such mineral ores. The ores of Idaho and Utah are to my personal knowledge desirable for the purpose of smelting dry silver ores, and are shipped to Newark, N. J., Chicago, Ill., Oakland, Cal., Denver, Colo., and St. Louis and Kansas City, Mo., to the amount of many thousand tons each year. Whenever the lead contained in the ore is in excess of the quantity needed for a flux, that is, about 15 per cent., the ore, whether a carbonate or sulphide of lead, is sought for as a fluxing ore. The low price of lead and the present difficulty of getting to market have kept almost wholly undeveloped many entire districts in Idaho and Utah, which could, if developed, produce hundreds of thousands of tons of fine fluxing ore annually.

J. C. CONKLIN.

Subscribed and sworn to before me, April 26, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

TERRITORY OF UTAH, *County of Salt Lake, ss:*

Francis M. Bishop, of lawful age, being first duly sworn, deposes and says: I have been engaged in assaying ores in Salt Lake City, Utah, for eleven years past, and have been accustomed to make assays on lead ores mined in Idaho, Nevada, and Utah. Of such lead ores 70 per cent. at the present time are carbonate ores. The sulphide of lead ores (galena), when they carry a large percentage of lead, and the natural or concentrated ores of this class generally do, are no less valuable as a flux for dry silver ores than the carbonate ores of lead.

F. M. BISHOP.

Subscribed and sworn to before me April 25, 1890.
[SEAL.]
W. M. BRADLEY,
Notary Public, Salt Lake County, Utah.

From this testimony, which could be multiplied indefinitely, it is manifest that we can and do produce ores identical with those now being imported from Mexico, and that we can produce them in necessary quantity. It is further apparent that the statement that carbonate ores alone are useful for fluxing purposes is erroneous. No man familiar with smelting ores could have the audacity to maintain that galena, high in lead, was not good smelting ore, the contrary being well known both in this country and the Old World.

Third. It is maintained that the introduction into this country of those Mexican ores has tended rather to enhance the price of lead than to decrease it, and a comparison is made to sustain this paradoxical proposition by citing the years 1883, 1884, and 1885 and comparing the average price of those years with the average price for the years 1886, 1887, and 1888.

Examination of the figures which I have heretofore given will show that prior to the introduction of any Mexican lead into this country we had produced a surplus of lead in 1883, amounting to about 7,000 tons. To add to this accumulated surplus, in 1884 more than 1,815 tons of lead were shipped in from Mexico. The next year over 8,000 tons and in the year 1886 about 12,000 tons were imported. These importations of Mexican lead, added to the surplus of the country for 1883, effectually broke down the market and, holding down the market, drove the American production of lead entirely out of proportion to consumption, so that in the year 1885 our home consumption exceeded our home production by over 10,000 tons. These figures show that American lead-producing mines had been driven into idleness by the low prices resulting from the burden of Mexican importations into our market. The result, the closing down of our

mines, was followed by an increase in the market price of lead, the truth being that control of the market has been in the hands of the Mexican free ore importers since 1885.

The market was stimulated by a combination in 1888. In 1889 the artificial support was removed, and from the effects of the heavy importations the price was driven down below the cost of production in this country, and is now hovering close by the edge of the danger line. Remove the tariff, give to the mines of Mexico, British Columbia, Germany, and Spain the privilege of free entry of their ores to the United States and within thirty days after the passage of such a law every silver-lead-producing-mine on this continent will be compelled to close down and the vast army of miners will be compelled to drift into other avocations.

It is important to consider how cheap lead can be produced. As casting some light upon that question I present a tabulated statement showing the yearly average price of pig-lead at London for the past century, submitting as a logical deduction that the lowest price reached during the century in London is the minimum at which lead can be produced by the labor of Spain, Germany, and Mexico.

Yearly average price of pig-lead at London for the past century.

Year.	Price.	Year.	Price.	Year.	Price.	Year.	Price.
	£ s.		£ s.		£ s.		£ s.
1787	21 4	1813	25 14	1839	19 5	1865	20 15
1788	21 10	1814	26 11	1840	19 10	1866	20 15
1789	19 17	1815	20 16	1841	20 10	1867	20 5
1790	16 1	1816	16 5	1842	18 10	1868	19 15
1791	18 2	1817	18 5	1843	17 0	1869	19 12
1792	19 8	1818	27 5	1844	17 10	1870	19 7
1793	19 3	1819	22 11	1845	18 10	1871	19 10
1794	14 10	1820	22 0	1846	19 0	1872	20 10
1795	16 15	1821	19 5	1847	18 15	1873	23 5
1796	18 6	1822	18 10	1848	17 10	1874	22 15
1797	16 17	1823	17 5	1849	16 10	1875	22 10
1798	15 7	1824	16 0	1850	17 15	1876	22 0
1799	16 9	1825	15 5	1851	17 10	1877	20 10
1800	19 16	1826	16 10	1852	18 10	1878	18 0
1801	24 8	1827	15 0	1853	23 10	1879	15 7
1802	24 16	1828	14 7	1854	23 15	1880	16 5
1803	27 15	1829	13 10	1855	23 15	1881	15 5
1804	28 0	1830	12 10	1856	24 5	1882	14 15
1805	27 11	1831	12 10	1857	23 10	1883	13 12
1806	35 12	1832	12 5	1858	22 5	1884	11 10
1807	30 3	1833	15 0	1859	22 10	1885	11 0
1808	30 1	1834	17 5	1860	22 15	1886	12 19
1809	31 3	1835	22 10	1861	22 0	1887	14 0
1810	28 16	1836	24 5	1862	21 10	1888	13 12
1811	24 0	1837	21 10	1863	21 5	1889	12 7
1812	23 3	1838	20 10	1864	21 15		

Its testimony is very clear. Only twice during that time has lead gone to or below 12*l.*, namely, 1830 to 1832 and 1884 to 1886. Barring those depressions, the market has not gone below about 15*l.*, which equals $3.25 in bond in New York. Thus it is palpable that at 11*l.* none of the mines in Europe can live. Freights from the coast of Spain and from the north of Germany to England, the great consuming market, are only about $2 per ton, and thousands of tons can be brought from Spain to New York by sail at the same cost; but at the present time, with the price at New York as it has been for a year past very close to $3.75, and with a freight rate from Colorado, Idaho, Montana, Utah, Nevada, and all the Western States on an average of 1 to 1¼ cents per pound, the Western miner is receiving 2¼ to 2¾ cents per pound for his lead. Therefore the deduction follows, and is clear and incontrovertible, that owing to the heavy importations from Mexico the American miner is getting only the equivalent of 11*l.* 15*s.* at London, which is very close to the price which has invariably shut up Spanish mines, and is only three-quarters of a cent less than the average in Europe for the past century, and nearly 1¼ cents lower than the price at London for a very large portion of that period.

We must not lose sight of the fact that wages in Germany and Spain are less than one half what are paid to the American miner. The average at the great Mechemich mine, employing 3,000 hands, is 30 cents per diem. Spain and Germany, together with England, have thus far furnished more than three-fourths of the lead consumed outside of the United States, and outside of them the only large producer has been Australia, where supplies are almost without limit. The Broken Hills district, in that country, can now produce, according to representations of experts, almost half as much as Spain. They have already chartered a steamer to take 3,000 tons of the base bullion per month from Sydney to London. Enormous quantities of this ore could find its way as free silver ore to this country. British Columbia is also prepared to furnish its very liberal quota. It will be an absolute impossibility for this country to prevent some doctoring of ores at foreign points and to prevent an importation of lead as silver ore which shall be equivalent to one-half of the entire production of this country if the proviso is stricken out. It must also be remembered that even 15 or 20 per cent. of surplus will drag down the price of the entire product of the country and so make it unprofitable to the point that the industry will of necessity be abandoned, beginning with the more unfavorable localities and spreading more and more all around as the price declines.

Even allowing that no doctoring is to be done, it is well known to every miner that the sorting of ores is an easy matter, so that the entire portion of the world's product, which fulfills the conditions to make it a so-called silver ore, will be carefully selected everywhere and sent to this country. If the proviso assailed is stricken out of the bill, the aggregate of these various importations, added to the Australian and Mexican products would be more than double enough to carry our price below the average at London for the last century, and, of course, far below the producing point in this country.

It will be observed by consulting production in this country, and prices prior to the importation of Mexican lead free of duty, that whenever the price has gone below 4 cents the supply has been checked; whenever it has gone above 4½ cents the supply has increased so as to equal consumptive demand. It is automatic, and the plea that we can not produce enough lead ore is refuted by this experience.

But $3.60 to $4 per hundred, with the heavy costs of freight, now brings down the price to the American miner lower than the average of a century in Europe, as shown by the table. It is true that the processes of mining and smelting are growing cheaper, but we can not escape from the fact that on the average American lead must be transported nearly 2,000 miles overland to market, while all foreign lead reaches market by the ocean highway, and this difference must inevitably and always remain at from one-half to three-quarters of a cent per pound against the American miner and stand as a factor and fixed charge to be added to his cost or taken from his returns.

To the end that the yearly average prices may be the better understood, in view of fluctuating exchange, I add the parity table on pig-lead, London and New York prices, prepared by Mr. E. A. Caswell, the lead broker, of New York:

Parity table on pig-lead—London and New York prices.

	Exchange at $4.84.	Exchange at $4.86.	Exchange at $4.88.	Exchange at $4.90.
£ s.				
11 0	$2.37	$2.38	$2.39	$2.40
11 5	2.43	2.44	2.45	2.46
11 10	2.48	2.49	2.50	2.51
11 15	2.53	2.54	2.55	2.56
12 0	2.59	2.60	2.61	2.62
12 5	2.64	2.65	2.66	2.67
12 10	2.70	2.71	2.72	2.73
12 15	2.75	2.76	2.77	2.78
13 0	2.81	2.82	2.83	2.84
13 5	2.86	2.87	2.88	2.89
13 10	2.91	2.92	2.93	2.94
13 15	2.97	2.98	2.99	3.00
14 0	3.03	3.03	3.04	3.05
14 5	3.08	3.09	3.10	3.11
14 10	3.13	3.14	3.15	3.16
14 15	3.18	3.19	3.20	3.21
15 0	3.24	3.25	3.26	3.27

Calculating the London discounts, average freights, insurance, duty, etc., about 2.10 must be added to the London price to obtain the figure at which lead could be laid down at New York—duty paid.

E. A. CASWELL.

It will be urged that freight rates from Mexico to the market by way of the American smelter do not place the American miners at any disadvantage in that particular when competing with Mexico. This suggestion drives us back to the labor question again, and I repeat that the whole gist of this question is wrapped up in the labor question. We are endeavoring to maintain the dignity and wages of American workmen by asking that this Government interpose its protective policy between the intelligent, progressive American citizen engaged in lead mining, and the Mexican peon, whose wants are supplied and whose ambitions are satisfied by the meager sum of from 25 to 45 cents.

Those who have not analyzed or observed the workings of the economic conditions controlling the production of the precious and base metals found in combination in ore, are liable to underestimate the disastrous effects of a policy destined to reduce the price of one component below the cost of production.

Such policy would not only result in decreasing the production of the component thus reduced in price, but would likewise diminish the output of all metals found in combination with it. More than one-half of our silver and much of our gold product is taken from mines containing ore which can only be extracted and treated when the lead can be sold at a profit. It follows that decrease of our lead product through ruinous competition with unequal labor conditions, must diminish our production of gold and silver. This means closing down all our low-grade mines, and that in turn means the destruction of labor and commerce in every mining State and Territory in this Union.

But it is insisted, Mr. Chairman, that there must be a sacrifice made of the American miner in order to open the markets of Mexico to the farmers of Kansas. If you will indulge me a few minutes

upon that proposition I will endeavor to satisfy you that it is fully as absurd as any of the theories advanced in support of this free-lead and reciprocity idea.

Since 1884 we have been admitting Mexican lead ore into this country free of duty, the amount of duty collected being too insignificant to bear mention. What has been the result with reference to our Mexican trade? In 1883 we imported from the Republic of Mexico a trifle over $8,000,000 in merchandise; in 1889 we imported over twenty-one millions. Now compare this history with our exports of merchandise during the same period. In 1883 we exported to Mexico a little over fourteen millions' worth of merchandise; in 1889 we exported to Mexico something over ten millions. Our reciprocity is exceedingly wholesome to Mexico, but costly to the United States. This is the class of reciprocity for which the foreigners north and south of us are pining. Can the farmers of Kansas afford to subscribe to a policy which will give them their one-forty-second part of an export trade amounting to an aggregate of only ten millions of dollars, when through such policy they will sacrifice their market in Colorado, in which market they sold during the year 1889 butter, eggs, chickens, flour, and, indeed, produce of every kind from their farms, aggregating over $8,000,000. The aggregate amount shipped into the State of Colorado alone from the States of Nebraska and Kansas in 1889 amounted to 30,465 car-loads of produce, aggregating in value over $12,000,000, which is 40 per cent. of the total annual product of all the mines of the State of Colorado. Of this aggregate sum the closest estimates clearly indicate that eight millions of the amount was purchased from the State of Kansas.

No sane man in the State of Kansas who has given careful consideration to this question from a pure, cold financial point of view, entirely free from all sentiment, can fail to conclude that the best interests of the State of Kansas will be served by preserving the market of Colorado and taking chances for a larger share of the forty-second part of ten millions exported to Mexico.

It is insisted, however, that the citizens of Kansas are interested in maintaining this free Mexican ore proposition because the levy of a tariff on these Mexican ores would be destructive of the smelting interests established in that State. No greater fallacy can possibly be conceived. The levy of duty on Mexican lead ore will merely reduce the large dividends of the Kansas City and Argentine smelters. Every man who is now employed in those works will continue in that employment, but the gentlemen with the bank accounts will be compelled to pay living American prices for lead ore, instead of paying peon prices for the Mexican product. The levy of the duty works injustice to no man. The shallow pretense that this interest has been built up on the faith of the Government allowing Mexican lead ores to come in free is refuted by the very figures which show the cautious manner in which the daring speculators approached this palpable violation of law. Let them buy lead ore for flux from the languishing lead mines of Kansas and Missouri.

As to the smelter at Newark, N. J., whose owners undertake to impose upon this House by saying that they established their works on the faith that the Government would continue to admit Mexican lead ore free, I will merely say that they undertake to perpetrate a fraud on the House and the country. The Newark smelter was in operation for many long years before a pound of Mexican ore was imported into this country. The vast fortunes of its owners were built up in smelting the ores mined from the earth in various portions of this country by the identical miners against whose interests they are now wielding the influence of their mighty fortunes thus acquired. I say to you, Mr. Chairman, that the people of Kansas and New Jersey can not be fairly represented on this floor by any individual who will boldly insist that the honorable, honest citizens of Kansas and New Jersey are entirely selfish, and disregardful of the interests and well-being of their neighbors and patrons in adjoining States.

Reflection, consideration, and mature thought will lead the gentlemen who represent the people of Kansas, no doubt, to realize that the great mountain chain extending through this country from north to south, developed into an active, busy succession of mining camps, will constitute for the States on the mountain slopes west of the Mississippi River a better market than can be found in any other portion of the country. Let this matter be fully and fairly considered; let not the people of Kansas take such action as will sacrifice the magnificent market of Colorado; let not Minnesota and Dakota so act as to sacrifice the magnificent market of Montana. Indeed, let all the States west of that river consider that every agricultural interest demands a continuance of the market which has existed and may be continued in that Rocky Mountain country for the agricultural products of the Mississippi Valley. Representatives from Illinois and all points east of that river should realize that we pay them millions of dollars annually for machinery and protected manufactures. When this matter shall have been fully considered there will be no question as to the dictates of duty.

But, Mr. Chairman, the audacious gentlemen who have worked up this free-trade sentiment in the State of Kansas no more represent the honest sentiment of that State than did the individual, Mr. Clover, whose statement the gentleman from Texas caused to be printed, represent the sentiment of the people of Kansas with reference to the re-election of one of the eminent Senators from that State. I am creditably informed that this individual, misusing the name of the Farmers' Alliance, has been very actively operating through the State of Kansas, using the temporary authority given him by the Alliance to work up a sentiment in favor of this Kansas City smelter combine. This chief of the Alliance is undoubtedly a thrifty man, if he is anything. A Denver newspaper is receiving $125 for each issue to allow this Kansas City smelter combine to state its case on one side of the paper to the miners of Colorado, and this statement in the Denver paper, paid for as advertising matter, is presented to unsuspecting victims as a voice from Colorado in favor of free Mexican lead.

It is made to appear that certain smelters in the State of Colorado are in favor of striking this proviso from the bill. I have no doubt that certain smelters in Colorado are in league with the Mexican free-lead scheme, and the peculiar inducement can be better understood by studying the plan for a smelter trust with a capital of $25,000,000, which is either complete or in process of completion, between the Kansas City smelter combine and certain smelters now making a fight in favor of free Mexican lead. This smelter combine has been prepared, or is being prepared, to absolutely control the lead market of this country, and the requirement of the proposed trust is free lead ore from Mexico, which will insure the advantage of the cheap labor of that country, whose lead-producing mines they now control very largely. In the Denver Times of Saturday, March 1, 1890, will be found an explanation of the purposes of this trust. With twenty-five millions of capital in sight and its future well-being in the balance there can be little difficulty in procuring the services of such men as the individual who has been signing statements for publication in the CONGRESSIONAL RECORD.

This smelter combine, through its minions, has not hesitated to boldly assert that the miners and people of the West were in favor of having their own throats cut by admitting free Mexican lead. Lest any one present may feel that some credit is due this statement, I beg leave to present telegraph messages from the members of the Boards of Trade of three of the prominent cities of my State, Montana, showing the widespread interest manifested in that State with reference to this subject and in favor of the protection of the lead miners from peon competition:

HELENA, MONT., *April* 3, 1890.

Hon. T. H. CARTER, *Washington:*

At a meeting of the Helena Board of Trade held to-day the following resolutions were adopted:

"Whereas the silver and the lead of our State become sensitive in quantity and price in proportion to the violence of a competition of either that comes from abroad; and

"Whereas a bill is now before Congress to admit lead ores duty free, thereby imperiling the industries of silver and lead producing in Montana, whereby many thousands of our citizens would be impoverished by being thus brought into competition with the cheap labor of Mexico and pauper labor of other lead-producing countries; and

"Whereas our many millions invested in the development of Montana mines are threatened by the free lead bill before the Ways and Means Committee of the present Congress; and

"Whereas the thousands of miners and many millions of money engaged in the production of silver, whose export last year exceeded $12,000,000, and whose facile manipulation depends largely upon the presence of lead in treating argentiferous quartz; and

"Whereas the amount of lead value to the ton is a guiding figure in the economy of every smelter in Montana where such ore goes to make up the aggregate value of our precious metal export; and

"Whereas silver, lead, and gold are ribbed together in our mountains and stand sponsors as the triumvirate giants of our mighty industries whose united product is $70,000,000 per year, employing many thousands:

"*Resolved by the Helena Board of Trade, representing in part the largest mining district in the United States*, That we remonstrate in behalf of the many miners in Montana and in behalf of capitalists who have their money invested with us against the passage of any bill by Congress for the introduction into the United States of any free lead ores.

"*Resolved*, That a copy of these resolutions be wired to Hon. T. H. CARTER, our Representative in Congress, with a request that he will lay them before the Committee on Ways and Means."

A. M. HOLTER, *President.*
DONALD BRADFORD, *Secretary.*

BUTTE, MONT., *April* 1, 1890.

At meeting board trade to-night following resolutions adopted, which I am instructed telegraph you:

"Whereas the Ways and Means Committee of the lower House of Congress has pending before it a proposition to levy a duty of 1¼ cents per pound on lead contained in ores; and,

"Whereas certain persons and corporations who are concerned in and who derive a profit from the importation of Mexican lead ores have appeared before said committee and are striving to make it appear that our lead and lead-mining industries will be better subserved by a lowering of the proposed rate of duty or by the free admission of lead in ores.

"Whereas we believe that this effort to abolish or reduce said duty is inspired by a purely selfish motive, for the purpose of enriching a comparatively few individuals in a limited locality, and without any consideration for the rights of the great mass of the people directly concerned: Therefore,

"*Be it resolved by the Board of Trade of Butte City, representing the greatest mining community in the American Union*, That by reason of the great difference existing between this country and Mexico in particular, in all the conditions surrounding labor and living and transportation, any reduction from the proposed rate of 1¼ cents per pound would seriously injure and permanently cripple the lead mining industry of Montana, while the abolition of the duty means ruin and widespread disaster to investments involving millions of dollars.

"*And be it further resolved*, That as citizens of mining sections whose interests are directly concerned, and understanding the extent of the threatened evil, and without any reference to political lines, we most earnestly call upon the Committee on Ways and Means to extend their range of vision and let the principle of protection shed its fostering rays west and north of the Rocky Mountain range.

"*Resolved*, That a copy of these resolutions be telegraphed to Hon. THOMAS H. CARTER, Representative in Congress, with request that he present them to the Committee on Ways and Means."

LEE MANTLE,
President Board of Trade.

Hon. THOMAS CARTER, *Washington, D. C.*

GRANITE, MONT., *April* 15, 1890.

SIR: We, the undersigned executive committee, are directed to transmit to you the following resolutions unanimously adopted by the Granite Miners' Union at their regular meeting Tuesday, April 8, 1890:

"Whereas there is at present a bill pending before Congress to admit foreign lead ores duty free, thereby threatening the destruction of one of our chief industries; and

"Whereas the certain and immediate effect of the passage of such act will be the closing down of many mines and the consequent throwing out of employment a large number of miners, thus inflicting a great hardship on not only the miners and mine-owners, but also on the numerous dependencies sprung up around them; and

"Whereas the network of railways either now projected or in course of construction through the only partially explored regions of Northern and Western Montana will give an impetus to the speedy development of many silver-lead-bearing properties known to exist in the mineral belts traversing through the country adjacent and tributary to the aforesaid lines of railway, so that the assertion of the agents for the smelting companies to the effect that sufficient wet or lead ore for flux does not exist or is not obtainable in the United States, has no foundation in fact; and

"Whereas, through the agency of cheap labor and material other countries than Mexico could and would enter the field of competition in the production of lead, among others our northern neighbor, British Columbia, where in the delta between and near the junction of the Frozen and Thompson Rivers there occurs a limestone formation of considerable extent containing large deposits of lead ore with no appreciable quantity of silver, which if developed indirectly by American capital and Chinese cheap labor, with which British Columbia is ignominiously swarmed, would result in the suspension of every lead-producing industry, not of Montana alone, but with telling effect throughout the United States; and

"Whereas it is a fundamental principle of this Government to protect, as far as possible, the free workmen of America against the odious competition with the pauper or slave labor of despotic countries: therefore, the present duty of 1½ cents per pound on lead ore should be maintained, whether the lead enters as ordinary ore or as an artificial mixture compounded to cheat the customs: Therefore,

"*Be it resolved by the Granite Miners' Union, representing the principal mines of Deer Lodge County, Montana, numbering upwards of six hundred men, employed in the various mines*, That we respectfully protest against the passage of any act that will have a tendency to reduce the present duty of 1½ cents per pound on lead ore, by Congress.

And be it further resolved, That a copy of these resolutions be transmitted to our Representative in Congress, Hon. T. H. CARTER, and that he be respectfully requested to submit the same to the Ways and Means Committee for their consideration."

Very respectfully and obediently,

JAMES GILFILLAN.
MARTIN MYERS.
HUGH M. BLUET.

Hon. THOMAS H. CARTER, *House of Representatives.*

I also present a petition signed by 4,922 miners and citizens of the intermountain country, the body of which petition reads as follows:

To His Excellency the President and to the Congress of the United States:

The undersigned respectfully represent that they are interested in lead-mining in the United States, as miners, smelters, refiners, transporters of ores and the produce from ores, as laborers in the mines, as doing business connected with mining, and in various other ways engaged in and connected with said lead-mining business.

Most of the articles used in mining are protected by a high protective tariff, such as steel, iron, shovels, picks, machinery, powder, fuse, caps, rope, woolen goods, and various other things.

In consequence of the importation of foreign lead ores many of our mines are abandoned and others will be abandoned; capital is seeking investment in Mexico, where miners' wages are 50 cents per day, while American miners receive $3 per day; railroad building, so necessary to the development of our great country, is seriously crippled, and general stagnation pervades our mining regions.

Our mines are capable of furnishing sufficient lead to supply the full demand in the United States. Under a high protective tariff on lead and lead ores we reduced the price to consumers, between 1868 and 1886, from 9 cents to 4½ cents per pound; and since free lead has been admitted from Mexico it has depreciated $18 per ton to the producer, and white lead has advanced $30 per ton to the consumer, thus injuring the mining business and at the same time increasing the cost of products from lead to the consumer.

In the interest, therefore, of both producer and consumer, we earnestly petition that such laws be enacted as will impose on imported lead ores a tariff which will adequately protect the lead-mining interests of this country against foreign importations.

A careful consideration of all these statements, which I believe fully and clearly refute every claim made in favor of a departure from the protective policy of the Republican party, leads me to confidently expect that each and every member of the party will stand in this contest in favor of the large body of American miners as against one railroad combine and five large dividend-paying smelters and the prospective $25,000,000 smelter trust. From the Republican party we have reason to expect a redemption of promises. In my State the Democratic party are in favor of protection to lead and have so declared in their party platform, and I ask any Democrat in this House who has a disposition to aid the Democratic party of Montana in redeeming its pledges to vote with us on this proposition. It is of vital interest to hundreds of struggling communities on this continent.

I realize that the Democratic party on this floor has taken a more pronounced stand in favor of free trade during the present session of Congress than was ever assumed by the party in this House before. Being in favor of free trade pure and simple, I do not feel that any Democrat would be inconsistent in voting to place lead upon the free-list, but with the Republicans here present, who stand under the banner of protection to American industries and American labor, there is but one course to pursue, and that is, be true to party pledges and principles.

Treasury Notes and Silver.

SPEECH

OF

HON. JOHN P. JONES,

OF NEVADA.

IN THE SENATE OF THE UNITED STATES,

May 12 *and* 13, 1890,

On the bill (S. 2350) authorizing the issue of Treasury notes on deposits of silver bullion.

Mr. JONES, of Nevada, said:

Mr. PRESIDENT: The question now about to be discussed by this body is in my judgment the most important that has attracted the attention of Congress or the country since the formation of the Constitution. It affects every interest, great and small, from the slightest concern of the individual to the largest and most comprehensive interest of the nation.

The measure under consideration was reported by me from the Committee on Finance. It is hardly necessary for me to say, however, that it does not fully reflect my individual views regarding the relation which silver should bear to the monetary circulation of the country or of the world. I am, at all times and in all places, a firm and unwavering advocate of the free and unlimited coinage of silver, not merely for the reason that silver is as ancient and honorable a money metal as gold and equally well adapted for the money use, but for the further reason that, looking at the annual yield from the mines, the entire supply that can come to the mints will at no time be more than is needed to maintain at a steady level the prices of commodities among a constantly increasing population.

In view, however, of the great divergency of views prevailing on the subject, the length of time which it was believed might be consumed in the endeavor to secure that full and rightful measure of legislation to which the people are entitled, and the possibility that this session of Congress might terminate without affording the country some measure of substantial relief, I was willing, rather than have the country longer subjected to the baleful and benumbing influences set in motion by the demonetization act of 1873, to join with other members of the Finance Committee in reporting the bill now under consideration.

Under the circumstances I wish at the outset of the discussion to say that I hold myself free to vote for any amendment that may be offered that may tend to make the bill a more perfect measure of relief and that may be more in consonance with my individual views.

CONDITION OF THE COUNTRY.

The condition of this country to-day, Mr. President, is well calculated to awaken the interest and arouse the attention of thinking men. It can be safely asserted that no period of the world's history can exhibit a people at once so numerous and homogeneous, living under one form of government, speaking a common language, enjoying the same degree of personal and political liberty, and sharing, in so equal a degree, the same civilization as the population of the United States. Eminently practical and ingenious, of indomitable will, untiring energy, and unfailing hope, favored by nature with a domain of imperial expanse, with soil and climate of unequaled variety and beneficence, with every natural condition that can conduce to individual prosperity and national glory, it might well be expected that among such a people industry, agriculture, commerce, art, and science would reach an extent and perfection of development surpassing anything ever known in the history of mankind.

In some respects this expectation would appear to have been well founded. For several years past our farmers have produced an annual average of 400,000,000 bushels of wheat. Our oat crop for 1888 was 700,000,000 bushels, our corn crop 2,000,000,000 bushels, our cotton crop 7,000,000 bales. In that year our coal mines yielded 170,000,000 tons of coal, our furnaces produced 6,500,000 tons of pig iron and 3,000,000 tons of steel. Our gold and silver mines add more than $100,000,000 a year to the world's stock of the precious metals. We print 16,000 newspapers and periodicals, have in operation 154,000 miles of railroad and 250,000 miles of telegraph. The value of our manufactured products at the date of the last census was $5,400,000,000. Our farm lands at the same time were estimated at $10,000,000,000, our cattle at $2,000,000,000, our railroads at $6,000,000,000, our houses at $14,000,000,000. It is not too much to say that there has been an increase of fully 50 per cent. in those values since the taking of the census of 1880. Our national wealth to-day is reasonably estimated at over $60,000,000,000.

Figures and facts such as these in the history of a young nation bespeak the presence not merely of great natural opportunities, but of a people marvelously apt and forceful. From such results should be anticipated the highest attainable prosperity and happiness. Our population is alert, aspiring, and buoyant, not given to needless repining or aimless endeavor, but, with fixity of purpose, presses ever eagerly on, utilizing every conception of the brain to supplement and multiply the possibilities of the hand, and at every turn

subordinating the subtle forces of nature to the best and wisest purposes of man. No equal number of persons on the globe better deserve success or are better adapted for its enjoyment.

But instead of finding, as we should find, happiness and contentment broadcast throughout our great domain, there are heard from all directions, even in this Republic, resounding cries of distress and dissatisfaction. Every trade and occupation exhibits symptoms of uneasiness and distrust. The farmer, the artisan, the merchant, all share in the general complaint that times are hard, that business is "dull." The farmer is in debt and is not realizing, on the products of his labor, the wherewithal to meet either his deferred or his current obligations; the artisan, when at work, finds himself compelled to share his earnings with some relative or friend who is out of employment; the merchant who buys his goods on time finds little profit in sales and difficulty in making his payments.

WHAT IS THE DIFFICULTY?

What can it be, Mr. President, that has thus brought to naught all the careful estimates and painstaking computations, not of thousands, nor of hundreds of thousands, but of millions, of keen, shrewd, and far-seeing men? Our people take an intelligent interest in their business; they look ahead; they endeavor, as far as possible, to estimate correctly their assets and liabilities, so that on the day of reckoning they may be found ready. Why this universal failure of all classes to compute correctly in advance their situation on the coming pay-day? What potent and sinister drug has been secretly introduced into the veins of commerce that has caused the blood to flow so sluggishly, that has narcotized the commercial and industrial world?

All have been looking for the cause and many think they have discovered it. With some it is "overproduction," with others either a "high tariff" or a "tariff not sufficiently high." Some think it due to trusts and combinations, others to improved methods of production, or because the crops are overabundant or not abundant enough. Some ascribe the difficulty to speculation; others, to "strikes." All sorts of insufficient and contradictory causes are assigned for the same general and universal complaint. However inadequate in themselves, they serve to emphasize the universal recognition of a difficulty whose cause without close inquiry is likely to elude detection. But the evil is of such magnitude, it is so widespread and pervasive, that, without a knowledge of its cause, all effort at mitigation of its effects can but add to the confusion and intensify the difficulty.

It behooves us, therefore, as we value the prosperity and happiness of our people, to set ourselves diligently to the solution of the inquiry: What is the cause of the unrest and discontent now universally prevailing?

ONE SYMPTOM COMMON TO ALL INDUSTRIES.

In surveying the question broadly, to discover whether there is anything that affects the situation in common from the standpoint of varying occupations, we find one, and only one, uniform and unfailing characteristic: the prices of all commodities and of all property, except in money centers, have fallen and continue to fall. Such a phenomenon as a constant and progressive fall in the general range of prices has always exercised so baleful an influence on the prosperity of mankind that it never fails to arrest attention.

History gives evidence of no more prolific source of human misery than a persistent and long continued fall in the general range of prices. But, although exercising so pernicious an influence, it is not itself a cause, but an effect.

When a fall of prices is found operating, not on one article or class of articles alone, but on the products of all industries; when found to be not confined to any one climate, country, or race of people, but to diffuse itself over the civilized world; when it is found not to be a characteristic of any one year, but to go on progressively for a series of years, it becomes manifest that it does not and can not arise from local, temporary, or subordinate causes, but must have its genesis and development in some principle of universal application.

WHAT PRODUCES A GENERAL FALL OF PRICES?

What, then, is it that produces a general decline of prices in any country? It is produced by a shrinkage in the volume of money relatively to population and business, which has never yet failed to cause an increase in the value of the money unit and a consequent decrease in the price of the commodities for which such unit is exchanged. If the volume of money in circulation be made to bear a direct and steady ratio to population and business, prices will be maintained at a steady level, and, what is of supreme importance, money in which a large volume of business is conducted on a basis of credit will be kept of unchanging value. With an advancing civilization, extending over long periods, it is of the utmost importance that money, which is the measure of all equities, should be kept unchanging in value through time.

EFFECT OF A REDUCTION IN THE MONEY-VOLUME.

A reduction in the volume of money relatively to population and business, or (to state the proposition in another form) a volume which remains stationary while population and business are increasing, has the effect of increasing the value of each unit of money, by increasing its purchasing power.

It is only within a comparatively recent period that an increasing value in the money unit could produce such widespread disturbance of industry as it produces to-day. In the rude periods of society commerce was by barter; and even for thousands of years after the introduction of money credit where known at all, was extremely limited. Under such circumstances changes in the volume and in the value of money, while operating to the disadvantage of society as a whole, could not instantly or seriously affect any one individual. An increase of 25 per cent. in one year in the value of the money unit—a change which now, by reason of existing contracts and debts, would entail universal bankruptcy and ruin—would not be seriously felt by a community in which no such contracts or debts existed, in which payments were immediate or at short intervals, and each individual parted with his money almost as soon as he received it.

Such proportion of the annual increase in the value of the money unit as could attach to any one month, week, or day would be wholly insignificant, and, as most transactions were closed on the spot, no appreciable loss could accrue to any individual. Such loss as did accrue was shared in and averaged among the whole community, making it the veriest trifle upon any individual. But how is it in our day?

THAT EFFECT INTENSIFIED AS CIVILIZATION ADVANCES.

The inventions of the past one hundred years have established a new order of the ages. The revolution of industry and commerce, effected by the adaptation of steam and other forces of nature to the uses of man, has given to civilization an impetus exceeding anything known in the former experience of mankind. Under the operation of the new system, the rapidity and intensity with which, within that period, civilization has developed, is due in great part to an economic feature unknown to ancient civilization and practically unknown even to civilized society until the present century. That feature is the time-contract, by which alone leading minds are enabled to project in advance enterprises of magnitude and moment. It is only through intelligent and far-seeing plans and projections that in a complex and minutely classified system of industry great bodies of men can be kept in uninterrupted employment.

We have 22,000,000 workmen in this country. In order that they may be kept uninterruptedly employed it is absolutely necessary that business contracts and obligations be made long in advance. Accordingly, we read almost daily of the inception of industrial undertakings requiring years to fulfill. It is not too much to say that the suspension for one season of the making of time-contracts would close the factories, furnaces, and machine shops of all civilized countries.

The natural concomitant of such a system of industry is the elaborate system of debt and credit which has grown up with it and is indispensable to it. Any serious enhancement in the value of the unit of money between the time of making a contract or incurring a debt and the date of fulfillment or maturity always works hardship and frequently ruin to the contractor or debtor.

Three-fourths of the business enterprises of this country are conducted on borrowed capital. Three-fourths of the homes and farms that stand in the name of the actual occupants have been bought on time, and a very large proportion of them are mortgaged for the payment of some part of the purchase-money.

Under the operation of a shrinkage in the volume of money this enormous mass of borrowers, at the maturity of their respective debts, though nominally paying no more than the amount borrowed, with interest, are, in reality, in the amount of the principal alone, returning a percentage of value greater than they received, more than in equity they contracted to pay and oftentimes more, in substance, than they profited by the loan. To the man of business this percentage in many cases constitutes the difference between success and failure. Thus a shrinkage in the volume of money is the prolific source of bankruptcy and ruin. It is the canker that, unperceived and unsuspected, is eating out the prosperity of our people. By reason of the almost universal inattention to the nature and functions of money this evil is permitted, unobserved, to work widespread ruin and disaster. So subtle is it in its operations that it eludes the vigilance of the most acute. It baffles all foresight and calculation; it sets at naught all industry, all energy, all enterprise.

CONTRAST OF EFFECTS PRODUCED BY AN INCREASING AND A DECREASING MONEY-VOLUME.

The difference in the effects produced by an increasing and a decreasing money-volume has not escaped the attention of observant writers.

David Hume, in his Essay on Money, says:

It is certain that since the discovery of the mines in America industry has increased in all the nations of Europe. * * * We find that in every kingdom into which money begins to flow in greater abundance than formerly everything takes a new face; labor and industry gain life; the merchant becomes more enterprising, the manufacturer more diligent and skillful, and even the farmer follows his plow with greater alacrity and attention. * * * It is of no manner of consequence with regard to the domestic happiness of a state whether money be in a greater or less quantity. The good policy of the magistrate consists only in keeping it, if possible, still increasing; because by that means he keeps alive a spirit of industry in the nation and increases the stock of labor, in which consist all real power and riches. A nation whose money decreases is actually at that time weaker and more miserable than another nation which possesses no more money, but is on the increasing hand.

William H. Crawford, Secretary of the Treasury, in a report to Congress, dated 12th February, 1820, says:

All intelligent writers on currency agree that when it is decreasing in amount poverty and misery must prevail.

Mr. R. M. T. Hunter, in a report to the United States Senate in 1852, says:

Of all the great effects produced upon human society by the discovery of America, there were probably none so marked as those brought about by the great influx of the precious metals from the New World to the Old. European industry had been declining under the decreasing stock of the precious metals and an appreciating standard of values; human ingenuity grew dull under the paralyzing influences of declining profits, and capital absorbed nearly all that should have been divided between it and labor. But an increase of the precious metals, in such quantity as to check this tendency, operated as a new motive power to the machinery of commerce. Production was stimulated by finding the advantages of a change in the standard on its side. Instead of being repressed by having to pay more than it had stipulated for the use of capital, it was stimulated by paying less. Capital, too, was benefited, for new demands were created for it by the new uses which a general movement in industrial pursuits had developed; so that, if it lost a little by a change in the standard, it gained much more in the greater demand for its use, which added to its capacity for reproduction, and to its real value.

The mischief would be great, indeed, if all the world were to adopt but one of the precious metals as the standard of value. To adopt gold alone would diminish the specie currency more than one-half; and the reduction the other way, should silver be taken as the only standard, would be large enough to prove highly disastrous to the human race.

The Encyclopædia Britannica, 1859 (article Precious Metals, by J. R. McCulloch), says:

A fall in the value of the precious metals, caused by the greater facility of their production or by the discovery of new sources of supply, depends in no degree on the theories of philosophers or the decision of statesmen or legislators, but is the result of circumstances beyond human control; and although, like a fall of rain after a long course of dry weather, it may be prejudicial to certain classes, it is beneficial to an incomparably greater number, including all who are engaged in industrial pursuits, and is, speaking generally, of great public or national advantage.

Ernest Seyd, 1868 (Bullion, page 613), says:

Upon this one point all authorities on the subject are agreed, to wit, that the large increase in the supply of gold has given a universal impetus to trade, commerce, and industry, and to general social development and progress.

The American Review (1876) says:

Diminishing money and falling prices are not only oppressive upon debtors, of whom, in modern times, states are the greatest, but they cause stagnation in business, reduced production, and enforced idleness. Falling markets annihilate profits, and as it is only the expectation of gain which stimulates the investment of capital in operations, inadequate employment is found for labor, and those who are employed can only be so upon the condition of diminished wages. An increasing amount of money and consequently augmenting prices are attended by results precisely the contrary. Production is stimulated by the profits resulting from advancing prices; labor is consequently in demand and better paid, and the general activity and buoyancy insure to capital a wider demand and higher remuneration.

PRICE THE INDEX OF THE VALUE OF MONEY.

There can be no truer index of the value of money than the general range of prices. Price is the mercury by the rise and fall of which the heat and struggle of industrial and business life are daily measured and made plain. Where the tendency of this indicator continues downward, there is no more certain sign that money is increasing in value.

During a period of falling prices the fear of impending calamity hangs like a pall over the business of the country. Notwithstanding unremitting efforts, men feel themselves constantly on the edge of disaster. Gloomy foreboding and timidity take the place of confidence and courage.

A shrinking volume of money is the most insidious foe with which civilization has to contend.

It is my firm conviction that the inexpressible miseries inflicted upon mankind by war, pestilence, and famine have been less cruel, unpitying, and unrelenting than the persistent and remorseless exactions which this inexorable enemy has made upon society. As the volume of money contracts prices decline, and with the decline of prices come stagnation of industry and the relegation to idleness of thousands of willing workmen. Capitalists become unwilling to invest their money in enterprises that employ labor while the products of that labor are constantly decreasing in price. During all periods of falling prices therefore money capital is withdrawn from active industry and seeks investment in bonds and other forms of money-futures yielding fixed incomes; for, although the rate of interest in many such cases may be low, the capitalist is compensated for this by the enhancement in the purchasing power of each dollar of the principal and by the necessarily greater command it secures over the products of labor.

Avoiding the very purpose for which it was devised, money at such times seeks seclusion and declines to circulate. Its owner finds that he can better afford to leave it idle in a vault or bury it in the earth than subject it to the probability of diminution by investing it in business on a constantly falling market. Thus, contrary to all principles of progress and of natural justice, the man who keeps his money idle and deprives society of its use is rewarded by an unearned increment, while he who puts his money into active business, where industry and labor may profit by it, is punished by unmerited loss.

Under such conditions it is impossible for a community to reach that degree of material progress which, under proper circumstances, it would readily attain. At every turn distress and discouragement stare the people in the face. In every town and village, men willing to work stand idle. Even their misfortune does not end with themselves, for not only are they a tax upon their friends, lessening to some extent the meager income of those who give them temporary assistance, but their necessary and eager competition for the little work that offers tends to reduce the compensation of those to whom they are thus indebted. Stores, workshops, and factories, unoccupied and unused, are found in every direction. Crime increases, bankruptcies multiply, and, even though the aggregate of wealth augments, it is unjustly distributed, and is consequently barren of beneficent results.

A GLANCE AT THE HISTORY OF MONEY.

The system of relying upon the precious metals as money has long been known as the automatic system. Accurately, it should be called the *accidental* system. It has been called "automatic" because, so long as money was made to depend solely upon the yield of the mines, the supply regulated itself by what was believed to be a natural method, namely, by the expenditure of labor in its production, and was limited only by the rude obstacles which nature opposes to the production of the metals. The necessity of expending this labor placed the money volume of any country beyond the control of the kings and conquerers who, in the primitive periods of society, exercised despotic sway over their subjects. It was undoubtedly better for the people of those early times to risk the accidents of production than the follies and sinister designs of rulers.

This automatic system grew out of barter. It is a survival from the period when articles were exchanged directly, not for gold and silver as money, but for gold and silver as commodities—on the basis of their cost of production—as in the case of the articles for which they were exchanged.

There have been the same evolutions of progress in money as in all other things. In the rude original of society no kind of money was possible. The first trade was by barter, after which, some one or more commodities attainable in the vicinage and in general use and demand were selected as the common media through which all exchanges were filtered. The use for that purpose of various metals by weight followed next, and, at a succeeding stage, gold, silver, and copper by weight, and after this their use in the form of coins, the value of which coincided with the bullion-value, which must necessarily be the case when free coinage is permitted.

It may be not uninteresting in this connection to have a general view of the materials which, at different epochs of the world's history, have been used as money. I therefore present a tabular statement giving those particulars in chronological order.

Table showing some of the substances which have, at various periods and in various countries, been used as money.

Period.	Country.	Substance used as money.	Authority.
B. C.			
1900	Palestine	Cattle, and gold and silver, by weight.	The Scriptures.
	Arabia	Gold and silver coins	Jacob.
	Phœnicia	Gold, silver, and copper coins.	Anonymous.
	Phœnician colony in Spain.	Same (some still extant)	Carter.
1200	Phrygia	Coins, by Queen of Pelops	Julius Pollux.
1184	Greece	Brass coins	Homer.
862	Argos	Gold and silver coins, by Phidon.	Dictionary of Dates.
700–500	Rome	Brass, by weight	Jacob.
578	Rome	Copper coins	Ibid.
Uncertain.	Carthage	Leather or parchment money, first "paper bills" known.	Socrates, Dial. on Riches, Journal des Économistes, 1874, p. 354.
491	Sicily	Gold coins, by Gelo (some still extant).	Jacob.
480	Persia	Gold coin, by Darius (two still extant).	Ibid.
478	Sicily	Gold coin, by Hiero (some still extant).	Ibid.
407	Athens	Debased gold coins, foreign	MacLeod, 476.
400	Sparta	Iron, overvalued	Boeckh.
360	Macedonia	First gold coins coined in Greece, by Philip.	Jacob.
266	Rome	First silver coins coined in Rome.	Ibid.
54	Britain	Pieces of iron	Ibid.
50	Rome	Tin and brass coin	Dic. of Dates.
Uncertain.	Arabia	Glass coins	N. Y. Tribune, July 2, 1872.

PERIOD FOLLOWING THE FAILURE OF THE ANCIENT MINES.

A. D.			
212	Rome (Caracalla).	Lead coins silvered and copper coins gilded.	Anonymous.
1066	Britain	Living money, or human being made a legal tender for debts at about 2*l.* 16*s.* 3*d.* per capita.	Henry's History of Great Britain, vol iv, p. 243.
1160	Italy	Paper invented; bills of exchange introduced by the Jews.	Anderson.
1240	Milan, Italy	Paper bills a legal tender	Arthur Young.
1275	China	Paper bills a legal tender	Marco Polo.

Table showing some of the substances used as money—Continued.

PERIOD FOLLOWING THE FAILURE OF THE ANCIENT MINES—continued.

Period.	Country.	Substance used as money.	Authority.
A. D. 1275	Africa, part of..	"Machutes" (ideal money; this view doubted).	Montesquieu.
1470	Granada, Spain .	Paper bills a legal tender ...	Irving.
1574	Holland	Pasteboard bills, representative.	Dic. of Dates.
Uncertain.	Iceland	Dried fish.....	Anonymous.
Uncertain.	Newfoundland..	Codfish, dried	Anonymous.
Uncertain.	Norway and Greenland.	Seal skins and blubber.....	Anonymous.
Uncertain.	Hindostan and parts of Africa.	Cowry shells	Jacob, 372.
Uncertain.	North American Indian tribes.	Agate, carnelian, jasper, lead, copper, gold, silver, terra-cotta, mica, pearl, lignite, coal, bone, shells, chalcedony, wampumpeag, etc.	Anonymous.
Uncertain.	Oriental pastoral tribes.	Cattle, grain, etc.....	Anonymous.
Uncertain.	Abyssinia	Salt	Anonymous.
Uncertain.	China and India.	Rice	Anonymous.
Uncertain.	India	Paper bills	Patterson, p. 13.
Uncertain.	China.....	Pieces of silk cloth.....	Ibid.
Uncertain.	Africa	Strips of cotton cloth.....	Ibid.
	Not stated.....	Wooden tallies or checks.....	Ibid.

PERIOD FOLLOWING THE DISCOVERY OF THE AMERICAN MINES.

1631	Massachusetts..	Corn a legal-tender at market prices.	Macgreggor.
1635	Massachusetts.	Musket-balls.....	Anonymous.
1690	Massachusetts..	Paper bills, colonial notes....	Macgreggor.
1694	England	Bank-notes.....	McCulloch.
1700	Sweden	Copper and iron coins.....	Voltaire's Charles XII.
1702	South Carolina..	Colonial notes.....	Macgreggor.
1712	South Carolina..	Bank notes	Ibid.
1716	France.....	Interconvertible paper bills a legal tender.	Murray.
1723	Pennsylvania ...	Paper bills, colonial notes....	Macgreggor.
1732	Maryland	Indian corn a legal-tender at 2*3d.* per bushel.	Anonymous.
1732	Maryland.....	Tobacco a legal-tender at 1*d.* per pound.	Anonymous.
1776	Scotland.....	Tenpenny nails for small change.	Adam Smith.
1785	Frankland, State of (now part of North Carolina).	Linen at 3*s.* 6*d.* per yard, whisky at 2*s.* 6*d.* per gallon, and poltry as legal-tender.	Wheeler's History of North Carolina, 94.
1810-1840	All commercial countries.	Great era of bank-paper bills.	
1826	Russia.....	Platinum coins (discontinued in 1845).	App. Encyc.
1847	Mexico, parts of	Cocoa beans; and at Castle of Perote, soap.	Anonymous.

PERIOD FOLLOWING THE OPENINGS OF CALIFORNIA AND AUSTRALIA.

1849	California	Gold dust by weight, also minute gold coins for small change, coined in private mints.	
1855	Australia	Gold dust by weight.....	
185-	Communist settlement in Ohio, called "Utopia."	Paper bills, each representing "one hour's labor."	Private information.
1862	United States ..	Paper bills a legal tender	Act of Feb. 25.
1863	North Carolina .	Tenpenny nails, at 5 cents each, for small change.	Anonymous.
1863	Camp at Florence, S. C.	Potatoes for small change....	Yorkville Enquirer.
1863	United States...	Postage-stamps for small change, temporary.	
1865	Philadelphia, Pa.	Turnips for small change, temporary and local.	Philadelphia Ledger, April.
1865	United States...	Nickel coins for small change, overvalued.	Act of March 3.

An analysis of this table will show how carefully even the most primitive communities guarded against a too restricted money volume.

The materials chosen to serve the purpose of money in each country during the early history of society were, it will be observed, such as at the time and place would be of sufficient quantity or volume to insure against any sudden deprivation of supply. In countries where the chase was common, the skins of wild animals were used as money; in maritime communities, shells; in pastoral countries, cattle; in the early history of agriculture, grain; in early mining periods, base metal; in primitive manufacturing ages, nails, glass, musket-balls, strips of cotton, etc.

As communities developed and commerce between them began, substances somewhat common to all countries, portable and indestructible, such as the precious metals, came to be more, and other substances less, resorted to. By reason of their great beauty those metals were always in demand, even among barbarous peoples, for purposes of ornament and decoration. Because of their universal use for such purposes they came to be recognized as things for which anything else could with safety be exchanged, and as society advanced, and it came to be recognized that some medium should be adopted in which to make all exchanges, those metals were naturally selected for the purpose, so that, together, they became, as it were, a common denominator of value. Their selection proved a convenient method of storing away wealth in a form that commanded at all times every other form of wealth. They had always passed by weight wherever used, but as society became better organized and its methods more complex it became necessary, in order to insure against fraud, to form them into pieces convenient for handling and to invest them distinctly with the function of money, so that, by law, they became a universal solvent for debts and demands, the stamp of the government placed on the coin testifying to its weight and fineness.

Both metals, as shown by the table, have been concurrently used as money for thousands of years—not only since the dawn of history, but from a period anterior to any historical records. The oldest annals show that they had already been employed as circulating media and that their relative values, or the ratio of their exchange each for the other, had already been established. Gold and silver were used as money in Palestine as early as the year 1900 B. C. We read in the Bible that Abraham weighed to Ephron the Hittite 400 shekels of silver, "current money with the merchant." An inscription on the temple of Karnak, of the date of 1600 B. C., mentions those metals as materials in which tribute was paid.

But long anterior even to these dates, both metals had been used, as, among the relics of the bronze age of the prehistoric era, ornaments of both gold and silver have been found. Gold, being the less abundant of the two metals, has had the higher value; but the ratio between the two has been marvelously steady, taking into account the great sweep of ages during which they have been used as money. This will be seen by reference to the following tables of ratios. I will first take their relative values during ancient times.

Table showing the ratio of gold and silver in various countries of the world up to the christian era.

B. C.	Ratio.	Authorities.
1600	1 to 13.33	Inscriptions at Karnak; tribute lists of Thutmosis. (Brandis.)
708	1 to 13.33	Cuneiform inscriptions on plates found in foundation of Khorsabad.
	1 to 13.33	Ancient Persian coins; gold darics at 8.3 grams = 20 silver siglos, at 5.5 grams.
500	1 to 13.00	Persia. Darius. Egyptian tribute. Herod. III, 95. (Bœckh, page 12.)
490	1 to 12.50	Sicily. Time of Gelon. "At least" 12.50. (Bœckh, page 44.)
470	1 to 10.00	Doubtful. Asia Minor. Xerxes's treasure. (Bœckh, page 11.)
440	1 to 13.00	Herodotus's account of Indian tributes. 360 gold talents = 4,680 silver.
420	1 to 10.00	Asia Minor. Pay of Xenophon's troops in silver darics. (Anab.; Bœckh, page 34.)
407	1 to ——	Spurious and debased gold coins at Athens. (MacLeod, Polit. Econ., page 476; Bœckh page 35.)
400	1 to 13.33	Standard in Asia, according to Xenophon.
400	1 to 12.00	Standard in Greece, according to Hipparchus; attributed to Plato.
400	1 to 12.00	Various authorities adduced by Bœckh.
400	1 to 13.50	
404–396	1 to 12.00, 13.00, 13.33	Values in Greece from the Peloponnesian war to the time of Alexander, according to hints in Greek writers. There were variations under special contracts—unit, the silver drachma.
340	1 to 14.00	Greece. Time of Demosthenes. (Bœckh, page 44.)
338–326	1 to 11.50	Special contracts in Greece.
343–323	1 to 12.50	Egypt under the Ptolemies.
300	1 to 10.00	Greece. Continued depression of gold, caused by great influx under Alexander.
207	1 to 13.70	Rome. (Bœckh, page 44.) Gold scriptulum arbitrarily fixed at 17.143 for 1.
100	1 to 11.91	Rome. General rate of gold pound to silver sesterces to date.
58–49	1 to 8.93	Rome. Continued depression of gold, caused by influx of Cæsar's spoil from Gaul. [N. B.—Cæsar's headquarters were at Aquileia, at the head of the Adriatic, where there was also a gold mine, which at this period became very prolific.]
50	1 to 11.90	Rome. "About the year U. C. 700," the rate was 11⅔. (Bœckh, page 44.)
29	1 to 12.00	Rome. Normal rate in the last days of the republic.

By reference to the foregoing table it will be observed that the increase in the supply of gold in Europe, consisting of the spoils of the Orient, gathered by Alexander the Great and brought by him to Greece, had the effect of decreasing the value of that metal so that instead of being exchangeable at the ratio of 1 to about 13½ of silver, as formerly, gold became depressed, 1 ounce of it exchanging for only 10 ounces of silver. Later, when Julius Cæsar extended his conquering arms into Gaul and sent to Rome the accumulations of treasure amassed by him, the value of gold by reason of the increased supply was again depressed, so that an ounce of it was exchangeable

for only 8.93 ounces of silver. With these exceptions it may be said that the relation of silver to gold for sixteen hundred years before the time of Christ had varied only from the ratio of 1 to 12 to that of 1 to 13.33. Silver at no time during all this period fell below 13.50 to 1 of gold.

Looking, now, at the relative values of gold and silver from the time of Christ to the discovery of America, we find the ratio between the two metals to be as follows:

Table showing the ratio of gold and silver in various countries of the world from the opening of the christian era to the discovery of America.

A. D.	Ratio.	Authorities.
1–37	1 to 10.97	Rome. Rate under Augustus and Tiberius.
37–41	1 to 12.17	Rome. Reign of Caligula.
54–68	1 to 11.80	Rome. Reign of Nero.
69–79	1 to 11.54	Rome. Reign of Vespasian.
81–96	1 to 11.30	Rome. Reign of Domitian.
138–161	1 to 11.98	Rome. Reign of Antoninus.
		The silver coinage much debased; consequently the ratio of the metals pure was about 1 to 11.
312	1 to 14.40	Byzantium. Reign of Constantine. Arbitrary.
438	1 to 14.40	Byzantium and Rome. Theodosian code. Arbitrary.
864	1 to 12.00	Probable ratio, as shown by the Edictum Pistense, under the Carlovingian dynasty
1260	1 to 10.50	Average ratio in the commercial cities of Italy. Local or doubtful.
1344–1660	1 to ——	England. Numerous mint indentures given in McLeod's Political Economy, page 475. The ratio, except when fixed arbitrarily and in violation of market price, varied between about 1.12 and 1.14 during the two hundred and fifty-seven years included in this period.
1351	1 to 12.30	Ratio in North Germany as shown by the very accurate rules of the Lübeck mint, corroborated in the main by the accounts of the Teutonic Order of Knights, averaged in periods of forty years.
1375	1 to 12.40	
1403	1 to 12.80	
1411	1 to 12.00	
1451	1 to 11.70	
1463	1 to 11.60	
1453–1494	1 to 10.50	Ratio according to the accounts of the Teutonic Knights. As the ratio fixed in England by numerous mint indentures from 1465 to 1509 was about 1.12 this German ratio is considered local or doubtful.

It will thus be observed that during the one thousand four hundred and ninety-two years from the coming of Christ to the discovery of America, silver never went below the ratio of 14.40 to one of gold.

The relations which the metals have borne to each other since the discovery of the New World will appear from the following:

Table showing the relative values of gold and silver in the various countries of the world from the discovery of America to 1680.

A. D.	Ratio.	Authorities.
1497	1 to 10.70	Spain. Reign of Isabella. Edict of Medina. Local.
1500	1 to 10.50	Germany. Adam Riese's Arithmetic. Local or doubtful.
1551	1 to 11.17	Germany. Imperial mint regulations. Arbitrary or local.
1559	1 to 11.44	German Imperial mint regulations.
1561	1 to 11.70	France. Mint regulations.
1575	1 to 11.68	
1623	1 to 11.74	Upper Germany. Mint regulations.
1640	1 to 13.51	France. Mint regulations. Transition period.
1665	1 to 15.10	France. Mint regulations.
1667	1 to 14.15	Upper Germany. Mint regulations. Doubtful.
1669	1 to 15.11	Upper Germany. Mint regulations.
1679	1 to 15.00	France. Mint regulations.
1680	1 to 15.40	

Table showing the ratio of silver to 1 of gold from 1687 to the demonetization of silver by Germany and the United States and the closing of the mints to its free coinage.

[From the Report (1890) of the Director of the U. S. Mint on the Production of the Precious Metals in the United States.]

[NOTE.—From 1687 to 1832 the ratios are taken from Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1879 to 1889 from daily cablegrams from London to the Bureau of the Mint.]

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1687	14.94	1704	15.22	1721	15.05	1738	14.91
1688	14.94	1705	15.11	1722	15.17	1739	14.91
1689	15.02	1706	15.27	1723	15.20	1740	14.94
1690	15.02	1707	15.44	1724	15.11	1741	14.92
1691	14.98	1708	15.41	1725	15.11	1742	14.85
1692	14.92	1709	15.31	1726	15.15	1743	14.85
1693	14.83	1710	15.22	1727	15.24	1744	14.87
1694	14.87	1711	15.29	1728	15.11	1745	14.98
1695	15.02	1712	15.31	1729	14.92	1746	15.13
1696	15.00	1713	15.24	1730	14.81	1747	15.26
1697	15.20	1714	15.13	1731	14.94	1748	15.11
1698	15.07	1715	15.11	1732	15.09	1749	14.80
1699	14.94	1716	15.09	1733	15.18	1750	14.55
1700	14.81	1717	15 13	1734	15.30	1751	14.30
1701	15.07	1718	15.11	1735	15.41	1752	14.54
1702	15.52	1719	15.09	1736	15.18	1753	14.54
1703	15.17	1720	15.04	1737	15.02	1754	14.48

Table showing the ratio of silver to 1 of gold, etc.—Continued.

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1755	14.68	1785	14.92	1815	15.26	1844	15.85
1756	14.94	1786	14.96	1816	15.28	1845	15.92
1757	14.87	1787	14.92	1817	15.11	1846	15.90
1758	14.85	1788	14.65	1818	15.35	1847	15.80
1759	14.15	1789	14.75	1819	15.32	1848	15.85
1760	14.14	1790	15.04	1820	15.65	1849	15.78
1761	14.54	1791	15.05	1821	15.93	1850	15.70
1762	15.27	1792	15.17	1822	15.80	1851	15.46
1763	14.99	1793	15.00	1823	15.84	1852	15.59
1764	14.70	1794	15.37	1824	15.82	1853	15.33
1765	14.83	1795	15.55	1825	15.70	1854	15.33
1766	14.80	1796	15.65	1826	15.76	1855	15.38
1767	14.85	1797	15.41	1827	15.74	1856	15.38
1768	14.80	1798	15.59	1828	15.78	1857	15.27
1769	14.72	1799	15.74	1829	15.78	1858	15.38
1770	14.62	1800	15.68	1830	15.82	1859	15.19
1771	14.66	1801	15.46	1831	15.72	1860	15.29
1772	14.52	1802	15.26	1832	15.73	1861	15.50
1773	14.62	1803	15.41	1833	15.93	1862	15.35
1774	14.62	1804	15.41	1834	15.73	1863	15.37
1775	14.72	1805	15.79	1835	15.80	1864	15.37
1776	14.55	1806	15.52	1836	15.72	1865	15.44
1777	14.54	1807	15.43	1837	15.83	1866	15.43
1778	14.68	1808	16.08	1838	15.85	1867	15.57
1779	14.80	1809	15.96	1839	15.62	1868	15.59
1780	14.72	1810	15.77	1840	15.62	1869	15.60
1781	14.78	1811	15.53	1841	15.70	1870	15.57
1782	14.42	1812	16.11	1842	15.87	1871	15.57
1783	14.48	1813	16.25	1843	15.93	1872	15.63
1784	14.70	1814	15.04				

By the foregoing table it will be seen that in the three hundred and seventy-five years from 1497 to 1872 the maximum separation of the metals was only as 1 to 16.25, notwithstanding the widest divergencies during that long period in the yield of the two metals from the mines. It will be observed that all the later quotations are from the London market, but it is a significant fact that in France, where, by the law of 7 Germinal, An XI (1803), free coinage was permitted to both metals, at the ratio of 15½ of silver to 1 of gold, for a period of seventy years, and until the coinage of silver was limited, there was at no time the slightest variance from that relation.

When silver was deprived of the full money function and all the money-work of society was placed on gold, the metals began to separate. The following table shows the degree of that separation from year to year:

Table showing the ratio of silver to 1 of gold since the demonetization of silver by Germany and the United States and the closing of all mints of the Western world to its free coinage.

1873	15.92	1882	18.19
1874	16.17	1883	18.64
1875	16.59	1884	18.57
1876	17.88	1885	19.41
1877	17.22	1886	20.78
1878	17.94	1887	21.13
1879	18.40	1888	21.99
1880	18.05	1889	22.10
1881	18.16		

The foregoing figures show that it is only since the legislative proscription of silver by Germany and the United States and the closing of all the European mints to its coinage that any material change took place in the ratio between the two metals, which conclusively demonstrates that the present divergence in the relative values of the two metals is directly due to the legal outlawry of silver, and not to natural causes.

Not only has the concurrent use of the two metals as money had the sanction of all time, but the approval of the greatest minds of history, and, when not blinded by self-interest, the approval of practical and experienced financial minds. So well recognized is this fact that I need only cite a few instances of such approval.

Alexander Hamilton said:

To annul the use of either of the metals as money is *to abridge the quantity of circulating medium* and is liable to all the objections which arise from a comparison of the *benefits of a full with the evils of a scanty circulation.* (Report to Congress, 1791.)

Thomas Jefferson, in a letter to Hamilton, indorsed this view, saying:

I return you the report on the mint. I concur with you that the unit *must stand on both metals.* (Letter to Hamilton, February, 1792.)

In his Recherches sur l'or et sur l'argent, 1843, Léon Fauchet said:

If all the nations of Europe adopted the system of Great Britain, the price of gold would be raised beyond measure and we should see produced in Europe a most lamentable result. The Government can not decree that legal tender shall be only gold, in place of silver, for that would be to decree a revolution, and the most dangerous of all, because it would be a revolution leading to unknown results (*qui marcherait vers l'inconnu*).

In a memoir read before the French Institute in 1868, M. Wolowski said:

The suppression of silver would bring on a veritable revolution. Gold would augment in value with a rapid and constant progress, which would break the faith of contracts and aggravate the situation of all debtors, including the nation. It would add at one stroke of the pen at least three milliards to the twelve milliards of the public debt.

In a debate in the French Senate on January 28, 1870, Senator Dumas eloquently pleaded for caution in dealing with a subject of such far-reaching importance as the demonetization of one of the money metals. He said:

Those who approach these questions for the first time decide them at once. Those who study them with care hesitate. Those who are obliged practically to decide doubt and stop, overwhelmed with the weight of the enormous responsibility.

The quantities of the precious metals which are now sufficient may become insufficient, and we should proceed with great prudence before we diminish that which constitutes a part of the riches of the human race. Sometimes gold takes the place of silver. Sometimes silver takes the place of gold. *This keeps up the general equilibrium.* Nobody can guaranty that the present vast production of gold will continue. The *placers* are found on the surface of the earth and may be exhausted by the very facility of working them. Silver presents itself in the form of subterranean veins. Science may contribute to accelerate its extraction. In presence of the unknown, which dominates the future, we should practice a prudent reserve.

Before a French monetary convention in 1869 testimony was given by M. Wolowski, by Baron Rothschild, and by M. Rouland, governor of the Bank of France.

M. Wolowski said:

The sum total of the precious metals is reckoned at fifty milliards, one-half gold and one-half silver. If, by a stroke of the pen, they suppress one of these metals in the monetary service, they double the demand for the other metal, to the ruin of all debtors.

M. Rouland, governor of the Bank of France, said:

We have not to do with ideal theories. The two moneys have actually co-existed since the origin of human society. They co-exist because the two together are necessary, by their quantity, to meet the needs of circulation. This necessity of the two metals, has it ceased to exist? Is it established that the quantity of actual and prospective gold is such that we can now renounce the use of silver without disaster?

Baron Rothschild said:

The simultaneous employment of the two precious metals is satisfactory and gives rise to no complaint. Whether gold or silver dominates for the time being, it is always true that the two metals concur together in forming the monetary circulation of the world, and it is the general mass of the two metals combined which serves as the measure of the value of things. The suppression of silver would amount to a veritable destruction of values without any compensation.

At the session (October 30, 1873) of the Belgian Monetary Commission, Professor Laveleye, one of the most luminous writers on economic subjects, said:

Debtors, and among them the state, have the right to pay in gold or silver, and this right can not be taken away without disturbing the relation of debtors and creditors, to the prejudice of debtors, to the extent of perhaps one-half, certainly of one-third. To increase all debts at a blow (*bruquement*) is a measure so violent, so revolutionary, that I can not believe that the Government will propose it or that the Chambers will vote it.

WHY WAS THE AUTOMATIC SYSTEM INTERFERED WITH?

Some thirteen years ago, as chairman of the Monetary Commission appointed by Congress to investigate the causes of the changes in the relative values of the precious metals, I submitted to this body a report, in which I took occasion to refer to the motives which evidently influenced the creditor classes of the western world in destroying the automatic system of money. From that report I quote as follows:

The world has generally favored, theoretically if not practically, the automatic metallic system, and adjusted its business to it. Some nations adopted one metal as their standard and some the other, and some adopted both. Those that adopted both metals served as a balance-wheel to steady with exactness their relative value. The practical effect of all of this was the same as if all nations had adopted both, because it secured the entire stock of both at a fixed equivalency for the transaction of the business of the world. While some nations have changed their money metal, or, having had paper money, have resumed specie payments in one metal, the policy of a general demonetization of one of the metals was first broached only about twenty years ago. About ten years later a formidable propaganda was organized to fasten that policy upon the commercial world.

This new school of financial theorists advocate the retention of metal as the material of money, but favor its subjection to governmental interference in every respect. Whenever new mines are discovered or old ones yield or promise to yield more abundantly, instead of freely accepting their product in accordance with the automatic theory, they advocate its rejection through the restriction or the absolute prohibition of the coinage of either or both metals, or through the limitation or the abolition of the legal-tender function of one of them. Whenever the interests of the creditor and income classes seem to be in danger of being impaired by an increase in the volume and decrease in the value of money, or, in other words, by a general rise in prices, these modern theorists are clamorous in double-standard countries for the demonetization of one of the money metals and in single-standard countries for the shifting of the money function from the metal which promises the most to the one that promises the least abundant supply. They are extremely anxious for the retention of the *material* of which the money-standard is composed when such material is rising in value and prices are falling, and exceedingly apprehensive of the evil and inconvenience which they predict as sure to result from changing it.

Whenever a fall in prices occurs, through either a natural or artificial contraction in the volume of money, they maintain that it is due to antecedent inflation and extravagance or to overproduction through persistent and reckless industry; if the contraction be natural, that it can not be helped, and, if artificial, that though it may inflict great temporary losses on the masses of the people, it will be sure to result in their ultimate benefit, and they console the sufferers with the comforting assurance that such contraction is necessary in order to reach the lowest depths of that "*hard pan*" whose foundations they have previously undermined by demonetizing one of the metals, and upon which alone they claim that money, capital, and labor can securely and harmoniously rest. But when the material composing the standard is falling in value and prices are rising they immediately discover that the maintenance of the *value* of the standard is the all-important consideration, and that its material is of no importance whatever and should be at once changed to "*redress the situation.*" After having reduced one of the metals to a commodity by depriving it of the money function, these theorists complacently point to the resulting fluctuations in its value as a justification of the act producing them, and as a conclusive proof of the unfitness for money of the demonetized metal. * * *

Metallic money, on this theory, is no longer automatic, but is as completely subjected to governmental control for all injurious purposes as paper money. But, unlike paper money, the control over this kind of metallic money can only be exercised in the baneful direction of decreasing its volume, and thereby making property cheaper and money scarcer and dearer.

This is a one-sided system, which can operate only in the interest of the security creditor, the usurer, and pawnbroker, whom it enables, through the falling prices which itself occasions, to swallow up the shrunken resources of the debtor, but is impotent to protect the interests of the unsecured business creditor, the debtor, or society, when, from any cause, the supply of the money metals becomes deficient.

The world has expended a vast amount of labor in the production of the precious metals, and has made great sacrifices in upholding the automatic metallic system of money, and has a right to insist that it shall be consistently let alone to work out its own conclusions, or that it be abandoned.

The history of the subsequent struggle to remonetize silver only serves to illustrate and emphasize the correctness of that statement of the case.

Between 1810 and 1849, according to Tooke and Newmarch (recognized authorities on the subject), gold increased in value 145 per cent. which is equivalent to a fall in the general range of prices of 59 per cent. No movement was then made or suggestion offered by the debtors, or by any class of the community, to add any new money-metal to the metals already in use, with the view of increasing the volume of money, so that the equity of time contracts might be maintained, and the value of the unit of money kept at a steady and unchanging level.

But as soon as the discoveries of gold were made in the alluvial deposits of California and Australia, or rather as soon as it was suspected that money would thereby become considerably increased in volume, the annuitants and income classes, the creditors everywhere, took steps to avert what they characterized as a great calamity. They openly declared their purpose, by every means in their power, to prevent a decline in the value of money, so that the purchasing power of their incomes might not be reduced. They determined to go to any length in order to prevent the rise of prices which their aggressive instincts led them to fear would follow the additions to the money volume of the world by the natural and much needed yield of the mines.

The fiat therefore went forth that one of the metals must be discarded.

THE PROPOSITION FIRST MADE TO DEMONETIZE GOLD.

If anything were needed to demonstrate that the reason for the demonetization of silver was the cupidity of the creditor classes—the money-lenders, annuitants, and those in receipt of fixed incomes—and that it was not any defect inhering in the metal silver, nor any change in its adaptability to subserve the purposes of money, it is to be found in the significant fact that the metal first selected for demonetization was not silver, but gold—that metal which has since become the idol of the money-changers and which is now declared to be the only "natural" money. The openly avowed determination was to increase the value of money, and in order to accomplish that purpose the metal which promised the largest yield was to be condemned and stripped of its ancient monetary function. So strongly was this determination set forth, so earnestly was it presented, and so urgently pressed on the ground of duty that its achievement came to be regarded as the fulfillment of a high moral purpose.

It was with gold then as it came to be with silver afterward and as it always is with whatever interferes with the interests of privileged classes, intrenched in power and prerogative, the determination to destroy it being arrived at, measures were taken to prove that the public good required its destruction. While the purpose was to discard the metal, whether gold or silver, which threatened most immediately and seriously to reduce the purchasing power of money, the argument was that a decrease in the purchasing power of money was a calamity against the happening of which every energy should be directed.

The privileged classes found then, as they find now, able and ingenious advocates and defenders among the literary and educated guilds of the period. The celebrated De Quincey, in England, attempted to prove, and to his own satisfaction did prove upon figures drawn from his fears and a brilliant imagination, that the least yield of gold to be expected from the mines of California and Australia for an indefinite period in the future was the yearly sum of $350,000,000.

M. Chevalier, in France, vehemently proclaimed the necessity of discarding one of the money metals, and that one not silver, but gold. In his work upon the Fall of Gold M. Chevalier, in 1856, said:

The quantity of gold annually thrown on the general market approaches in round numbers a milliard of francs ($200,000,000). Those two countries (California and Australia) must yet for a long series of years produce gold in such quantities and on such conditions as to render a marked decline in its value inevitable.

It is absolutely certain that so vast a production should be accompanied with a great reduction in value.

In no direction can a new outlet be seen sufficiently large to absorb the extraordinary production of gold which we are now witnessing, so as to prevent a fall in its value.

Unless, then, we possess a very robust faith in the immobility of human affairs, we must regard the fall in the value of gold as an event for which we should prepare without loss of time.

The "preparation" which Chevalier advocated was the discarding of that metal which gave promise of the greatest abundance. He did not attempt to hide his purpose. He boldly stated that his object was to enhance the value of money. This object was also clearly expressed on a later occasion by another distinguished advo-

cate of dear money, Mr. Victor Bonnet, of France, in the Journal des Economistes. He said:

The world is now saturated with the precious metals, and if there is any danger against which it is necessary to guard, it is that this saturation should become greater. * * *

If the annual production of gold is now reduced to 500,000,000 francs, let us thank Heaven for it, and let us wish that it may not be too rapidly increased, whereby we should be embarrassed. It is the too great abundance and not the scarcity of metallic money which is to be apprehended.

GOLD DEMONETIZED.

In 1857 the German states and Austria demonetized gold; and had it not been for the opposition of France, which insisted on retaining the double standard, the movement might have become general on the continent. With England, however, nothing could be done. More than a generation had passed since it had declared for the single standard of gold, and its creditors and income classes—the shrewdest, most adept, and watchful of financiers—did not believe that the large yields of gold would long continue.

The creditor classes of the continent, finding England immovable and realizing that the object sought by the English creditors was identical with their own, namely, the increase in the value of money and the depression of prices, concluded that the common purpose could be as well served by the demonetization of one as by that of the other. This conclusion was emphasized by developments on the Comstock lode, whose bountiful and beneficent yield of silver was the fitting supplement to the great discoveries of gold on the Pacific coast. The danger of a decline in the value of money was more imminent than ever. The annuitants became alarmed. Commissions were sent from Europe to the Pacific coast to investigate the subject. The United States, too, sent a commissioner to examine into the condition and prospects of the Comstock, and, imbued with many of the characteristics of De Quincey and Chevalier, the United States commissioner, in 1868, reported that if all other mines were worked with the machinery used on the Comstock "their yield would flood the world."

Like many of the present opponents of silver he was endowed with the gift of prophecy, and accordingly we find him confidently predicting that other and innumerable rich lodes of silver would be found on the Pacific coast which would be worked with great profit. The attack on gold was immediately changed to a combined attack on silver. From that period till the present no means have been left untried to belittle and degrade that metal and also to disparage those who are in favor of continuing it as one of the money metals of the world.

It was then announced with all the dogmatism of authority that silver was unfit to be used as money. Defects were suddenly discovered in it that the scrutiny of three thousand years had failed to disclose. Its weight and bulk were found to be insuperable obstacles to its use as money. Yet the specific gravity of silver is no greater now than it has been for all the ages during which it has been used as money by all mankind, nor is it any heavier or more bulky than it was in 1851 or 1857, when Belgium, Germany, and Austria demonetized gold and made the "heavy," "bulky," and "inconvenient" metal, silver, their only money metal. Silver can now be transported from place to place with less risk and at no greater expense than gold and at much less cost than at any previous period in the history of the world.

The objection that silver is too heavy for the pocket is an objection common to all metallic money. We see hardly any gold in circulation in this country, infinitely less than of silver. When our people have a choice as to the form in which they will take money they prefer paper representatives as being the most convenient. The extraordinary perfection to which the arts of the engraver and paper-maker have been brought gives paper money a security against counterfeiting and imitation far superior to any immunity which can be claimed for the metals. The marvelous inventions of modern times in the form of safes and vault-locks render it a matter of practically no risk to store the metals, both silver and gold, so that paper representatives of them may be issued. These representatives are preferred by the general mass of the people and have almost entirely occupied the channels of circulation to the exclusion of both metals. A silver certificate for $1,000 weighs no more than a gold certificate for the same amount.

MOTIVE FOR DEMONETIZING SILVER.

The motive for the demonetization of silver was precisely the same that had previously inspired the demonetization of gold. The object was to demonetize one of the metals, that metal which promised the greatest abundance and which would contribute most largely to maintaining at an equitable level the general range of prices. The motive in both cases was to aggrandize the privileged classes—the income and the creditor classes of the world—and by means of a subtle and sinister manipulation of the money volume, whose effects it is not always easy to trace to their true cause, to practically confiscate the reward of the hard toil of the masses. To all intent and purpose the design was to establish a new system of slavery for the western world, of which the debtor classes among the white races should be the victims.

When demonetization was determined on there was no pretense that there was any difficulty in maintaining a parity between the two metals at the established ratio.

In the official résumé of the doings of the French monetary commission of 1869 the arguments upon both sides were summed up.

In behalf of the gold standard it was said:

The rise in price which has taken place within twenty years in a great number of articles of merchandise is evidently due to many causes, such as war, bad harvests, and increase in consumption; but it is very probable that the depreciation of the precious metals has contributed to it, since there has been a striking coincidence between the rise of prices and the production of the new mines of gold and silver. The annual production of the two metals, which was only $80,000,000 in 1847, exceeds now $200,000,000. It has nearly tripled, and it is easy to see that the real value of the metals has diminished. It is difficult to estimate exactly what the diminution is, but whatever it may be it demands the attention of governments, because it affects unfavorably all that portion of the population whose income, remaining nominally the same, undergoes a yearly diminution of purchasing power. As governments control the weight and standard of money, they ought so far as possible to assure its value. And, as it is admitted that the tendency of the metals is to depreciate, this tendency should be arrested by demonetizing one of them.

In behalf of the double standard it was replied as follows:

Many economists argue that the precious metals, having become very abundant, have lost 10 or 15 per cent. of their value, and that the situation must be redressed by making money scarcer by demonetizing silver. To this it may be answered that the great discoveries of gold of the last twenty years have injured nobody. The new mass of gold, spreading over the whole world, has found employment in stimulating all forms of business, and, as a consequence, the value of gold has fallen very little. According to Mr. Newmarch, the mass of gold and silver has augmented 3 per cent. per annum, while the mass of exchanges has augmented more than 3 per cent. per annum, so that the equilibrium has been maintained. And the present is an especially inopportune time to demonetize silver, because the annual production of gold has been falling off for several years. It was $200,000,000 in 1853, and it is now not more than $140,000,000. What will happen to the civilized world if silver is demonetized and if gold shall then fail?

MOTIVE OF ENGLAND.

England did not adopt the gold standard until she was in a position to become the principal creditor nation. When her forges, furnaces, spindles, and looms were ready to supply manufactured goods to all the world, she saw that all countries and peoples would be compelled to pour their treasures into her lap. Her insular position and great navy guarantied her against external assault. Released from the anxieties and labors incident to the Napoleonic wars, with a sturdy population of trained mechanics, and with fields of coal and iron in abundance, she was well adapted to become the "workshop of the world." With colonial possessions in every sea and with Continental Europe in ceaseless unrest, England could rely on customers who could themselves produce nothing but raw material and would be obliged to buy her finished products.

The field of industry had been recently broadened by basic inventions of unparalleled importance: the steam-engine, the power loom, the spinning-jenny, and a multiplicity of other devices that increased a hundred-fold the efficiency of artisan labor. England knew that her trade would in the main be a foreign trade and her financial dealings largely with foreign governments. She knew that from the people of the continent, impoverished by years of struggle for existence against the attacks of Napoleon, she could not expect immediate payments in cash or in commodities. Time bonds and other deferred obligations were the media in which for the most part she received pay; she made interest and principal payable in gold alone, and if before the date of payment the value of money should increase it would not be to the disadvantage of the creditor. Whatever we may think of the *ethics* of this policy, we can have no difficulty in understanding its *motive*.

ACKNOWLEDGMENT OF THE MOTIVE.

As to the object which England had in view in demonetizing silver we are left in no sort of doubt. It has been candidly admitted by many of her financiers and publicists. The reason for her stolid adherence to the gold standard now is the same for which she originally demonetized silver. Her income and creditor classes are daily in receipt of an unearned increment to their wealth by reason of that demonetization. More candid than the advocates in this country of the single gold standard, the writers and press of Great Britain openly avow the object. No better testimony to the fact can be adduced than that supplied by the royal commission appointed in 1886 to inquire into the changes in the relative values of the precious metals.

At page 90, Part II, of the final report of that body, section 128, the commission say:

It must be remembered, too, that this country is largely a creditor country, of debts payable in gold, and any change which entails a rise in the price of commodities generally, that is to say, a diminution of the purchasing power of gold, would be to our disadvantage.

Before the British Royal Commission of 1868 on International Coinage, Mr. Jacob Behren, an eminent British merchant and member of the Associated Chambers of Commerce, after answering special and technical questions, was asked, in conclusion, "if there was anything else he wished to state." His reply was (p. 13):

I would only state that, in my opinion, the general introduction of gold all over the world has been one of the greatest possible blessings to England. I believe that England would be now the very poorest country in the world if the silver standard abroad had been kept up and gold had not been generally introduced. Gold would otherwise have been very much reduced in value and we should have had all the gold poured into England. All the debts owing to us would have been paid in the depreciated currency; and, therefore, I believe that England ought to have taken the lead in the introduction of a gold currency abroad. We ought to be very thankful that it has been introduced and we ought to give every facility to its circulation.

Sir Lyon Playfair, in a speech delivered in the English Parliament

on April 18, 1890, according to the report in the London Times of the day following, said that—

> The true policy of England as the chief creditor nation of the world was to keep perfect independence and to refuse participation in any entangling conference on our monetary system.

And, according to the same report, Sir Lyon Playfair, referring to the holding of the metals together by law, said that—

> It was quite true that, if you yoked a cart-horse to a racer, the strength of both would be increased, but the speed of the racer would be sacrificed.

Gold is the "racer" whose "speed" must not be sacrificed, no matter how much injury may be effected by its tendency to greater and greater gain.

The weight of the enormous burden which is imposed on gold can not be better illustrated than by a statement of this same Sir Lyon Playfair, made in the same speech. According to the London Times of April 19, he said that—

> The liabilities of the banks of Great Britain to the public amounted to 621,000,000*l.*, or about the amount of the national debt of England; but the amount of coin or bullion to meet this liability was only 35,000,000*l.*; or, deducting from each side of the account 8,000,000*l.* locked up in the notes department of the Bank of England, it was 27,000,000*l.*; or only 4½ per cent. of liabilities.

On the same occasion Mr. Goschen, Chancellor of the Exchequer, delivered an able speech, in which he gave his facts, his eloquence, and his logic to the struggling masses of his countrymen by maintaining the wisdom of remonetization of silver, but gave his conclusions and his policy to the creditor classes by recommending no disturbance of present conditions.

> I have contended—

said the Chancellor of the Exchequer—

> and am prepared still to contend that I should prefer the currency of the world to depend upon two metals rather than upon one metal. To those views I gave expression in 1878. * * * I have always looked upon silver and gold not as antagonistic to each other; not as being metals the price of one of which would necessarily fall when the other rose, but I have looked upon them as partners who together were doing the work of the currency of the world.

The English creditor classes have not been without able coadjutors in this country. We have noticed for the last twelve or fourteen years that zealous advocates of the gold standard, the advantages of which are not confined to Great Britain, are to be found among the creditor classes of the United States.

If the toilers of this country, from the proceeds of whose labor these exactions have to be paid, had as little influence on the legislation of the United States as the toilers of England have on the legislation of that country, the creditor classes and financiers of the United States might be as frank as those of Great Britain in admitting the object of maintaining the single gold standard.

How graphically, though unintentionally, does the English poet, Waller, in the following verse, express the advantage which the gold standard gives to creditors everywhere and the self-satisfaction with which they contemplate life:

> The taste of hot Arabia's spice we know,
> Free from the scorching sun that makes it grow.
> Without the worm, in Persia's silk we shine,
> And, without planting, drink of every vine.
> To dig for wealth we weary not our limbs;
> Gold, though the heaviest metal, hither swims.
> Ours is the harvest where the Indians mow,
> We plow the deep, and reap what others sow.

MOTIVE OF GERMANY.

When Germany, intoxicated by her victory over France and in order to further cripple a fallen foe from whom she had exacted $1,000,000,000 in gold, demonetized silver, she inflicted on her people by the fall of prices consequent on the increase in the value of money more misery than all her armies of horse and foot had been able to inflict on France. France, on the contrary, notwithstanding this unprecedented war tribute, by keeping a sufficient volume of money in circulation to maintain, and even advance, her range of prices, emerged in a few years from the consequences of the greatest disaster in her history, conscious of a triumph more complete than Germany had achieved by all the military splendor of the war. The ransom exacted of France was received back by her almost as soon as paid, in exchange for the products of her industry. It is not a sign of prosperity, Mr. President, when hundreds of thousands of people, the best bone and sinew of a nation, are found annually emigrating; and it is a coincidence which I merely mention, in passing, that as soon as the effects of demonetization of silver had had time to make themselves felt in Germany a veritable hegira of its people took place.

From 1873 to 1889 the emigration from Germany numbered 1,546,000 persons.

Students of social science everywhere recognize the statistics of illegitimacy and of suicide as among the most powerful evidences of monetary distress. By reference to those statistics we find that notwithstanding the large emigration during that period the number of illegitimate births in Germany increased from 161,294 in 1883 to 169,645 in 1888. The suicides in Prussia, Bavaria, Saxony, and Baden—the leading states of the German Empire—increased from 179 for each million of population in 1868 to 196 for each million of the population in 1876 and to 218 for each million of the population in 1882. In Prussia alone the number of suicides in 1876 was 151 per million, while in 1882 it was 191 per million.

This is part of the price which the toiling masses of Germany are paying for the gold-standard experiment, which, without their consent, their imperial government foisted upon them.

Bismarck made the mistake that many able men in all countries of the western world have made and continue to make, namely, that of attributing the commanding position of Great Britain in the commercial and industrial world to her adoption of the gold standard. Bismarck mistook for cause and effect what was a mere coincidence, the result of exceptional conditions, as did those of our legislators in 1873 who happened to know anything whatever of the nature of the act demonetizing silver. The belief of some of the most far-sighted statesmen of Great Britain has been that she secured her position, not by reason of the gold standard, but in spite of it.

In a speech delivered at Glasgow, in November, 1873, after the alteration by Germany in her monetary standard, Mr. Disraeli said:

> The monetary disturbance which has occurred, and is now to a certain extent acting very injuriously upon trade, I attribute to the great changes which the Governments of Europe are making in reference to their standard of value. Our gold standard is not the cause of our commercial prosperity, but the consequence of that prosperity. It is quite evident that we must prepare ourselves for great convulsions in the money market, not occasioned by speculation or any of the old causes which have been alleged, but by a new cause, with which we are not sufficiently acquainted.

And again in March, 1879, when the effects of the decreasing volume of money were making themselves more and more felt, Mr. Disraeli, then Lord Beaconsfield, said:

> All this time the produce of the gold mines of Australia and California has been regularly diminishing, and the consequence is that, while these great alterations on the continent in favor of a gold currency have been made, notwithstanding that increase of population which alone requires a considerable increase of currency to carry on its transactions, the amount of the currency itself is yearly diminishing, until a state of affairs has been brought about by gold production exactly the reverse of that which it produced at first. Gold is every day appreciating in value, and as it appreciates the lower become prices. It is not impossible that, as affairs develop, the country may require that some formal investigation should be made of the causes which are affecting the value of the precious metals, and the effect which the change in the value of the precious metals has upon the industries of the country and upon the continual fall of prices.

In reaching their conclusions, Bismarck and others ignored the fundamental principle that a gold supply that might be sufficient for one country with a gold standard, and might even result in a measure of prosperity to that country, would be wholly insufficient if other countries should adopt the same standard and should enter upon a keen competition and rivalry for the acquisition of gold.

The adoption of that standard by Germany and France was therefore not only destructive of their own prosperity, but was a stunning blow at the prosperity of England and all other gold-using countries. In taking England for his model, Bismarck had not the condition of the toiling masses before his mind, but the glamour of prosperity which surrounded the creditor-barons.

The unprejudiced observer can not fail to perceive that the $370,000,000 coined under the limited coinage act of the United States of 1878, supplementing the gold stock of the western world, postponed great industrial and financial crises. But the elements of these crises are gathering, and, unless relief be soon forthcoming, will burst upon the world with crushing severity.

DEMONETIZATION IN THE UNITED STATES.

If we are surprised that the sordid selfishness of the privileged classes of Europe should have induced them to perpetrate so gross an act of injustice, we are reminded that the legislation of monarchical countries has usually been controlled in the interest of the privileged classes. But what shall be said in defense of the demonetization of silver by the United States? No such stupendous act of folly and injustice was ever before perpetrated by the representatives of a free people.

Our position differed materially from that of Great Britain. This was not a creditor nation. Our people did not, and do not, own thousands of millions of dollars of foreign bonds, on which to receive semi-annual interest in a constantly appreciating money, which would have to be paid from the current earnings of foreign labor. Instead, therefore, of our demonetization unjustly enriching our creditor-classes at the expense of foreigners, it enabled the creditors at home here to rob and despoil the debtors among their own countrymen. Instead of despoiling the Canadian, the Australian, the East Indian, the Egyptian, or the Turk, the spoliation arranged for by our adoption of the gold standard was a spoliation of the debtors in our own communities. In so far, however, as our debt was held abroad, it provided for a spoliation of our citizens by the foreign bondholders also. And, as nearly all our public debt was so held, we had presented to us in 1873 the extraordinary spectacle of representatives, sent here to enact laws for the welfare and advancement of our own people, devoting all their energies, whether aware of it or not, to the upbuilding of the fortunes of the moneyed aristocracies of other countries, at the expense of the producers of the United States.

CONDITION OF THE COUNTRY AT THE TIME.

Consider for a moment the condition of this country at the time when this amazing piece of legislation was enacted.

The Republic was but just recovering from an exhausting war, which loaded it with a national debt approaching $3,000,000,000. There were also State, county, city, and town debts aggregating many more thousands of millions, with railroad and other corporate bonds and debts aggregating yet other thousands of millions and

private debts of indefinite and unascertainable amount, represented largely by mortgages on real estate. This constituted an aggregate whose burden might naturally be presumed to be sufficient to tax all the resources of the people. Although some portion of those debts has been liquidated and the national bonds have been refunded at lower rates of interest, yet we all know that in this age all municipal and corporate debts, if not national debts, are practically perpetual. No sooner is one form of bond liquidated than another takes its place; no sooner is one public improvement completed than another is begun.

At the time silver was demonetized it might well have been supposed that a sufficiently large unearned increment had already been realized by the foreign and domestic holders of United States bonds. The greater portion of the debt of the Government was, when incurred, made payable simply in "lawful money," the interest alone being payable in coin. Yet in March, 1869, the bondholders secured the passage of an act of Congress, entitled "An act to strengthen the public credit," containing a pledge to pay in coin or its equivalent not merely the interest, but the principal of all national obligations not specially provided to be paid otherwise.

COURSE OF THE CREDITORS.

And again, when in 1870 Congress was about to provide for a refunding of the public debt, these clamorous creditors, not satisfied with having got the bonds at rates much below their face value and not satisfied with the pledge to pay in coin—a pledge made long after the contract was made and the debt incurred—insisted that not only should the new bonds be payable in coin, but, in order to guard against any possible interpretation which might work to their detriment, they did what has rarely been done in the history of monetary legislation, insisted that even the very *standard* of that coin should be fixed and nominated in the bond. They were willing to take no chances. They were not willing to place confidence in the sense of equity and fair dealing of the people of the United States. They held before Congress the covert threat that if the new issue of bonds did not provide for payment in "coin," instead of "lawful money," and did not prescribe the precise standard of coin in which they were to be payable, it would be difficult if not impossible to place the bonds on the market.

So, by the refunding act of July 14, 1870, Congress provided for the payment in "coin of the present standard value," that is to say, in either gold dollars of 25.8 grains of gold, nine-tenths fine, or in silver dollars of 412½ grains of silver, nine-tenths fine, at the option of the United States. But even this extreme advantage to the creditors over payment in "lawful money" of the United States, in which the bonds were bought and in which they were legally payable, was insufficient. All but the most ingenious would imagine that having thus provided for payment in coin then bearing a considerable premium over the current money of the Republic and having the very standard of that coin fixed in the act, the highest point of vantage had been reached. One device, however, and only one, remained by which the money of the payment could be still further increased in value, and this device did not escape the watchful eye or cunning hand of the public creditors.

They clearly saw that if by legislative enactment they could secure the rejection of one of the money-metals they would succeed in enormously increasing the value of the metal retained. This they accomplished by the demonetization of silver, and thus by striking down one-half the automatic money of the world and devolving the money function exclusively on the other half, added thousands of millions of dollars to the burden of the debt.

PRETENSE TO "STRENGTHEN THE PUBLIC CREDIT."

It will be observed that this anxiety to strengthen the public credit was evinced by the bondholders *after* and not before the bonds were in their possession. No anxiety for the public credit was manifested by them at a time when the Government might be able to reap advantage from it. The Government having parted with the bonds at a heavy discount, their selling price in the market became a matter of no direct pecuniary importance to the people of the United States.

The "strengthening of the public credit" that was to be effected by the act of March 16, 1869, consisted of a rise in the price of the bonds for the benefit of the holder, at a time when they were no longer the property of the Government, but of private individuals. The real effect of the act, therefore, was not in any way to benefit the Government, but greatly to enrich, by an increment unearned and unbargained for, a few men who had already been greatly enriched by their dealings with the United States. The title of the act should have read "An act to strengthen the bank account and credit of the holders of United States bonds."

The excuse and apology for the act was that by its passage the refunding process, then contemplated and afterward provided for by the refunding act of 1870, might be rendered more certain of success: but, if any advantage accrued from that cause, it was lost, and much more with it, by the increase which the act of 1869 effected in the burden of the bonded obligation, by pledging the nation to a payment in a medium much more valuable than the medium provided for in the contract. And, again, in 1873, when all the bonds provided for by the refunding act of 1870 had been sold and had passed out of the hands of the Government, another act was passed, intended by the money-lenders again to strengthen the public credit, and again to the disadvantage of the people and to the exclusive and enormous advantage of the bondholders. It bore the innocent title of "An act revising and amending the laws relative to the mints, assay offices, and coinage of the United States." This act, bearing on its face no suggestion of any change more serious than that of regulating the petty details of mint management, has proved to be an act of momentous consequence to the people of this country. This is the act that demonetized the silver dollar, which it did by merely omitting that coin from the enumeration of the coins of the United States.

DEMONETIZATION WHOLLY UNJUSTIFIABLE.

Among all the explanations that have been made to account for that demonetization by a Congress of the United States, I have never heard any reason advanced which constituted a justification for it. To my mind, in view of all the circumstances—in the face of the herculean difficulties by which the nation was surrounded, in the face of the sacrifices which our citizens had made to preserve the Republic, and in the face of all that had already been done by an over-generous people, proud of their national strength and jealous of their national honor, to satisfy the rapacious demands of the money-lenders—in view, I say, of all these facts, the demonetization of silver by the United States must be regarded as one of those historic blunders that are worse than crimes. It was the child of Ignorance and Avarice and is already the prolific parent of enforced idleness, poverty, and misery.

It is to undo as far as possible the effects of the blunder of 1873 that new legislation is now imperatively demanded by the people. While the past can not be recalled, the present is ours, and the pressing duty of to-day is to provide for the future. The demand comes from all sections of the country that a remedy for the depressed industrial conditions caused by the legislation of 1873 be applied at the earliest moment. And what better remedy could be applied than absolutely to reverse that legislation and to put the monetary position of this country back to exactly where it was when that wrong was committed?

Some twelve years ago an attempt was made to apply a remedy, but the attempt was only partially successful. Instead of resulting in free coinage, it resulted in the passage of the bill which authorized the coinage of not less than two nor more than four million dollars' worth of silver per month. On that occasion a financial debate of great interest and importance was had in this Chamber and in the other House of Congress. The proposition to remonetize silver or to increase the silver coinage was vigorously opposed, but the arguments then presented by the advocates of remonetization never have been, and never can be, refuted.

In fact, but rarely has there been any attempt made to answer those arguments. Puerile attempts at wit and diatribes of abuse are all that the silver men have heard in sixteen years in answer to the contentions they have made in favor of the remonetization of silver.

EDUCATIONAL EFFECT OF DISCUSSION.

With that debate, Mr. President, long pending and eagerly maintained on both sides, there began in this country an educational movement among the masses that is destined to have far-reaching consequence. The public attention was fastened, as it had never been fastened before, on the subject of money and on the forces which govern its value, and up to this time that attention has never flagged. As a result we find the great body of our people to-day—the farmers and artisans of the country—after years of reflection and discussion in their lyceums and trade organizations, adopting to a large extent the views then presented by the advocates of an increased money volume, views which at the time were contemptuously derided by the advocates of contraction and of gold.

The cry for relief appropriately now comes from the farmers, the artisans, and the laboring classes, as well as from the young, the enterprising, the thoughtful, of all classes, who have not inherited wealth, but are hewing out for themselves the rugged path to success. It is they who have had to bear the exactions of the system which has prevailed. It is from the proceeds of their labor that the extortions have been paid. If objection be made that the character of relief proposed is not indorsed in financial circles or by the literary guild or professional political economists that surround them, the sufficient reply is that the world can not wait for the correction of abuses by those who are profiting by them. In the nature of things, all movements for reform must be initiated by those who can not lose by the installation of justice.

But there are others besides the laboring masses who are working in the cause of humanity. There are noble, unselfish, and altruistic men in all the countries of civilization, who see the wrong and are indefatigable in their efforts to set it right.

I will read a cable dispatch recently addressed to me by Mr. Henry H. Gibbs, formerly governor of the Bank of England and now president of the Bimetallic League of Great Britain:

LONDON, *May* 6.—The friends of silver deeply regret the death of Senator Beck, whose services in the cause of monetary reform are most warmly appreciated on this side of the Atlantic. The bimetallist party of the United Kingdom, now including over one hundred members of the House of Commons, attach the greatest value to the debate about to commence in your illustrious chamber. We fully recognize not only that the support afforded to silver by your legislation during the last twelve years has helped to protect the industrial world from an acute mon-

etary crisis, but also that the debates in Congress have served more than all else to educate our people to recognition of the important issues involved. We believe also that the increase and coinage of silver contemplated by Congress will restore, wholly or considerably, your coinage rates, and will thus make international settlement of this complex question comparatively easy. We anticipate further and with much confidence that the advance in the price of silver which must follow your action will stimulate both the export and the other trades of your country, and, while tending to the prosperity of your agricultural classes, will also assist the manufacturing industries of the United Kingdom and the whole body of our wage-earners.

Mr. Moreton Frewen, of London, an able writer on economic subjects, whose recent work on the The Economic Crisis I commend to the careful perusal of Senators, says:

It may, indeed, be affirmed, without fear of contradiction, that legislation arranged in the interest of a certain class, first by Lord Liverpool in this country and again by Sir Robert Peel at the instigation of Mr. Jones Loyd and other wealthy bankers, which was supplemented recently by simultaneous anti-silver legislation in Berlin and Washington at the instance of the great financial houses—this legislation has about doubled the burden of all national debts by an artificial enhancement of the value of money.

The fall of all prices induced by this cause has been on such a scale that while in twenty years the national debt of the United States quoted in dollars has been reduced by nearly two-thirds, yet the value of the remaining one-third, measured in wheat, in bar iron, or bales of cotton, is considerably greater—is a greater demand draft on the labor and industry of the nation than was the whole debt at the time it was contracted. The aggravation of the burdens of taxation induced by this so-called "appreciation of gold," which is no natural appreciation, but has been brought about by class legislation to increase the value of the gold which is in a few hands, requires but to be explained to an enfranchised democracy, which will know how to protect itself against further attempts to contract the currency and to force down prices to the confusion of every existing contract.

Of all classes of middle-men, bankers have been by far the most successful in intercepting and appropriating an undue share of produced wealth. While the modern system of banking and credit may be said to be even yet in its infancy, that portion of the assets of the community which is to-day in the strong boxes of the bankers would, if declared, be an astounding revelation of the recent profits of this particular business; and not only has the business itself become a most profitable monopoly, but its interests in a very few hands are diametrically opposed to the general interests of the majority. By legislation intended to contract the currency and force down all prices, including wages, the price paid for labor, the money-owner has been able to increase the purchase power of his sovereign or dollar by the direct diminution of the price of every kind of property measured in money.

UNFULFILLED PROPHECIES.

During the debate on the limited coinage bill, not content with abuse of the advocates of the measure, with flimsy criticism of it, and specious arguments against it, its opponents in and out of Congress indulged in divers prophecies and predictions. They pictured forth the lamentable results that would follow its passage and the direful consequences that would ensue from an increase of the circulating medium of the country. Among the results confidently predicted were the following: that the silver would not circulate at all, and again that it would circulate to the exclusion of gold, which metal, we were informed, would flow out of this country with a velocity and in a volume theretofore unknown; that we should be unable to redeem our paper money in gold; that we should be precipitated into a silver vortex; that an inflation of the currency would follow, which would ruinously raise prices of all commodities and that this inflation would result in an unprecedented contraction. We were charged with forcing upon the public creditors a dollar worth only ninety cents. We were warned that the passage of the bill would indefinitely postpone the refunding of the public debt, and would lower the price and impair the value of our national securities. It was charged that we were setting on foot a new and irrepressible conflict between two great sections of the country, the East and the West. We were charged with uttering a debased coin, with lowering the standard of American credit, with tarnishing the integrity and honor of our country before foreign nations, and with unprecedented moral turpitude in setting an example of flagrant and shameless national dishonesty.

The men of the far West, and of the Pacific slope especially, were the particular targets of this abuse. They were denounced by some as "lunatics," by others as dangerous and unworthy demagogues, because, as was charged, their constituents, if not themselves, were directly interested in the restoration of the ancient right of silver to full recognition as one of the money metals. For their benefit resort was had to every epithet which the English language afforded. In holding them up to public scorn the rich and varied vocabulary of odium and opprobrium was exhausted.

These prophecies of disaster were united in by the professors of political economy in all the Eastern colleges, by the President of the United States, by the Secretary of the Treasury, by the leading American newspapers, by the principal public men and journals of Great Britain, if not of all Europe, and, of course, by all bankers, money-lenders, and professional financiers the world over.

And now, Mr. President, how many of all those alarming prognostications by all these distinguished prophets have been fulfilled? Not one! On the contrary, it is not too much to say that the public credit of the United States is to-day the highest in the world. It does not stand merely in line with that of other first-rate powers; it stands at the head. Our gold, silver, and paper money stand at a parity with each other. If a full measure of relief was not realized by the passage of that bill it is because the coinage of $4,000,000 a month was left optional with the Secretary of the Treasury, instead of being made mandatory on him.

But it is hardly necessary to assert that the predicted inflation of prices has not been observed as a consequence of the coinage of $2,000,000 a month. While the issuance of that amount has not, with our rapidly increasing population and wealth, been sufficient to arrest the downward tendency of prices, it has undoubtedly prevented them from falling much lower. Without that coinage, we should have had industrial depression, chronic and somber, with consequences of untold disaster.

But the result which gave most apprehension to those who advocated the gold standard, the evil which they regarded as on the whole the most threatening and direful of all the evils that were to result from even so small an increase in the money volume as that bill provided for, was the outflow of gold. They ridiculously underestimated the tremendous money-absorbing power of this great country. And, as if to emphasize to all the world the complete absurdity of their alleged fears, this apprehension has been conspicuously and notoriously set at naught by the constant inflow of gold. On the 30th of June, 1878, the amount of gold coin and bullion in the Treasury and in monetary circulation in this country is officially reported to have been $213,199,977, and this amount is probably much overestimated. On November 1, 1889, we had more than three times as much, the amount of gold in circulation and in the Treasury being reported as $689,000,000.

"Experience," says Dr. Johnson, "is the great test of truth, and is perpetually contradicting the theories of men," and the last experience, Mr. President, is the best.

If the professors of political economy, the Eastern newspaper editors, and the professional financiers were then so seriously mistaken ought they not to be a little modest now in making predictions, especially in renewing predictions that have been already discredited? They can not point to a single instance in which their prophesy has not been falsified by the event. So humiliating a failure on the part of the professors, in a realm of which they boastfully claimed to be masters, so complete an overthrow of these "experts" by men who were ridiculed and derided as rural financiers and crazy theorists, ought to put the advocates of the gold standard on their guard against a like defeat on this occasion. They are pressed for reasons to account for the utter miscarriage of their prophecies. They are left without a shadow of consolation except that the coinage of $2,000,000 worth of silver bullion each month has not succeeded in placing silver at a par with gold. They affect to believe that the advocates of silver in 1878 expected that that metal, under the very limited demand of $2,000,000 a month, would be brought to a level with gold, which, owing to the demonetization of silver, had risen abnormally and ruinously in value.

No such belief was ever entertained or expressed. On the contrary it was repeatedly asserted by the advocates of silver that so long as the entire yield of gold from all the mines of the world (in 1878, $119,000,000) was invested with the full money function and had free access to all mints to be transmuted into coin, it could not be expected that the conferring of the legal-tender function upon a sum so comparatively trifling as one-fourth the yield of silver (the yield in 1878 being $99,000,000) would have the effect of placing it on a level with gold.

It is, however, a significant fact that every silver dollar that has been coined under that act is at a parity with gold and will to-day buy as much of all the objects of human desire as will the gold dollar. Nay, more, silver bullion—disparaged and discredited as it is by being shorn of the money function and denied access to the mints, instead of decreasing in purchasing power, has maintained so steady a relation to commodities that 412½ grains of uncoined silver will exchange for as much to-day as would the coined dollar, whether of silver or gold, in 1873, when the full money function attached equally to both metals. If this be true—and I shall presently demonstrate it beyond refutation—what an utter perversion of terms it is to say that silver has fallen in value!

WILL REMONETIZATION PLACE US ALONGSIDE INDIA?

We are solemnly warned that the full remonetization of silver in the United States would place us alongside India and the other barbarous countries of the world. This brilliant piece of reasoning is advanced with great confidence and is intended to be conclusive of the argument against silver. But, Mr. President, India is no more barbarous now than it was in 1873, before our silver dollar was demonetized. India is no more barbarous now than it was in 1857, when Germany demonetized gold and placed herself "alongside" India. Neither is Germany any more civilized now than then. We did not at that time hear any complaint, either in the United States or Europe, that the use of silver as money placed any one nation more than any other in dangerous affiliation with the civilization of India. We have never heard it charged against France that its civilization was brought any nearer that of India by the immense quantity of silver money in France. Neither did we hear it charged against the United States up to 1873 that we were "alongside" or dangerously close to the barbarous nations by our use of silver as money.

Up to 1834 we had no metallic money other than silver in our circulation, and up to 1850 we had much more silver in circulation than gold. Were we "alongside" India then? Where were the wise and patriotic men of our country at those periods? History fails to record any protest on their part that we were placing ourselves "alongside" India or any other of the barbarous nations of the world

by our use of silver and our recognition of its full money power. All the nations of the earth used silver and accorded it full recognition as money equally with gold up to 1819. Was all Christendom at that time "alongside" India? When, in that year, Great Britain sundered the silver link that from time immemorial had kept her "alongside" India and the other barbarous nations and, for selfish reasons of her own, arising from her position as a creditor of all other nations, decided to recognize gold only as money, was any evidence afforded of a sudden advance in the civilization of Great Britain? Was the emergence of that nation from the benumbing companionship of India and the other barbaric countries into the glittering and refulgent light of the gold dispensation signalized, as would be expected, by a corresponding improvement in the condition of the people?

On the contrary, the history of the time informs us that, as a consequence of the passage of the bill by Parliament in 1819 compelling payments in gold, prices rapidly fell, cotton in particular sinking in the short space of three months to one-half its former value. Within six months all prices had fallen one-half and showed no signs of improvement for the next three years. By reason of the contraction of the currency the industry of the nation was congealed, as is a flowing stream by the severity of an arctic winter. Alarm became universal; confidence and activity ceased. Bankruptcies increased in 1819 more than 50 per cent. over the number of the previous year. Meetings were held throughout England in which the people called on the government to devise some means of redressing the situation. So universal was the distress that the owners of land in England, who in 1819 numbered 160,000 were in seven years, by forced sales and foreclosure of mortgages on the smaller farms, reduced to 30,000, and one in every seven of the population lived on organized charity. All this was but a part of the price which the people of England paid for a policy imposed on them by the creditor classes among their own number. The condition of industry and disorganization of labor led to frequent and serious conflicts between the people and the military. They also led to commercial crises without number, and England, by demonetizing silver and thus ceasing to be "alongside" India, became the seat of panics, as Egypt had long been of the plague and India of the cholera.

As a contrast to this I will merely cite the change in the condition of India within the past seventeen years. When the Western world discarded silver as money and, as a consequence, India received a larger supply of it than ever before, that barbarous nation, as is universally admitted, made progress by leaps and bounds. No country on earth has in the same time made such advances in material prosperity and in all the elements that conduce to the comfort and happiness of a people. Notwithstanding the alleged debasement of silver, no sooner had its increased inflow into India begun than the industries of a vast continent were established and set in motion, and a substantial part of the activity and prosperity that were wont to pervade some of the industries of the United States has, by that demonetization, been transferred to fields of wheat and fields and factories of cotton 10,000 miles distant.

What really placed us alongside such barbarous countries as India was the demonetization of silver. It was by that demonetization that the people of Europe were enabled, with gold, to buy silver at 30 per cent. discount, which, when shipped to India and coined into rupees, would buy as much wheat as could ever have been bought with that coin. There has been no decrease whatever in the purchasing power of the rupee in India. This was equivalent to buying wheat at 30 per cent. below the price theretofore paid for it, and thus the farmers of the United States were by demonetization placed "alongside" the barbarous people of India. Their wheat had to compete in the European markets with the wheat of India, and it is this competition that placed them "alongside" India. The farmer of this country, therefore, by demonetization of silver, was compelled to compete with under-paid and half-starved ryots. And so it was that our cotton-planters, by the demonetization of silver, were placed alongside the barbarous people of India. It is this degrading competition that places a highly civilized people alongside a barbarous one.

The advocates of the single gold standard deem even silver money much better money than greenbacks. Does it then follow that when greenbacks were our only money—good enough money to carry the nation through the greatest war in all history—we were "alongside" or underneath the barbarous nations of the world? It is not the form or the material of a nation's money that fixes its status relatively to other nations. That is accomplished by the vitality, the energy, the intellectuality and effective force of its people. The United States can never be placed "alongside" any barbarous nation, except by compelling our people to compete with barbarous peoples, compelling them to sell the products of American labor at prices regulated by the cost of labor and manner of living in barbarous countries. As well might it be said that we are alongside the barbarous people of India because we continue to produce wheat and cotton.

The distinguishing feature of all barbarous nations is the squalor of their working classes. The reward of their hard toil is barely enough to maintain animal existence. A civilized people are placed alongside a barbarous one when, in their means of livelihood, the foundation of their civilization, they are made to compete with the barbarians. That was the result accomplished for the farmers and planters of the United States when silver was demonetized.

CREDITORS AND DEBTORS—A COMPARISON OF MOTIVES.

All movements for the increase of the monetary circulation are ascribed by the money-lenders and creditor classes to the unworthy desire on the part of the debtors to escape their just obligations. But if motives are to be brought in question the rule should work both ways. No note is taken of the motive of the creditor classes in securing a contraction of the circulation. Whatever the apparent purpose of contraction and however specious the arguments advanced in its justification, the real object has always been to increase the purchasing power of money. In all countries and throughout all time, it is the cupidity of the creditor classes and annuitants and their desire to increase the value of the money unit that have brought about a shrinkage in the money volume. Unlike the great masses of the people, who were ignorant of the effects to be naturally expected from such a shrinkage, the annuitants and moneyed men very well understood that the value of every pound or dollar depended on the number of pounds or dollars that were in circulation; the larger the total number out, the smaller the purchasing power of each; the smaller the total number out, the greater the purchasing power of each.

Loaners of capital are not usually those who entertain further hope of personal achievement. When men realize fortunes it is rarely that they conserve the faculty of initiative; they find no special delight in novelty; they look so carefully to security in the use of money that the spirit of adventure is restrained. The realization of a fortune is usually the labor of a life-time, and few men who reach the goal care to retrace their steps to enter again upon a struggle that demands all the strength, the momentum, and the intrepidity of youth. Men of assured incomes therefore are disposed to take their ease, and society must look, for its material progress and development, to those who have a career to make, with the ambition and the power to make it.

It is a remarkable circumstance, Mr. President, that throughout the entire range of economic discussion in gold-standard circles it seems to be taken for granted that a change in the value of the money unit is a matter of no significance and imports no mischief to society so long as the change is in one direction. Who has ever heard from an Eastern journal any complaint against a contraction of our money volume, any admonition that in a shrinking volume of money lurk evils of the utmost magnitude? On the other hand we have been treated to lengthy homilies on the evils of "inflation," whenever the slightest prospect presented itself of a decrease in the value of money, not with the view of giving the debtor an advantage over the lender of money, but of preventing the unconscionable injustice of a further increasing value in the dollars which the debtor contracted to pay. Loud and resounding protests have been entered against the "dishonesty" of making payments in "depreciated dollars." The debtors are characterized as dishonest for desiring to keep money at a steady and unwavering value. If that object could be secured, it would undoubtedly be to the interest of the debtor and could not possibly work any injustice to the creditor. It would simply assure to both debtor and creditor the exact measure for which they bargained. It would enable the debtor to pay his debt with exactly the amount of sacrifice to which, on the making of the debt, he undertook to submit, in order to pay it.

WHO ARE THE DEBTORS?

In all discussions of the subject the creditors attempt to brush aside the equities involved by sneering at the debtors. But, Mr. President, debt is the distinguishing characteristic of modern society. It is through debt that the marvelous developments of nineteenth century civilization have been effected. Who are the debtors in this country? Who are the borrowers of money? The men of enterprise, of energy, of skill, the men of industry, of foresight, of calculation, of daring. In the ranks of the debtors will be found a large preponderance of the constructive energy of every country. The debtors are the upbuilders of the national wealth and prosperity; they are the men of initiative, the men who conceive plans and set on foot enterprises. They are those who by borrowing money enrich the community. They are the dynamic force among the people. They are the busy, restless, moving throng whom you find in all walks of life in this country, the active, the vigorous, the strong, the undaunted.

These men are sustained in their efforts by the hope and belief that their labors will be crowned with success. Destroy that hope and you take away from society the most powerful of all the incentives to material development; you place in the pathway of progress an obstacle which it is impossible to surmount.

The men of whom I have spoken are undoubtedly the first who are likely to be affected by a shrinkage in the volume of money.

The highest prosperity of a nation is attained only when all its people are employed in avocations suited to their individual aptitudes and when a just money system insures an equitable distribution of the products of their industry. With our present complex civilization, in order that men may have constant employment, it is indispensable that work be planned and undertakings projected years in advance. Without an intelligent forecast of enterprises large numbers of workmen must periodically be relegated to idle-

ness. Enterprises that take years to complete must be contracted for in advance and payments provided for.

A constant but unperceived rise in the value of the dollar with which those payments must be made baffles all plans, thwarts all calculation, and destroys all equities between debtor and creditor. If we can not intelligently regulate our money volume so as to maintain unchanging the value of the money unit, if we can not preserve our people from the blighting effects which an increase in the measuring power of the money unit entails upon all industry, to what purpose is our boasted civilization?

By the increase of that measuring power all hopes are disappointed, all purposes baffled, all efforts thwarted, all calculations defied. This subtle enlargement in the measuring power of the unit of money (the dollar) affects every class of the working community. Like a poisonous drug in the human body, it permeates every vein, every artery, every fiber and filament of the industrial structure. The debtor is fighting for his life against an enemy he does not see, against an influence he does not understand. For, while his calculations were well and intelligently made and the amount of his debts and the terms of his contracts remain the same, the weight of all his obligations has been increased by an insidious increase in the value of the money unit.

EFFECTS OF A SHRINKING VOLUME OF MONEY.

As to the benumbing consequences following a shrinkage in the volume of money, the testimony of history is briefly reviewed in the report of the Monetary Commission to which I have already referred and from which I read the following:

At the christian era the metallic money of the Roman Empire amounted to $1,800,000,000. By the end of the fifteenth century it had shrunk to less than $200,000,000. During this period a most extraordinary and baleful change took place in the condition of the world. Population dwindled and commerce, arts, wealth, and freedom all disappeared. The people were reduced by poverty and misery to the most degraded conditions of serfdom and slavery. The disintegration of society was almost complete. The conditions of life were so hard that individual selfishness was the only thing consistent with the instinct of self-preservation. All public spirit, all generous emotions, all the noble aspirations of man shriveled and disappeared as the volume of money shrunk and as prices fell.

History records no such disastrous transition as that from the Roman Empire to the Dark Ages. Various explanations have been given of this entire breaking down of the frame-work of society, but it was certainly coincident with a shrinkage in the volume of money, which was also without historical parallel. The crumbling of institutions kept even step and pace with the shrinkage in the stock of money and the falling of prices. All other attendant circumstances than these last have occurred in other historical periods unaccompanied and unfollowed by any such mighty disasters. It is a suggestive coincidence that the first glimmer of light only came with the invention of bills of exchange and paper substitutes, through which the scanty stock of the precious metals was increased in efficiency. But not less than the energizing influence of Potosi and all the argosies of treasure from the New World were needed to arouse the Old World from its comatose sleep, to quicken the torpid limbs of industry, and to plume the leaden wings of commerce. It needed the heroic treatment of rising prices to enable society to reunite its shattered links, to shake off the shackles of feudalism, to relight and uplift the almost extinguished torch of civilization. That the disasters of the Dark Ages were caused by decreasing money and falling prices and that the recovery therefrom and the comparative prosperity which followed the discovery of America were due to an increasing supply of the precious metals and rising prices, will not seem surprising or unreasonable when the noble functions of money are considered. Money is the great instrument of association, the very fiber of social organism, the vitalizing force of industry, the protoplasm of civilization, and as essential to its existence as oxygen is to animal life. Without money civilization could not have had a beginning; with a diminishing supply it must languish and, unless relieved, finally perish.

Symptoms of disasters similar to those which befell society during the Dark Ages were observable on every hand during the first half of this century. In 1809 the revolutionary troubles between Spain and her American colonies broke out. These troubles resulted in a great diminution in the production of the precious metals, which was quickly indicated by a fall in general prices. As already stated in this report, it is estimated that the purchasing power of the precious metals increased between 1809 and 1848 fully 145 per cent., or, in other words, that the general range of prices was 60 per cent. lower in 1848 than it was in 1809. During this period there was no general demonetization of either metal and no important fluctuation in the relative value of the metals, and the supply was sufficient to keep their stock good against losses by accident and abrasion. But it was insufficient to keep the stock up to the proper correspondence with the increasing demand of advancing populations.

The world has rarely passed through a more gloomy period than this one. Again do we find falling prices and misery and destitution inseparable companions. The poverty and distress of the industrial masses were intense and universal, and, since the discovery of the mines of America, without a parallel. In England the suffering of the people found expression in demands upon Parliament for relief, in bread-riots, and in immense Chartist demonstrations. The military arm of the nation had to be strengthened to prevent the all-pervading discontent from ripening into open revolt. On the Continent the fires of revolution smoldered everywhere and blazed out at many points, threatening the overthrow of states and the subversion of social institutions.

Whenever and wherever the mutterings of discontent were hushed by the fear of increased standing armies, the foundations of society were honey-combed by powerful secret political associations. The cause at work to produce this state of things was so subtile, and its advance so silent, that the masses were entirely ignorant of its nature. They had come to regard money as an institution fixed and immovable in value, and when the price of property and the wages of labor fell, they charged the fault, not to the money, but to the property and the employer. They were taught that the mischief was the result of overproduction. Never having observed that overproduction was complained of only when the money stock was decreasing, their prejudices were aroused against labor-saving machinery. They were angered at capital, because it either declined altogether to embark in industrial enterprises or would only embark in them upon the condition of employing labor at the most scanty remuneration. They forgot that falling prices compelled capital to avoid such enterprises on any other condition and for the most part to avoid them entirely. They did not comprehend that money in shrinking volume was the prolific parent of enforced idleness and poverty and that falling prices divorced money-capital from labor, but they none the less felt the paralyzing pressure of the shrinking metallic shroud that was closing around industry.

The increased yield of the Russian gold fields in 1846 gave some relief and served as a parachute to the fall in prices, which might otherwise have resulted in a great catastrophe. But the enormous metallic supplies of California and Australia were all needed to give substantial and adequate relief. Great as these supplies were, their influence in raising prices was moderate and soon entirely arrested by the increasing populations and commerce which followed them. In the twenty-five years between 1850 and 1876 the money stock of the world was more than doubled, and yet at no time during this period was the general level of prices raised more than 18 per cent. above the general level in 1848.

A comparison of this effect of an increasing volume of money after 1848 with the effect of a decreasing volume between 1809 and 1848 strikingly illustrates how largely different in degree is the influence upon prices of an increasing or decreasing volume of money. The decrease of the yield of the mines since about 1865, while population and commerce have been advancing, has already produced unmistakable symptoms of the same general distrust, non-employment of labor, and political and social disquiet, which have characterized all former periods of shrinking money.

The time that has elapsed since that report was written has but served to verify and emphasize its statements.

FALL OF PRICES SINCE 1873.

It is a fact not disputed anywhere, but universally admitted, that for many years past the prices of all articles entering into general consumption among the people have been steadily falling. It is obvious that the industrial conditions prevailing since 1873 are but a repetition of those above described as following 1809: with falling prices, constant unrest and universal discontent.

The following table, compiled from figures published by the Bureau of Statistics of the Treasury Department, shows the average range of export prices of the articles named for each year since 1873:

Annual average export prices of commodities of domestic production for each year from 1873 to 1889, inclusive.

Year ending June 30—	Corn per bushel.	Wheat per bushel.	Wheat flour per barrel.	Cotton (upland) per pound.	Leather per pound.	Illuminating oils, refined, per gallon.	Bacon and hams per pound.	Lard per pound.
	Dollars.	*Dollars.*	*Dollars.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1873	.618	1.312	7.565	18.6	25.3	23.5	8.8	9.2
1874	.719	1.428	7.144	15.4	25.2	17.3	9.6	9.4
1875	.848	1.124	5.968	15.0	26.0	14.1	11.4	13.8
1876	.672	1.242	6.216	12.9	26.2	14.0	12.1	13.3
1877	.587	1.109	6.488	11.8	23.9	21.1	10.8	10.9
1878	.562	1.038	6.358	11.1	21.8	14.4	8.7	8.8
1879	.471	1.068	5.252	9.9	20.4	10.8	6.9	7.0
1880	.543	1.245	5.878	11.5	23.3	8.6	6.7	7.4
1881	.552	1.114	5.668	11.4	22.6	10.3	8.2	9.3
1882	.668	1.185	6.149	11.4	20.9	9.1	9.9	11.6
1883	.684	1.127	5.955	10.8	21.1	8.8	11.2	11.9
1884	.611	1.066	5.588	10.5	20.6	9.2	10.2	9.5
1885	.540	.862	4.807	10.6	19.8	8.7	9.2	7.9
1886	.498	.870	4.629	9.9	19.9	8.7	7.5	6.9
1887	.479	.890	4.510	9.5	18.7	7.8	7.9	7.1
1888	.550	.853	4.579	9.8	17.3	7.9	8.6	7.7
1889	.474	.807	4.632	9.9	16.6	7.8	8.6	8.6

Year ending June 30—	Pork, salted, per pound.	Beef, salted, per pound.	Butter per pound.	Cheese per pound.	Eggs per dozen.	Starch per pound.	Sugar, refined, per pound.	Tobacco, leaf, per pound.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1873	7.8	7.7	21.1	13.1	26.6	5.3	11.6	10.7
1874	8.2	8.2	25.0	13.1	22.1	5.7	10.5	9.6
1875	10.1	8.7	23.7	13.5	25.6	6.0	10.8	11.3
1876	10.6	8.7	23.9	12.6	28.0	5.4	10.7	10.4
1877	9.0	7.5	20.6	11.8	25.9	5.2	11.6	10.2
1878	6.8	7.7	18.0	11.4	15.8	4.7	10.2	8.7
1879	5.7	6.3	14.2	8.9	15.5	4.2	8.5	7.8
1880	6.1	6.4	17.1	9.5	16.5	4.3	9.0	7.7
1881	7.7	6.5	19.8	11.1	17.2	4.7	9.2	8.3
1882	9.0	8.5	19.3	11.0	19.2	4.8	9.7	8.5
1883	9.9	8.9	18.6	11.2	20.9	4.6	9.2	8.6
1884	7.9	7.6	18.2	10.3	21.2	4.5	7.1	9.1
1885	7.2	7.5	16.8	9.3	21.5	4.0	6.4	9.3
1886	5.9	6.0	15.6	8.3	18.3	4.1	6.7	7.8
1887	6.6	5.4	15.8	9.3	16.3	3.8	6.0	8.7
1888	7.4	5.3	18.3	9.9	15.9	3.5	6.3	8.3
1889	7.4	5.5	16.5	9.3	13.9	3.8	7.6	8.8

To show from another source the same general fact of the decline of prices, I quote from an article published in the New York Tribune early in 1886.

The New York Tribune is pretty good authority. These figures are undoubtedly from the calculations and from the pen of Mr. Grosvenor, of the editorial staff of that able journal, formerly editor and proprietor of The Public, whose estimates of prices have, in my judgment, been more correctly made than those of any other statistician in the world. The article is as follows:

Quotations of about two hundred articles are compared since 1800, and the amount of money is ascertained which would purchase, at different dates, of these various articles, quantities corresponding as closely as possible to their ascertained consumption in 1880, the date of the last census. Among the articles compared are wheat, corn, oats, rye, barley, beans and peas, mess pork, bacon, ham, live hogs, lard, fresh beef, tallow, live sheep, poultry, butter, cheese, eggs, milk, hay, potatoes, turnips, cabbage, onions, apples, raisins, sugar (brown and crushed), molasses, coffee, tea, tobacco, whisky, malt and hops, mackerel, codfish, salt, rice,

nutmegs, cloves, pepper, cotton, print-cloths and standard sheeting, wool of different qualities, blankets, carpets, flannels, leather, boots, shoes, hides, silk, India rubber, iron (pig and bar), nails, steel rails, coal, oil (crude and refined), tin and tin-plates, copper, lead, hemp, lumber, spruce and pine, oak, ash, walnut, and white wood, lath, brick, lime, turpentine, linseed oil, soap, glass, paper, white lead, and twelve other kinds of paints, fertilizers, and over fifty kinds of drugs and chemicals.

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Cost of products at different dates.

Dates.	Cost in currency.	Price of gold.	Cost in gold.
1860, May 1	$100.00	$100.00	$100.00
1865, November 1	174.77	145.87	119.81
1866, May 1	157.60	125.12	126.04
1868, November 1	170.31	146.25	117.82
1871, November 1	122.03	112.00	108.95
1872, May 1	137.13	112.50	121.81
1873, November 1	115.14	108.50	106.01
1874, May 1	122.77	112.87	108.77
1875, January 1	113.01	112.37	100.37
1876, October 1	97.30	110.00	88.45
1877, May 1	99.29	106.75	93.01
1878, May 1	82.09	100.37	81.81
1878, October 18	77.94	100.37	77.65
1879, November 1	93.48	.....	.....
1880, January 1	103.42	.....	.....
1881, January 1	95.98	.....	.....
1882, May 16	106.59	.....	.....
1883, March 13	97.82	.....	.....
1884, November 1	88.71	.....	.....
1884, January 1	88.37	.....	.....
1884, November 21	78.47	.....	.....
1885, January 1	79.66	.....	.....
1885, May 9	80.22	.....	.....
1885, August 22	74.56	.....	.....
1885, November 1	75.35	.....	.....
1885, Close	78.53	.....	.....

It is not only clear from this comparison that the prices of 1885 have been the lowest in our history for twenty-five years, but that there has been a general tendency toward lower prices. From 1866 to 1871, and again from 1872 until 1885, prices fell quite steadily. Indeed, had not the short crop of 1881 caused a temporary advance in the spring of 1882, the range of January, 1880, would have been the highest of the later period, and it might have been said that the present era of declining prices had continued with little intermission for six years. None will fail to observe how swift and sharp the advances have been—about 12 per cent. from November, 1871, to May, 1872, and 25½ per cent. from October, 1878, to January, 1880. But these spasmodic advances, by which the general tendency downward is interrupted, only serve to make it more clear that prices have been tending irresistibly toward a lower level than that of 1860, not only during the period of paper depreciation, but since gold has been the measure of value.

In order to show that the United States are not alone in their complaint of falling prices, but that the complaint is universal, and in order that we may have before us a broad view of the field of general prices, I submit a table showing the relation to each other of the range of prices from 1809 to 1849, by decades, based on the prices of fifty leading articles of commerce, prepared by the distinguished Professor Jevons and published in the London Economist for May 8, 1869.

Taking the range of prices of 1849 as a datum line (the range for that year being the lowest of the century) Mr. Jevons works backward to 1809, when the revolt of the South American colonies against the authority of Spain shut off at a blow the supplies of the precious metals and set on foot a money famine from which the world knew no relief till the discovery of the mines of California and Australia.

Professor Jevons's figures are as follows, the prices of 1849 being represented by 100:

Relation of prices, 1809 to 1849, by decades, those for 1849 being rated at 100.

1809	245
1819	175
1829	124
1839	144
1849	100

From these figures it will be observed that the fall from 1809 to 1849, a period of forty years, was as 245 to 100, or 59 per cent.

By the next table which I submit, that of Dr. Soetbeer, it will be seen that the general range of prices rose gradually from 1849 to 1873, in the last of which years the figures bore to those of 1849 the relation of 138 to 100. It has never been denied that this rise was due to the increase in the world's money supply by the yield of the precious metals from the mines of California and Australia, the effects of which, however, as will be seen by the table, were not felt on prices till 1853, five years after John Marshall's discovery of the yellow metal in the tail-race at Sutter's mills. Yet, because it interferes with the pecuniary interests of a large and influential class, it is vehemently denied that the fall of prices since 1873 is due to a decrease in the volume of the money caused by the demonetization of silver in that year throughout the western world.

From and after that year, as will be perceived by an examination of the figures; in other words, from the year when one-half the world's money supply was deprived of the money function, we find an almost uninterrupted decline of prices. The figures of 1873 and 1885 will be seen to bear to one another the relation of 138 to 108, or a fall of 22 per cent. in twelve years. Should the fall continue at that rate without interruption—and there is no reason apparent why it should not—we shall in forty years have witnessed a decline of 72 per cent. in the general range of prices, a decline considerably greater than that from 1809 to 1849. And these are not the figures of bimetallists or silver "theorists," but of pronounced advocates of the single standard of gold. Where, I would inquire, is the fall of prices to stop?

Dr. Soetbeer's table represents the general average price of one hundred leading articles of commerce each year for a period of nearly forty years. He takes as a basis the general range of gold prices prevailing between 1847 and 1850, and calling that range 100 shows the relative standing toward it of the general range of prices for subsequent years, up to 1885.

Relation of prices by years from 1849 to 1885, the general range of prices of 1849 being rated at 100.

1849	100.00	1869	123.38
1851	100.21	1870	122.87
1852	101.69	1871	127.03
1853	113.69	1872	135.62
1854	121.25		
1855	124.23	1873	138.28
1856	123.27		
1857	130.11	1874	136.20
1858	113.52	1875	129.85
1859	116.34	1876	128.33
1860	120.98	1877	127.70
1861	118.10	1878	120.60
1862	122.65	1879	117.10
1863	145.49	1880	121.89
1864	129.28	1881	121.07
1865	122.63	1882	122.14
1866	125.85	1883	122.24
1867	124.44	1884	114.25
1868	121.99	1885	108.27

Mr. Sauerbeck, also an advocate of the gold standard and whose work has the approval of the Statistical Society, takes as a datum line the prices ruling from 1867 to 1870. Rating those at 100 he finds that by 1873 prices had risen to 111, by 1886 they had fallen to 69, and by September, 1887, to 68.7. He declares the average prices for the first nine months of 1887 to have been the lowest reached for a hundred years.

BOTH GOLD AND SILVER VARIABLE IN VALUE.

The fact that the metals have separated considerably since 1873, and that silver bullion now sells at less than par value of $1.29 per ounce, is taken to signify that silver has fallen, not that gold has risen. This proceeds from the assumption that whenever a change takes place in the relation between gold and any other article the change must necessarily be in the other article. This assumption, in turn, is based on the absurd idea that calling gold a "standard" will insure it against change.

Among political economists it is a well recognized principle that neither gold nor silver is exempt from the universal application of the law of supply and demand. That law governs gold and silver, not only as commodities, but as money, and governs as well all other kinds of money that may be used. And, while the advocate of the single gold standard is at all times ready to concede the truth of this assertion as to silver, he is confident that it does not and can not apply to gold; that the economic law which makes supply and demand a regulator of value is suspended as to gold.

That a metallic money, whether of gold or silver, is very far from being stable is admitted by innumerable authorities, of whom I will cite only a few.

Dr. Adam Smith, in his Wealth of Nations, book 1, chapter 5, says:

Gold and silver, like every other commodity, vary in their value. The discovery of the abundant mines of America reduced in the sixteenth century the value of gold and silver in Europe to about a third of what it had been before. This revolution in their value, though perhaps the greatest, is by no means the only one of which history gives some account.

And again:

Increase the scarcity of gold to a certain degree and the smallest bit of it may be more precious than a diamond.

John Locke, Considerations, etc., in Relation to Money (published in 1691), says:

The greater scarcity of money enhances its price and increases the scramble, there being nothing that does supply the want of it; the lessening of its quantity, therefore, always increases its price and makes an equal portion of it exchange for a greater of any other thing.

Prof. Francis A. Walker, Money, etc., page 210, says:

Gold and silver do, over long periods, undergo great changes of value and become in a high degree deceptive as a measure of the obligation of the debtor of the claim of the creditor. Thus Professor Jevons estimates that the value of gold fell between 1789 and 1809 46 per cent., that from 1809 to 1849 it rose 145 per cent., while in twenty years after 1849 it fell again at least 20 per cent.

Jevons, Money and Exchange, chapter 6, says:

In respect to steadiness of value the metals are probably less satisfactory, regarded as a standard of value, than many other commodities, such as corn.

And again, in chapter 24 of the same work, he says:

We are too much accustomed to look upon the value of gold as a fixed datum line in commerce; but in reality it is a very variable thing.

Sir Archibald Alison (England, in 1815 and 1845) says:

The coining of gold and silver, which is universal in all civilized nations, and affixing to them one definite and permanent value by authority of law, has no effect whatever in preventing the fluctuations in the real value of the current coin of the realm.

Professor Laughlin, of Harvard, in his work on Political Economy (page 72), says:

It is quite evident that the name dollar does not always have the same value, although people often think it does. We get into the habit of using names without thinking what they really mean. The 23.22 grains in a gold dollar may be exchanged sometimes for more, sometimes for less, of other commodities. When it is exchanged for less, its value has fallen relatively to all other commodities, and, even if the name dollar remains the same, its value has fallen. One must then offer more dollars than before for the same commodities. That is, when money falls in value, prices rise; when money rises in value, prices fall.

Now, we shall say a few words in regard to another function, a means of paying long contracts or debts which run over a long term of years.

Suppose that I loaned you in 1880 $1,000 for twenty years. In that year the $1,000 bought a certain quantity of corn, wheat, sugar, salt, wood, hats, and shoes. In 1900, when you are to pay me back the $1,000 in money, if prices have changed, you may give me back the same amount of money, but you will not return to me the same purchasing power over other things. If for some reason prices have fallen between 1880 and 1900, it will take less money to buy the same quantity as before of corn, wheat, etc. If so, the $1,000 you return me in 1900 will be of more value than the $1,000 I gave you, and it would be unjust to oblige you to give me more than you borrowed. If, on the other hand, prices have risen, then the $1,000 in money would buy me less than before, so that I should lose. * * * Hence, the value of money (gold or silver) does not remain the same for any length of time; and the precious metals, while they are very satisfactory for exchanges which do not take very long to complete, can not serve as a proper measure of value during a long term of years.

Ricardo, the greatest authority on the gold standard, the financial writer, more highly regarded throughout the world than any other that has ever appeared in Great Britain, whose logical utterances have never failed to attract the attention of mankind, stated the true condition of things in 1810 and advocated the true policy for Great Britain.

In his Proposals for an Economical and Secure Currency, Ricardo makes the following statement, which I commend to the careful attention of the advocates of the single gold standard:

While a standard is used, we are subject to only such a variation in the value of money as the standard itself is subject to; but against such variation there is no possible remedy, and late events have proved that, during periods of war, when gold and silver are used for the payment of large armies distant from home, those variations are much more considerable than has been generally allowed. This admission only proves that gold and silver are not so good a standard as they have been hitherto supposed, that they are themselves subject to greater variations than it is desirable a standard should be subject to. They are, however, the best with which we are acquainted.

If any other commodity less variable could be found, it might very properly be adopted as the future standard of our money, provided it had all the other qualities which fitted it for that purpose; but while these metals are the standard the currency should conform in value to them, and whenever it does not, and the market price of bullion is above the mint price, the currency is depreciated. This proposition is unanswered and is unanswerable. Much inconvenience arises from using two metals as a standard of our money; and it has long been a disputed point whether gold or silver should by law be made the principal or sole standard of money. In favor of gold it may be said that its greater value under a small bulk eminently qualifies it for a standard in an opulent country.

And I may here remark that it requires an opulent country to maintain the single gold standard, and the country does maintain it at very great expense. I do not wonder that he thought an opulent country, a creditor country, the only one that ought to adopt it, for no other country can afford to adopt it. But, like many people who in attempting to improve their condition in society attempt luxuries and extravagances which they can not maintain and which force them back into the ranks from which they came, so nations in attempting to establish the gold standard may find themselves reduced from opulence to poverty.

Ricardo continues:

But this very quality subjects to greater variations of value during periods of war or extensive commercial discredit, when it is often collected and hoarded, and may be urged as an argument against its use. The only objection to the use of silver as the standard is its bulk, which renders it unfit for the large payments required in a wealthy country; but this objection is entirely removed by the substituting of paper money as the general circulation medium of the country. Silver, too, is much more steady in its value in consequence of its demand and supply being more regular; and, as all foreign countries regulate the value of their money by the value of silver, there can be no doubt that on the whole silver is preferable to gold as a standard, and should be permanently adopted for that purpose.

Innumerable additional citations from authors of repute could be adduced to fortify this position.

It will thus be seen that the fluctuations in the value or purchasing power of both gold and silver have always been admitted by scientific writers. They were so well understood three centuries ago that in Queen Elizabeth's reign (1576) the British Parliament directed that the rents reserved in the long leases of certain college lands should be payable, not in money, but in wheat. And at various times during the past seventy years propositions have been formulated to substitute for gold and silver as a standard of value for deferred payments, a tabular statement of the prices of the principal articles of commerce, to be made by official authority and published from time to time, by the average of which the fluctuations of gold could be ascertained and proper allowance made for them in the settlement of time transactions. Professor Jevons, Prof. Francis A. Walker, and other political economists of note have expressed approval of such a tabular standard for long-time contracts, as securing greater equity than would gold as a measure of values.

Those who now assert that silver has fallen and that gold has not risen in value arrive at this conclusion by a very safe process of reasoning. First, to show that silver has fallen they measure it by gold alone, without reference to the general range of prices, and then to prove that gold has not risen they make it the measure of itself. An increase or decrease of the value of either can not be ascertained by reference to the other, and certainly not by constituting either of them a standard by which to judge itself. It would of course be forever impossible to show any change in the value of gold or silver, or of anything else, measuring it by itself. It is only by looking at the relations which both metals bear respectively to a considerable range of commodities generally dealt in, as well as to each other, that it can be ascertained with certainty what has happened.

Not only upon consideration of all the facts I have given, but upon the logic of the situation, it must be obvious that gold has risen and will continue to rise in value as long as its volume decreases and the demand for it increases. Since 1860, when gold constituted 77 per cent. of the combined yield of the two metals, it has diminished not only in relative proportion to the yield of silver, but it has diminished absolutely. For the five years ending with 1860 the yield of gold throughout the world was $137,000,000 a year; for the five years ending 1889 the yield was but $110,000,000 a year. If, as claimed by the advocates of the single gold standard, an increase in the yield of silver decreases the value of silver, by what system of logic can they deny that a decrease in the supply of gold increases the value of gold?

In a late issue of the London Economist, that of April 26, 1890, I find an editorial article relating to the recent discussion on bimetallism in the British House of Commons. That article comments somewhat sharply on Mr. Smith's assertion that "a conspiracy had been formed among the financial class in Europe and America to get rid of silver as full-valued money in order to increase the value of gold, in which their revenues are paid." In the course of his comments the editor, by "confession and avoidance," admits our whole contention as to the rise of gold and the fall, as a natural consequence, of the prices of commodities. He says:

It may not be amiss, however, to point out that the increase in the exchangeable value of gold has been by no means such a gain to the financial class as he in common with many others supposes; for advantage has been very largely taken of it to cut down the return upon the capital which the financial classes have invested. It has favored debt-conversion schemes, and it has been one of the influences that have caused the rate of interest in general to decline so decidedly that, all round, the yield of investments is now very appreciably lower than it was fifteen years ago. The idea that the creditor class have realized unmixed gains and the debtor class have suffered unmitigated losses by the alteration in the purchasing power of gold is thus altogether fallacious. There has in their case, as in all others, been a species of compulsory give and take. Each has gained and each has lost something, and now that the process of readjustment has been carried so far it would be unwise to the last degree to unsettle everything again by such legislation as the bimetallists propose.

The editor of The Economist is to be commended for at least one thing. He does not quibble as to the most important point in the bimetallic controversy. He frankly admits that gold has risen, and does not, as some others do, attribute the fall of prices to improvements in methods of production.

He also admits that coincidently with and caused by the rise in gold there has been a great decline in the rates of interest, and, strangely, claims that the debtor is compensated for the rise in the value of money by the ability to convert the debt into one bearing a lower rate of interest, or, as he calls it, resorting to "debt-conversion schemes."

He does not inform us how any compensation can be made to the the debtor for the time the debt has been running, as to which it can not be converted, nor for the enhanced amount exacted from the current earnings of labor by the rise in the value of money to pay taxes and the expenses of Government, nor for the loss entailed on the debtor whose property is mortgaged on long time, where the holder of the mortgage refuses to convert it into an obligation bearing a lower rate of interest than originally contracted for. He suggests no method by which to make whole those who have lost their property through sheriff's sale by reason of falling prices and the rise in the value of money. Neither does he state how long it will be before the next confiscation is to take place, by reason of the continued operation of the cause that produced the first. But he has been frank enough to concede (what is never disputed except when the money question is under discussion) that there has been a rise in the exchangeable value of gold, and conceded its natural sequence, a fall in the rates of interest.

IMPROVED METHODS OF PRODUCTION.

In order to justify their position it becomes necessary for the advocates of continued demonetization of silver to insist that the fall of prices is not due to the rise in the value of gold, but to improved methods of production.

Whatever the cause to which it is to be ascribed, the undoubted fact is that a fall of prices throughout the western world set in concurrently with the reduction of the world's money volume by the demonetization of silver. It was well understood at the time by those who had given consideration to the subject that demonetization alone would effect that result. This is manifest from an article in the London Daily News, a paper of exceedingly large circulation, quoted in the Journal of the Statistical Society of England for 1873,

page 395. Referring to the adoption of the single gold standard by Germany the Daily News said:

As the annual new supply of gold throughout the world is reckoned at little more than 20,000,000*l.* ($100,000,000) and the usual demand for miscellaneous purposes is very large, it follows that, if the German Government perseveres in its policy, the strain upon existing stocks and currencies of gold will be most severe. For a time, at least, unless the annual production of gold should suddenly increase, the money markets of the world are likely to be perturbed by this bullion scarcity, and the fall in the value of gold—

Which means the rise in prices that for some time had prevailed—

of which so much has been heard, will be checked or reversed.

The yield of gold did not "suddenly increase," and the intelligent prophecy of the Daily News was fully realized, not merely to the extent of a check to the rising prices (or, as it is styled by the Daily News, a check to the "fall in the value of gold"), but to the extent of an immediate rise in the value of that metal and a persistent and deplorable fall in the general range of prices.

This prophecy, that the "fall in the value of gold" would be checked by the demonetization of silver or, better, reversed by it, was welcome reading to the creditor and income classes of England and of the world.

That it was "reversed," and the value of gold appreciated, is as plain as that, one being subtracted from two, there is but one for a remainder.

The immediate fall in prices of commodities was the natural, the anticipated, and the deliberately intended result of that movement.

But we are now assured that this fall is not due to any monetary cause, but to the greater efficiency of machinery in the production of commodities.

No advocate of an increased volume of money denies that in a few departments of manufacture there have since 1873 been improvements tending to economize labor and cheapen products; but they emphatically deny and challenge proof that improvements of mere detail in the manufacture of some articles will account for the extraordinary fall of price since that time in almost every product of industry. We are also told that the development of the system of transportation, both by land and sea, has tended to lower the price of commodities to the consumers. I grant it. But we had those improvements before 1873.

The inventions made between 1873 and 1890, the period of falling prices, were no more important or radical in their effect on industry, tended no more to cheapen commodities, than did those from 1850 to 1873, the period of rising prices. Indeed the inventions which preceded 1873 were as a whole much greater in scope, more far-reaching in result, and more revolutionary in their effects on industry than those of the later period. All the great basic improvements had been invented and had been incorporated with the industrial system of all civilized countries long before 1873, if we except the electric light and the telephone. We have had the steam engine, the cotton gin, and the spinning-jenny since the last century; the railroad and the steam-ship since the '30s; the telegraph, the mechanical reaper, steam-plow, and other agricultural labor-saving devices since the '40s; the sewing machine since 1854, and the Bessemer process and steel rail since 1857.

The forced construction into which their position drives the advocates of the gold standard is well illustrated in a recent number of a magazine of high standing in this country, in which I find the following:

But, if it be demurred, does not a debt incurred, say, ten years ago require today more wheat or iron for its satisfaction than the sum could have bought when first borrowed? Certainly, but the wheat or iron represents no more labor now than it did ten years ago, and its increase in quantity stands for the new efficiency which applied science has bestowed on toil.

Observe how deftly the writer places iron, in the manufacture of which there have admittedly been some improvements, in the same category with wheat, in the production of which the improvements within any recent period have been of the most trifling character. It will be exceedingly difficult to convince the farmers of this country, whose mortgages are eating up the proceeds of their labor, that the enormous decrease in the debt-paying power of their products is made up to them in "the new efficiency which applied science has bestowed on toil."

As well might it be maintained that the rise of prices and the concurrent wave of universal prosperity, experienced after 1849, was not due to the increase of the world's money stock from the mines of California and Australia, but to some sudden, unaccountable, and complete loss of all improvements theretofore attained in the arts and industries of the world.

EFFECT OF CHECKS AND CLEARING-HOUSES.

But it is said that checks, notes, drafts, bills of exchange, and the facilities afforded by clearing-houses effect such economy in the use of money that it goes farther now than formerly, and that therefore so large a volume of money as was formerly needed is not needed at present. It is sought thus to escape the conclusion that the fall of prices is the result of a shrinkage of the volume of money, or at least to imply that if the money volume has been shrinking the agencies mentioned have served to mitigate, if not entirely to counteract, the effects of such shrinkage. This is in substance to claim that, however contracted the money volume of a country may become, the system of checks and clearing-houses—on the principle of the compensating balance—will expand in a proportion directly corresponding to the contraction of the currency; that the greater the reduction of the volume of money in the country the greater the increase in the transactions of the clearing-house.

Nothing more absurd could be conceived. If this view were correct, it would make no difference whether the amount of money in circulation were large or small, a million dollars would be as efficacious as $100,000,000 and even one dollar as effective as a million dollars; and if we suppose the last dollar to have disappeared from circulation, then, according to the sweeping and pretentious claims set up for the clearing-house system, we could dispense altogether with the use of money and rely exclusively on checks, drafts, and bills of exchange.

That checks and clearing-houses are a great convenience to commerce is not denied. They serve to a certain extent to make more effective the money volume of a country. By the clearing-house system of off-setting the demands of the several banks, one against the other, and requiring payment in cash of the balances only, large amounts of loans may remain undisturbed and greater stability of industrial conditions be secured.

Clearing-houses, however, were not established primarily for the convenience of commerce, but for the profit of bankers. Whatever amounts of money are economized by means of those institutions bring compensation, by way of interest, to the banks. We may, therefore, rely upon their being utilized to the utmost under all circumstances.

But, however much checks and clearing-houses may economize the use of money, they are no novel devices. They are not some untried and newly invented instrumentalities. Checks have been in use ever since the invention of banks. The clearing-house system was established in this country in 1853. Contributing, as it does contribute, to the pecuniary profit of the banks by making possible an economy in the use of invested money, which the banks have loaned out and on which they are drawing interest, the system has grown with the growth of the business of the country. It will undoubtedly continue to grow, but with no greater acceleration than population and business will warrant.

As it has been a part of the banking machinery of the country for nearly forty years and during that period has been utilized to the utmost, the conditions of its existence and utilization have long since become static conditions. The demands for currency have borne relation to the needs of business, with clearing-house facilities in full sight and operation; and at all seasons, in the adjustment of prices, those facilities have had full force and effect. Assuming that at any given period the business of the country were conducted with a given volume of money, *plus* a certain volume of clearing-house exchanges, then, at a later period, an increase of business would demand an increase in the volume of money, *plus* a proportionate increase in the volume of clearing-house exchanges; having had this system in full and effective use for forty years, it is as absurd to ascribe the *fall* of prices in the last half of that period to any economy in the use of money effected by the clearing-house system as it would be to ascribe to the same cause the directly opposite effect—the *rise* of prices—that took place in the first half of the same period.

PROOF AFFORDED BY THE FALL OF INTEREST.

If further proof were needed that gold has risen in value, it is, as I maintain, to be found in the coincident fact of a decrease of rates of interest on first-class securities. That decrease has kept even step and pace with the rise in the value of money.

The rise in the value of gold, as shown by comparison with large numbers of articles of commerce, has been between 35 and 40 per cent. The rate of interest on gilt-edged securities shows a corresponding decline. But unfortunately for the struggling people of the country the fall in the rate of interest on farm mortgages and on property remote from money centers has been nothing like so great, nor has it been so great as the fall in the price of agricultural lands and in the products of labor.

I hold, therefore, that a new axiom should be added to the science of political economy, namely, that as the purchasing power of money increases its income-producing power decreases and in about the same ratio, and, conversely, when the purchasing power of money decreases its income-producing power increases. In other words, when prices rise interest rises; when prices fall interest falls. When money is increasing in volume and decreasing in value, prices rise, and its investment in productive enterprises becomes more profitable, and as a consequence interest rises. When it is decreasing in volume and consequently increasing in value, prices fall, investment in property and productive enterprises becomes precarious and unprofitable, and, as a consequence, it avoids them, and seeks investment in bonds and gilt-edged securities, aptly termed "money-futures," which for years have been increasing and continue to increase.

Some thirteen years ago I indulged in a little prophecy concerning the rates of interest. I take no great credit to myself for it, but in 1877—four years after the demonetization of silver—before the rates of interest had materially fallen and when the same contention was made that is made now, namely, that money was cheap be-

cause interest was low and that the policies of the country were wise because our credit stood on such a high plane, I submitted to Congress the report of the Monetary Commission, from which I quote:

Money can be borrowed readily only upon such securities as bonds which are based on the unlimited tax-levying power of the Government, or upon the bonds and stocks of first-class trunk-lines of railroad corporations, whose freight and fare rates are practically a tax upon the entire population and resources of the regions which they traverse and supply. The competition among capitalists to loan money on these more ample securities has become very keen, and such securities command money at unprecedentedly low rates. These low and lowering rates of interest, instead of denoting financial strength and industrial prosperity, are a gauge of increasing prostration. Large accumulations of money in financial centers, instead of being caused by the overflow of a healthful circulation, or even a proof of a sufficient circulation, are unmistakable evidence of a congested condition caused by a decreasing and insufficient circulation. The readiness with which Government bonds bearing a very low rate of interest are taken, instead of showing that the credit of the Government has improved, is melancholy evidence of the prostrated condition to which industry and trade have been reduced.

There need be no haste in refunding the public debt at the rates now proposed and considered low. Unless the progress of the commercial world in the policy of contracting money by demonetizing silver is checked, bonds bearing a much lower rate of interest than any yet offered will be gladly accepted by capitalists here and in Europe. When the money stock is diminishing and prices are falling, the lender not only receives interest, but finds a profit in the greatly increased value of the principal when it is returned to him. A loan of money made in 1809, if repaid in 1848, would have been repaid with an addition of 145 per cent. in the purchasing power of principal and interest, besides all the interest paid. Those who have loaned money to this Government since 1861 have already received nearly as much in the increased value of their principal as in interest, and all the probabilities are, in respect to the four per cent. thirty-year national bonds now being negotiated, if they are redeemed in gold, that more profit will be made by the augmentation in the value of principal than through interest. Indeed the signs of the times are that the bonds of a country possessing the unbounded resources and stable institutions of the United States, payable in gold at the end of thirty years without any interest whatever, would, through the increase of the value of that metal, prove a most profitable investment.

All the facts of the situation to-day fully bear out the statements I then made.

So determined are the advocates of the single gold standard in defending the wisdom of its maintenance that facts whose existence would at ordinary times be readily admitted are, during a discussion of the money question, pointedly denied. For example, within the past few weeks we have seen in various eastern newspapers contributions from prominent writers taking direct issue with the advocates of silver as to the prevalence of general distress throughout the country. They declare that there is no such distress, assert that they have looked for it in vain, and derisively inquire where it is.

Perhaps the best authority I can cite in response to this inquiry is the principal commercial daily paper of the East, the New York Journal of Commerce, itself one of the most ardent and uncompromising advocates of the gold standard. In an editorial article in its issue of January 11, 1890, that journal said:

FAILURES IN BUSINESS.

The public have been startled by the announcement that during the year 1889 there were 11,719 business failures in the United States, against 10,587 in 1888 and 9,740 in 1887. The estimated liabilities of last year's insolvents were $140,359,000 and the assets were $70,599,000, against $120,242,000 liabilities and $61,999,000 assets for the failures of the previous year. Thus the failures in 1889 were more in number and far greater in liabilities than for 1888, and the proportion of assets to the obligations shows that the total insolvency was more disastrous. Why in a season of profound peace, with no blighting frosts or withering droughts, and the most abundant yield from the field, forest, and mine, so many in business have gone to the wall, no one seems able to answer. Many have tried their hand at a solution of the problem, and not one, as far as we can discover, has satisfied even himself with the result of his investigations.

HAS SILVER FALLEN?

In order to ascertain whether silver really has or has not fallen in value, it is necessary that all the facts be taken into account and the situation looked at from a correct point of view. If a person be seated in a boat that is headed to the stream and wishes to test whether or not he is making headway he must keep in view not the stream, but the shore. The occupant of a railroad car who observes a moving train on a contiguous and parallel track, frequently thinks his own train at a stand-still, when in fact it may be in motion.

Whenever a rise or fall appears to take place in the price of any one article or commodity, that is to say, whenever a difference takes place in the relation which that article bears to money—all other commodities remaining unchanged—such difference must naturally and properly be attributed to changed conditions affecting the commodity, and not to a change in the value of money. But wherever there is a fall in prices throughout the whole range of commodities then it is clear that this change is mainly due to a change in the value of money. Such however is the force of education and habit that the masses of the people are slow to suspect any change in the standard by which they have been accustomed to gauge or measure all values. Indeed they find it difficult to understand how under any circumstances any change can take place in it. Having their eyes fixed on the standard, and on that alone, they naturally attribute to the articles measured, and not to the standard, any difference that may seem to arise in the relation they bear to each other.

But the apparent is not always the real. Nothing seems more warranted by the evidence of our senses than that the earth is a stationary object, while the sun revolves around it. For thousands of years the world was convinced of the truth of the geocentric theory of the universe, and millions of men have lived and died in the confident belief that this planet was immovably fixed in space, while the sun was a rolling and ever-shifting body. Even yet, among the mass of mankind, so ever-present is this impression, derived from ocular demonstration, that in spite of the declarations of science the world continues in common use the phrases which originally described the process that took place, as men understood it; hence we speak of the "rising" and of the "setting" of the sun. In the same way we speak of the rise or fall in the value of commodities, without being particular to note whether the change that has taken place is strictly a change in the value of the article itself or a change in the money with which its value is measured. Perhaps I can best illustrate my meaning by an allegory:

THE BATTLE OF THE STANDARDS—THE ALLEGORY OF THE CLOCKS.

In an ancient village there once stood a gold clock, which, ever since the invention of clocks, had been the measure of time for the people of that village. They were proud of its beauty, its workmanship, its musical stroke, and the unfailing regularity with which it heralded the passing hours. This clock had been endeared to all the inhabitants of the village by the hallowed associations with which it was identified. Generation after generation it had called the children from far and wide to attend the village school; its fresh morning peal had set the honest villagers to labor; its noonday notes had called them to refreshment; its welcome evening chime had summoned them to rest. From time immemorial, on all festive occasions, it had rung out its merry tones to assemble the young people on the green; and on the Sabbath it had advertised to all the countryside the hour of worship in the village church. So perfect was its mechanism that it never needed repair. So proud were the people of this wonderful clock that it became the standard for all the country round about, and the time which it kept came to be known as the gold standard of time, which was universally admitted to be correct and unchanging.

In the course of time there wandered that way a queer character, a clockmaker, who being fully instructed in the inner workings of time-tellers, and not having inherited the traditions of that village, did not regard this clock with the veneration accorded to it by the natives. To their astonishment he denied that there was really any such thing as a gold standard of time; and in order to prove that the material, gold, did not monopolize all the qualities characteristic of clocks, he placed alongside the gold clock, another clock, of silver, and set both clocks at 12 noon. For a long time the clocks ran along in almost perfect accord, their only disagreement being that of an occasional second or two, and even that disagreement only at rare intervals, such as might naturally occur with the best of clocks. But the council of the village, in their admiration for the gold clock, passed an ordinance requiring that all the weights (the motive power) of the silver clock, except one, be removed from it and attached to those of the gold clock. Instantly the clocks began to fall apart, and one day, as the sun was passing the meridian, the hands of the gold clock were observed to indicate the hour of 1, while those of the silver clock indicated 12.15. At this everybody in the village ridiculed the silver clock, derided the silver standard, and hurled epithets at the individual who had had the temerity to doubt the infallibility of the gold standard.

Finally, the divergence between the clocks went so far that it was noon by the gold standard when it was only 6 a. m. by the silver standard, so that those who were guided by the gold standard, notwithstanding that it was yet the gray of the morning, insisted on eating their mid-day meal because the gold standard indicated that it must be noon. And when the sun was high in the heavens and its light was shining warm and refulgent on the dusty streets of the village, those who observed the gold standard had already eaten supper and were preparing for bed.

But this state of things could not last. It was clear that the difference between the standards must be reconciled or all industry would be disarranged and the village ruined.

Discussion was rife among the villagers as to the cause of the difference. Some said the silver clock had lost time; others that both clocks had lost time, but the silver clock more than the gold; while others again asserted that both clocks had gained time, but that the gold clock had gained more than the silver clock.

While this discussion was at its height a philosopher came along and observing the excitement on the subject remarked, "By measuring two things, one against the other, you can never arrive at any determination as to which has changed. Instead of disputing as to whether one clock has lost or another gained would it not be well to consult the sun and the stars and ascertain exactly what has happened?"

Some demurred to this because, as they asserted, the gold standard was unchanging and was always right, no matter how much it might seem to be wrong; others agreed that the philosopher's advice should be taken. Upon consulting the sun and the stars it was discovered that what had happened was that both clocks had gained in time but that the gain of the silver clock had been very slight, while that

of the gold clock had been so great as to disturb all industry and destroy all correct sense of time.

Notwithstanding this demonstration, there were many who adhered to the belief that the gold standard was correct and unchanging, and insisted that what appeared to be its aberrations were not in reality due to any fault of the gold clock, but to some convulsion of nature by which the solar system had been disarranged and the planets made to move irregularly in their orbits.

Some of the people also remembered having heard at the village inn, from travelers returning from the East, that silver clocks were the standard of time in India and other barbarous countries, while in countries of a more advanced civilization gold clocks were the standard. They therefore feared that the use of the silver clock might have the effect of degrading the civilization of the village by placing it alongside India and other barbarous countries. And although the great mass of the people really believed, from the demonstration made, that the silver standard of time was the better one, yet this objection was so momentous that they were puzzled what course to pursue, and at last advices were consulting the manufacturers of gold clocks as to what was best to be done.

Now our gold-standard men are in the position of those who first refuse to look at anything beyond the two things, gold and silver, to see what has happened, and who, when it is finally demonstrated that all other things retain their former relations to silver, still persist that the law which makes gold an unchanging standard of measure is more immutable than that which holds the stars in their courses. If they will compare gold and silver with commodities in general, to see how the metals have maintained their relations, not each to the other, but to all other things, they will find that, instead of a fall having taken place in the value of silver, the change that has really taken place is a rise in the value of both gold and silver, the rise in silver being relatively slight while that of gold has been ruinously great. And those who do not shut their eyes to the truth must see that the change of relation between the metals has been effected by depriving silver of its legal-tender function, as the want of accord between the clocks was brought about by depriving the silver clock of a portion of its motive power, the weights. The only thing that has prevented a greater divergency between the metals is the limited coinage by the United States—the single weight that, withheld from the gold clock, prevented its more ruinous gain.

PURCHASING POWER OF SILVER IN 1873 AND 1889.

If I can show that for a period of seventeen years, since its demonetization in 1873, silver has lost none of its purchasing power, none of its command over commodities; that is to say, if I can show that 412½ grains of silver to-day, uncoined, and shorn by hostile legislation of its principal element of value—the money use—will buy as much as would 412½ grains of silver in 1873 (when our silver dollar bore a premium over gold) of all the articles that enter into the daily consumption of the people, it must be manifest that silver has not fallen in value.

I present a table which I shall ask to have inserted in the RECORD as part of my remarks, showing the purchasing power of 412½ grains of silver, nine-tenths fine, in 1873 and 1890, respectively, so far as concerns several leading articles of daily consumption.

Comparative purchasing power of 412½ grains silver, nine-tenths fine, in 1873 and 1890, respectively.

412½ grains silver would buy—		1873.	1890.
Wheat	bushels	0.87	0.88
Corn	do	1.84	1.97
Cotton	pounds	5.32	6.71
Beef, mess	barrels	0.05	0.05
Pork, mess	do	0.07	0.06
Lard	pounds	12.89	11.75
Butter	do	5.40	4.63
Cheese	do	8.69	6.94
Sugar	do	9.80	10.34
Eggs	dozen	4.27	5.38

From this table it conclusively appears that while in 1873 the standard silver dollar of 412½ grains, which then bore a premium over the gold dollar, would purchase four-fifths of a bushel of wheat; to-day the same quantity of silver, without the advantage of coinage and merely as bullion, will also buy four-fifths of a bushel of wheat, the only difference between the figures for the two years being that at the present time 412½ grains of silver bullion, as will be seen by the table, will buy a fraction of a bushel more than would 412½ grains of coined silver in 1873.

If, then, silver has fallen, it is manifestly not in its relation to wheat.

By the same table it is shown that the silver dollar of 1873, containing 412½ grains of silver, nine-tenths fine, would purchase one and eight-tenths bushels of corn; in 1890, a like number of grains of silver, uncoined and estimated at its gold value, will purchase one and nine-tenths bushels of corn. Here again the advantage is slightly in favor of the 412½ grains of silver bullion of 1890. This shows conclusively that silver has not fallen in its relation to corn.

The figures of the same table show that in 1873 a coined silver dollar of 412½ grains would buy 5½ pounds of cotton; to-day 412½ grains of uncoined silver will buy 6¾ pounds of cotton. From this it appears that silver has not fallen relatively to cotton, the great staple of universal use, but that, on the contrary, it has advanced somewhat in its purchasing power when compared with that article.

In order to present the question from another point of view I submit another table showing the number of grains of silver that are required in 1890 and the number which were required in 1873 to buy a bushel of wheat, a bushel of corn, &c., by which it will even more clearly appear that silver has not fallen in value in respect to commodities.

Comparative purchasing power of silver bullion, in grains, nine-tenths fine, in 1873 and 1890, respectively.

Articles.		1873. Legal tender.	1890. Commodity.
		Grains silver.	*Grains silver.*
Wheat	per bushel	474.3	468
Corn	do	223.9	209.25
Cotton	per pound	77.55	61.42
Beef, mess	per barrel	8,662.5	7,560
Pork, mess	do	5,465.62	6,750
Lard	per pound	31.97	35.1
Butter	do	76.31	89.1
Cheese	do	47.44	59.4
Sugar, refined	do	42.07	39.82
Eggs	per dozen	96.52	76.68

From this table it will be seen that in 1873 it required 474 grains of standard silver, in the form of coined dollars, to buy one bushel of wheat; in 1890, only 468 grains of standard silver (and that merely in bullion form, or in other words, at its market value) are required to buy a bushel of wheat. This does not show that silver has fallen in value, in its relation to wheat, but, on the contrary, that it has risen in value.

In 1873 it required 224 grains of silver to buy a bushel of corn; to-day only 209 grains of silver are required to buy the same quantity. These figures fail to prove that silver has fallen in value in its relation to corn. On the contrary, again, it has risen.

In 1873 a pound of cotton could not be had for less than 77½ grains of silver; to-day the same pound of cotton can be bought for 61 grains of silver. Silver, therefore, has not fallen, but risen in value in its relation to cotton.

In 1873 96 grains of silver were required to buy one dozen eggs; to-day only 76 grains of silver are required to buy the same quantity of eggs. Silver therefore has not fallen, but risen in value, in its relation to eggs.

These comparisons might be continued with the same results as to a great majority of the articles entering into general use.

These figures demonstrate that in its relation to all commodities that enter into the daily consumption silver has not fallen in value, but, as is clearly seen, while holding a remarkably steady ratio to commodities, has slightly increased in value, as is shown by the fact that a less number of grains of the metal are to-day required to purchase the same quantity of the commodities mentioned than were required in 1873.

In relation to what, then, is it that silver has fallen? As it has not fallen in relation to commodities, there remains but one thing in relation to which it can be said to have fallen, and that one thing is gold. The phrase "the fall of silver" is the ingenious and cunning invention by which it is sought to cast on that metal the discredit of depreciation rather than subject gold to the suspicion of any change whatever. The term to correctly describe what has taken place would be "the rise of gold;" but that term is scrupulously avoided, as implying that gold does not remain immovably fixed. That gold has risen, however, admits of no doubt, except to those who willfully shut their eyes to facts of common observation. The true test of the increasing or decreasing value of any one thing is not to compare it with any other one thing, but with a large range of commodities generally dealt in. It is not of so much importance to know how much gold can be bought with a given amount of silver as it is to know how much bread, how much meat, and how much clothing can be bought, and how much of all the things that are necessary to the comfort and well-being of the people can be bought with that amount of silver.

PROOF THAT GOLD HAS RISEN.

In order to demonstrate that gold has risen, I will bring side by side the gold prices of a number of leading commodities of commerce in 1873 and 1889, respectively, and the amount in silver bullion that in 1889 would purchase an equal quantity of the same commodities, by a table prepared at my request by the Bureau of Statistics of the Treasury Department.

Average export prices of the following-named domestic commodities for the years ending June 30, 1873 and 1889.

Commodities.	Unit of quantity.	Average price of the year ending June 30—			
		1873.		1889.	
		In currency.	In gold.	In gold.	In silver bullion.
Bacon and hams	Pounds	$0.068	$0.077	$0.084	$0.108
Butter	do	.211	.184	.166	.212
Cheese	do	.130	.113	.092	.118
Corn	Bushels	.617	.539	.508	.650
Cotton:					
Unmanufactured, not Sea Island.	Pounds	.166	.164	.099	.127
Cloth, colored	Yards	.166	.145	.065	.083
Cloth, uncolored	do	.163	.142	.068	.087
Iron and steel:					
Bar-iron	Cwt	5.480	4.784	2.183	4.074
Pig-iron	do	2.498	2.181	.953	1.220
Railroad-bars	do	4.114	3.592	2.169	2.776
Lard	Pounds	.092	.080	.076	.097
Leather	do	.253	.221	.185	.237
Rice	do	.071	.062	.056	.070
Sugar:					
Brown	Pounds	.092	.080	.056	.072
Refined	do	.116	.101	.066	.084
Wheat	Bushels	1.312	1.145	.874	1.119
Wheat-flour	Barrels	7.565	6.604	4.703	6.020

What does an examination of this table show? It shows beyond dispute that gold has risen in value.

A bushel of wheat that, according to the figures of the Bureau of Statistics, cost $1.14 in gold or silver in 1873, and which, as will be seen by the table, still commands $1.12 in silver bullion, will to-day bring only 87 cents in gold.

A pound of cotton that in 1873 cost the purchaser, in gold or silver, 16 cents, and which still commands 13 cents in silver bullion, will bring only 10 cents in gold.

A pound of cheese that in 1873 cost the purchaser 11½ cents in gold or silver, and which now brings 12 cents in silver bullion, will bring only 9 cents in gold.

A barrel of flour which in 1873 cost the purchaser $6.60 in gold or silver, and which to-day commands $6.02 in silver bullion, will bring but $4.70 in gold.

A pound of butter that in 1873 brought 18.4 cents in gold or silver, and now commands 20.8 cents in silver bullion, will bring but 16.6 cents in gold.

Notwithstanding that 412½ grains of uncoined silver will to-day buy as much of the leading articles of commerce as the coined gold dollar would buy in 1873, yet the advocates of the gold standard characterize it as a 72-cent dollar. Then the gold dollar of 1873 was a 72-cent dollar. If the gold dollar of to-day be an honest and equitable dollar, that of 1873, which was worth much less, was a swindling and dishonest one; and if gold continues to advance as it has been advancing—and with the declining output of that metal there is no reason why it should not—it will be but a short time before any other kind of dollar whose value may be equal to that of the present gold dollar will be stigmatized as a swindling 72-cent dollar. There never was a dollar coined that did not legally and practically contain 100 cents. But the creditors stigmatize a dollar of the value of the gold and silver dollar of 1873 as a 72-cent dollar. May not the debtors, with much more propriety, denounce the gold dollar of to-day as a 140-cent dollar?

According to the admissions of the royal commission of England, the gold dollar of to-day is to the producers of this country, measured by their products, already at a premium of between 30 and 40 per cent. over the gold dollar of 1873. The advocates of the gold standard have no sympathy with our farmers and manufacturers who have to pay, in commodities, a premium of 30 to 40 per cent. on gold, to meet their engagements, but express extreme anxiety at the bare possibility that a few importers might have to pay even a small premium in any form. They insist that the money system of a population of 65,000,000 shall, like an inverted pyramid, be made to rest upon its apex in order to enable a few importers, most of whom are residents of foreign countries, to make their payments abroad in gold.

Verily, Mr. President, the single gold standard is an expensive luxury for our people to maintain.

Those who deride silver as a money-metal indulge in feeble attempts at sarcasm by inquiring why we do not advocate the use of tin and brass as money. They speak and write as though the idea of using silver as money were a recent discovery or invention of people engaged in silver mining. They also ignore the fact that the standard silver dollar of the United States, which, with much satisfaction, they stigmatize as a 72-cent dollar, requires a gold dollar to obtain it. It is worth a gold dollar in London, in Berlin, in Vienna, in Saint Petersburg, in Madrid, in Havana, and in all countries having commercial relations with the United States. It can at once be exchanged into the money of any country with only the slight deduction of cost of shipment to this country, as is the case in the United States with notes of the Bank of England, which are redeemable in gold.

Our silver dollar is not money in foreign countries and it is to our advantage that it is not, for were it money anywhere else than in this country we could not rely on its remaining here to maintain that steadiness of prices indispensable to prosperity. But, if any of our silver dollars are found abroad, let no one suppose he can get them by tendering 412½ grains of silver bullion for each dollar. He will find it will cost him precisely as much gold as it passes for in the United States.

SOME EFFECTS OF THE RISE OF GOLD.

If a cotton-planter in 1873 owed $10,000 he could then have paid it with 60,975 pounds of cotton. To-day, by reason of the increased command which gold has over commodities, it would take 101,010 pounds of cotton to pay that $10,000, notwithstanding that the money in which the debtor has paid the interest has each year become more valuable than it was at the time he contracted to pay it.

The cotton-manufacturer of the East who in 1873 owed $10,000 could then have paid it with 70,422 yards of uncolored cotton cloth; to-day owing to the rise in the value of gold it would require 147,059 yards to pay that debt, without taking into account the amount lost by the debtor in the greater sacrifice he had year by year to make to pay the interest.

The farmer of the North and West who in 1873 owed $10,000 could then have paid it with 8,733 bushels of wheat; to-day it would require 11,446 bushels of wheat to liquidate that debt, though he, too, has year by year been "cinched" through the progressive increase in the value of the money in which the interest has been paid. Or he could, in 1873, have paid his debt with 1,514 barrels of flour; to-day it would take 2,126 barrels of flour to pay the same debt.

The property of the country is fast passing into the hands of the creditors, and if the iniquitous system is not reversed the condition of our American farmers will be that of the farmers of gold-standard countries. Instead of owning their farms they will be tenants and rent-payers, a condition but little in advance of that which prevailed in feudal days.

Machiavelli, describing a turbulent period in the history of Florence, said:

The people perished, but the brigands throve.

The brigandage of the Middle Ages, whether in Italy or elsewhere, was a criminal defiance of law, but it was pursued at some risk and under manifest disadvantages. The brigand took his life in his hands. He knew that his calling was unlawful; and, although ruthless in his work, the method by which he exacted ransom of his occasional victim was less destructive to the prosperity of the community than the legalized brigandage of to-day, by which, through a vicious system of money, the great mass of the people are despoiled of their property. The distinguishing characteristic of the brigandage of the nineteenth century is that it scrupulously observes all legal forms and is conducted in the name of honor, honesty, good morals and "sound finance." Mortgages are foreclosed only in accordance with law, and the unearned increment which results from the increased and increasing value of the money is transferred from the debtor to the creditor, with punctilious regard for the statutes.

The demands of the brigand were enforced with guns and pistols; those of the creditor are enforced with bonds and mortgages; both exactions cruel and unjust, one by violence, the other by law. But, in the latter case, so indirect is the method of operation that many of those who are benefited by it are unaware of the perpetration of any wrong. So subtle is the process that the change seems to be only a change in the price of commodities, and thousands of men who would scorn consciously to exact from any one more than a just return for money loaned are beneficiaries of this vicious and ruinous system.

With regard to the great body of the working masses it is sometimes said they have no cause for complaint, that their condition now is better than ever before.

But, Mr. President, it is not enough that men are better off than they have been. When we reflect that nine-tenths of the inventions and improvements constituting all the material features of the civilization of this century have been made by working men, it is manifest that they are entitled to much more of the comforts and convenience of life than are now accessible to them. By watchful, repeated, and aggressive efforts through their trade organizations, the workingmen in many branches have been enabled to keep wages from sinking and occasionally to secure an advance; but, during a period of falling prices, what is gained in this way by those who are kept at work is lost to the working class as a whole by the remission to idleness of part of their number.

The statisticians who seem to be employed by some propaganda to prove by figures that prosperity prevails point exultantly to the fact that the wages of the working people seem constantly to have increased while prices are falling, and they cite this to prove that low prices are consistent with prosperity. They leave entirely out of the account the large numbers of workmen who of necessity are relegated to idleness on account of the lack of profit in business.

If you go into the workshops of any large manufacturing enterprise, while prices are low and lowering, and ask the managers what

they now do when a strike occurs among the workmen, they will tell you they find it impossible to shut down, because they have contracts extending through time that they must fill, but, they add, "We pay the wages demanded and we reduce the number of the employed."

If there are a thousand workmen employed, getting $2 each per day, that would be a wage fund of $2,000 a day. If, when prices fall and business becomes dull, the employers should want to reduce the pay of each workman to $1.50 a day, and if the workmen, by striking, should prevent that decrease, and if, then, 25 per cent. of their number should be discharged, the loss to the working class, as a body, and to the community at large, would be the same as though the wages were reduced to $1.50 a day. Until these people who present statistics can show us how many laborers are left out of employment there is no possibility of arriving at any correct conclusion as to what the wage fund is and how much wages are paid.

The loss to society is much greater when 25 per cent. of the people are unemployed than if all continued at work upon a 25 per cent. reduction of wages, because the relegation to idleness of 25 per cent. of the workmen reduces the producing force and lessens correspondingly the aggregate annual production.

INTEREST OF THE MINING STATES IN THE REMONETIZATION OF SILVER.

Those who in the Senate and in the other House of Congress represent mining constituencies are taunted with the selfish purpose of advancing the interests of their own States at the expense of those of the country. It is sought to discredit the State which I have the honor in part to represent on this floor, on the ground that the people, being largely silver miners, have a personal interest in the remonetization of silver.

The silver miners, Mr. President, need no defense here or elsewhere. They have asked no favors from the Government and ask none now. They are bold, adventurous, and self-reliant men, who have wandered across alkaline deserts and over pathless mountains, braved the assaults of hostile savages, the miasma of the Isthmus, and the storms of the Cape, and have planted the flag of a high civilization on the western confines of this Republic. No more patriotic or public-spirited class of citizens can be found within the borders of the Union. Their business is an honorable one. When they entered upon it they, in common with other citizens, had the warrant of time and the authority of all writers and thinkers on political economy for the belief that silver was, and would ever be, a money metal, entitled to that full credit which from time immemorial had been accorded to it. Silver, equally with gold, had been consecrated by all the ages to the money use, and was dedicated to such use by the Constitution of the United States.

When the Constitution declared that Congress should have power "to coin money and regulate the value thereof" and that "no State shall * * * make anything but gold and silver coin a tender in payment of debts," it warranted the belief, on the part of all who adopted the calling and undertook the business of mining, that gold and silver would continue to be money metals in the sense in which they had been for thousands of years in the past. The silver miners were warranted in presuming that when the Constitution esteemed so highly the legal-tender function in the two metals, gold and silver, as that it prohibited the States from making anything a legal tender except coin of those two metals, it would not warrant the Congress of the United States in taking from one of those metals the power of legal tender and conferring that imperial function exclusively on the other. Silver mining is a business requiring for its successful prosecution skill, experience, and energy, while nine-tenths of the gold of the world has come from placers, requiring neither organization, capital, nor skilled labor.

The production of gold is much more a matter of accident and much more liable to fluctuation than is the case with silver. The silver miners therefore had a right to believe that so long as 23.22 grains of pure gold should be entitled to recognition as one dollar 371.25 grains of pure silver would continue to be entitled to like recognition as one dollar and would possess the legal-tender function as such for the liquidation of all debts, public and private. On the strength of this warranty of the Constitution and of the unbroken experience of the ages, large sums of money were invested in mining property and in the employment of labor to develop the mines of the country. On the strength of this belief and conviction, shared in by all the people of the United States, that gold and silver would both remain the money metals of the world, debts to an enormous extent were incurred, and it was confidently believed that both metals would for all time be available for the payment of those debts.

The silver miners had learned from the history of mining, as well as from hard and bitter experience, that the mines might at any moment cease to yield, in which case their occupation would be gone and the capital invested would be a total loss. But they did not suppose that the verdict of all time would be reversed or that the implied warranty of the Constitution of the United States would be disregarded. They did not believe that either one of the money metals would ever be demonetized. And if a doubt had entered their minds on that subject they would naturally suppose that gold rather than silver would be demonetized, gold being too limited in quantity to answer alone the purposes of money in a rapidly advancing civilization, its yield being uncertain and capricious, and the prospect of a continued and sufficient supply becoming less from year to year.

But, Mr. President, the degree of special interest which the mining States have in this measure is not to be compared with that of the other States of the Union.

According to the report of the Director of the Mint, the total quantity of silver produced in the United States in the eleven years from 1878 to 1888 inclusive was 406,210,000 fine ounces. According to the same authority the commercial value of that silver was $436,260,000 and the coinage value $525,145,000. A very simple process of arithmetic shows that the difference between the commercial and the coinage value of that silver was $88,885,000, or an average of $8,080,544 each year. Assuming that amount to have been the annual difference between the coinage and commercial value of silver for the five years preceding 1878, we must add to the $88,885,000 the sum of $40,402,220, making a total of $129,287,220 as the amount which the silver miners, not of Nevada, but of the whole United States in the seventeen years ending 1889, lost by the demonetization of silver.

Having thus demonstrated in dollars and cents the degree of selfishness which, as is charged, is the motive of the miners in advocating the remonetization of silver, let us glance at the degree of selfishness which may be said to impel other classes of the community to advocate the same cause.

INTEREST OF THE NON-MINING STATES IN REMONETIZATION.

The price of cotton for the year 1873, in gold or silver (then of equal power), was 16.4 cents per pound. The price in 1889 was 9.9 cents.

The yield of cotton for 1889 was 7,000,000 bales, or 3,500,000,000 pounds.

Had not silver been demonetized that cotton would have brought as good a price to-day as it did in 1873. At the price of 1873 the account would have stood 3,500,000,000 pounds, at 16.4 cents, $574,000,000. At the price of 1889 the account stands 3,500,000,000 pounds, at 9.9 cents, $345,500,000, showing a loss in debt-paying and tax-paying power on cotton alone (only one article of merchandise) in the single year 1889, by reason of the fall in prices caused by the demonetization of silver, of $227,500,000.

Having shown that the loss to the silver miners by the discount on silver for the seventeen years from 1873 to 1889 was less than $130,000,000, it will be seen that the loss in one single year to the cotton planters of the United States is greater by $90,000,000 than the total loss for the entire seventeen years to the silver miners of the country.

But, inasmuch as the cotton crop of 1889 was exceptionally large, I will, for the purpose of my computation, discard it, and assume instead that an average yield for the years between 1873 and 1889 would be 5,000,000 bales per annum—which is a fair average and by no means high—5,000,000 bales, of 500 pounds each, are equal to 2,500,000,000 pounds.

At the price of 1873 the result of each year would be 2,500,000,000 pounds, at 16.4 cents, $410,000,000.

According to the figures given by the Bureau of Statistics the average price received each year of the seventeen was 13.1 cents per pound; 2,500,000,000 pounds, at 13.1 cents per pound, equal $327,000,000, showing a difference of $83,000,000, that being the average each separate year for seventeen years, or a total sum for the entire period of $1,411,000,000, which represents the loss in debt and tax paying power suffered by the cotton-planters by reason of the demonetization of silver.

This is the enormous tribute which has been exacted of the cotton industry of this country in behalf of the gold "standard" and of those who, for their own pecuniary advantage, cunningly induced the Congress of the United States to demonetize silver. This is the sum which the planters of this country have lost in debt-paying and tax-paying power by that mad act of folly. As will be seen at a glance, it is a loss vastly in excess of that suffered by the silver States in the discount on the price of silver bullion.

So that, if the silver miners are taunted with having a personal interest in the success of the movement for the full remonetization of silver, the cotton planter must be placed in the same category, and with tenfold more reason.

A like computation with regard to wheat will show a loss in debt-paying and tax-paying power of not less than $100,000,000 a year to the farmers of the North and West, by reason of the demonetization of silver, a total of $1,700,000,000 in the article of wheat alone in seventeen years.

Thus a loss, wholly unnecessary, of more than $3,000,000,000 in debt-paying and tax-paying power is shown to have been inflicted on the farmers and cotton-planters of this country.

In comparison with this enormous loss to farmers and planters, how paltry is the loss of $8,000,000 a year suffered by the silver miners.

But, however large the direct loss to the debtors and to the country by reason of falling prices, the losses that are indirect are of infinitely greater magnitude and stand out like a great mountain of wrong superimposed upon the most deserving class in the community, whose interests it should be the paramount duty of Government to protect, a wrong more calamitous in its consequences than any of the multitudinous wrongs which a shrinking volume of money inflicts upon society.

ENORMOUS LOSS OF POTENTIAL WEALTH THROUGH INVOLUNTARY IDLENESS.

The political economist, Mr. President, deals with property *in esse* and producers employed. I propose for a moment to deal with property *in posse* and producers unemployed. The wealth which the political economist discusses is realized wealth; that to which I now briefly invite your serious consideration is the wealth that might be and would be brought into existence were the energies of all the people utilized. For, while it has attracted but little attention from writers on economic science, it will be found upon examination that the non-employment of its members is incomparably the greatest loss which an increase in the value of money and the consequent disorganization of industry inflicts on society.

The great writers and thinkers on economic subjects discuss with care the elements that enter into the production and distribution of wealth. They follow in detail the manufactured article through all its stages, from the crude material to the finished product; and, when completed, they conduct it through the intricate channels by which it reaches the hands of the consumer. The greatest consideration is bestowed upon the labor employed and the wealth resulting therefrom, but scarcely any thought is given to the immeasurable mass of potential wealth not produced, but lying latent in the brains and hands of the millions who are condemned to involuntary idleness.

While no mere sum in arithmetic can represent the enormous loss suffered by a nation through this cause, let us see whether we can arrive by figures at an approximate conception, at least, of the loss of wages which it entails upon the working masses, and the corresponding loss of wealth to the country.

The most thorough and painstaking investigation into the conditions of labor in this country has been that which for many years has been conducted by the Massachusetts Bureau of Labor. Its work has been universally admitted to be free from bias and devoid of all attempt to establish any special hobby or to force, by figures, the proof of any preconceived theory.

SOME STATISTICS OF THE UNEMPLOYED.

An examination of the work of that bureau shows that, in 1887, there were 816,470 persons engaged in wage-earning in the State of Massachusetts. Of those, 241,589, or nearly 30 per cent., were idle during some part of the year, ranging from one to six or more months. The average of their unemployed time was about four months, or one-third of the year.

Now, 240,000 people idle for one-third of their whole time is equivalent, in money loss, to the total idleness of one-third of that number, or 80,000 people, for the entire year. The whole number of persons enrolled for labor in the State being 816,470, this is equivalent to the total idleness of one-tenth of the people engaged in all occupations.

If a number equivalent to one-tenth of the people in all occupations are idle twelve months in the year in a State like Massachusetts, where labor is better organized, better classified, and more efficiently ordered than elsewhere in this country, it can not be presumed that any other State of the Union will exhibit a smaller proportion of unemployed laborers.

The Census Report of 1880 states the number of persons employed in all occupations as 17,392,099, out of a population of 50,155,783, or a percentage of 34.68 of the entire population. Our present population being not less than 65,000,000, if we assume, as we are warranted in doing, that a like proportion of the population is engaged in occupations of all sorts, it is clear that we have to-day a working population of 22,254,000 persons.

Accepting as correct the careful deductions from the reports of the Massachusetts Bureau of Labor that a number equivalent to 10 per cent. of the people are always out of employment we find that at the present time there are 2,250,000 persons involuntarily idle in this country. How faintly does the term "the army of the unemployed" describe this vast number of eager and willing men seeking in vain the opportunity to earn a livelihood for themselves and families.

Were the business of the country in the active condition in which it could not avoid being if our money system were perfectly adjusted to industry and if employers were competing for laborers with the same degree of eagerness that laborers are competing for employment, the average wage of a day for a working man would not be less than $2. This would make but the moderate sum of $50 a month for each workman, which, under the most thrifty system of household economy, can not be considered more than enough for the support of an American family.

WAGE LOSS FROM INVOLUNTARY IDLENESS.

By multiplying the number of persons thus shown to be idle by this moderate average wage, we arrive at the amount of $4,500,000 as the daily sum which is lost to the wage-earners of the United States by the non-employment of labor. This is a money loss of $27,000,000 a week, $117,000,000 a month, or the amazing sum of $1,404,000,000 a year. A saving of this sum for a year and three months would pay our entire national debt. This being the loss in a single year, we can imagine (making due allowance for difference in the numbers of the population) how stupendous has been the loss to the nation during the past seventeen years, a loss exceeding incomparably all other losses whatsoever.

If a crop of wheat be lost, it is appropriately noted as a public misfortune; if a city be burned down or swept away by flood, it is properly regarded as a great national calamity and the sympathies of all the people go out in unstinted measure to the sufferers. But here is a loss as real and as deplorable as any ever caused by flood or fire, a loss whose consequences, while not so apparent, are as destructive to national prosperity as the burning of ten cities, or the occurrence of one hundred and forty Johnstown disasters every year, and always to the people who can least afford it. Yet it passes almost wholly unheeded except by the sufferers.

A war that would take a million of men from industry and deprive the country of the production which would result from their labors would be regarded as a calamity of unsurpassable magnitude, yet a shrinkage in the volume of money relatively to population withdraws much more than that number from productive pursuits and, without the salutary discipline and restraints of military life, subjects them to conditions of which the unavoidable results are poverty and crime.

Imagine, Mr. President, the unhappiness, discontent, and even despair implied in the mere statement that 2,000,000 men are constantly out of employment, or, what amounts to the same thing, that three times that number are idle for four months in the year! Imagine what it means to the working people of this country to be deprived of the enormous sum of $1,400,000,000 a year.

But, aside from the effect on the individual, what benumbing consequences are entailed upon the nation by the idleness of so large a number of its people. The loss of the wealth which the labor of those men might have created is a loss never to be retrieved. When the money volume of a country is sufficient to keep prices from falling, and thus to encourage capital to seek productive enterprises, in which labor is employed, every willing man is kept at work, and no country can enjoy any higher degree of prosperity than when all its people are employed and the products of their labor are equitably distributed.

Much, I believe, of the prejudice against silver money arises from an idea, conscientiously entertained by many, that gold money has the greater "intrinsic value." I shall, therefore, Mr. President, at the risk of being a little abstruse, discuss that point.

MEANING OF VALUE.

No discussion of the subject of money can be intelligently conducted without a correct conception of the meanings attaching to the terms employed, for a misconception of those meanings is the root of much of the confusion and difficulty by which the subject is surrounded.

"Value" is a word which, of necessity, is more frequently used—and, I will add, more frequently misused and misunderstood—than any other employed in the discussion of economic science. Volumes have been written upon it, and yet, from the daily misapplication of the word in leading magazines and newspapers, it is evident that its meaning is very imperfectly understood.

The idea involved in the word "value" is so broad and pervasive that within the limits of a speech it would be impossible to discuss it in all its bearings. I shall not, therefore, at this time, do more than present what I conceive to be a basic definition of it.

Value is human estimation placed upon desirable objects whose quantity is limited and whose acquisition involves sacrifice. In order that an object may have value it must not only be the subject of human desire, but there must be a limitation of its quantity and its acquisition must demand a sacrifice from him who would obtain it. The term "intrinsic value" is used by many writers with a total disregard of the idea involved in the word *value*. An article may have estimable qualities that are intrinsic, but no article whatever can have intrinsic value. Its "value" is the mental estimation of its qualities, as modified by the limitations of its quantity and the amount of sacrifice necessary to obtain it. In other words, value is subjective, not objective. In economic discussion, however, value is treated as though it resided in the object, rather than in the mind, and while, for convenience, I may occasionally use it in that sense, it is important to bear in mind the distinction.

In that acceptation, value is usually divided into value in use and value in exchange. Certain esteemed qualities of an object may make it of great value in use; but unless its acquisition demand sacrifice it can have no value in exchange. It is only with this class of value that economists deal. No matter how important the intrinsic qualities of any article may be, if there be no limitation of its quantity and its acquisition requires no sacrifice, it can have no value in the sense in which the word "value" is used in political economy. The air has qualities inestimable to mankind; it must be regarded as incomparably the most useful of all the objects of human desire; yet it has no value because there is no limitation of its quantity. By reason of its universality and accessibility, air requires no sacrifice to get it. If, however, circumstances should render air limited in quantity it is conceivable that it might become of surpassing value. A man confined in the Black Hole of Calcutta would give a fortune for free access to air. So water, where freely obtainable, without sacrifice, although indispensable to life, has no value in the economic sense, no value in exchange. But when not so obtainable, as in populous cities, where sacrifice of time and labor would be necessary to obtain it from river, lake, or spring, people pay

for the convenience of having it in their homes. The indispensable prerequisites of value in all objects are utility—either actual or attributed—combined with limitation of quantity and the sacrifice necessary to be made in order to obtain it.

But value is not a property inhering in any article itself. It is not intrinsic. If the value were inherent or intrinsic it could not be taken away.

To illustrate: A generation ago the cradle with which wheat was harvested was said to possess intrinsic value. It was undoubtedly one of the most useful of all the articles needed by man. All that was then in that machine is in it still, yet the value is gone. Had the value been something that was intrinsic, had it resided in the object, and not in the mind, that cradle would still be worth all that it ever was. So, on the other hand, an article may possess most estimable qualities, but if those qualities are not known or recognized by the human mind the article will have no value.

A few years ago cotton seed had no value as an article of general commerce. To-day it is exceedingly valuable, because it has been found to possess estimable qualities not before suspected.

Indeed so strongly does the idea of value rest upon the estimation of the mind that it is not even necessary for an article to possess in reality any desirable quality whatever in order to have value. It will be sufficient if such quality is popularly attributed to it. Numbers of instances could be cited in which there was present no element of value except limitation of quantity, added to a mere belief or conception of the mind that the article had desirable qualities. Many will remember that a few years ago a herb called "cundurango" was introduced into this country from Central America. It was generally believed to possess healing qualities in cases of cancer, and so came to have great value. As soon as this popular illusion was dispelled the article ceased to have even the slightest value.

Land, being indestructible and irremovable, is believed to be the embodiment of the idea of intrinsic value. Take, then, a lot on Madison avenue, New York; it is worth perhaps a thousand times as much as a lot of equal size in a village remote from the city. What proportion of its high price is derived from what is called its greater "intrinsic" value? A lot on that fashionable thoroughfare has no intrinsic attribute or quality that is not equally the attribute or quality of the village lot. The difference in its value, or, more correctly, the difference in the estimation in which it is held, as compared with that attaching to the village lot, is derived wholly from circumstances that are extrinsic, not from qualities that are intrinsic.

The action of society in utilizing land in the neighborhood of the city lot by building up around it gives that lot a value greater than one of equal size elsewhere.

But in order that a thing may subserve a useful or beneficent purpose it is not necessary that the quality which enables it to subserve that purpose should be intrinsic or inherent in the thing itself.

To apply this reasoning to the subject under discussion, whatever intrinsic qualities the metal, gold, may possess, they confer no force whatever on gold-money.

WHAT IS MONEY?

The money of a country is that thing, whatever it may be, which is commonly accepted in exchange for labor or property and in payment of debts, whether so accepted by force of law or by universal consent. Its value does not arise from the intrinsic qualities which the material of which it is made may possess, but depends entirely on the extrinsic qualities which law or general consent may confer.

Money is of transcendent importance to civilization. It is the physical agency to which society has assigned the function of measuring all equities, and it is the sole agency upon which that incomparable function has been conferred. It is in terms of money that society computes the material value of all human sacrifice, alike the highest effort of genius and the daily toil and sweat of the millions who labor.

In order to measure equitably the natural and inevitable mutations in the value of other things, money should itself be of unchanging value. That is to say, any given amount of money should, so far as human foresight can regulate it, require at all times an equal amount of sacrifice for its acquisition. Thus, in the case of a contract made to-day, requiring the payment of a dollar twelve months hence, that dollar when due should exact from the debtor precisely that amount of sacrifice, and no more, which would be required had he paid the debt the day after contracting it.

No one will deny that the most important quality that money can possess is that it shall truthfully measure and state equities.

As I have shown by the figures heretofore cited, gold has risen in value between 30 and 40 per cent. since the demonetization of silver. It is not therefore so faithful a measure of value as is silver, which, as illustrated by a variety of examples, has maintained almost undisturbed its relation to commodities.

VALUE OF MONEY, AS SUCH, NOT IN THE MATERIAL, BUT IN THE STAMP—MONEY IS AN ORDER FOR PROPERTY AND SERVICES.

The logic of the situation and the reasoning of all the leading authorities on money lead irresistibly to the conclusion that its value does not reside in the material, but in the stamp; in other words, on the legal-tender function impressed on that material. It is an order for property and services.

Aristotle, writing of money, says:

Money by itself * * * has value only by law, and not by nature; so that a change of convention between those who use it is sufficient to deprive it of all its value and power to satisfy all our wants.

And again he says:

But with regard to a future exchange (if we want nothing at present) money is, as it were, our security that it may take place when we do want something.

John Locke, in Considerations, etc., Regarding Money, published in 1691, says:

Mankind, having covenanted to put an imaginary value upon gold and silver, by reason of their durableness, scarcity, and not being very liable to be counterfeited, have made them, by general consent, the common pledges, whereby men are assured, in exchange for them, to receive equally valuable things to those they parted with, for any quantity of those metals; by which means it comes to pass that the intrinsic value regard in those metals, made the common barter, is nothing but the quantity which men give or receive of them, they having, as money, no other value but as pledges to procure what one wants or desires.

Bandeau, reputed one of the most eminent of an early school of French economists, says:

Coined money in circulation is nothing, as I have said elsewhere, but effective titles on the general mass of useful and agreeable enjoyment which cause the well-being and propagation of the human race.

It is a kind of a bill of exchange or order payable at the will of the bearer.

Adam Smith says:

A guinea may be considered as a bill for a certain quantity of necessaries and conveniences upon all the tradesmen in the neighborhood.

Jevons's Money and Exchanges, chapter 8, says:

Those who use coins in ordinary business need never inquire how much metal they contain. Probably not one person in two thousand in this kingdom knows, or need know, that a sovereign should contain 123.27447 grains of standard gold.

Money is made to go. People want coin, not to keep in their own pockets, but to pass it off into their neighbors' pockets.

Henry Thornton, in his work on Paper Credit, says:

Money of every kind is an order for goods. It is so considered by the laborer when he receives it, and it is almost instantly turned into money's worth. It is merely the instrument by which the purchasable stock of the country is distributed with convenience and advantage among the several members of the community.

John Stuart Mill says:

The pounds or shillings which a person receives are a sort of ticket or order which he can present for payment at any shop he pleases and which entitle him to receive a certain value of any commodity that he makes choice.

McLeod, Elements of Banking, Chapter I, says:

When persons take a piece of money in exchange for services or products, they can neither eat it, nor drink it, nor clothe themselves with it. The only reason why they take it is because they believe they can exchange it away whenever they please for other things which they require.

On that view of money McLeod feels justified in styling it credit, and he quotes, in support of such a use of the term credit, Burke's description of gold and silver as "the two great recognized species that represent the lasting conventional credit of mankind."

Prof. Francis A. Walker, Money, Trade, etc., page 25, speaking of carved pebbles, glass beads, shells, and red feathers, used as money in certain countries at certain times, says:

They were good money, though serving no purpose but ornament and decoration. They were desired by the community in general; men would give for them the fruits of their labor, knowing that with them they could obtain most conveniently in time, in form, and in amount the fruits of the labor of others.

On page 30 he says:

Men take money with the expectation of parting with it; this is the use to which they mean to put it.

Again, Mr. Walker says:

Money is that which passes freely from hand to hand throughout the community, in final discharge of debts and full payment for commodities, being accepted equally without reference to the character or credit of the person who offers it, and without the intention of the person who receives it to consume it, or enjoy it, or apply it to any other use than, in turn, to tender it to others in discharge of debts or payment for commodities.

Even Bonamy Price, who is wedded to the gold standard, in his Principles of Currency, says:

Gold, in the form of money or coin, is not sought for its own sake, as an article of consumption. It must never be regarded as valuable except for the work it performs, so long as it remains in the state of coin. It can be converted at pleasure into an end, into an article of consumption, by being sold; till then it is a mere tool.

How many people ever so "convert" it that earn it?

The great philosopher, Bishop Berkeley, one of the most acute reasoners, in my judgment, that modern times have produced, in The Querist, published in 1710, propounds the following pertinent and suggestive questions:

Whether the terms "crown," "livre," "pound sterling," etc., are not to be considered as exponents, or denominations? And whether gold, silver, and paper are not tickets or counters for reckoning, recording, or transferring such denominations? Whether, the denominations being retained, although the bullion were gone, things might not nevertheless be rated, bought, and sold, industry promoted and a circulation of commerce obtained?

Dugald Stewart, professor of moral philosophy in the University of Edinburgh, in his Lectures on Political Economy (Part I, Book II), said:

When gold is converted into coin, its possessor never thinks of anything but its exchangeable value, or supposes a coffer of guineas to be more valuable because they are capable of being transferred into a service of plate for his own use.

Why then should we suppose that, if the intrinsic value of gold and silver were completely annihilated, they might not still perform, as well as now, all the functions of money, supposing them to retain all those recommendations (durability, divisibility, etc.) formerly stated, which give them so decided a superiority over everything else which could be employed for the same purpose?

Supposing the supply of the precious metals at present afforded by the mines to fail entirely the world over, there can be little doubt that all the plate now in existence would be gradually converted into money, and gold and silver would soon cease to be employed in the ornamental arts. In this case a few years would obliterate entirely all trace of the intrinsic value of these metals, while their value would be understood to arise from those characteristical qualities (divisibility, durability, etc.) which recommend them as media of exchange. I see no reason why gold and silver should not have maintained their value as money, if they had been applicable to no other purposes than to serve as money. I am therefore disposed to think, with Bishop Berkeley, whether the true idea of money, as such, be not altogether that of a ticket or counter.

Appleton's Cyclopedia, defining money, says:

Anything which freely circulates from hand to hand, as a common acceptable medium of exchange in any country, is in such country money, even though it ceases to be such, or to possess any value in passing into another country. In a word, an article is determined to be money by reason of the performance by it of certain functions, without regard to its form or substance.

BASTIAT'S DESCRIPTION OF THE CROWN PIECE.

Bastiat, in his Harmonies économiques, describing money, used the following illustration:

You have a crown piece. What does it mean in your hands? If you can read with the eye of the mind the inscription it bears, you can distinctly see these words: Pay to the bearer a service equivalent to that which he has rendered to society. Value received and stated, proved and measured by that which is on me.

No words could more correctly describe the unit in a properly regulated system of money. And, notwithstanding the attempt to discredit silver coinage, no piece of money, as I have already shown, would better answer, by its steadiness of value, this description of Bastiat's than would the American silver dollar if silver were remonetized.

So far as it applied to gold Bastiat's description was much nearer accuracy in his day than it is in ours. In his life-time the mints of France and of the Continent were open for the coinage of silver equally with gold, and the money supply of the world was not constantly narrowing by being limited to the yield of a single metal whose annual output would hardly more than meet the demand for the arts.

Were Bastiat alive at this time he would reform his description so as to make it read as follows: "You have an American gold piece. You have had it hoarded in a bank vault for fifteen years. What does it mean in your hands? If you can read with the eye of the mind the inscription it bears, you can distinctly see these words: 'Pay to the bearer 50 per cent. more service than he has rendered to society; value not received or stated on me, but resulting from a cunning manipulation of the law of legal tender, through the influence of the holders of gold and of obligations payable therein, and as a reward to the bearer for having had this money hid away and for depriving society of its use for seventeen years.'"

When people are found everywhere working for money and not for the things which they really need, it is clear that they are working for money, not because of the material of which it is composed, but because it is an order for property which they can at any time obtain by parting with the money. To modify and elaborate Bastiat's description of the crown piece, it might be said of the money unit of the United States under a properly regulated system:

"You have a dollar. What does it mean in your hands? If you can read with the eye of the mind the inscription it bears, you can distinctly see these words: To all to whom this may come: Greeting. This is a dollar—a unit of money—part of the great instrumentality created by society to effect the multitudinous exchanges of property and services among men. The amount of its command is constant, because the increase in the volume of money is regulated by the sovereign authority of the nation, with strict regard to the increase of population and demand; hence the value of this unit remains unchanging through time. It is an order for all property on sale and all services for hire, the proportionate amount of such property and service to which its possessor is entitled being fixed by the universal competition to get it."

GRESHAM'S LAW.

Many persons fear an outflow of gold from the operation of what is known as "Gresham's law," namely, that "bad money will expel good." Sir Thomas Gresham, a financier of Elizabeth's time, stated that if a number of the gold or silver coins of any given denomination were deprived of part of their pure metal, and so made cheaper than the remainder, a successful circulation of the coins thus deprived would result in the melting up or exportation of the coins of standard weight. Writing of this, Mr. Jevons (Money and the Mechanism of Exchange, American edition, page 84) says:

Gresham's remarks concerning the inability of good money to drive out bad only referred to moneys of one kind of metal. * * * The people, as a general rule, do not reject the better, but pass from hand to hand indifferently the heavy and the light coins, because their only use for the coin is as a medium of exchange. It is those who are going to melt, export, hoard, or dissolve the coins of the realm, or convert them into jewelry and gold leaf, who carefully select for their purposes the new, heavy coins—

And avoid the light or abraded coins.

There is, however, a theorem which applies to all money, but which was recognized long before Gresham's time, although it has been erroneously called an "extension" of the law or theorem of Gresham.

That theorem is this: If, in any country, there are two forms of money, each of which is a full legal tender and one of which can be obtained with less sacrifice than the other, the one requiring the less sacrifice will be the cheaper, and if the unit of that cheaper money will perform in every respect the same function in the payment of debts and settlement of all obligations that can be performed by the dearer money, then, for obvious reasons, the cheaper money will come into universal use and the dearer money will disappear. But it does not follow that the cheaper money is bad money nor the dearer money good money.

The best money is always the money of the contract, that is to say a money whose dollar, whatever it may be made of, is equal in value to the dollar of the contract. If the money of the contract is the cheapest money, then that is the best money, that is the honest money, and that is the only tolerable money.

If that be the sort of "cheap" money that drives out the dear money, then manifestly the dear money is bad money.

A distinguished official of the Government, who was before a committee of this body the other day, insisted that the proposed Treasury notes should be redeemed in the "best money." I asked him what was the "best money." "Why," he said, "the money that is worth the most." Now, it strikes me, Mr. President, that if you have borrowed a dollar and, through a badly regulated money-system, are made to pay a dollar worth 25 per cent. more than the dollar you borrowed, you are not paying the best money, but the worst money; not an honest dollar, but a swindling and dishonest dollar.

CREDITORS' DEMAND FOR THE "BEST MONEY."

The creditors tell us that all they want is "good money." They and their friends glibly insist that all obligations must be paid in "the best money." This is the delicate and plausible euphemism resorted to in order to gloss over and, if possible, hide from the world the odious and repulsive fact that what the creditors always want is the *dearest* money, the money that costs the people the most sweat and toil to obtain and which, as time passes, grows dearer and dearer.

This cry for "the best money" is at last beginning to be recognized for what it is: the cunning device of creditors to "catch the conscience" of the people and play upon the sense of fairness that characterizes the great mass of mankind. These interested parties affect to believe that gold is, by nature, the only money metal, ignoring the fact that until silver was displaced by hostile legislation it was and for four thousand years had been the principal money metal of the world. But they will no longer be permitted to hide their sinister purpose under the cloak of a demand for the "best money." The masses of the people are aroused on this subject and are beginning to understand it.

According to all fair canons of construction the best money should be and is a money of unchanging value, a money that exacts from the debtor the same amount of sacrifice that he bargained for, and which is all that the creditor is equitably entitled to receive. In other words, the money of the contract, not a money whose exactions are increasing at the rate of 2 per cent. per annum. As McCulloch says, debts being stated in dollars and cents, it is not possible for the creditor openly to augment his debtor's obligation by changing the figures of the debt.

But, Mr. President, while they can not change the figures of the debt, they are enabled, by a crafty manipulation of the money-volume, to do that which, to the debtor, means the same thing, as the following story will illustrate:

A usurer of the coarser type had lent $10,000 on a neighboring farm, for which amount he took the farmer's note, secured by a mortgage on the property. He coveted the farm, and in his anxiety to secure it took his banker into his confidence. He informed the banker that he wanted to get possession of this farm, but it would bring $15,000 under the hammer and he did not care to pay so much for it. "I have a subtle chemical," said he, "by which I can obliterate from the note and mortgage all trace of the rightful amount ($10,000), and, that done, I can insert $15,000. Then, with the genuine signatures on the note and mortgage I can bring suit, and as the farm will not bring more than the face of the note I shall succeed to the property."

His friend, the banker, however, advised against this course, which he characterized as not only dishonest, but vulgar, and as subjecting the perpetrator of the act to serious penalties. "Honesty" said the banker, "is the best policy." "But," he continued, "I can suggest a plan by which you may accomplish the same end without running counter to law or the views of society. Why not join our propaganda in advocacy of 'honest money.' Gold is decreasing in quantity, and as the world has been ransacked for it in vain it is likely to continue decreasing. If we can strike down the twin metal, silver, and devolve the entire money function on gold, it will double the purchasing power of money. Then the foreclosure of your mortgage will be sure to take your neighbor's farm, and probably leave him in your debt besides. Instead of being punished for this, you will receive the plaudits of the 'best society' for the *finesse* you have displayed and the firm stand you have taken in favor of honest

money, and you will take high rank among 'the wisest and most conservative of our financiers.' If your neighbor makes any objection to your action, you may be able to secure his incarceration as a lunatic, but, if not, he will come to be regarded in the community as a dishonest 'crank' who wishes to pay his debts in a depreciated money; for it is the constant and assiduous care of our guild to teach that only the dearest money, that which is the most difficult for the laborer, the farmer, and the mechanic to get, is honest money, and the dearer it is the more honest it is."

ALL MONEY SHOULD BE LEGAL TENDER.

To be of the fullest service to civilization whatever medium is used to do the work of money should have full money power; that is to say, it should be a legal tender. It is not sufficient that it will satisfy the demands of the Government for taxes.

Whatever is given out by the Government in payment for services rendered (and there is no other way by which payments can be made from the Treasury) should carry with it to him, who has rendered the service and receives the payment, the absolute assurance that in any need or in any contingency it will serve him as money. There is no other means by which society can be saved from the effects of panics and monetary crises.

With a watchful and intelligent regulation of the money volume and with the legal-tender function attached to everything that is in use as money and doing the money work, so that it will serve as a universal solvent, panics will be impossible. Under present conditions when panics come, credit money—money not endowed with the legal-tender function, which, under ordinary circumstances, has always been accepted—is refused, and thousands of millions of dollars' worth of property has been confiscated by creditors, because of the scarcity of legal-tender money. As time advances and the method of doing business on credit becomes more and more extended, the more palpable it becomes that society can preserve itself from these periodical convulsions only by broadening, under proper regulation, the legal-tender basis on which, in the ultimate analysis, all business rests.

MONEY A MEASURE OF VALUE.

There is nothing upon which the prosperity and happiness of a people so much depend as on the integrity of their measure of values.

It is universally admitted that, after the making of a contract requiring future delivery of a specified number of pounds, bushels, or yards of any commodity, it would be subversive of all equity and justice to change the capacity of the measure constituting the foundation of the contract. These measures, to be just, must remain unchanged. But how infinitely more important is it that money, which is the measure of all other measures, should itself be unchanged. Of what avail is it that the subordinate measures remain intact while this, the supreme measure, into which all others are finally resolved, is constantly changing? Its "value" is but another name for its purchasing or measuring power. In the case of all time contracts, therefore, any change in the value of money works a destruction of equity, and one of the first objects of society should be to maintain and enforce equities at all times and in all places. This, so far as money can effect it, can only be done by an intelligent regulation of the volume in circulation.

In a note to his edition of Adam Smith's Wealth of Nations, (page 502) Mr. J. R. McCulloch says:

> Money is not a mere commodity, it is also the standard or the measure by which to estimate and compare the value of everything else that is bought and sold, and if it be, as it undoubtedly is, the duty of Government to adopt every practicable means for rendering all foot-rules of the same length and all bushels of the same capacity, it is still more incumbent upon it to omit nothing that may serve to render money, or the measure of value—a measure which is undoubtedly of the greatest importance—uniform or steady in its value.

Though a measure of value, money is a much more complicated instrument than a yard-stick, pound weight, or bushel. Were it not so, a child could fix value with the same precision as an adult.

As value resides in human estimation, it will frequently vary as to the same object. An intending purchaser may have one notion of the value of an article, an intending seller another. Money, therefore, is a measure of value in the sense that it is a measure of the average human judgment—from which results price. As Mr. McCulloch says, no means known to science or art should be left untried to keep the value of money unchanging.

When a man promises to deliver money or makes any time contract, he makes a mental calculation as to what amount of property or of the product of his labor will enable him to meet his engagement. If he be a farmer, raising wheat, there passes through his mind the thought of the sacrifice and toil necessary to raise it and the quantity he can raise; if a cotton manufacturer, the cost of spindles, of looms, and steam-engines, the wages of labor, and interest on plant.

I knew a cotton manufacturer who wanted $10,000. His business was good. He was sober, honest, and industrious, had a thorough knowledge of his trade, managed his employés himself, and took the greatest pains to conduct his business on the strictest business principles. He wanted the money to make some improvements in his factory. He knew how many spindles and looms he had, how much could be done with a pound of cotton, how much it cost, and how much each spindle and loom would do. He said to a capitalist, "I know all about cotton spinning and weaving, and do not know anything about this thing called money, but I want $10,000 of it." Said he, "My cloth is worth 10 cents a yard; it sells at that rate in unlimited quantities by wholesale; nobody can make it any cheaper; but I am not working a gold mine; I am not manufacturing legal-tender paper money, and the only way I can get money is to swap my cotton cloth for it. I will give you my note for 100,000 yards of cotton cloth, which will be equal to $10,000, and will pay 2 inches a yard each year as interest."

This was satisfactory to the capitalist, and the note was made, signed, and delivered accordingly, and the improvements were made in the factory.

During the year everything went smoothly; the spindles and looms worked well, repairs to machinery were light; cotton had been bought at proper rates; and no improved processes had been discovered or applied in the production of cotton-cloth. There was no hitch in any direction.

At the appointed time, the creditor called for his cloth. "I am ready," said the debtor, "to pay the hundred thousand yards of cotton cloth, with interest." When he came to measure it off, however, he was astounded to find he was short. Some painful suspicions crossed his mind. It seemed as though somebody had either robbed him of cloth or else he had not manufactured as much of it as he had supposed. There did not seem to be so many yards of the cloth as there ought to be. He knew he had used the same number of pounds of cotton that it had been his custom to use for 100,000 yards of cloth and for 200,000 inches of cloth in addition; still, there was no denying the fact of the shortage.

He measured it again and again, and had finally to admit that he was unable to keep his engagement. This was a source of great distress to him. He could not sleep that night. But, the creditor being importunate, the cotton manufacturer next morning borrowed enough cloth from the proprietor of a neighboring factory and paid his obligation. But, not understanding how his carefully made plans had failed and in order to avoid similar mistakes in the future, he had an examination made of the yard-stick and found that instead of being 36 inches long the yard-stick he had used was 40 inches.

In talking the matter over with his neighbor, the cotton manufacturer said: "I have been swindled; they 'rung in' on me a lengthened yard-stick, by the measurement of which I have paid my debt, and I have therefore paid in reality more than I contracted to pay."

"Well," said the friend, "I do not see that you are any worse off than I am. I borrowed as much as you did and at the same time; but I agreed to pay my debt in money, and gave my note for $10,000 with interest. The increased command over cloth acquired by the dollars I have had to pay, caused by the demonetization of silver, has juggled me out of as much cloth as you have been juggled out of by the lengthened yard-stick. But you have one recourse; you can put into the penitentiary the man who 'rung in' the lengthened yard-stick on you, while the increase in the value of the dollar which I have paid has been effected in the name of the gold standard and honest money, and leaves me without recourse."

In its ultimate analysis, money is the yard-stick, the bushel, and the pound weight of commerce.

When you shrink the volume of money and so increase the measuring power of the dollar, you lengthen the yard-stick, enlarge the specific gravity of the pound and the cubical content of the bushel, in violation of all equities.

It is utterly impossible to secure a proper regulation of the money volume with gold alone, the yield of which has declined from an average of $130,000,000 a year between 1851 and 1873 to $105,000,000 a year between 1873 and 1889.

VALUE OF MONEY FIXED BY THE COMPETITION TO GET IT.

Everbody admits that the value of all other things is regulated by the play against each other of the forces of supply and demand. No reason has been or can be given why the value of the unit of money is not subject to this law.

WHAT IS THE DEMAND FOR MONEY?

The demand for money is equivalent to the sum of the demands for all other things whatsoever, for it is through a demand first made on money that all the wants of man are satisfied. The demand for money is instant, constant, and unceasing and is always at a maximum. If any man wants a pair of shoes or a suit of clothes, he does not make his demand first on the shoemaker or clothier. No man except a beggar makes a demand directly for food, clothes, or any other article. Whether it be to obtain clothing, food, or shelter—whether the simplest necessity or the greatest luxury of life—it is on money that the demand is first made. As this rule operates throughout the entire range of commodities it is manifest that the demand for money equals at least the united demands for all other things.

While population remains stationary, the demand for money will remain the same. As the demand for one article becomes less, the demand for some other which shall take its place becomes greater. The demand for money therefore must ever be as pressing and urgent as the needs of man are varied, incessant, and importunate.

WHAT IS THE SUPPLY OF MONEY?

Such being the demand for money, what is the supply? It is the total number of units of money in circulation (actual or potential) in any country.

The force of the demand for money operating against the supply is represented by the earnest, incessant struggle to obtain it. All men, in all trades and occupations, are offering either property or services for money. Each shoemaker in each locality is in competition with every other shoemaker in the same locality, each hatter is in competition with every other hatter, each clothier with every other clothier, all offering their wares for units of money. In this universal and perpetual competition for money, that number of shoemakers that can supply the demand for shoes at the smallest average price (excellence of quality being taken into account) will fix the market value of shoes in money and, conversely, will fix the value of money in shoes. So with the hatters as to hats, so with the tailors as to clothes, and so with those engaged in all other occupations as to the products respectively of their labor.

NO ALTERNATIVE FOR MONEY.

The transcendent importance of money and the constant pressure of the demand for it may be realized by comparing its utility with that of any other force that contributes to human welfare.

In all the broad range of articles that, in a state of civilization, are needed by man, the only absolutely indispensable thing is money. For everything else there is some substitute, some alternative; for money there is none. Among articles of food, if beef rise in price, the demand for it will diminish, as a certain proportion of the people will resort to other forms of food. If, by reason of its continued scarcity, beef continue to rise, the demand will further diminish, until finally it may altogether cease and center on something else. So in the matter of clothing. If any one fabric become scarce, and consequently dear, the demand will diminish, and, if the price continue rising, it is only a question of time for the demand to cease and be transferred to some alternative.

But this can not be the case with money. It can never be driven out of use. There is not and there never can be any substitute for it. It may become so scarce that one dollar at the end of a decade may buy ten times as much as at the beginning; that is to say, it may cost in labor or commodities ten times as much to get it, but at whatever cost the people must have it. Without money the demands of civilization could not be supplied.

Money was the most potent instrumentality in the evolution of society from a low to a high plane of civilization. It is valueless to man in isolation. It is indispensable to man in organized society. It is as necessary for the proprietary distribution of wealth as railroads and steamships are to its physical distribution. The aggregate force of the demand for money in any country depends upon the numbers of the population; with a stationary population the demand is steady; with an increasing population the demand increases; and in order to maintain undisturbed the equation of supply and demand the volume of money should be increased in at least a ratio corresponding to that of the increase of population.

There are certain circumstances that to some extent disturb the relations between population and money supply, such as the broadening of the areas of population and the multiplication of money centers. These circumstances might render necessary a larger percentage of increase in the money volume than would be indicated by the increase of the population.

But under any circumstances the smallest money-increase that will suffice to maintain the equity of time contracts is an increase corresponding to the increase of numbers of the population.

Under conditions of unvarying demand and unvarying supply the value of the unit of money would be unvarying. If, as population and demand increase, the supply of money be proportionately increased, there is no possibility of a change in the value of the unit of money.

The constant and unceasing effort to exchange services and all forms of property, which have but limited command over the objects of human desire, for money, that sole instrumentality that has unlimited command over such objects, is and ever will be eager, intense, and unwavering.

With population and consequent demand rapidly increasing how do the advocates of the gold standard expect to increase the money volume of the country in this proportion, while the yield of gold, instead of increasing in proportion to demand, is every day becoming less and less capable of meeting the requirements of the arts alone?

THE QUANTITY OF MONEY IN CIRCULATION SHOULD INCREASE IN A RATIO NOT LESS THAN THE RATIO OF INCREASE OF POPULATION.

It will be admitted that if the population of a country be increased by any given percentage there will be a proportionate increase in the demand for all articles that supply human needs. If the population increases by 3 per cent., there will be needed 3 per cent. more house-room, 3 per cent. more furniture, 3 per cent. more food, 3 per cent. more of all things that enter into consumption. These things can only be got by a demand first made on money. Then why not 3 per cent. more money?

The present monetary circulation of this country, including gold, silver, and paper, is represented to be $1,700,000,000. As our population doubles in thirty years, the rate of increase is 3½ per cent.

If the money volume be not increased by a proportion at least as great as this, the true relation between the supply of money and the demand for it will not be maintained. The demand increasing as the population increases, while the supply either does not increase at all or increases in a degree incommensurate with the demand, the money volume shrinks and the purchasing power of the unit becomes greater by reason of the increased keenness of competition to get it. This is but another mode of stating that the prices of all products of human labor decline. Prices falling, business ceases to be profitable, stores and work-shops close, and men are relegated to idleness.

QUANTITATIVE THEORY OF MONEY—THE VALUE OF EACH DOLLAR DEPENDS ON THE NUMBER OF DOLLARS OUT.

Thus by the universal competition to get it the value of the dollar is made to depend upon the number of dollars that are out. This is a principle that lies at the very foundation of the science of money. The law, stated broadly, is that the value of each unit of money in any country at any given time depends on the whole number of units in circulation in that country. The larger the number of units out, population remaining the same, the less must be the value of each unit; the smaller the number of units out, population remaining the same, the greater the value of each.

Notwithstanding the variance sometimes found between the premises and the conclusions of economic writers, there is no economist of repute who does not admit this to be a fundamental principle.

On the theory I have propounded, therefore, 3½ per cent. of $1,700,000,000, or $56,000,000, is the minimum amount of money that should be added to the currency of this country during the present year.

Assuming the population of to-day to be 65,000,000 and the ratio of its annual increase 3½ per cent., the population of next year will be 67,166,600. The percentage of monetary increase to be provided for that year should therefore be based on the increased number. And so on for each succeeding year.

I have thought best to collate a variety of citations from the most distinguished authorities on financial economy to support my contention that, *cæteris paribus*, the value of each dollar depends on the number of dollars in circulation.

John Locke, in his Considerations, etc., published in 1690, said:

Money, while the same quantity of it is passing up and down the kingdom in trade, is really a standing measure of the falling and rising value of other things in reference to one another, and the alteration in price is truly in them only. But if you increase or lessen the quantity of money current in traffic in any place, then the alteration of value is in the money.

Locke further said:

The value of money in any one country is the present quantity of the current money in that country, in proportion to the present trade.

The historian, Hume, says:

It is not difficult to perceive that it is the total quantity of the money in circulation, in any country, which determines what portion of that quantity shall exchange for a certain portion of the goods or commodities of that country.

It is the proportion between the circulating money and the commodities in the market which determines the price.

Fichte says:

The amount of money current in a state represents everything that is purchasable on the surface of the state. If the quantity of purchasable articles increases while the quantity of money remains the same, the value of the money increases in the same ratio; if the quantity of money increases while the quantity of purchasable articles remains the same, the value of money decreases in the same ratio.

James Mill, in his treatise on political economy, says:

And again, in whatever degree, therefore, the quantity of money is increased or diminished, other things remaining the same, in that same proportion the value of the whole, and of every part, is reciprocally diminished or increased.

John Stuart Mill (Political Economy) says:

The value of money, other things being the same, varies inversely as its quantity, every increase of quantity lowering the value and every diminution raising it in a ratio exactly equivalent.

And again:

Alterations in the cost of the production of the precious metals do not act upon the value of money, except just in proportion as they increase or diminish its quantity.

Ricardo (reply to Bosanquet) says:

The value of money in any country is determined by the amount existing. * * * That commodities would rise or fall in price in proportion to the increase or diminution of money, I assume as a fact that is incontrovertible.

Ricardo further says:

There can exist no depreciation in money but from excess; however debased a coinage may become, it will preserve its mint value; that is to say, it will pass in circulation for the intrinsic value of the bullion which it ought to contain, provided it be not in too great abundance.

In this case Ricardo's illustration is the supposed case of a country actually using one million gold pieces each containing 100 grains. He maintains that they would be of the same purchasing power, if the Government took out 1 grain, or even 50 grains, the quantity remaining the same, but that if, from the grains so deducted, an additional number of pieces were struck, a corresponding depreciation would result.

William Huskisson (The Depreciation of the Currency, 1819) says:

If the quantity of gold in a country whose currency consists of gold should be increased in any given proportion, the quantity of other articles and the demand for them remaining the same, the value of any given commodity measured in the coin of that country would be increased in the same proportion.

Sir James Graham says:

The value of money is in the inverse ratio of its quantity, the supply of commodities remaining the same.

Torrens, in his work on Political Economy, says:

Gold is a commodity governed, as all other commodities are governed, by the law of supply and demand. If the value of all other commodities, in relation to gold, rises and falls as their quantities diminish or increase, the value of gold in relation to commodities must rise and fall as its quantity is diminished or increased.

Wolowski says:

The sum total of the precious metals is reckoned at 50 milliards, one-half gold and one-half silver. If, by a stroke of the pen, they suppress one of these metals in the monetary service, they double the demand for the other metal, to the ruin of all debtors.

Cernuschi says:

The purchasing power of money is in direct proportion to the volume of money existing.

Prof. Francis A. Walker, in his work on Money (page 57), says:

The value of money in any country is determined by the amount existing.

Its [money's] power of acquisition depends not on its substance, but on its quantity. [Paulus, author of the Pandects, sixth century.]

Professor De Colange, in the American Cyclopedia of Commerce, article on "Money," says:

The rate at which money exchanges for other things is determined by its quantity. * * *

Supposing the amount of trade and mode of circulation to remain stationary, if the quantity of money be increased, its value will fall and the price of other commodities will proportionally rise, as the latter will then exchange against a greater amount of money; if, on the other hand, the quantity of money be reduced, its value will be raised, and prices in a corresponding degree diminished, as commodities will then have to be exchanged for a less amount of money. * * *

In whatever degree, therefore, the quantity of money is increased or diminished, other things remaining the same, in that same proportion the value of the whole and of every part is reciprocally diminished or increased.

A curtailment of the volume of money in a country will, *cæteris paribus*, increase the value of the money of that country. All the authorities agree that this law applies to all forms of money, whatever the material; so that it applies to paper money with precisely the same force that it applies to metallic money.

Mr. Stanley Jevons, in his work on Money and the Mechanism of Exchange, says:

There is plenty of evidence to prove that an inconvertible paper money, if carefully limited in quantity, can retain its full value. Such was the case with the Bank of England notes for several years after the suspension of specie payments in 1797 and such is the case with the present notes of the Bank of France.

Mr. Gallatin said:

If, in a country which wants and possesses a metallic currency of seventy millions of dollars, a paper currency to the same amount should be substituted, the seventy millions in gold and silver, being no longer wanted for that purpose, will be exported, and the returns may be converted into a productive capital, and add an equal amount to the wealth of the country.

In his Proposal for an Economic and Secure Currency Ricardo says:

A well regulated paper currency is so great an improvement in commerce that I should greatly regret if prejudice should induce us to return to a system of less utility. The introduction of the precious metals for the purposes of money may with truth be considered as one of the most important steps toward the improvement of commerce and the arts of civilized life; but it is no less true that with the advancement of knowledge and science we discover that it would be another improvement to banish them again from the employment to which, during a less enlightened period, they had been so advantageously applied.

Mr. J. R. McCulloch, in commenting on the principles of money laid down by Ricardo, says:

He examined the circumstances which determine the value of money * * * and he showed that * * * its value will depend on the extent to which it may be issued compared with the demand. This is a principle of great importance, for it shows that intrinsic worth is not necessary to a currency, and that, provided the supply of paper notes, declared to be a legal tender, be sufficiently limited, their value may be maintained on a par with the value of gold or raised to any higher level. If, therefore, it were practicable to devise a plan for preserving the value of paper on a level with that of gold, without making it convertible into coin at the pleasure of the holder, the heavy expense of a metallic currency would be saved.

It appears, therefore, that, if there were perfect security that the power of issuing paper money would not be abused—that is, if there were perfect security for its being issued in such quantities as to preserve its value relatively to the mass of circulating commodities nearly equal—the precious metals might be entirely dispensed with, not only as a circulating medium, but also as a standard to which to refer the value of paper.

In adopting a paper circulation—

Says Lord Overstone—

we must unavoidably depend for a maintenance of its due value upon the adoption of a strict and judicious rule for the regulation of its amount.

Lord Overstone further declared that—

The value of the paper currency results from its being kept at the same amount the metallic currency would have been.

Alexander Baring, in his evidence before the secret committee of the House of Lords in 1819, said:

The reduction of paper would produce all those effects which arise from the reduction in the amount of money in any country.

Prof. F. A. Walker says:

Let me repeat, money is to be known by its doing a certain work. Money is not gold, though gold may be money; sometimes gold is money and sometimes it is not. Money is no one thing, no group of many things having any material property in common. On the contrary, anything may be money; and anything, in a given time and place, is money which then and there performs a certain function. Always and everywhere that which does the money-work is the money-thing.

Sir Archibald Alison says:

The suspension of specie payment in 1797, making bank notes a legal tender receivable for taxes, by providing Great Britain with an adequate internal currency, averted the catastrophe then so general upon the Continent, and gave it at the same time an extraordinary degree of prosperity. Such was the commencement of the paper system in Great Britain, which ultimately produced such astonishing effects and brought the struggle [of the Napoleonic wars] to a triumphant close.

TRUE MONEY STANDARD.

The true money standard of any country is not the material of which the money is made. The standard is not a concrete object, but a numerical relation. It is the relation between the number of units composing the monetary circulation of the country and the numbers of the population.

It is the legal-tender function that constitutes money. It is the power which the law imparts to any material to pay debts and liquidate obligations. It can not for a moment be doubted that the money function, being conferred by the supreme authority, is the all-sufficient guaranty of the money value. There is no necessity for re-enforcing that value with any inferior value that may attach to the material on which the money stamp is placed. The money function is immeasurably the most important that can be conferred by society upon any material, and it is absurd to urge that that function is not of itself sufficient for the maintenance of the value of money. All the value that money can possibly have—the totality of value that can exist in the shape of money in any country—will attach to anything upon which the sovereign authority stamps it, whether the material on which the stamp is placed be gold, silver, paper, or anything else. Legislators or executive officers of the Government, by increasing or decreasing the volume of money, correspondingly decrease or increase the value of each unit of that money; for, no matter how many or how few the units may be, the total value of the money of the country will be comprised within the total number of those units. A change in the number of the units effects a proportionate change in the value of each unit, and, whatever the value of the unit may be, it is of the utmost importance that that value should remain undisturbed.

It is absurd to maintain that a gold unit, which, as time goes on, is constantly increasing in purchasing power, is a better unit than a unit of any other material that maintains unchanging value through time.

Whenever the business of the country accommodates itself to a given number of units, the only question for the Government to to deal with is to maintain that value as free from disturbance as possible; and according to all authorities on political economy that can only be done by increasing or decreasing the number of units in circulation in accordance with the demands of increasing or decreasing population.

If it be admitted that one of the most important offices of government is to see that the equities are preserved between its citizens (and, if this be not so, to what purpose are our courts of equity instituted?), then it can not be denied that it is one of the highest offices of government to see that money, which measures all equities and which must for all time continue to be the principal measure in the service of civilized society, shall be of unchanging value. It is impossible to secure this characteristic of uniformity in the value of money if we are to select as the only material on which to stamp the money function a substance whose yearly production is becoming more and more limited and the prospect of whose sufficient yield becomes less and less encouraging.

IF SILVER REMAIN DEMONETIZED AND GOLD CONTINUE INCREASING, WHERE IS THE WORLD'S FUTURE MONEY SUPPLY TO COME FROM?

If the distinguished authorities I have quoted are correct, that a diminution of the volume of money increases the value of the money unit—which is but another form of stating that it lowers prices and produces stagnation, distress, and discontent—what good reason can be offered by the advocates of the gold standard for confining the business of this rapidly growing country to a basis of gold, when it is well known that the entire stocks of gold and silver together are now insufficient to serve the purpose of the world's money and have to be supplemented and re-enforced by large issues of paper notes? Do they not reflect that the production of gold is constantly diminishing and is likely to continue to diminish? And do they not know that our population is growing at the rate of over 3 per cent. per annum and will double in thirty years? Do they mean that the money volume which serves a population of 65,000,000, and is far below the needs of that population, will suffice for the 130,000,000 of the next generation? To be sure, if we are to take no note of prices, the question is a simple one.

But prices must be taken into account. The entire money question is one of prices. When it is said that money is scarce, what is meant is that business is depressed and that money is difficult to get at the present range of prices. Should prices fall 25 per cent. money would be found plentiful enough to conduct exchange at the lower range. But when prices fall goods sell below cost, business is unprofitable, workshops are closed, and men are thrown into idleness. If lowering prices do not affect injuriously either the business or the prosperity of the country, then it makes no difference what the volume of money may be; a small amount will meet the requirements as well as a large amount. In that case, the gold standard is as good as any.

But if gold alone is sufficient to bear all the enormous monetary burdens of the Western world, why do the advocates of the gold standard admit the necessity for any more circulation? To be log-

ical, instead of favoring an increase of credit money, which has always lurking within it an element of danger to the business of the community, they should demand the retirement of the $347,000,000 of greenbacks and the $350,000,000 of coined silver, and base the business of the country exclusively on what they call "honest money." If that should be done all that could happen would be a fall in prices. Judging by the experience of the past it would not be surprising if the next move of the gold-standard men would be an agitation for the retirement and cancellation of the greenbacks. Such a movement is fully in harmony with the opinions of the gold-standard advocates for the past twenty years. Indeed, the Secretary of the Treasury who took charge of the finances at the opening of the last Administration, himself a banker, recommended the demonetization of the greenbacks almost as vigorously as he opposed silver.

MONEY VALUABLE ONLY FOR THE IMPORTANT SERVICE IT PERFORMS.

Money is valuable rather for the service which it performs than for the material of which it is composed.

When we consider the transcendently important character of the service which money performs—when we reflect that, without it, the achievement of an advanced civilization would be impossible, we can not escape the conclusion that, compared with the value of that service, the commodity value of any material on which the money function may be stamped is too trifling to merit serious attention.

This will be made clear by reflection on the necessities of the situation.

So long as society chooses to maintain the automatic or metallic-money system, it must be obvious that to escape the evils that would result from a sudden and overwhelming increase in the supply of the money-material as compared with the entire stock in existence, and the infinitely more serious evils that would result from a wholly insufficient yearly addition to that stock, it must have on hand an enormous accumulation of the metals on which the stamp is placed. It must be manifest that no material would be fit for universal acceptance for so important a function as money unless there were available so great a quantity of it that no sudden shock could be inflicted on society by ordinary fluctuations in the current yield or in the current consumption in the arts.

But, in the nature of things, a supply sufficient to effect that result would be so enormous as practically to destroy the market value of the material as a mere commodity if the money function and use were withdrawn from it.

THE MONEY DEMAND, NOT THE COMMODITY DEMAND, THAT GIVES GOLD ITS VALUE.

Mr. Giffen, the statistician of the London Board of Trade, in an article recently published in an English magazine, berating and deriding the bimetallists, maintains that it is not the demand for gold as money, but for gold as a commodity, to be used in the arts, that determines its value.

To prove his case, Mr. Giffen states that the supply of gold is about $95,000,000 per annum, the annual demand for the arts $60,000,000, or about two-thirds of the annual supply; while the demand for money is only $35,000,000, or about one-third that supply. He therefore argues that the art demand, being the greater of the two, contributes more largely to the maintenance of the value of gold than does the demand for that article as money. It is hardly necessary to point out the absurdity of this claim.

The commodity demand in any one year is not made upon the current year's supply, but upon the entire amount in existence, which, is estimated to be about $4,000,000,000. If the demand for the arts entirely ceased, would the addition, to the money volume, of the $60,000,000 now used in the arts produce any appreciable effect on the value of the $4,000,000,000 in existence?

On the other hand, what is the demand on gold for the money use? All the labor and all the salable property of the Western world are constantly offered in exchange for it. It is a moderate estimate to assume that each dollar is earned, demanded, and paid once a week, or fifty times in each year. This constitutes a total annual money demand of $200,000,000,000, compared with which colossal sum how inconsequential is the commodity demand of $60,000,000 in maintaining the value of gold.

The amount of gold annually used in the arts is not very definitely ascertained, but in 1886 it was estimated by the then Director of the United States Mint to be $46,000,000 per annum. Mr. Giffen estimated it at $60,000,000. It is my opinion that the arts forage on the money-stock of gold to the extent of about the entire annual yield. The bullion or commodity value of that metal being determined by its money value, whoever desires to use it for any purpose other than money, takes the bullion at its coinage value or else melts up the coin.

Were gold demonetized and deprived of its money function and its demand confined solely to that arising from its adaptability for various other purposes, the present stock of that metal on hand and in use as money would, according to the estimates of the Director of the Mint, supply the art demand for more than seventy-five years to come. But, assuming that the estimate of the Director of the Mint is too low and that my own is nearer the truth, there is at least fifty years' supply on hand. Were there fifty or seventy-five years' supply of any other commodity on hand in the market, what would be the commercial value of that commodity? What would be the value of copper, of brass, or of iron, if there were fifty or seventy-five years' supply of either of those metals in the market for disposal at one time? Nobody can pretend that any commodity of which there is an available supply on hand equivalent to the whole demand for fifty or seventy-five years can have any but the most trifling value.

Contrary, therefore, to the generally received conviction that the commodity demand is the dominating force in fixing the value of gold I maintain and insist that the commodity demand, if entering into the account at all, is insignificant. It is the supremely important *money* demand, as correlated to the supply, that fixes the value of all money of every description whatsoever.

The demand for gold as a commodity is limited and fluctuating, but when that metal is invested by law with the higher function of money, and thus constituted a common denominator of all values, that limited and fluctuating demand is changed to an unlimited and constant one, which fixes its value for other and inferior uses. If the commodity demand for gold were, as many believe it to be, essential to its acceptance as money, it would be a great misfortune to society. The happiness and prosperity of the world, if not wholly dependent upon, are largely influenced by, steadiness in the value of money, and this can not exist without steadiness in its volume. Whatever demand exists for gold as a commodity can only affect the volume of money injuriously—that is to say, by decreasing it. The admonition of history is that a deficiency in the money supply is more probable and infinitely more to be feared than an excess, and this deficiency is, in great measure, caused by the insidious and constant encroachment upon the precious metals of demand sfor them for other than the money use. When we contrast the magnitude of the world's interests and equities, which rest on steadiness in the value of money, with the comparative unimportance of the uses of the metals as commodities, it becomes apparent that the subjection of the value of money to disturbance from the demands for gilded signs, looking-glasses, bangles, and breast-pins is an evil for which society is but poorly compensated by the benefits derived from such uses.

Whatever other quality gold may possess than as the bearer of the money function is inconsistent with the healthful and proper exercise of the task assigned it as such. Whenever any portion of the metal is used for any other purpose than money it destroys the money and thus changes the value of every unit of money in circulation, for, as already stated—other things remaining unchanged—the value of each dollar depends on the number of dollars that are out. Without forewarning and without knowledge on the part of the people, large amounts of the money volume, on which so infinite a number of equities rest and on the basis of which all debts and time contracts have been entered into, are, as it were, surreptitiously abstracted and appropriated to other and always inferior uses, for by far the highest and noblest use of any material upon which the money function has been conferred is the money use. No other use can possibly be so high or so noble as that of maintaining all equities undisturbed.

It seems unworthy a highly developed civilization, which, as to all subjects other than money, regulates its affairs by the application of intelligence and bases its policies upon exact data, scientifically ascertained and correctly applied, to depend for its money system upon the accidents, makeshifts, and expedients to which primitive society, by reason of the limitation of its powers and the undeveloped condition of the human mind and hand, was compelled to resort. If the quantitative theory of money be correct—if the money standard be, as I insist it is, a steady and duly proportioned numerical relation existing between the units of population and units of money—it is the duty of society and government to see that as far as practicable that principle is put into operation.

The history of the production of the precious metals from the remotest ages demonstrates that under the automatic system of money this can only be effected by the unrestricted coinage of, and conferring the full legal-tender function on, both metals.

THE PROPOSITION THAT THE GOVERNMENT SHOULD LEND MONEY ON THE SECURITY OF REAL ESTATE.

If a change in the whole number of money units in circulation relatively to population and business do not affect the value of each unit, then no objection can be found to the proposition recently presented in the Senate by the distinguished Senator from California, which created some surprise among Senators. The resolution of that Senator contemplates a loan by the Government to holders of real estate based upon the security of the property and the issue of a large amount of Treasury notes for that purpose. Certainly, if a dollar, in order to perform properly the money function, must have in it or back of it a dollar's worth of material, there can be no safer security found than that suggested by the Senator from California, namely, the arable land of the United States.

It is the most absolutely secure of all securities; it can neither run away nor be stolen, it can not be burnt up, lost, or destroyed.

Arable land is, in and of itself, capable of supplying all basic wants, and must be always in demand, while gold, so far as concerns any use to which it is or can be applied, might be dispensed with altogether with scarcely any inconvenience to society.

Certainly money based on land would seem to be better than money based on gold. Senators who are sticklers for so-called "in-

trinsic value" money and "full-value" money should be found supporting that proposition. But it must, on reflection, be obvious that, other things remaining unchanged, whenever the total number of units of money (or dollars) in the circulation of a country increases, the value of each unit will decrease. It is an axiom of political economy that no amount of increase in the number of units of money in a country increases the aggregate value of the money of that country.

The aggregate value of the money in circulation in a country can, *cæteris paribus*, be increased only by an increase of population and business, that is to say, by an increase in the demand for it.

If, without increase of population, the money of a country be increased from, say, $1,000,000,000 to $2,000,000,000, the effect would be not to add to the aggregate value of the money of the country, but to decrease the value or purchasing power of each unit of the money, so that it would take ten dollars to buy what had before cost but five.

GOLD A FETICH—DEMAND FOR A STANDARD OF JUSTICE.

The history of the world affords no example of a money system regulated by human prescience and intelligent calculation. It is not too much to say that the money system of the world—the most important associative instrumentality of civilization, in so far as it is not controlled for their own advantage by the creditor classes—is practically the result of accident. We are even less logical than the ancients, for they availed themselves of the entire supply of money possible to their civilization and development. They used the full yield of both silver and gold, while we, in order to line the pockets of a privileged caste of money-lenders, reduce the money volume to the lowest possible minimum by discarding one of those metals and making all debts payable in the other.

Gold has been erected into a fetich by methods familiar to the pagan priesthood, who forbade investigation of the claims of their idol to the superstitious veneration of their followers. The quality of a universal standard claimed for gold has been set up by the classes which, like that priesthood, had interests to be served by the superstition. All things else may be subjected to the test of reason and argument, but the slightest approach to a scrutiny of the claims of gold as a much-vaunted universal standard of valuation has been repelled by interested casuists and sophists who constitute the sacred guard of the temple of the idol.

The people of this country, Mr. President, begin very seriously to doubt the sacredness of a so-called standard by which they have been robbed of thousands of millions of dollars, a standard that despoils and impoverishes the toiling masses in order to swell the plethoric pockets of the favored few. From all parts of the Republic we learn that the people have become aroused on this subject, that they have discovered gold to be a standard, not of valuation, but of spoliation and confiscation.

The world at large shares to a great extent in the doubts entertained by the people of this country as to the orthodoxy of the continuing worship of gold. Throughout all Europe the suspicion is beginning to make itself felt, among those who have no personal interest at stake, that the constantly appreciating value of this metal bodes no good to society, however advantageous it may be to the moneyed classes, and especially the money-lenders. It begins to be feared that there may be too long a persistence in this artificial standard and that the pressure upon the people, in the fall of prices and the increase of the burden of debt and of taxes, which multiply with time, may have serious consequences upon public order. The stock of gold, never half enough to meet the wants of the people anywhere, is year by year being drawn upon more and more for use in the arts, while the yield from the mines is decreasing and giving no promise of any material increase from any quarter.

The pressing need of the time, the standard for which the people are calling, is a standard of equity, a standard of justice, a standard that shall measure fairly and impartially the rights of both parties to a contract, that will not wrongfully and stealthily add to the burden of the obligation on either side, that will not, under the guise of fair dealing, rob one of the parties for the benefit of the other. The first indispensable step to a realization of that standard is the full restoration of silver to its rightful position as a part of the money of the world.

In any discussion of the question, it would be uncharitable not to make allowance for the force, on many conscientious minds, of what, to the free and unprejudiced inquirer, can only be regarded as an absurd and meaningless superstition, which, notwithstanding the advance of thought in other directions, still persists in disarranging the industries and vexing the civilization of an enlightened age. It is to the strength of this obdurate superstition that we must ascribe the horror with which many minds contemplate the possible loss to the country of a part of its gold.

FEAR OF THE OUTFLOW OF GOLD.

Any prospect of the outflow of gold is regarded as the opening of a veritable Pandora's box, from which must issue forth all the evils that can afflict mankind.

It is to this fear, no doubt conscientiously entertained, that we must attribute the declaration of the President of the United States that we do not dare to tread on the edge of so dangerous a peril. It is not difficult to make the statement, but it will be very difficult to prove that we stand on the edge of any peril whatever if most or even all our gold should go.

We heard this same apprehension expressed, and with equal, if not greater, force twelve years ago, when the silver question was before this body. We were then assured by the ablest of our so-called "financiers" that the country would be denuded of its gold and that all manner of dreadful catastrophies would result. The prospect was represented to be appalling, although I do not remember that any reasons were given to show how or why gold should leave the country, nor that any statement was made as to exactly how this country would suffer if it did leave.

For my own part, Mr. President, I regard it as a matter of very little consequence whether gold goes out or not. Certainly if, in order to retain gold, we must sacrifice justice, then I say let gold go.

It is not of so much consequence that we should retain gold for the benefit of a small coterie of importers as that we should preserve the equity of time contracts between the millions of our own people who import no foreign goods. It is monstrous to think of violating all equities in time transactions—and nine out of every ten of our domestic business transactions are of that character—for the absurd and inconsequent purpose of keeping in this country some particular commodity, whether it be designated as money or otherwise.

The hoarding or the outflow of gold is a hardship when, under the law, somebody is obliged to have it, as was the case during the war, when gold alone would pay duties on imports. Combinations to hoard gold at that time frequently involved great loss to the importer. But, thanks to the silver legislation of 1878 and other legislation making our Treasury notes receivable for customs dues, no damage could now result from any attempted corner in gold.

The creditors of this country never can convince the enterprising and energetic people who form the debtor class that it is to our interest that a certain material shall be kept in the country as money, if the expense of keeping it is that the debtors shall continue to be despoiled as they have been for the past fifteen years.

If we can only retain gold at the expense of steady and unwavering prices and at the expense of a steady and unchanging value in money, then the quicker gold goes out the better. The constantly increasing value of gold by reason of its increasing scarcity means the constantly increasing burden of all debt and involves the final absorption of all the property of the country by the creditor classes. Under the operation of the present system, by which prices are constantly falling and money is constantly increasing in value, the surplus earnings of the people are flowing in a steady stream into the vaults of money-lending institutions and into the pockets of creditors.

In a very intelligent article published in a late number of an influential magazine—the Political Science Quarterly—there is the significant statement, apparently derived from the best sources, that in the year 1879–'80 one-half of all the mortgages in the State of Indiana were foreclosed.

It were better for society that property should at once be confiscated than that the great masses of the people in every community should have to struggle through years of painful and exhausting effort in the face of constantly falling prices and then in a large percentage of cases to lose their property at last. But this can not be avoided so long as we attempt to keep up what is called the gold standard. It is a necessary consequence of the gold standard that we shall have the scale of prices that obtains in gold-standard countries. If the presence of gold in this country is to destroy our people, who doubts that it should go? If its presence is to result in the destruction of equity and justice, who doubts that it should go?

Nearly every witness who testified before the secret committee of the House of Commons in 1857 agreed that gold could only be held by paralyzing the business of the country. It is estimated by witnesses who testified before that committee that in the panic of 1847, in Great Britain, the property of the country, by reason of the measures rendered necessary to maintain the single gold standard, was depreciated $1,500,000,000. I commend that report to the careful and serious perusal of the advocates of the single gold standard in this country.

Among the witnesses before the committee were John Stuart Mill, Lord Overstone, and many other men distinguished in the world of letters and finance. I am informed by the Librarian of Congress that there is but one copy of the work in the United States. It would be well worth while for Congress to order a number of copies of it printed, for there is no work with which I am acquainted that contains so much practical information as to the working of the single gold standard. According to the testimony taken before that committee, the experience of Great Britain since 1819 shows that gold alone, even when re-enforced by paper money convertible exclusively into gold, instead of being a beneficent instrument of valuation, has proved a cruel instrument of injustice.

RATIONALE OF THE MOVEMENT OF GOLD.

A brief consideration of the causes which affect the movement of gold will not be out of place in this connection.

Why is it that gold leaves one country and goes to another? For one reason only: the advantage of its owner. Whenever he can make a profit by sending it out, the gold goes; and the period when that profit can be made is indicated when the prices of goods that are in-

ternationally dealt in are either rising in the country which it leaves or falling in the country to which it goes. It is only to pay for importable goods that gold ever leaves the country in which the owner resides. Being an international money and receivable everywhere at its full face value, gold loses nothing by transfer; hence it is sent wherever it will for the time being have the greatest purchasing power.

Whenever the general range of prices in this country of commodities internationally dealt in becomes higher than the general range of the same commodities abroad, it is manifest that then gold can be used to advantage by purchasing those articles abroad and selling them here. If the gold that goes out goes from stock that has been hoarded here, the outflow has no immediate or direct effect upon prices in this country, although, by increasing or "inflating" the volume of money abroad, it assists in raising prices there and thus tends to secure for our exported products a better price in the foreign market. But if the gold goes from the amount that is in active circulation here and if the void created by this outflow is not filled with other forms of money, such as silver, or paper, it results in a reduction of the volume of money in actual use in this country, while at the same time increasing the volume of money abroad.

This increase in the foreign money stock causes a rise of prices abroad, while the corresponding reduction of our currency causes a proportionate fall of prices here; hence there is a constant tendency to an equilibrium of prices of all articles of international commerce.

No outflow of gold would follow a rise of prices here except in so far as that rise affected articles internationally dealt in. No rise of prices of such articles as we do not import would tend in any way to drive out gold. If, for example, raw cotton should increase in price in this country, that fact would not tend to drive out gold, because we do not import raw cotton. But should the prices of articles of manufactured cotton rise here above what those same articles could be bought for in any foreign country our merchants would send abroad for them, provided that, after paying the freight charges and customs dues, they could make a profit on them.

So, also, if crockeryware were made in this country and its price should rise to, say, double the present price, then, instead of buying the American, or home-made article, our crockery merchants, finding that they could buy in England, France, or Germany cheaper than they could buy in this country, would decline to buy the American crockery, and would send abroad for any article, provided that, after paying freight charges and customs dues, they could sell it here at a profit. That would tend to increase the shipments of gold to foreign countries.

That an outflow of gold does not follow from a rise of general prices, but only of prices of articles of international trade, is manifest from the fact that if land becomes cheap in other countries gold does not leave this country to buy it. When real estate is cheap in Brazil, or Australia, or in Germany, France, or even England, the owners of gold in this country do not send it abroad to make purchases of real estate.

So wages of labor may rise in this country, or compensation for all manner of services that must be performed here, and gold would not leave as a consequence. But if cloth were cheaper, quality considered, in England, France, or Germany, or at the remotest ends of the earth than in this country, our merchants would send gold for it in order to sell it here at a profit.

Altogether too much importance is attached to the possession of a large stock of gold, unless that stock form part of the active circulation of the country. So long as it remains in circulation it sustains prices and develops industry and internal commerce. But the tendency of gold being to find the most profitable field for operation, its continued presence in the country can never be relied upon.

When we take gold from other countries prices in those countries fall, owing to the reduction of the volume of money there and owing also to the action of the foreign banks in immediately raising their rates of discount on commercial paper and suddenly calling loans. As there is less money left in such country with which to pay for commodities, we are obliged to accept lower prices for the products we ship to it.

The larger the stock of gold, therefore, accumulated by us the lower, necessarily, must be the price which we can receive for our surplus agricultural products.

In order to maintain parity between the metals, it is not necessary for us to have all the gold we now have; $200,000,000 or even $100,000,000 of gold would maintain that parity. The parity between the metals can never be broken until all the gold leaves, and, provided we retain one or two hundred million, the rest can not be placed more advantageously than where our languishing surplus products must be sold.

When gold leaves this country it is because prices here are rising. Prices are now lower than they have been since 1847. Must they continue declining in order that we may be able to retain all our gold? It is manifestly impossible for the people of this country to prosper with a constantly lowering range of prices. It is equally impossible for the present level of prices to be maintained with a constantly increasing demand for, and as constantly diminishing a supply of, gold. It is universally admitted that an increase in the money circulation of this country at the present time is an exigent necessity. The advocates of the single gold standard, while admitting that we must increase our money volume, the effect of which must be to maintain, if it does not raise, the level of prices here, insist that we shall let none of our gold go in order that prices abroad may rise.

Mr. BLAIR. May I ask the Senator a question?

Mr. JONES, of Nevada. Certainly.

Mr. BLAIR. Does the Senator mean to be understood that the falling of prices is an absolute demonstration of the increased value of the money without limitation?

Mr. JONES, of Nevada. I have already, in the early portion of my remarks, had occasion to state that when a fall in prices was brought about by a larger subordination of the forces of nature to the uses of man, as where the comforts and conveniences of life could be produced with less sacrifice than before, it was not an injury to society, but an advantage. In other words, if, by a certain amount of sacrifice seventeen years ago, only one pair of shoes could be produced and if by the same sacrifice two pairs could be now produced, there would be a lowering of the price of shoes to about one-half of what it was seventeen years ago, which would be a very great benefaction to mankind.

But, as I then stated, there is one certain sign that that is not, except to the slightest extent, the cause of the present universal fall of prices. When prices fall owing to improvements in manufacture, business revives, the masses of the people are at work, those who toil find themselves possessed of more of the comforts, of the conveniences, and even of the luxuries of life than before. They are better contented with their condition and more buoyant and hopeful than before. On such occasions money becomes more and more in demand than it was before, and instead of being hoarded is put into active and productive business where it will make a profit. But when interest falls, *pari passu*, with the fall of prices, it shows that the fall of prices is not due, except in the smallest degree, to improved methods of production, but to the increased value of money.

Mr. BLAIR. I was not controverting the Senator's theory as to the existing facts in this country, but I understood him to be laying down an absolute principle, applicable under all circumstances and in all times, that the fall of prices is a demonstration of the increased value of money. I supposed that the fall in prices resulting from a protective tariff was beneficial, and not an indication of an increase in the value of money, and that that fall of price was not owing to the increased value of money, but was by improved machinery and all that. So it is possible that some of the fall in prices in this country may be owing to increased facility in the matter of production and to the beneficial operations of the protective tariff.

Mr. JONES, of Nevada. Mr. President——

Mr. REAGAN. If the Senator from Nevada will permit me, I wish to ask the Senator from New Hampshire if he means to be understood as assuming that a protective tariff reduces the value of the commodities produced.

Mr. BLAIR. I was simply asking for information of the Senator from Nevada, and he can answer that question much better than I; but the Senator from Texas understands very well that I do believe a protective tariff reduces prices.

Mr. JONES, of Nevada. Mr. President, so far as a tariff has the effect of reducing prices in any country, it is not by reason of the levying of any certain percentage of duty on the imported goods. The first effect of the tariff certainly always must be to raise prices. The fundamental theory of the tariff is—whether it be correct or not I am not now discussing—that by that tariff you place the price of manufactured goods up to a range at which they can be produced in the country in which the tariff is levied, and upon the level of the range of wages and manner of living which obtain in that country. By so doing, if you have a proper volume of money, you set all your people at work and keep them at work at a variety of occupations. In such case every forge, furnace, and factory becomes a school, every machine-shop an academy, and every cunning device and invention becomes a lesson, teaching the people how to deal with the subtle forces of the universe. So far as this country is concerned the theory of the tariff is that 65,000,000 people should have a varied and complete system of manufactures, which should supply practically all their own wants, instead of an abnormal proportion of them being driven into the single occupation of farming and relying on foreign manufacturers to supply such finished products as they need. To draw out and develop the aptitudes of a people a large variety of occupations is indispensable. When all men are employed at their aptitudes new inventions multiply, progress is accelerated, and the secrets of nature are more rapidly unfolded. Hence the McCormick reaper; hence the sewing-machine, that great instrument which clothes the world, because of the discovery that the eye of the needle should be at the point; hence the air-brake, the telegraph, the electric light, and thousands of other inventions that a protected people originate and develop, which would perhaps not have been originated or might have been long delayed if it had not been for the discouragement to imports caused by the tariff, and the encouragement to our people to go into manufactures by which their varied talents are drawn out and cultivated.

There is no doubt that eventually, as our conditions improve, increasing numbers of our people will by degrees emerge from agricultural and enter manufacturing pursuits. A tariff, by stimulating the

organization and development of industries, trains men to greater skill and perfection of workmanship in a variety of departments, and with greater skill come greater efficiency of labor and so greater economy of time. In that way the prices of certain products are in time reduced; but that is not a reduction of which any one complains.

The true cause of the present discontent will not be found in the protective tariff, but in the exactions of the single gold standard.

Fifteen years ago England was on the gold standard. It is on the gold standard to-day; yet prices in England are 35 per cent. lower than they were fifteen years ago. There being no reason why there should be any change in the trend of prices, so long as a fierce contest for the possession of gold shall be waged between England, France, Germany, and the United States, we are justified in assuming that a proportionate decline of prices will continue. That means a further decline of 30 or 35 per cent. in prices during the next fifteen years. Where is this tendency to stop? and, if it does not stop, how long will it be before the masses of the people become the bond slaves of the creditors? It is shocking to the moral sense of mankind that a few money-lenders and bondholders should thus be able, silently and insidiously, to wreck the business of every country in the world by constantly increasing the value of the money unit.

While admitting the necessity of more monetary circulation, our gold-standard friends fail to show us how it is possible for an increase in the volume of money to benefit our merchants, farmers, or mechanics if the prices that prevail in gold-standard countries are to prevail here; for that is what the gold standard means for us, Mr. President. It means that the prices that rule in gold-standard countries are to rule here.

The extreme indefiniteness with which the term "gold standard" is used has so befogged the relation which gold money bears to industry and commerce that people lose sight of the essential feature of that relation. It is impossible to have a clear conception of the gold standard without keeping in view exactly what is implied by the term. What men must mean in this country by "the gold standard" is not the touch of the metal, for they never touch it and rarely, if ever, see it. The maintenance of the gold standard here simply means the maintenance here of the range of prices that prevail in gold-using countries; that is to say, that low and lowering range of prices rendered necessary by the attempt to measure the value of the constantly increasing mass of the products of industry in all the western world by the constantly diminishing volume of gold. No relief can come to the toiling masses of this country until we can lift our prices above those that now prevail in gold-using countries.

Even if our prices remain as they are and do not increase, gold will eventually leave the country if it continue to increase in value as it has been increasing during the past fifteen years. We have been enabled to maintain the gold standard here for the past twelve years notwithstanding a considerable addition of money other than gold to our currency, but we have been able to do so only because other countries have been using an equal or greater amount of money other than gold. We have been using no greater proportion of silver or paper money than other countries having the gold standard are using; hence we have been able to maintain their level of prices and still keep the metals together. But whenever we shall attempt to prevent a further fall of prices in this country, it will be impossible for us to retain our gold so long as prices in gold-using countries continue to decline as they have been declining. Gold will leave as quickly because of contraction abroad as of inflation here, if by "inflation" is meant a coinage of money sufficient to maintain prices at a steady level.

Should gold leave the country, then, in order to supply its place, in order to maintain the *status quo* in prices and prevent a further fall from the present low range, we should need to have as many dollars of silver in circulation as there are now dollars of gold. Gold would go out only because our prices were rising, and as it went prices would cease to rise. That process might continue until three or four hundred million dollars of gold had gone. In all this, where would be the disadvantage to our people?

Considering the rapidly increasing population and wealth of this country, all the silver that can be procured from the mines will be necessary to maintain the level of prices and to keep pace with the increasing demands for money. If, however, it slightly exceeds—and it could not at the utmost more than slightly exceed—the amount actually demanded by increasing population and business, the overplus of each year would take a great many years to drive gold out of the country, dollar for dollar; for, when prices here, of things internationally dealt in, are at an equilibrium with prices of the same articles abroad, gold can not go any faster than silver comes in.

IF $2,500,000 SILVER PER MONTH HAS NOT DRIVEN OUT GOLD, HOW MUCH WILL DO SO?

For twelve years past we have had a silver coinage of nearly $2,500,000 a month, yet no gold has been driven out. Having tested the capacity of that quantity of silver to drive out gold, we find that instead of driving it out its coinage has resulted rather in bringing gold in; for, to whatever cause the influx of gold may be ascribed, it is unquestionable that the gold has come, and it has needed all that gold and all the silver that we have coined to maintain international prices here.

It is admitted by all that gold can not go out except by reason of a rise in this country of the prices of articles of international commerce beyond the prices of the same articles prevailing abroad. It is only then that it becomes more profitable to send out gold in payment for our foreign purchases than to send out commodities, the products of our own country. Commodities will always be sent out in payment for other commodities so long as it is more profitable to send them than gold, and when, by reason of low prices prevailing abroad and high prices here, it is no longer profitable to send out commodities purchasers send out gold, but only because it is to their advantage to do so.

Now, having seen that the coinage of $2,500,000 of silver each month was insufficient to so raise prices in this country as to induce gold to go abroad, but that on the contrary it resulted in an influx and accumulation of a large amount of gold, we may safely assume that only so much of the amount of silver which Congress shall now provide for as exceeds $2,500,000 a month will have any influence in raising prices in this country above international prices, and so providing a stimulus for gold to go abroad in payment for commodities imported into this country.

If the amount of silver which shall be now provided should be, say, $5,000,000 a month, the excess over the present coinage would be $2,500,000 a month. This, then, would be the amount that would drive out gold. As one dollar of silver would drive out no more than one dollar in gold, no more than $2,500,000 could go out monthly. That would leave in circulation the same amount of money that is in circulation now. There would still be no increase in the money volume of the country, and, with no increase in the volume of money, prices here would not rise above international prices. At the rate of $2,500,000 a month, it would take twenty years to drive out $600,000,000 of the $700,000,000 of gold now in this country. It would take even longer than that, because the $600,000,000 driven out would tend to raise international prices abroad, and so check the outflow of gold from here.

Mr. McPHERSON. Will the Senator yield to me for a question or does he prefer to go on?

Mr. JONES, of Nevada. I am always ready to answer a question.

Mr. McPHERSON. I do not want to interfere with the Senator's line of argument or with his speech in any form, but it does seem to me that there is something fallacious about the Senator's argument or else my judgment and the experience of the world is all wrong. I wanted to ask the Senator this question: If it be known that the Government of the United States, if you please, by such an increase of the silver coinage in this country as will be produced by the free coinage of silver, to which theory, as I understand, the Senator is fully committed—if that be the theory of the Government hereafter by the command of Congress, I want to ask the Senator if he broadly and boldly asserts that no gold can be driven out of the country to a greater extent than dollar for dollar for the silver that comes in.

Mr. JONES, of Nevada. Absolutely; I say so.

Mr. McPHERSON. Then I want to ask the Senator another question, which seems to me pertinent. Does the Senator assert that if a 72-cent dollar, the value in bullion of a silver dollar during the year 1889, as has been furnished us by the Director of the Mint and the Secretary of the Treasury, were coined without limit (I say without limit, the limit being, of course, the amount of bullion that is brought to the Treasury to be coined) and the people of this country who have been in favor of a safe and honest currency, a currency either gold or as good as gold, which the Treasury has been able to maintain, having forced no silver upon the people if they did not wish it, and in that way the silver dollar having been maintained equal to the gold dollar—I want to know, with the people of this country to-day the holders of $500,000,000 of gold, how it is possible for the Senator to believe that with a 72-cent dollar to take its place the gold coin would circulate for a single week, or a single day, or a single hour. If they have the gold will they not hold it?

Mr. JONES, of Nevada. The Senator has so involved his question with his argument that I can scarcely get at what he wants me to answer.

Mr. McPHERSON. The question I want the Senator to answer is this: Will the people of this country, the financiers of this country, the banks, the moneyed men holding $500,000,000 of gold, with a certainty of the free coinage of silver and going to a silver basis—for that is what it means—put their gold in circulation, or will they hoard it? Will it disappear?

Mr. JONES, of Nevada. I scarcely know what the Senator means by a "silver basis." He talks about a 72-cent dollar. We have never seen a 72-cent dollar. The papers in the East have told us that the silver dollar was worth 72 cents. I recollect talking on that subject once with some Senators in the cloak-room. During the conversation one of the Senate pages brought me a telegram, on which he said the telegraph messenger had told him there were 50 cents due. I gave the page a silver dollar and said to him: "I have been informed by some very respectable and intellectual gentlemen in here, some of them candidates for the Presidency even, that this dollar is worth only 75 cents. I do not want to cheat a little boy. Take this out, and if the boy thinks it worth only 75 cents he can send me back 25 cents, and if he thinks it is worth a dollar he can send me back 50 cents. I will leave it to him." The page brought back 50 cents and said the telegraph boy told him he did not know what those old

"duffers" in there might say, but it was as good a dollar as he wanted and was very hard to get. [Laughter.]

The Senator talks about the bullion value as though that had anything whatever to do with the value of the dollar. I have attempted to demonstrate that the material that was in the dollar has nothing whatever to do with it. Let me illustrate. Suppose the entire supply of silver of the world to-day were $60,000,000. Suppose the law limited the coinage of it to $58,000,000, and every dollar coined was at par with gold. Suppose there were a demand for half a million dollars of silver, to be used in the arts, and that the remainder ($1,500,000) of uncoined silver were barred from the imperial money use. That supposes a supply of $2,000,000 left after satisfying the requirements for coinage and supposes only half a million dollars' demand for use in all the arts. In that case there would be a $2,000,000 supply bearing down a half million dollars' art demand, or a proportion between supply and demand of 4 to 1. Suppose that under those circumstances silver bullion went to 50 cents an ounce. Would the Senator then say that 50 cents an ounce was the value of the $58,000,000, and all the rest of the coined silver of the Western world, while by coining another million and a half, which would be nothing to a country like this, all the silver would be at par with gold? Every ounce of silver coined in Europe and the United States is at par with gold, a thousand or twelve hundred million dollars of it to-day in France, $200,000,000 in Germany, $370,000,000 of it here. We are not dealing with the price of silver bullion, that portion of silver that is deprived of its immemorial use as money. We do not say what the commodity demand for silver may make that worth. Such a consideration has no bearing whatever on the value of money.

I will suppose that in some one county of the United States a law were passed that the wheat grown in that particular county should have no right to go through the grist-mill, and that that wheat, as it might very naturally do, being deprived of use, fell to one-half the price of the wheat grown elsewhere in the country. Would the price of the wheat of that one county thus under interdiction and denied the grist be a fair gauge by which to measure the value of the entire wheat crop of the country? Manifestly not. All we have to do is to take up the little "slack" of silver, and all of it will at once be at par with gold; then we shall hear no more about the "commodity value" of silver. That is the contention that the bimetallists make.

Mr. HEARST. It will be $1.29.

Mr. JONES, of Nevada. It will be $1.29 an ounce in one week—in three days—in fact the very moment you give it back its ancient right of coinage and restore to it its full money power. You coin of gold all that is brought to the mint and you deny to a certain portion of silver that same long-established privilege, and then you measure the value of the whole supply of silver by that of the little fraction that is not coined, and which therefore has to find a market as a commodity.

Mr. McPHERSON. Then, if the Senator will permit me, he necessarily proposes that the Government of the United States shall take up all this "slack," as he calls it, in the surplus quantity of silver and shall use it in the coinage. The mints of Europe being closed against the coinage of silver, there is no other place where it will be coined. Now, if the Government of the United States should use all the surplus silver in the country, which has simply forced the price down since we remonetized silver in 1878 more than 20 per cent.——

Mr. JONES, of Nevada. Gold has risen 35 per cent.

Mr. McPHERSON. Then I think the Senator's argument is upon this idea and upon this plan, that after we are upon a silver basis, as we should be most assuredly, there would be no inequality in the money, because it would be all silver.

Mr. JONES, of Nevada. And no inequality between it and gold.

Mr. McPHERSON. Certainly not, because there would be no gold in circulation. But let me ask the Senator another question. While he can use his short-legged silver dollar for the payment of debts, when he comes to make a new obligation would not the price of the goods assume a price equal to the difference between gold and silver? In other words, while you can use a debased currency for the payment of debts, if a legislative decree requires that you shall accept it, you can not use it for any other purpose.

Mr. JONES, of Nevada. I can not understand the Senator. We have not provided any "short-legged" dollar. The Senator is assuming a good many facts and attempting to adjust me to them. I ask the Senator to wait until he has heard my argument, and I invite the Senator then to make reply to it.

Mr. McPHERSON. I am sorry that I interfered with the Senator.

Mr. JONES, of Nevada. It was no interference on the part of the Senator, except that I can not separate the Senator's questions from the argument and assumptions that he makes. As to the outflow of gold, as I have said, it would take a long time for even $400,000,000 of it go. The amount of gold driven out would tend to raise prices abroad by making money more plentiful there, and so check the outflow of gold from here. When Senators speak about $600,000,000 of gold being withdrawn from circulation here a question that is a little curious arises. What are these people who own it going to do with that gold after they have withdrawn it from circulation? Are they going to invest it in Great Britain? Are they going to invest it in France? Are they going to the Cape of Good Hope to invest it? If they are they will reverse the policy that English capitalists are pursuing now and have been pursuing for years—bringing their gold over here for investment. The Senator tells us that gold is to disappear from circulation. What will the owners do with it? Where and in what are they going to invest it?

Mr. McPHERSON. It will be held for a premium.

Mr. JONES, of Nevada. But who will buy it at a premium? Who needs it at all? For what purpose is it needed? Who is going to pay any premium for it? Nobody is "short" on it, and there is no law which forces anybody to have it.

Mr. President, nobody wants it enough to give a premium for it. It is only worth what is daily paid in the markets of the world and nobody is going to pay a premium for it. It is a bogy with which to frighten the people who demand reform in the currency of this country. Let them withdraw their gold.

I tell the Senator it is not the men who hoard the gold in vaults who maintain or promote the prosperity of this country, but the toilers in the wheat-fields and on the farms of the country, the men who work in the planing mills, the forges, the furnaces, the factories, and in all our institutions of industry. It is they that bring us our prosperty, and not these people who are gambling for premiums on gold.

Let them gamble among themselves; let who lose and let who win, the people care nothing. The people of the United States are going to institute a money that shall install and maintain justice as between the citizens of this country, and they will not be impeded. I can tell the Senator that neither his party nor the Republican party will ever impede the march that this great country is about to make—the first in the world, I am glad to say—in adjusting to the demands of industry and commerce that great instrument, money, the non-adjustment of which, as I have already stated, has, in my belief, caused more misery than was ever caused by war, pestilence, and famine.

But to resume at the point where I was interrupted.

The gold going out would tend constantly to restore the equilibrium between our prices and those of the gold-using countries, making the proportion of the gold outflow each year less than that of the year before. If there be included in this computation the remaining $100,000,000 of gold, which would remain after the outflow of the $600,000,000, we shall be compelled to come to the conclusion that the time when our stock of gold can be driven out will be almost indefinitely postponed.

But even should all our gold go by reason of the remonetization of silver, it will not be to the injury of the gold standard, but to its great advantage and to the equally great advantage of the masses of the people, as well of this country, which the gold may leave, as of all countries to which it may go. It will make the "gold standard" consistent with the prosperity of the countries maintaining it. But instead of preserving the gold standard of to-day, which is a standard of wrong, it will inaugurate a gold standard that will approximate to a standard of justice.

The new "gold standard" that would be established by the outflow of our gold would be a standard of prices resulting from the influx into England, France, and Germany, the principal gold-using countries of Europe, of more than $600,000,000 of money.

So considerable an addition to their money-stock would raise prices in those countries and, by remaining there, would, with the current production, which we could spare to them, tend to maintain prices at a steady level. Such a condition would be an inestimable boon to the overburdened masses of Europe, and their prosperity would not be attained at the expense of the people of the United States. We could well afford to let gold go, since, by the coinage of silver, our own money volume would not be reduced. The rise of prices which it would effect in Europe would not only, as I have stated, secure better prices for our exported goods, but would undoubtedly enable us to maintain prices here at a substantial parity with those of Europe, that is to say, with those of the new, more rational, and more beneficent gold standard which would be established by the full remonetization of silver in this country.

PRACTICALLY NO GOLD MONEY IN THE UNITED STATES.

But, aside altogether from this consideration, the gold that we already have is really a surplus; it is practically a dead and useless article. Gold, Mr. President, can not with entire truth be said at the present time to form any part of the money of this country. Who but a bank clerk ever sees a gold piece? With the exception of a few million dollars on the Pacific coast, gold is not really in circulation in this country. It is performing no useful function whatsoever. While I am engaged in delivering these remarks I venture to say no Senator within the sound of my voice has in his pocket a single gold coin of any denomination whatever or any paper representative of one.

This is the answer to the fear expressed by some Senators that when those who hold gold shall observe the enlargement of the money circulation by the issue of the proposed Treasury notes they will be likely to hoard it. They are already hoarding it. Every body knows that that is about all that gold is used for in this country. It is hardly possible for it to be hoarded to any greater extent than

it is at the present time. So little is this metal in circulation that I do not deem it any exaggeration to say that there are millions of people in the United States, "native here and to the manner born," who have never in all their lives seen a gold coin.

How absurd, then, is the claim that any loss is to be suffered by the alleged future hoarding of gold or that any calamity can occur to 65,000,000 people by the disappearance of that which has long since disappeared.

THE ARGUMENT BASED ON OUR BALANCE OF TRADE.

One of the staple arguments of the advocates of the single gold standard is that if our stock of gold were greatly reduced we should be unable to make payments to foreign countries in case the balance of trade turned against us. It is only through an excess of imports over exports that gold could go, and this country now produces of nearly all articles almost all that it consumes. With the exception of two years there has not been a balance of trade against us for fourteen years, as the following table will show:

Value of merchandise imported into and exported from the United States from 1876 *to* 1889, *inclusive; also annual excess of imports or of exports—specie values.*

Year ending June 30—	Total exports.	Total imports.	Total exports and imports.	Excess of exports over imports.	Excess of imports over exports.
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1876	540,384,671	460,741,190	1,001,125,861	79,643,481	.....
1877	602,475,220	451,323,126	1,053,798,346	151,152,094	.....
1878	694,865,766	437,051,552	1,131,917,298	257,814,234	.....
1879	710,439,441	445,777,775	1,156,217,216	264,661,666	.....
1880	835,638,658	667,954,746	1,503,593,404	167,683,912	.....
1881	902,377,346	642,664,628	1,545,041,974	259,712,718	.....
1882	750,542,257	724,639,574	1,475,181,831	25,902,683	.....
1883	823,839,402	723,180,914	1,547,020,316	100,658,488	.....
1884	740,513,609	667,697,693	1,408,211,302	72,815,916	.....
1885	742,189,755	577,527,329	1,319,717,084	164,662,426	.....
1886	679,524,830	635,436,136	1,314,960,966	44,088,694	.....
1887	716,183,211	692,319,768	1,408,502,977	23,863,443	.....
1888	695,954,507	723,957,114	1,419,911,621	.....	28,002,607
1889	742,401,375	745,131,652	1,487,533,027	.....	2,730,277

This table shows that, while for last year there was a balance against us of $2,730,277 and the year before of $28,002,607, for all former years from 1887 back to 1874 the balances were in our favor, all the way from $23,000,000 in 1887 to $265,000,000 in 1881. But the total want of significance so far as the movement of gold is concerned attaching to any figures showing a balance of trade against the United States will be seen by an analysis of the figures for any one year. Let us take for example the imports and exports for 1889 and analyze them by countries.

I now present a table in which I place in one group the gold-using countries and in another the silver and paper using countries.

Exports and imports of the United States to and from the various gold-using and silver-using or paper-using countries of the world for the fiscal year ending June 30, 1889.

Countries.	Exports.	Imports.
Gold-using countries:		
Canada	$42,141,156	$43,009,473
Belgium	23,345,219	9,816,435
Denmark	3,903,937	846,904
France	46,120,041	69,566,618
Germany	68,002,594	81,742,546
Great Britain	382,981,674	178,269,067
Greece	165,079	988,923
Italy	12,604,848	17,992,149
Netherlands	15,062,939	10,950,843
Portugal and its possessions	3,206,814	1,282,556
Spain	11,946,348	4,636,661
Sweden and Norway	2,615,569	2,983,319
Turkey	.....	4,687,731
British possessions in Africa	2,936,213	895,344
British possessions in Australia	12,321,980	5,998,211
Silver and paper using countries:		
Austria-Hungary	726,156	7,642,297
Russia	8,364,545	2,985,631
Mexico	11,486,806	21,253,601
Central America	4,325,923	8,414,019
Hawaii	3,375,661	12,847,740
Argentine Republic	9,293,856	5,454,618
Brazil	9,351,081	66,403,804
Chili	2,972,794	2,622,625
Peru	780,835	314,032
Colombia	3,821,017	4,263,519
Uruguay	2,192,848	2,986,964
Venezuela	3,738,961	10,392,569
Cuba	11,601,311	52,130,023
Hayti	5,340,276	5,211,704
Porto Rico	2,224,931	3,707,373
British West Indies	10,453,973	20,723,268
Dutch West Indies	887,778	654,320
China	6,477,512	18,503,678
India, British	4,330,413	26,029,601
India, Dutch	2,249,604	5,207,254
Japan	4,619,985	16,687,992

By this table it is seen that the only gold-using countries having a balance of trade against us are Canada, $868,317; France, $23,446,577; Greece, $823,824; Germany, $13,739,952; Italy, $5,387,301; Sweden and Norway, $367,850; Turkey, $4,687,731—making a total balance against us in gold-using countries, $49,321,452—against which we have a balance in our favor with Great Britain alone of over $200,000,000.

The balance against us in favor of all the silver-using countries could of course be readily settled in silver; and by carefully noting the figures of the table last given it will be seen that it is in the last degree improbable that there will ever be a balance of trade against us in the gold-using countries, taken as a whole.

Hence it is clear that if we had no gold at all we could readily settle all foreign balances that might be against us.

Nations, however, ultimately, and on the whole, square their accounts with commodities. Every nation must buy what it wants with its own products. In this country especially have we nothing to fear, because any temporary balance against us could always be met by the yield from our own mines. No country has any difficulty by reason of any difference in money systems in buying what any other nation has to sell.

This view is supported by all writers on political economy. I need quote but one. Professor Cairnes, professor of political economy in the University College of London, in his able work on Some Unsettled Questions in Political Economy (1874), says:

> It appears to me that the influence attributed by many able writers in the United States to the depreciation of the paper currency as regards its effects on the foreign trade of the country is, in a great degree, purely imaginary. An advance in the scale of prices, *measured in gold*, in a country, if not shared by other countries, will at once affect its foreign trade, giving an impulse to importations and checking the exportation of all commodities other than gold. A similar effect is very generally attributed by American writers to the action on prices of the greenback inconvertible currency.
>
> But it may easily be shown that this is a complete illusion. Foreigners do not send their products to the United States to take back greenbacks in exchange. The return which they look for is either gold or the commodities of the country; and if these have risen in price in proportion as the paper money has been depreciated how should the advance in paper prices constitute an inducement for them to send their goods thither? The nominal gain in greenbacks on the importation is exactly balanced by the nominal loss when those greenbacks came to be converted into gold or commodities. The gain may, in particular cases, exceed the loss, but if it does, the loss will also, in other cases, exceed the gain. On the whole and on an average, they can not but be the equivalents of each other.

Mr. President, the best place in the world where we can have gold is not in the Treasury of the United States, not in any subtreasury, but in circulation, if not in our own country, then in the foreign countries where our surplus products are sold. That is where gold would do us the most good by making money plentiful and prices correspondingly high. It does us no good here whatever, locked up as it always is and doing none of the work of money, but simply reduces to the minimum the tax-paying and debt-paying power of our wheat and cotton growing communities.

An unjust money should not be tolerated, whatever the material of which it may be composed, and the people of this country will not tolerate it. They do not fear the outflow of gold. If, in order to retain it, they must continue to lose as they have been losing for the past fifteen years, they will favor its going and raise a shout of joy when it does go. With a perfect money system in our own country the range of our domestic prices would continue stable and equitable without regard to the prices of foreign countries, our foreign trade would take care of itself, and, whatever the balances might be, they would be much oftener in our favor than against us, and in reality concern only the importing merchant, and not the Government or the people of the United States. The difficulty of gold-using countries to get our money, in which to pay us the balances they would owe us, would be much greater than our difficulty in getting their money, in which to pay them the occasional balances we might owe them.

Much the more serious question (if it be a serious question at all, which I deny) is how they shall get our money, not how we shall get theirs. As the balances would be for the most part in our favor, it is for them to take such steps as may be necessary in order to pay us. But there is no just reason to apprehend difficulty in either case. A great country like the United States will have no trouble in buying the money of any other country at equitable rates, at rates regulated by the purchasing powers of the moneys of the two countries, respectively.

No country in the history of the world, having a money local to itself, has ever found the slightest difficulty in buying, upon ratios determined by the relative purchasing powers of the two kinds of money, a sufficient amount of foreign exchange (which simply means the money of another country) to meet all adverse balances of trade.

While earnestly advocating the full remonetization of silver and the maintenance in this country of a money volume sufficient to insure a steady level of prices and an unchanging value in the money unit, I entirely disclaim any desire for an inflation of the currency. My contention is that without silver we can not keep prices from further decline and can not have enough money to serve the growing needs of population, industry, and commerce.

At the same time I can not refrain from expressing the conviction that, as between inflation and contraction, no careful student of history and of economic science can for a moment hesitate in deciding

that the evils inflicted on society by contraction have been longer in duration and infinitely greater in degree than any that have ever resulted from inflation. During all periods in which there has been a generous increase in the money-volume of a country or of the world, activity and prosperity have been its accompaniment. I challenge the citation of an instance to the contrary.

With a volume of money increasing at a rate sufficient to meet the demands of a growing population, and especially if the money be such as will not leave the country, but, under all circumstances, will remain in it, to sustain prices, preserve equities, and reward labor, no country with a proper co-ordination of its industries can be otherwise than prosperous.

The property of mobility—of fluidity—which is so much lauded in gold, is precisely the property least to be desired in the money of a country, if that property of mobility or fluidity is to keep alternately bringing money into and taking it out of the country, disturbing prices and disarranging equities. When it comes, if it enters into circulation, prices rise; when it goes, prices fall, and thus, instead of having a steady and level platform of prices on which the trade and industry of the Republic may rest, like the firm and level platform of liberty upon which all our citizens stand, we, whose business it is to "see that the Republic take no harm," furnish our people with an "inclined plane" of finance on which all their business must be conducted. Men buying this month at the elevated end of the platform find themselves selling next month at the depressed end.

Whenever in the history of a country there has been least reliance on international money (gold) and more reliance on merely national money (even of paper when reasonable limits were placed upon its quantity), prosperity has been everywhere present. I need not recall to the minds of Senators the wave of prosperity that swept over this country when it was without any international money and resorted to the "greenback" currency.

When, as a result of the Franco-German war, France was deprived of international money, suspended specie payments, and resorted to a properly limited paper currency, her progress was unbounded.

No period in the history of Great Britain can compare for activity, prosperity, or achievement with the twenty years preceding 1816, when specie payments were suspended, and during which period, as testified to by witnesses before the secret committee of Parliament, the discount rate of the Bank of England did not suffer a single change; whereas from that period to 1847 the rate was changed sixteen times, and from 1847 to 1874 as many as 274 times, the fluctuations being sometimes of the most violent character.

When gold threatens to leave Great Britain the rate of discount at the Bank of England is raised, with the view of discouraging, if not preventing, the outflow. Raising the rate of discount is like putting the brakes on a railroad train; lowering the rate is like letting off the brakes.

These changes were not due to any greater demand for money, but to the movements of gold. There was frequently, in the condition of business, no warrant whatever for a rise in the rate of discount. The only reason for it was to prevent gold from performing what "our most conservative financiers" denominate its "noble" function of "mobility," of "fluidity," namely, the function of going "where it was wanted." This function of going "where it is wanted" is described as the great "mission" of gold, and it is assumed that it will never be wanted at more than one place at a time. Yet hear what the chancellor of the exchequer of Great Britain said a few days ago in the House of Commons:

> I admit that, as interested in the commerce and monetary system of this country, I feel a kind of shame that on the occasion of 2,000,000*l.* or 3,000,000*l.* of gold being taken from this country to Brazil, or any other country, it should immediately have the effect of causing a monetary alarm throughout the country. (Speech of the chancellor of the exchequer in the House of Commons, April 18, 1890.)

This is a suggestive admission, from so well informed a source, as to the operation of the single gold standard. I commend it to those who would circumscribe and hamper the prosperity of this country by making gold alone the standard of all values.

I have thought it necessary, Mr. President, to state what I conceive to be the true principles of the science of money, the principles that, with the progress of time and growth of intelligence, must prevail the world over; because, without a clear understanding of the relation which the quantity of money in a country bears to the prosperity and happiness of its people, there would be no justification for an addition of either silver, gold, or any other form of money to the quantity already in circulation. If the value of money depends on quantity, then, as long as the world adheres to the automatic theory of money, my contention is that all the silver produced from all the mines of the world should be transmuted into coin; and even then, if the wants of the world continue to increase as they have been increasing, it is only a question of time, and that not far distant, when the combined supply of both metals will be insufficient to maintain the equities in time transactions.

The world having decreed to stand by the automatic system we are now dealing with the question as a practical one.

The only relief that can be had is to adhere strictly to that system and give it full scope. Remove all legislative restrictions and let the world have the full benefit of all the precious metals that are yielded by the mines.

THE WORLD'S SUPPLY OF GOLD AND SILVER.

Since for thousands of years the world recognized both silver and gold as money, can anybody tell what has happened to render one of them unfitted for the money use?

No argument based on fluctuations in the current supplies of either of the metals can militate against the use of both as money. The fluctuation in the annual yield of both, taken together, is much less violent and less frequent than the fluctuation of either taken separately. By the use of both, society has much greater security against the evil of an insufficient money volume. While a large yield, now of one and again of the other, has taken place, there is no instance in the history of the world of an extraordinary yield of both occurring simultaneously, except in the single instance of the first discovery of the mines of America. When the gold mines have been yielding largely, there has been no special increase of silver, and during the period when silver has been produced in comparatively large quantities the gold mines have been less productive.

This will be illustrated by the following table showing the yield of both gold and silver, from the discovery of America to the present time.

Annual average production of the precious metals throughout the world from the discovery of America to 1872.

[From Director of United States Mint.]

Periods.	Gold.	Silver.
1493-1520, average for each year	$3,855,000	$1,953,000
1521-1544.....do	4,759,000	3,749,000
1545-1560.....do	5,657,000	12,950,000
1561-1580.....do	4,546,000	12,447,000
1581-1600.....do	4,905,000	17,409,000
1601-1620.....do	5,662,000	17,538,000
1621-1640.....do	5,516,000	16,358,000
1641-1660.....do	5,829,000	15,223,000
1661-1680.....do	6,154,000	14,606,000
1681-1700.....do	7,154,000	14,209,000
1701-1720.....do	8,520,000	14,779,000
1721-1740.....do	12,681,000	17,921,000
1741-1760.....do	16,356,000	22,158,000
1761-1780.....do	13,761,000	27,128,000
1781-1800.....do	11,823,000	26,534,000
1801-1810.....do	11,815,000	27,161,000
1811-1820.....do	7,604,000	22,474,000
1821-1830.....do	9,448,000	19,141,000
1831-1840.....do	13,484,000	24,788,000
1841-1850.....do	36,393,000	32,434,000
1851-1855.....do	131,268,000	36,827,000
1856-1860.....do	136,946,000	37,611,000
1861-1865.....do	131,728,000	45,764,000
1866-1870.....do	127,537,000	55,652,000
1871-1872.....do	113,431,000	81,849,000

World's production of gold and silver for the calendar years 1873 *to* 1889, *inclusive.*

Calendar years.	Gold.	Silver.		
	Value.	Fine ounces.	Market value.	Coining value.
1873	$96,200,000	63,267,000	$82,120,000	$81,800,000
1874	90,750,000	55,300,000	70,673,000	71,500,000
1875	97,500,000	62,262,000	77,578,000	80,500,000
1876	103,700,000	67,753,000	78,322,000	87,600,000
1877	114,000,000	62,648,000	75,240,000	81,000,000
1878	119,000,000	73,476,000	81,644,000	95,000,000
1879	109,000,000	74,250,000	83,383,000	96,000,000
1880	106,500,000	74,791,000	85,636,000	96,700,000
1881	103,000,000	78,890,000	89,777,000	102,000,000
1882	102,000,000	86,470,000	98,230,000	111,800,000
1883	95,400,000	89,177,000	98,986,000	115,300,000
1884	101,700,000	81,597,000	90,817,000	105,500,000
1885	108,400,000	91,652,000	97,564,000	118,500,000
1886	106,000,000	93,276,000	92,772,000	120,600,000
1887	105,300,000	96,189,000	94,265,000	124,300,000
1888	109,900,000	109,911,000	103,316,000	142,107,000
1889	118,800,000	125,830,000	117,651,000	162,600,000

From this table it will be seen that from 1801 to 1820 the average yearly yield of gold was $9,710,500; of silver, $36,847,500—four of silver to one of gold.

From 1821 to 1840 the average yearly yield of gold was $11,466,000; of silver, $21,964,000—two of silver to one of gold.

From 1841 to 1860 the average yearly yield of gold was $85,150,000; of silver, $34,826,500—two and a half of gold to one of silver.

From 1861 to 1880 the yearly average yield of gold was $117,091,850; of silver, $68,043,900—nearly two of gold for one of silver.

From 1881 to 1889 the yearly average yield of gold was $105,500,000; of silver, $122,540,388—one-sixth more silver than gold.

From those figures it is plain that no continuous, extraordinary yield of silver, such as might warrant the slightest fear of an unnecessary addition to the money volume, is to be expected. On the other hand the continuous drain of gold for use in the arts, as dentistry, gold plate, jewelry, gilding, and articles of decoration generally, is seriously encroaching upon the annual supply.

Both metals possess in common, and neither in any different degree from the other, all the qualities which are recognized as necessary in a commodity money. Silver enjoys in an equal degree with gold the quality of indestructibility, of divisibility, of malleability, and of resistance to chemical changes. The stock of both existing in the world (the product of all time) is estimated to be about equal, the production of the past 500 years being set down as—

Gold	$7,240,000,000
Silver	7,435,000,000

That silver mining has not proved exceptionally profitable in this country is proved by the comparatively small number that have engaged in the business. This country has been thoroughly explored in the search for additional mines without any of great value being discovered. The allurements of the business lie in its uncertainty; and for the occasional prize that is drawn thousands of blanks are found. There is always enough hope of results to induce continued effort, but there is also sufficient doubt and discouragement to deter an undue number from engaging in the business.

The mines of Mexico have been worked for hundreds of years; and up to 1873 the business of silver mining in that country had all the stimulus that a parity at 15½ to 1 could give to it. It is not, therefore, probable that any material increase of output can be expected from that quarter.

Conceding, for the sake of the argument, the eventual possibility of so superabundant a yield of silver as to work injury and inequity to the interests of creditors, is it not manifest that it is in the power of society at all times to remedy the evil by a limitation of the coinage? And, on the other hand, is it not equally manifest that for an insufficient supply there is no remedy?

If great mountains of silver should be discovered, does not Congress meet constantly? If there should seem to be too much, could not the coinage be readily limited to prevent depreciation? But, on the other hand, when we dedicate the monetary function solely to one metal, of which there is manifestly and admittedly the world over an insufficient supply, where is the remedy? What can Congress do to enlarge that supply? Absolutely nothing.

GOLD USED IN THE ARTS.

The Director of the United States Mint a few years ago estimated that of the $100,000,000 gold annually produced from the mines of the world $46,000,000 are consumed in the manufacture of jewelry, gold plate, plated ware, gold-leaf, etc., and in various processes of dentistry.

The single standard of gold, therefore, is maintained by the creditor nations in the face of the admitted fact that but $50,000,000 of that metal are annually added to the money stocks.

Not only is this encroachment of the commodity demand on the money supply becoming greater year by year, with the growth of population, but the supply of gold from the mines is itself becoming less, having declined from an average of $137,000,000 between 1856 and 1860 (the period of greatest yield from California and Australia), to an average of $107,000,000 for the past ten years. Of the entire gold supply of the world, nine-tenths of it have come from placer mines, readily discoverable and easily worked, because requiring little or no capital. All known fields of those are practically exhausted, and there is no reasonable prospect of the discovery of others. Hardy, adventurous, and skillful miners from the United States and capitalists from all countries have ransacked the world in vain for new fields of gold. Why, then, with the knowledge of those facts before us, should we discard from the full money use and function the only metal that gives to the world any prospect of relief from the money famine from which civilization is now suffering and from which, if silver be not speedily restored to its ancient use and function, the world is destined to suffer much more?

If it be conceivable that the demonetization of either metal were necessary, why demonetize that which promises the greater and more steady yield? If for any reason society should decide that one of the metals should be discarded, should it not rather be that one which promises the smaller future yield than that which promises the larger?

Silver is the money-metal best suited to the mass of the people and to the variety and character of transactions that constitute the interchanges of daily life. The supplies of both metals, if united by law in the full money function, would have a steadiness of value which can not be attained by either separately.

TREASURY NOTES SHOULD NOT BE REDEEMED IN BULLION.

The proposition to redeem the proposed Treasury notes in silver bullion or in anything but lawful money of the United States will never meet the approval of the people.

What the people of this country want is money and what they should have is money. These notes will represent full value received, the evidence of which is the bullion in possession of the Government. When issued, they will enter into circulation. They will have to do the work of money among the people. They will go to make up the volume of the currency. On the basis of that volume each dollar acquires a certain value and represents a given amount of sacrifice. On that volume and on those conditions, bargains will be made, prices established, debts contracted, values adjusted, and equities created. If any portion of that money be withdrawn from circulation (for that is what "redemption" means) without an equivalent amount of money in some other form being issued to take its place, the circulation will to that extent be contracted, every dollar in circulation will increase in value, prices will fall, property-values established on the basis of the larger circulation will shrink, and equities will be destroyed.

The redemption of any number of those notes in silver bullion means the withdrawal of so many dollars of money from circulation and the destruction of so much of the money of the country. Money is not a thing that can be destroyed with impunity. It should be kept in use among the people. It is to industry what the blood is to the human body; it is the life-giving and life-sustaining medium. The money volume of a country should not be subject to frequent and violent changes. In a new and growing country, it should be characterized by that steady accretion that characterizes the increase in the quantity of blood in the human body as it progresses from infancy to maturity. It is no more unreasoning, empirical, or unscientific to be alternately withdrawing blood from and injecting blood into a human body than to be constantly contracting and expanding the money volume of the country. And as activity of circulation of the blood is essential to the health of the body, so activity of circulation in money is indispensable to the well-being of society. The possession of any mere commodity, whatever its value, will never compensate a country for the destruction of any considerable portion of its money, upon the entire volume of which vast equities rest.

MONEY SHOULD BE REDEEMABLE IN ALL THINGS.

Money should be redeemed in all things, not in one thing alone. The peculiar characteristic of true money, that which distinguishes it from all other things whatsoever and constitutes it a prime factor in civilization, is that it is at all times redeemable in any thing that is on sale. Being an order for property, it should be redeemed in any form of disposable property which the holder may desire.

A guinea—

Said Adam Smith—

may be considered as a bill for a certain quantity of necessaries and conveniences upon all the tradesmen in the neighborhood.

Any form of money the condition of whose existence depends on redeemability in one thing alone can not be money in the full sense, and whenever an urgent demand for real money springs up the other ceases altogether to be money.

The redemption of money should be reciprocal between the Government and the people and between and among all individuals in the community. It should not only be redeemable by the Government by acceptance for taxes, but also redeemable by and among the people for all property for sale and services for hire. Its quantity should be so regulated as that its unit (the dollar) should neither increase nor diminish in value, and it should be kept constantly in circulation, and not be permitted to lie uselessly in the Treasury. Any other money than this is to a certain extent counterfeit; it is false money, because when most needed it fails to be money and has to be "redeemed" in something else (gold) which can not be got except at ruinous sacrifice.

It is of the very essence of money—its pith and marrow and protoplasm—that it should be a legal tender, a universal solvent, the ultimate of payment, and redeemable, at the prices ruling, in everything that is on sale. If the volume of such money be properly regulated, while there may from time to time be variations in the prices of particular articles, the general range of prices will be maintained practically undisturbed.

What an absurdity it is for the Government to put its stamp on one thing in order to make it redeemable in another thing imprinted with the same stamp, but which nobody wants except for the purpose of getting a third thing that could have been got just as well without the intervention of the second. As well might he who, wanting water, is given a silver cup wherewith to get it, on going to the spring, be forbidden to drink until he exchanges his silver cup for a gold one.

The real reason why it is insisted that all other things than gold shall be exchangeable into gold is that gold is getting dearer by reason of decreasing supply and increasing populations. The necessity for convertibility into gold implies that, in ordinary times, a range of prices higher than the gold range will prevail, and when, by reason perhaps of increased activity of business, redemption comes to be demanded prices are at once precipitated to those of the gold standard and below, to the great advantage of the creditor classes, who, as owners of bonds, may be considered in the language of the stock exchange "long" on money, and to the equally great injury of the producing class, who, being in debt, may be considered as having sold money "short."

The supreme consideration is that the money of a country shall be so regulated as that prices may not fall from any cause inhering in the money system. The value of money—in other words, the sacrifice necessary to obtain it—should be no greater at one time than at another. In order to effect that object of prime consequence, to maintain the value of money unchanging, there should be no hesitancy whatever in changing the material of which it is made.

Nobody who has reflected on the subject for a moment doubts that what gave "value" or exchangeable power to the greenback was

not the promise made on its face, without date, to pay a dollar, but the inscription on its back which declared it a legal tender for all dues and demands, public and private, except duties on imports. It was a misfortune to mankind that the words "promise to pay" were printed on it, because by it millions were led to believe that the "value" or exchangeable power resided in the promise instead of in the legal-tender power conferred upon it.

There is no object in redeeming in gold, except to maintain gold prices, that is to say, the range of prices prevailing in gold-using countries, and as those prices are constantly tending downward, any country that insists on maintaining the gold standard must accept the consequences in a corresponding fall of prices. The advocates of the gold standard, in effect, maintain that no matter to what extreme prices may fall, we must be content, we must bow in humble submission to the inevitable, since, in their view, it is more necessary to maintain the sacredness of the gold standard than to establish justice, promote prosperity, or to maintain equity in all time transactions.

It is in no way necessary, on account of any intrinsic or inherent quality of gold, that we should have that particular metal, and that alone, for money.

It is boasted that gold is a universal measure. Why is it universal? Why is gold accepted in every country of the world? Not because the gold is wanted for any quality inherent in the metal, but because it is an order for property in gold-using countries, such as England, France, and Germany, whose trade is largely a foreign trade. At whatever rate gold will exchange in England, it will exchange in all countries having trade relations with England, because it is an order for goods in a country with which they are dealing. Will not the money of this country equally and for like reasons, whether gold or silver, have acceptability in every country with which the United States have trade relations? not for any quality inherent in the metal, but because it is an order for property in the United States. Will it not be willingly accepted by those who wish to buy in this country?

POSSIBLE EFFECT OF REDEMPTION IN BULLION.

In order to see the effect of the redemption of these Treasury notes in bullion, we have but to look at the possibilities of the situation. Suppose there were in the Treasury $300,000,000 worth of that bullion, which, by the taking up, little by little and month by month, of the amount not used in the arts, would be taken by the Treasury at or about par. Then, suppose that for any reason, such as fear of approaching panic or otherwise, $100,000,000 of the Treasury notes were suddenly presented for redemption, and canceled, and the bullion as suddenly put on the market, what would it be worth? What would gold bullion be worth if it had not the privilege of coinage and if $100,000,000 of it, deprived of the money use, was suddenly put on the market? Can there be a doubt that the abrupt output of so large a quantity would have the effect of immediately and enormously depreciating its value? In the case under consideration, the result would be that the silver remaining in the Treasury would not bring one-fourth the sum necessary to redeem the outstanding Treasury notes, so that not only would a heavy loss result to the Government, but, by reason of the sudden and serious contraction of the money volume, an infinitely greater loss would result to all the people.

But if it be deemed a remote contingency that any extraordinary amount would in that manner be suddenly taken from the Treasury, there is another danger which can not be put aside as improbable, but which, on the contrary, is to be looked for with almost absolute certainty, and, to my mind, constitutes an irremovable and insurmountable objection to any system of bullion redemption.

A large number of merchants in London need, monthly, millions of dollars' worth of silver to make payments in India. They will naturally want to get it at the lowest price, and it is not to their advantage to intensify the competition for it. On the contrary, it is to their direct advantage to depress the price to the lowest possible point.

As the Treasury of the United States would buy silver at the lowest price, the London merchants would refuse to enter the open market in competition with our Government for its purchase. But no sooner could the silver be stored in the vaults of the Treasury than the agents of the London merchants would appear and before any opportunity had offered for a favorable change in the price of the bullion could present as many millions of these notes as might suit their purpose and receive bullion therefor. A Secretary of the Treasury who conscientiously believed that it was his duty to maintain the gold standard at all hazards would naturally feel compelled—certainly it would be in his power—to put out whatever amount of bullion he might deem necessary to accomplish that purpose, even if it all had to go.

Thus the United States Treasury would become the convenient and capacious conduit through which silver should immediately flow from this country to England, depriving our people, notwithstanding the legislative measures for their relief, of practically all use of silver as money, inasmuch as the four and a half million dollars of Treasury notes would be withdrawn and canceled about as soon as issued.

Thus would our Treasury Department be made practically the purchasing agent in this country of any syndicate or combination of English merchants who might desire silver for the East India trade.

If it be said that no Secretary of the Treasury would attempt thus to defeat the will of the people as expressed in the law, the sufficient reply is that a conscientious man who believes that the honor of the United States is pledged to the maintenance of the gold standard, and that it is indispensable to the prosperity of the people, will exercise all the power vested in him by law to prevent a departure from that standard and will regard himself as for the time being the savior of the Republic by keeping it from "the edge of so dangerous a peril" as the execution of the people's will.

Certainly no man will deny to the present Secretary of the Treasury entire rectitude of motive in all his conduct. From the well known fact that since the passage of the limited coinage act of 1878 all our Secretaries have refrained from purchasing more silver than they were compelled to do by the mandatory provision of that law, it is reasonable to infer that none of them, if called upon to execute a law containing a silver bullion redemption clause, such as is suggested, would feel called upon to make a net purchase of more than $2,000,000 worth in each month and that none of them would hesitate to exchange for Treasury notes all the monthly purchases of bullion in excess of that amount.

A PLANK FROM THE REPUBLICAN PLATFORM.

I must be pardoned for directing the attention of Senators on this side of the Chamber to a short declaration of the last Republican national convention:

The Republican party is in favor of the use of both gold and silver as money.

If party platforms mean anything that clause meant that the Republican party went before the country pledged to the use and to the equal and non-discriminating use of both silver and gold as money. It was well known that throughout the entire West the question of the remonetization of silver was deemed of vital importance, and party orators and the party press throughout that entire section were severe in their denunciation of the prior Administration for its unfriendly attitude toward silver.

I wish in all solicitude and sincerity to advise my Republican friends of the East that this plank in the party platform was construed by the Republicans of the West to mean precisely what it says. They are looking with confidence to this Congress for such action as will fittingly embody in the statutes the principle laid down by the party now in the responsible direction of the Government.

SHALL WE BE FLOODED WITH SILVER?

We are told that if silver is given free access to the mints we shall be flooded with it from all parts of the world. Does anybody show where the flood of silver is to come from? Where are the reservoirs that contain it? Not in England, where it is difficult for the people even to get a sufficiency of it for small change to transact the business of the country; not in Germany, where the scarcity of money was so pressing that the government had to abandon the idea of selling silver. Though the stock in France is large her people will never give it up. Silver has been the "shield and buckler" of the French Republic. All she has is coined at the ratio of 15½ ounces of silver to 1 of gold, and its shipment to this country would involve a loss to France, not only of the 3 per cent. difference between the French relation (15½ to 1) and ours (which is 16 to 1), but of 3 per cent. additional in the cost of gathering and shipping it. And after that she could only exchange them for Treasury notes. The silver stock in India and the Orient is performing indispensable duty as money, and no "flood" of it can be expected from that quarter. From time immemorial India has been absorbing all the surplus silver of the world. She has never got so much as to appease her appetite for more. So insatiable is her desire for that metal that she has long been known as the "Sink of Silver." China has not a piece of the metal that she can dispose of. Mexico has no stock whatever of silver on hand, except the limited number of coined pieces forming her moderate money circulation, and not a dollar of it can be spared. No country of Central or South America has any surplus silver. Every piece of coined silver in every country in the world is part of the monetary circulation of that country, and even when of short weight and classified as a mere "token" is passing at par as full valued money. No gain could possibly accrue, therefore, to the owners of coined silver anywhere by shipping it to this country for any purpose, and there is no surplus stock of bullion anywhere.

If anybody doubts this statement let him make the attempt in all the money centers of the world to buy from accumulated stock even $5,000,000 worth of it. He will fail to get it in London, Paris, Berlin, Calcutta, New York, or San Francisco, or in all combined. There is no source from which to get silver except the current supply from the mines, and whatever that is now it is not likely ever greatly to increase. The occupation of mining is not attractive to many, and in the nature of the case the number who follow it will always be comparatively few. The Argonauts of old were but a small band of hardy adventurers; those of the new era are destined to bear no larger proportion to the population. But, even were this not so, nature herself draws the line. To the eye of the experienced prospector silver mines are as discernible on the surface of the earth as are mountains, and the world has been explored in vain for further

"finds." Those who talk, therefore, of "floods" of silver coming here for coinage simply show their ignorance of existing conditions.

I may add that of all the shafts that have been sunk for silver mines in the world where they have found silver croppings on top in ninety-nine out of every hundred, and I think I am stating it moderately, the veins have not penetrated the earth, mineralized, fertilized, to the depth of 50 feet; rarely have they penetrated the earth to a depth exceeding 1,200 feet, and the most prolific yield of silver mines has been from a depth not exceeding 800 feet.

The very fact, Mr. President, that, with all the world searching for gold and silver mines—a search that has continued throughout all history—the amount of the two metals yielded by the mines is about equal, shows that the historical relation existing between them is the relation at which they can be profitably produced.

It is apparent that if there were a great advantage in the production of silver over gold at the relation of 15½ to 1 that advantage would be seen in the largely preponderant production of silver; but instead we find that the result of thousands of years of mining has given us about equal quantities of both metals.

CAN THE UNITED STATES ALONE HOLD THE METALS AT A PARITY?

We are told that the United States, unaided, can not, if it would, restore silver to a parity with gold, that no one nation acting alone can achieve so difficult a feat. But it is incapable of denial that throughout all vicissitudes of production of gold and silver from 1803 to 1873 the law of France—one nation alone—accomplished it.

As I have shown in greater detail elsewhere, by reference to the table of annual production of the metals, it will be observed that from 1803 to 1820 the production was in the proportion of four dollars of silver to one of gold; from 1821 to 1840, two of silver to one of gold; from 1841 to 1850, one dollar of silver, to one of gold; from 1851 to 1860, four dollars of gold to one of silver; from 1861 to 1865, three of gold to one of silver; from 1866 to 1870, two of gold to one of silver; in 1871 and 1872, one and a half of gold to one of silver. Notwithstanding these extreme variations in the relative annual production the law of France constituted a ligature sufficient to hold the metals in line at the ratio of 15½ to 1, and this not for France alone, but for the whole world. If that period does not offer sufficient proof of the power of law, under varying conditions of supply, to tie the metals together and keep them so, no degree of proof will suffice, for the vacillations of their relative production have been greater during this century than at any former period in the history of the world.

IS AN INTERNATIONAL AGREEMENT NECESSARY?

If that could be done by a nation with a population of 25,000,000 to 35,000,000, what difficulty could be experienced by a nation of 65,000,000 in accomplishing the same result? Yet we are told that international agreement is necessary to restore silver to its ancient right as a full money-metal. Those who suggest such an agreement forget that while this nation is a borrower of money the first and principal nation to demonetize silver is the greatest money-lender known to history. Is it for a moment to be supposed that the shrewd English creditor classes will enter into any agreement which will deprive them of the spoils of so delicate and ingenious a system of usury, a system not only not banned by law, but, on the contrary, having the special approval and protection of statutes and the active support and approval of all the complaisant moralists, philosophers, and financiers of the age?

While they are diligently gathering in the proceeds of this operation a diversion is kept up for the occupation and amusement of *dilettante* financiers and economists, by invoking a discussion of the ratio that should be maintained between the metals. The ratio is the pretext on which conference after conference has been called.

The advocates of the single gold standard contend that hostile legislation had no influence in effecting the separation of the metals and that the reversal of that legislation can not and will not restore them to a parity unless the principal commercial nations of the Western world join in the work of rehabilitation. As illustrating the force of law on the relation of the metals I will read a suggestive paragraph from the report of the royal commission of England (1886), Part I, section 192:

> Now, undoubtedly the date which forms the dividing line between an epoch of approximate fixity in the relative value of gold and silver and one of marked instability is the year when the bimetallic system which had previously been in force in the Latin Union ceased to be in full operation, and we are irresistibly led to the conclusion that the operation of that system, established as it was in countries the population and commerce of which were considerable, exerted a material influence upon the relative value of the two metals.
>
> So long as that system was in force we think that, notwithstanding the changes in the production and use of the precious metals, it kept the market price of silver approximately steady at the ratio fixed by law between them, namely, 15½ to 1. Nor does it appear to us *a priori* unreasonable to suppose that the existence in the Latin Union of a bimetallic system with a ratio of 15½ to 1 fixed between the two metals should have been capable of keeping the market price of silver steady at approximately that ratio.

The paragraph quoted ascribes the effect thus produced to the bimetallic treaty of the Latin Union, a combination of Italy, Belgium, Switzerland, and France, entered into in 1865 for the purpose of maintaining similar conditions of coinage. But it will be observed that, so far as the ratio was concerned, precisely the same effect had been produced by France alone during the sixty-two years from the passage of its law of 1803 to 1865.

Not only did the French law keep the metals together at a time when the larger annual yield was of silver, but it kept them together when the larger annual yield was of gold. Had not that law been in operation during the '50s, when a flood of gold poured from the mines of California and Australia, gold would have fallen, as in early times it more than once fell, to the ratio of 1 to 10, at which but 10 ounces of silver (instead of 15½) would buy an ounce of gold. Thus the law of one country alone, a country then of not one-half the present population of the United States, held the metals together, so that to whatever extent gold fell in relation to commodities from 1848 to 1865, by reason of the large output of the mines, silver fell to the same extent, notwithstanding the enormous decrease in its production relatively to gold during that period.

What is claimed for law in this connection is not that it directly controls the relative values of gold and silver any more than of anything else, but that on the slightest separation of the metals there instantly arises, under the law of the double standard, a demand for the cheaper metal, while the demand for the dearer one is suspended. In this way the double standard accommodates itself to the law of supply and demand, which is admitted to be the governing factor in the determination of value. It is not contended that a small or insignificant country could keep the metals together, but all experience goes to show that a great nation like the United States would have no difficulty whatever in doing so.

So thoroughly are the advantages of the gold standard to the creditor classes recognized in England that the English commissioners, who, for form's sake, have been sent to the several monetary conferences held on the continent, have never been invested by their Government with any power whatever. And it is but a few weeks since the House of Commons overwhelmingly voted down a proposition, made in good faith by Mr. Samuel Smith, looking to the calling of a new conference, which was supported by petitions to Parliament signed by 60,000 persons, not merely as individuals, but as representing large organizations of the toilers of England.

The ratio is not the difficulty. Those who wanted silver demonetized do not want it added to the money volume of the world at any ratio. Why then shall we wait? Macaulay, commenting on the impregnability of intrenched prerogative, observed that if the announcement of the discovery of the law of gravitation had militated against the personal interests of any vested or privileged class its general acceptance might have been long postponed. Shall we, then, postpone relief to the suffering industries of this country till we can secure from the privileged classes, from the money-lenders of the world, an agreement to cease their exactions?

No, Mr. President, we need not wait and we *will* not wait. All that is necessary is to *act*, and, so far as the rules of order and of parliamentary procedure will permit, we propose to act, promptly and decisively. The world can not expect the initiatory movement for any change to be taken by those whose interests are served by the continuance of present conditions. Such conditions being consistent with their own welfare, they find no difficulty in arriving at the conclusion that they are for the welfare of society at large.

The dogma that cupidity is a synonym for virtue will never fail to find ready converts among the beneficiaries.

> * * * Plate sin with gold.
> And the strong lance of Justice hurtless breaks.

CONCLUSION.

I predict that the restoration of silver to its birthright, Mr. President, will mark an epoch in the history of this country. It will place in circulation an amount of money commensurate with our increasing population. It will give assurance to our languishing industries that the volume of our circulating medium is not to continue shrinking and that the tendency of prices shall no longer be downward. It will increase the wages of labor and the prices of the products of labor; it will reduce the price of bonds and other forms of money futures, it will lighten, but not inequitably, the burden of mortgages; it will increase largely, though not unjustly, the debt-paying and tax-paying power of the people. It will loosen the grasp of the creditor from the throat of the debtor.

By the remonetization of silver, money will cease to be the object of commerce and will again become its beneficent instrument, activity will replace stagnation, movement will supplant inertia, courage will banish fear, confidence will dispel doubt, hope will supersede despair.

The lifting up of silver to its rightful plane by the side of gold will set in motion all the latent energies of the people. It will banish involuntary idleness by putting every willing man to work. It will revive business and reanimate the heart and hope of the masses. Capital, no longer fearing a fall in prices, will turn into productive avenues. The hoards of money lying idle in the bank vaults will come out to bless and enrich alike their owners and the community at large; while the millions of dollars now invested at low interest in gilt-edged securities will seek more profitable investment in the busy field of industry, where they will be utilized in the payment of wages and the consequent dissemination of comfort and happiness among the people.

And this it will accomplish not for the United States alone, but for civilization. For it is not too much to say, Mr. President, that upon the decision of this question depend consequences more mo-

mentous than upon that of any other question of public policy within the memory of this generation. In a broader sense than any other question attracting the general attention of mankind it is a question of civilization. It embodies the hopes and aspirations of our race.

The act of Congress which shall happily solve it will constitute a decree of emancipation as veritable as any that ever freed serf from thralldom, but more universal in its application. It will proclaim the freedom of the white race the world over, it will lift the bowed head of labor, it will hush the threnody of toil. It will inaugurate the true renaissance, a renaissance of *prosperity*, without which industry, learning, science, literature, art, are but as apples of Sodom. [Applause in the galleries.]

The Tariff.

SPEECH
OF
HON. WILLIAM S. FORMAN,
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 9, 1890.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. FORMAN said:

Mr. CHAIRMAN: I am well aware, sir, that nothing which I can say, nothing which any gentleman upon this floor can say, will in the least degree affect the final result as to the question under consideration. The decree rendered by a Republican caucus will be executed to the letter and this bill passed substantially as it comes from the hands of the committee. Yet, sir, this fact ought not and does not deter me from earnestly protesting against the passage of this measure. It has been frequently stated that the Presidential campaign of 1888 settled this question; that this bill had been ratified, as it were, in advance by the election of a Republican President and a majority of the members in this House. I deny it. No political party would have dared face the American people in 1888 without an express promise to reduce taxation. This is not a bill for that purpose. It is what its title implies, "A bill to reduce the revenue and equalize duties on imports, and for other purposes."

Had the Republican party said to the people that in case of party success no reduction of duties should be had except upon sugar and molasses, that with this exception the duties should be increased as provided by this bill, or in other words, had this bill been made the party platform, Mr. Harrison would not have carried half a dozen States in this Union. The people demanded cheaper sugar, but their demands did not, and do not to-day, stop at this point.

It is not even certain that this bill will bring about any great reduction in price to the consumers of sugar, since most of the sugar admitted free under its provisions is of a quality requiring refining before it can be used. And to-day we have listened to a dialogue between two distinguished Republican members from Iowa, one attempting to prove that the price upon sugar to the consumer will by this bill be reduced, and the other doubting the effect of its provisions in that particular.

Of one thing we are assured, We have lost $55,000,000 of revenue. We are to pay a bounty of $7,000,000 annually to the sugar-growers of this country, thus making a difference in our finances of $62,000,000 per annum. But, sir, I see in this provision the brightest ray of hope for an overtaxed and overburdened people. It is the "beginning of the end" of this most outrageous system of discrimination, falsely termed "protection." This is an admission in terms so plain, in language so certain, that the tariff is a tax, and paid by the consumer of the article upon which it is laid, that the most ignorant can understand it. This act of the majority of the Ways and Means Committee removes the pleasing sophistry by which the people so long have been deluded. You propose to take from the public Treasury $7,000,000 per annum, gathered from all sections of the country, and pay it to one particular class. In other words, that he who raises sugar shall receive from the Government a bounty at the rate of fifty to sixty dollars per acre, while the Illinois farmer continues to raise his wheat and corn at a loss.

As to the constitutional objection to the Government taking from all other classes money and paying it as a bounty to another, the gentleman from Iowa [Mr. GEAR] slides over it with an ease and facility truly refreshing. He says that it is clearly within that clause of the Constitution which empowers the General Government "to promote the general welfare." Hereafter all that the Republicans need to do to set aside the Constitution is to convince themselves that a particular measure is for the promotion of the public welfare, and all constitutional barriers are at once removed.

I suppose our Louisiana friends are not deceived by this donation offered them from the public Treasury. In my humble judgment, if it had not been for the sugar-beet raiser of California and the sorghum-grower of Kansas, the Southern sugar-planter would have been kindly permitted to take care of himself. They may console themselves with the fact that the company in which a man is found frequently fixes his fate.

Mr. Chairman, it is the boast of the protectionists that this bill is prepared with the single object of continuing what they are pleased to term "the American system," "our industrial system," and like alluring terms, and sustaining those manufacturing industries which have grown up under the legislation now in force. But they do not seem to be satisfied with the number of enterprises now clamoring for Government assistance. The corridors of this Capitol are now swarming with well-dressed capitalists asking for Governmental protection. But the committee, not content with the horde of leeches hanging upon us, have been prosecuting their inquiries in other directions in search of other silent partners in this infamous scheme to rob the people. Other capitalists are wanted to unite their destinies with that of the Republican party and share the plunder to be obtained. Hence, sir, this bill more than doubles the duties upon tin-plate, though not a pound of it is manufactured in this country, and the chairman of the committee reads with great gusto the following letter:

ST. LOUIS, *November 27, 1888.*

DEAR SIR: In answer to yours of the 22d instant, in reference to the manufacture of tin or terne plates, we are at liberty to state that one of our mills has already been arranged for tin-plate work and if a sufficient duty is put on the articles to cover the difference between the English and American scale of wages we will be ready to turn out plates on short notice. It is also very evident that in case a proper duty is fixed on tin or terne plates the large number of English manufacturers will move their works over to this side. The question as to whether these plates will be made in this country, therefore, depends solely upon proper legislation. We have for the last few years contemplated building an additional mill, but did not, under the existing circumstances, consider the investment a safe one. This danger, however, is in a measure removed by the Republican victory; and if the fact, as I believe it to be, can be generally established in the minds of the people that the Republicans will continue to govern this country in the future, there will be plenty of money forthcoming to embark in a manufacture of tin and terne plates.

Yours, very truly,

F. G. NIEDRINGHAUS, *President.*

W. C. CRONEMEYER, Esq., *Demler, Pa.*

This is to my mind substantially a bid from a wealthy gentleman, who holds a seat upon this floor, to this committee to increase the duty upon tin-plate, and he would engage in its manufacture. But he states in his letter that "one of our mills has been arranged for tin-plate work." The manufacture of tin-plate must have offered an inviting field at the present duty, or Mr. NIEDRINGHAUS would not have arranged that one mill before he knew of the success of the Republican ticket. But the committee has acted upon the proposition, and the consumers of this most useful article must pay $16,000,000 per annum, based upon present imports, to pile yet higher the fortunes of certain gentlemen, both in and out of Congress, and another step taken in making stronger the combination of capital to render permanent and perpetual the bondage in which the people are now held.

Every argument in favor of this bill in this discussion so far has begun, continued, and ended in an appeal in behalf of the laboring men of this country.

Some weeks ago, I heard an old member of this House say that he had been here long enough to know that when men came to Congress asking the passage of a measure the real object of the proposed legislation was never given. So in this instance, if the real object of the passage of this bill was boldly stated, namely, filling the pockets of the rich with money extorted from the poor, not a single man upon this floor would dare to defend it.

PROTECTION TO THE FARMER.

The Republican politicians for years have to the farmers sung the siren song of the home market, have whispered in their ears mournful warnings as to the foreigner who was proposing to ship corn and wheat and oats and beef steers across the ocean, produced by the pauper labor of Europe, to compete with him in the home market, or that Canadians would send across the line their eggs, their cabbage, poultry, and other products of the farm, to be sold in competition with his. At this late day no farmer is fool enough to be captured with the first argument, but the Canadian scare has served its purpose well.

Suppose we had free trade with Canada, what would be the result? I take great pleasure in quoting from a speech made upon this subject by the Hon. BENJAMIN BUTTERWORTH, of Ohio, before the Committee on Ways and Means. It must be remembered that Mr. BUTTERWORTH is a Republican and a protectionist, and that he has perhaps given more attention to this question than any man in public life, but he has sufficient intelligence to see the truth and the honesty to proclaim it. He says:

In the years 1883, 1884, and 1885 Canada purchased more from us than all the other countries and islands on the western hemisphere, and during the existence of the reciprocity treaty from 1855 to 1866 she bought from us more than she sold to us—the large sum of $50,136,256; and from the years 1850 to 1889, inclusive, a period of forty years, there have been only seven years in which the balance of trade has been against us with that country. In thirty-three years it has been in our favor. * * *

It is suggested that the farmers of this country would find themselves in the vocative if the agricultural products of Canada were admitted to the United States. It is difficult to hear with patience such a statement. The farmers have for many years been participating in wronging themselves. The idea is, I suppose, that it is the duty of the Government to create a famine in order to supply a market, but aside from all that the experience of our own country abundantly proves that in the matter of competition we find our most healthful prosperity, not only so far as agriculture is concerned, but in every possible direction and department of industrial effort. Any one who will study with care the statistics of the development and growth of this country will see how absurd the suggestion of danger to the farmer is. * * *

Mr. CARLISLE. If the trade between the United States and Canada is beneficial to the United States, why should we complain if it is also beneficial to Canada?

Mr. BUTTERWORTH. We should not. But the trouble is, Mr. CARLISLE, that partisan politics rather than statesmanship may guide in this matter. There are a few manufacturers who would suppress all competition at home as well as abroad if they could, who are potential in certain Congressional districts along the border. These, joined with a handful of fishermen and farmers near the line and holding in some measure the balance of power, could control the economic policy of a nation and are potent to shape the destiny of 60,000,000 of people. We must cut loose from mere partisan politics and local selfishness in dealing with questions of this character and appeal to broad statesmanship which solves problems of state, not merely for the approaching fall election, but for the century and for the paramount and lasting good of the whole people. * * *

I insist as a Republican and a protectionist that if the narrow-gauge policy suggested by some distinguished gentlemen is adhered to the protective wall all around the United States will be thrown down except for purposes of revenue, and we will be brought to a realizing sense that the protective system is to impart the quality of fairness and humanity to competition, and not to destroy it in the interest of combined and aggregated wealth. Unfortunately, as the world goes, Congress is not likely to take an affirmative action on any given proposition until the wild clamor from the people in its favor fairly lifts members from their feet, and then the sound must be absolutely certain and clear before they will consent to act.

Gentlemen will discover before our party is many years older that we are fast running upon the rocks by continuing to abuse a policy wise in itself but which may be so persecuted as to be condemned by three-fourths of the people who thoroughly understand it. I insist, and shall continue to insist, that the policy which has sole reference to certain conditions, which impart to the competition where those conditions exist the leaven of injustice, inequality, and inhumanity, shall not be applied where those conditions are not found. Nor am I, for one, content to remain deaf and silent in the midst of this conflict, awaiting for favorable winds to blow me to a harbor of political rest, setting my sail after the current of the trade winds has become obvious and their course and force manifest.

OUR PROSPERITY.

The gentleman from Ohio [Mr. MCKINLEY] says:

We have now enjoyed twenty-nine years continuously of protective-tariff laws, the longest uninterrupted period in which that policy has prevailed since the formation of the Federal Government, and we find ourselves at the end of that period in a condition of independence and prosperity the like of which has never been witnessed at any other period in the history of our country, and the like of which has no parallel in the recorded history of the world.

Again he says:

No sane man will give up what he has got, what he is in possession of, what he can count on for himself and his children, for what is promised by your theories.

Sir, there are many men in this country who would not think of giving up what they have, neither will they give up the system which has builded their princely fortunes without a struggle, and from a worldly view I can not blame them. But let us see whether this prosperity is so universal as the gentleman would have us suppose. The farmers have been told to vote the Republican ticket. We will increase tariff duties, increase the number of factories, increase the number of laborers, and sell to those laborers the produts of the farm at enormous profits. Now, sir, I know that the argument I propose to make is not pleasing music to the ears of my Republican friend when he connects it with that boasted "prosperity" the like of which has never been witnessed. And when we allude to the condition of the farmer and the laborer we are met with a sneer from the other side of this Chamber, and are accused of casting odium upon the people we represent.

I would be the last man who would say aught in derogation of the grand State which I have the honor in part to represent in this body. I am proud of Illinois. I regret her true condition, and deplore the policy which I believe is mainly responsible for it. I congratulate her people that her abundant natural resources prevent its being infinitely worse.

ILLINOIS—THE CONDITION OF HER FARMERS AND LABORERS.

Illinois is to-day by the best ascertainable statistics the first State in this Union in the value of her agricultural products. By the census of 1880 she was fourth in manufactures. I believe the present census will place her third, perhaps second, in manufactured products. Chicago, that marvel of western enterprise, with her 1,000,000 souls, and St. Louis, that great commercial mart of the Mississippi Valley, with her half million of inhabitants, furnish us with the best markets of the West. With an extensive system of railroads and two great rivers, the Mississippi upon the west and the Ohio upon the south, with a soil of inexhaustible fertility, her manufactories scattered all over the State, with as industrious, intelligent, and economical a people as ever engaged in the battle of life—this ought to furnish a fair test of this boasted American system and under the most favorable conditions for the protectionists. Here the factory hand and the farmer are in close contact. Could better conditions be selected for the demonstration of the experiment of the twenty-nine years to which the gentleman from Ohio alludes?

FARM AND OTHER MORTGAGES.

I find that for the district I represent, in the year 1887, the mortgage records of the several counties made the following showing:

Lands	$5,013,116
Lots	3,188,317
Chattels	675,159
Total	8,876,599

When I looked upon these figures I was astonished beyond measure, and thinking, perhaps, that my district was not a fair illustration, I turned my attention to other portions of the State. I find that the Thirteenth Congressional district, composed of the counties of Christian, Mason, Menard, Morgan, Sangamon, and Tazewell, had for the same year, 1887, a real and chattel mortgage indebtedness of $15,770,410; that the Ninth district, composed of the counties of Ford, Iroquois, Kankakee, Livingston, Marshall, and Woodford, had a real and chattel mortgage indebtedness of $17,635,610, and the Eighth district, comprising the counties of Du Page, Grundy, Kendall, La Salle, and Will, had a real and chattel mortgage indebtedness of $18,265,996.

From the report of the Bureau of Labor Statistics, from which the above figures were taken, we are informed that the real and chattel mortgage indebtedness of the State of Illinois in 1880 was $204,361,254, that in 1887 it had increased to the enormous sum of $416,379,048, which are the last obtainable figures. This ratio of increase, and no one familiar with the State would deny that the increase has been continued at this rate, would by a fair calculation place this indebtedness at $550,000,000. This represents mainly those who are so reduced that they find themselves without individual credit and are forced to place mortgages upon their realty. The chattel mortgage indebtedness tells the story of a greater degree of poverty, as it is usually the last resort in raising means. This does not include the indebtedness at the banks and to private individuals. I am satisfied, sir, that tens of thousands of the farmers of Illinois who appear on the surface to enjoy a reasonable degree of prosperity are but tenants awaiting the inevitable foreclosure and the loss of farms upon which they have spent the best years of their lives in the hardest drudgery.

By the report of the State board of agriculture of Illinois we find that the farmers of that State sustained losses upon the three staple crops, wheat, corn, and oats, for the last seven years, as follows: Upon wheat, $3,085,942; corn, $5,776,133; oats, $23,321,000, making the grand total of losses sustained by farmers in the last seven years on these three crops $32,182,115.

With no hope to stimulate them to further exertion, knowing of no source from whence succor can come, are you astonished that the farmer has come to the conclusion that every other man's hand is against him? Is it surprising that he is organizing "offensive and defensive" all over the land? Are you surprised that he knocks at the doors of this Congress with a vehemence never heard of before?

THE WOOL QUESTION IN ILLINOIS.

The only agricultural product of any consequence which any honest man of ordinary intelligence can say will be benefited by the provisions of this bill is wool. Happily we are not left to grope in darkness upon this subject, as we have enjoyed the blessings of a protective tariff on wool for years, and let us apply the test which the gentleman from Ohio [Mr. MCKINLEY] has erected, namely, "prosperity." Let us again refer to Illinois. Illinois has a climate well adapted to sheep culture. We have a vast variety of soil, including the finest pasture lands which can be had at reasonable prices; yet we are informed by the State board of agriculture of that State that the number of sheep has gradually and steadily decreased since 1880. The wool clip for 1880 was 4,757,938 pounds. It gradually decreased until it touched the lowest point in 1889, when it amounted to but 2,767,585 pounds. But this is not all. The price as stated by the same authority was 34 cents per pound in 1880 and 23 cents in 1889. Thus the wool clip in 1880 was worth $1,617,698.92, and for 1889 only $636,544.55, or $931,154.37 less in 1889 than in 1880. In 1880 the Illinois farmers marketed 261,230 head of fat sheep, worth $938,861, while in 1889 they only sold 146,675 head, worth $517,756, or a loss of $221,105, making a total falling off in receipts for wool and fat sheep of $1,118,259.37.

But this is not the end. We increased our stock of cattle from 1,715,586 in 1880 to 2,786,239 in 1890; horses from 853,738 in 1880 to 1,123,793 in 1890; our swine from 2,703,343 in 1880 to 5,433,250 in 1890, while our sheep decreased in number from 1,568,286 in 1880 to 688,387 in 1890. We thus find that the American sheep is rapidly and surely retiring from business in Illinois, the victim of an unwarranted discrimination which prevents the wools of his relatives in other countries from being shipped here and mixed with his own fleece, thus securing successful manufacture. The same history can be told in about the same ratio in the State of Ohio, and perhaps in other wool-growing localities.

CONDITION OF THE LABORERS.

From the deplorable condition of the farmers let us turn to that of the laborers, and, if possible, we will find a tale of deeper woe. Sir, we can not go to the mortgage records to ascertain his lot. These records stand mute and silent, giving us no information. I have a per-

sonal knowledge as to the circumstances which surround a large number of these people in my State, but I am not making assertions on my own account, but shall call into requisition the last report of the bureau of labor statistics for the State of Illinois. I believe, sir, that the laborers of the State of Illinois ought to be under as favorable conditions as those of any other part of the United States. Here the producer and consumer of farm products meet. The laborer has the advantage of cheap meat, cheap butter, and cheap bread. All men agree that when work is plenty, wages good, and living cheap, peace and contentment prevail. Yet what is the record? From the authority above alluded to we find that in the year 1886, the last for which we have statistics, there were in the State of Illinois 1,060 strikes, involving 105,833 employés, and lockouts involving 18,228 more; total involved, 124,061.

Do our friends stop to reflect upon the consequences of 106,000 laborers who in a single year in a single State rebelled against their surroundings, laid down their work, demanding better wages or fewer hours, or refused to submit to a reduction of wages or longer hours of labor? You who shed your crocodile tears and bewail the lot of the laborers, how do you like the picture of 500,000 women and children bereft of their means of support because their husbands, fathers, and brothers could no longer endure the conditions by which they were confronted? I may be told that this was an unusual year; but I reply it was the result of twenty-six years of your boasted "protection," and I suppose an evidence of the "prosperity" to which the gentleman from Ohio alludes, and that, too, in one of the leading States of this Union in both manufacturing and agricultural development.

The same authority informs me that the laborers in that single year, on account of these strikes, lost $254,856, while their employers lost but $246,475, with this difference, that the employers could well afford the loss, while the men were brought to the very verge of starvation. Even in the strikes partially successful it required months of weary work to regain what had been lost. Again, the legislation of Illinois since 1886 has been aimed at the suppression of strikes. The boycott and conspiracy laws have since been placed upon the statutes, so that the laborer finds himself hedged in and surrounded by restrictions, and he has not forgotten the unequal war he waged in 1886. One thing, and one thing alone, saves him from abject slavery, and that is his labor organizations.

Nothing ought to convince one more readily than facts. You may construct your finest sophistry, you may indulge in your wildest dreams of fancy, you may calculate with apparent certainty the effects of certain causes, but when you find conditions running contrary to your theories one or the other must surrender.

The farmer and the laborer have lost all patience with a principle and theory of protection which when put in practical operation fails to protect. Let me quote from Victor E. Piollet, a past grand master of the State Grange of Pennsylvania, a former Republican and a former believer in the doctrine of protection. In a letter to the Farmers' Friend, he says:

> Were farmers of my way of thinking and acting, they would not give a vote for the election of any man to Congress who would not pledge himself to use his influence and vote to make leather and the manufactures of leather free from the payment of duty. Free hides, free leather, free boots and shoes.

Now, if free hides, free leather, and free boots and shoes are so desirable, why not extend the doctrine to free wool, free clothing, and free blankets?

Again I quote from Ralph Beaumont, esq., the chairman of the Knights of Labor legislative committee at Washington, a gentleman to whom I need not introduce the laboring men of this country, who writes an open letter to Mr. McKINLEY upon the Republican caucus silver bill, and which will appear in the National Economist to-morrow morning. It is as follows:

> You, as the leader of your party in the House, are on the point of pressing a measure through the House known as the tariff bill, which you say is to protect these tillers of the soil from ruinous competition from abroad. Let me again beg, warn you that since the last campaign that was fought out upon that issue these same tillers of the soil have come to the conclusion that during that campaign they were laboring under a delusion, and that they have come to a further conclusion that it is not from competition from abroad that they are suffering, but on the contrary it is from legal discriminations against them in the interests of corporate wealth by just such unfair legislation as is contained in this bill.

That the farmers and laborers may see how much their burdens are lightened by this bill, I give the following table as to a few articles largely used by the people:

Articles.	Present duty.	Proposed duty.
	Per cent.	*Per cent.*
Worsteds, knit goods under 30 cents	73.20	130
Worsteds, knit goods, 30 to 40 cents	68.41	147
Worsteds, knit goods, 40 to 60 cents	67.60	130
Worsteds, knit goods, 60 to 80 cents	68.96	112
Worsteds, knit goods, above 80 cents	71.22	90
Worsted shawls	61.82	93
Belts for presses (printing)	58.14	101
Blankets and flannels and hats	69.70	110
Women and children's dress goods	68	103
Women and children's dress goods	60	73
Do	85	110
Clothing, ready-made	54	84
Cloaks, dolmans, etc	60	82
Webbings and gorings, etc	64	99
Common window-glass, 10 by 15	67.61	73.72
Common window-glass, 16 by 24	115.41	123.10
Common window-glass, 24 by 30	128.58	135.54
Common window-glass, above that	132.29	138.01
Freestone, granite	20.22	40
Freestone, granite, hewn or dressed	20	50
Cotton-ties	35	115
Tin-plate	34	74
Steel ingots, etc., above 15 cents per pound	11.89	45
Wire-fence rods, No. 6	45	54
Pen-knives, etc	30	75
Table cutlery	35	50
Shotguns	35	60
Mica	Free.	35
Fish, fresh	Free.	52.10
Tobacco	81	200
Plushes	40	100
Hosiery	40	60
Shirts and drawers	40	63
Burlaps	20	50
Brown and bleached linens	35	50
Do	35	60
Yarns	65	100

A protective theory which after thirty years of trial calls for repeated increases in the duties upon imports and fails to discharge its appointed functions, like the "heathen Chinee," must go.

While the subject is a serious one, and so important to us all, it is amusing to see the labored effort our friends on the other side make to discover some reason for the general depression of agricultural pursuits. And I have waited patiently for some Republican to solve the problem.

The only attempt in this direction is the objection I hear raised against the interstate-commerce law. The only way in which this law could by any possibility affect the farmer to his disadvantage would be to increase the rates on grain from the West to the Atlantic seaboard.

It will be remembered that the interstate-commerce act went into effect in 1887. By reference to the report of the Bureau of Statistics we find that the average grain rate from Chicago to New York, all-rail route, in 1886 was 16.5 cents per bushel; in 1887 it was 16.3 per bushel; in 1888, 14.5 per bushel, and in 1889, 15 cents per bushel. By lake and rail the average rate in 1886 was 12 cents per bushel; in 1887, 12 cents; in 1888, 11 cents, and in 1889, 8.7 cents per bushel. Or by lake and canal the average rate between those points in 1886 was 8.71 cents; in 1887, 8.51 cents; in 1888, 5.93 cents, and in 1889, 6.89 cents per bushel, or nearly 2 cents per bushel less than before this act was passed.

Again, the rates from St. Louis to Liverpool by way of New York in 1886 were 24 cents; in 1887, 24.8 cents; in 1888, 22.95 cents, and in 1889, 24.97 cents per bushel. We see, therefore, that this supposed enemy to the farmer vanishes under the most casual examination.

In times of prosperity it is claimed by the advocates of the protective theory that the high protective tariff is the source of all our blessings; so, upon the same reasoning and with equal truth, in times of depression we may charge upon it all our evils.

It is certainly true that the demonetization of silver, the failure by the Government to furnish and maintain a volume of currency commensurate with our increasing population and business necessities, has had the effect to depress prices, make money more valuable and powerful in the hands of the capitalists, but to the farmer the restrictive policy of protection is the prime cause of his trouble. For while he has hitherto and always will have a large surplus of the great staple agricultural products, corn, wheat, oats, and cotton, he is shut out of the markets where for a hundred years he has found his best customers. Even among manufacturers it can not be fairly adjusted, for we are informed that while the glass manufacturers of Indiana, Illinois, and Ohio are running presumably at a profit, those of Massachusetts are standing idle and are now obtaining an increase of duties to enable them to start their establishments in competition with their more enterprising and fortunately situated rivals in Indiana, Illinois, and Ohio.

This bill is the most unpopular measure of its kind ever presented to Congress, if we may judge from the number of remonstrances which every mail brings to members of this House. It is not satisfactory to a large number of Republican members, but party necessity and caucus dictation will overcome their better judgment. But to those who represent districts in Western States will be propounded many troublesome questions when they again stand before the people whom they are now misrepresenting.

But the worst feature in this whole theory is that it destroys the enterprise and thrift of the individual citizens for which the American people have a world-wide reputation. Men have turned their attention to making money by law and amassing fortunes by statute.

In conclusion, I would say, that the Democratic party would lay violent hands upon no established American industry. We will re-

quire for years to come revenues amounting from $350,000,000 to $400,000,000 per annum, and this vast sum must always be derived largely from duties on imports. But we would adjust those duties in such a manner that wealth would not accumulate so rapidly in the hands of a few; that great wealth and extreme poverty should not be so common; that privileged classes should be put upon common grounds with the plain people; that duties should be highest upon luxuries and lowest upon necessities; that high-priced goods should pay in proportion to their value, so that the rich consumer should pay his fair share of taxation on the articles consumed.

We have been told that this is a Republican measure to be passed by Republican votes. Be it so. Take it with all its inconsistencies, all its unjust discriminations; adopt it as your offspring, which it is, and be answerable for the train of evils which will surely follow its enactment. But I warn the Republican party not to be puffed up by their temporary lease of power. "Pride goeth before destruction, and a haughty spirit before a fall."

The Tariff.

SPEECH
OF
HON. WILLIAM H. WADE,
OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 10, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. WADE said:

Mr. CHAIRMAN: All parties agree that the moneys to pay the expenses of the National Government may be raised by duties levied on imports. The power of the Congress to impose such duties is not questioned.

The difference between the parties in this Congress is the manner in which the duties are fixed. The Democrats maintain that they should be levied for revenue only, placed at such a rate as would encourage importation of goods of a like character as those made in this country. The Republicans demand that they be levied both for revenue and protection, and that rates of duty should be so arranged as to prevent largely the importation of foreign-made goods that come in competition with the same class of goods which are manufactured in this country.

The last national Republican platform declared, "We are in favor of the American system of protection." The American system of protection means the preservation of the markets of this country for our manufacturers and the right to the artisans of the country to make the articles consumed by our people. The platform of the Republican party in its position on the tariff is in line with the one taken on the same subject by the fathers of our country. The first law passed under the Constitution was a tariff bill, the preamble of which recited: "Whereas it is necessary for the support of the Government, the discharge of the debt of the United States, and for the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported." This act was approved July 4, 1789.

It may be said that at the time this act was passed our manufactures were in their infancy and needed protection, to be enabled to compete with the old established plants in Europe, but to-day they are fully developed and able to compete with any in the world. There can be no question as to the ability of our manufacturers to successfully compete with those of other countries, the conditions as to cost of labor being equal. Granting that the cost of the difference in labor should be given the American manufacturer, would it then be wise in this Congress to fix a rate of duty to cover the difference of cost of labor, and thus open the markets of this country to the foreign manufacturer? The revenue reformer, the free-trader, and the Democratic party say yes. The Republican party, the citizen who is for his own country first, the rest of the earth next, and who wants to give to the millions of unemployed men in this nation work and to those already employed shorter hours of labor, say no.

No man acquainted with the conditions of the people of this country as they exist to-day will, if he be wise, say that in revising the tariff the only question to be dealt with is that of revenue. While in the aggregate the nation is prosperous and the increase of wealth satisfactory, yet there is much complaint in many localities from the farmers and the laborers and there come from these classes demands for relief.

The productions of the farm are selling below the cost of production; the laborer is out of employment. It is the plain duty, then, of Congress in revising the tariff to do so in such a manner as to give the needed relief to the classes named so far as it may be done through that measure.

The committee in framing the bill under consideration have so framed it as to give employment to the unemployed citizens of this country by raising the duties on imported articles the present duties on which permit the foreign manufacturer to bring his goods into our markets and to sell them in the place of home-made goods.

The question which, in my judgment, is to be considered by the members of this House in revising the tariff is its relation to the employmenr of American labor and the retention of the money earned by our labot and capital in this country.

In discussing the proposition that the tariff should be so revised as to retain the money earned by our capital and labor, I know no better arguments to present than the condition of our country after a period of free trade or revenue reform. The student of the history of our country knows that the leading cause that led to the formation and adoption of the present Constitution was the condition of the country brought about by unrestricted trade with foreign countries.

In 1789 every branch of trade and business was paralyzed. The merchant was without customers, the mechanic without employment, and the farmer without a market for his productions. The cause of this distress was the drain of money from this country to pay for foreign goods. From 1784 to 1789, the excess of imports over exports amounted to $49,000,000. This balance of trade was paid for in gold, and the country was without money. No condition of this country was ever worse than that presented at this date. It should be borne in mind that this was a period of absolute free trade.

The same conditions have always followed a period of low tariff brought about by the same cause, namely: the exportation of the money of the country to pay the balance of trade against us caused by large importations of foreign-made goods.

As heretofore stated, the purpose of the increase of duties in this bill is to prevent the importation of foreign goods to the end that the money earned in this county might be retained. I have shown that the country just after its War for Independence had been impoverished by the exportation of $49,000,000 to meet the balance of trade against it made by the unrestricted importations, and asserted that following every period of a tariff for revenue only the same conditions existed.

No country can be prosperous that imports more than it exports. No nation purchases anything from another simply because that nation sells it what it has to have. There is no sentiment in trade. Commerce is an interchange of commodities and is governed by supply and demand. We can only as a nation sell to other nations the things we produce and they want, and only then when we sell our productions at the market price.

If we wish to be prosperous we must supply our wants from our own resources when it can be done and bring back in exchange from the markets of the world for the articles we sell money or articles we can not produce.

After the enactment of the tariff of 1842 the nation was prosperous because our manufactories were making the goods used by our people and the money paid for them was kept at home, went into the channels of trade, and gave life and energy to all business enterprises. President Polk, in his message to the Twenty-ninth Congress, second session, in speaking of our domestic manufacturers and the effect the reduction of duties under the Walker tariff would have upon them, says:

> With such advantages it is not doubted that our domestic manufacturers will continue to prosper. Indeed, so far from requiring the protection of even incidental revenue duties, our manufacturers in several leading branches are extending their business, giving evidence of great ingenuity and skill and of their ability to compete with increased prospects for the open markets of the world.

No one could give a better description of the wonderful effects of protection in building up our domestic manufactures than President Polk has given in his words quoted. I again quote from him to show the general prosperity following the enactment of the tariff of 1842:

> Labor in all its branches is receiving an ample reward, while education, science, and the arts are rapidly enlarging the means of social happiness. The progress of our country in her career of greatness, not only in the vast extension of her territorial limits and in the rapid increase of our population, but in resources and wealth and in the happy condition of our people, is without an example in the history of nations.

These quotations from President Polk show the wonderfully prosperous condition of our people in 1846. Notwithstanding the evidences of prosperity and development the country presented, Polk advocated a revenue tariff, and secured its passage. The same arguments were used by him that are used by the Democrats to-day, namely, that reduced duties and increased importations would give a market to farmers for their productions and stimulate and build up manufactures in the country.

To his class history teaches no lesson and the lamp of experience is no guide to their conduct. The history of the country had shown that the country had been uniformly prosperous under a protective policy. I quote from a speech of Henry Clay, made in the Senate of the United States in 1832, to prove that national prosperity and protection went hand in hand:

> In short, sir, if I were to select any term of seven years since the adoption of the present Constitution which exhibited a scene of the most widespread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishment of the tariff of 1824. If the term of seven years were to be selected of the greatest prosperity which this people have enjoyed since the establishment of their present Constitution, it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824.

The Democratic party, or the party representing its policy, demanded and secured the repeal of the tariff of 1824. The same conditions of distress and bankruptcy followed, the farmer being the greatest sufferer. I quote from a prominent writer of that date to show the condition of the country following the enactment of the tariff of 1832:

Again financial depression followed; assignments and bankruptcies resulted everywhere; manufacturers suspended operations, and business grew worse and worse till the culmination was reached in the financial crash of 1837, one of the most disastrous financial revulsions ever known—severer even than that which followed the repeal of the first tariff in 1816. Very few persons could save themselves; property of every description was disposed of at astounding sacrifices. In some parts of Pennsylvania bank-notes were divided into halves, and even into quarters, money was so scarce. In Ohio it was hard to get money enough to pay taxes. So little money was there that at sheriffs' sales good horses sold for $2 each, cows at $1, and hogs at 6¼ cents apiece. In Missouri a large ox was sold for 12½ cents, hogs at 1½ cents each, and tobacco at 62½ cents per hogshead.

W. H. Harrison was elected President of the United States in 1840 on a protective platform. The condition of the country under it has been shown by the words of a Democratic President, a man who was elected President by carrying the State of Pennsylvania on the campaign slogan of "Polk and Dallas and the tariff of '42." Dallas, a Pennsylvanian, had said to his townsmen that he would suffer his right arm to be torn from its socket before he would do anything to repeal that tariff, yet cast the vote in the Senate that passed the Walker tariff act. The evil results of this tariff were not felt for some time, on account of the discovery of gold in California in 1849. The gold brought from there took the place of that which was exported to make good the balance of trade against us, caused by the increased importations which the low rates of duty encouraged.

Neither were the promises realized which were made to the farmers. The purchase of large quantities of foreign-made goods did not increase the quantity of farm products sold abroad or add to the price paid for them. The foreigner then as now purchased only what he had to have and from the seller who sold at the lowest price.

President Fillmore, in his message to Congress, said:

The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from $88,000,000 in 1847 to $21,000,000 in 1851, with almost a certainty of a still further reduction in 1852. The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who established it, would tend to benefit the farming population of this country by increasing the demand and raising the price of our agricultural products in foreign markets. The foregoing facts, however, seem to show incontestably that no such result has followed the adoption of this policy.

What was true in 1851 is true to-day. The farmer can not be benefited by free trade. Increased importation means the payment of our money to balance our accounts with foreign nations.

In 1861 President Buchanan said in his message to Congress:

With unsurpassed plenty in all the elements of national wealth our manufacturers have suspended, our public works are retarded, our private enterprises of different kinds are abandoned, and thousands of useful laborers are thrown out of employment and reduced to want.

This description of the condition of business and the people of our country may be properly called the culmination of the benefits of the tariff for revenue only enacted in 1846.

The people of this country do not want to see its effects again. They are willing that history may teach them, and that the light of the lamp of experience may be shed upon the pathway that leads to the future, and will not be misled by the cry of the revenue reformer or the song of the Cobden Club singer.

If there is any one thing that has been definitely established by the history of our country it is the fact that excessive importations are always followed by depression in business and hard times. The remarkable fact that the leader on the other side of this House takes the position that large importation leads to prosperity and development is presented by the speech of the gentleman from Texas [Mr. MILLS].

He takes pig-iron as an illustration of his theory and attempts to show from the statement made relative to its importation that the development and prosperity of the pig-iron industry in this country depends upon its importation. The wonder to me has been that in this day of trusts, if the gentleman's theory be correct, the American makers of pig-iron have not gone into a trust with the foreign makers and gotten them to import large quantities of pig-iron, and thus perpetuated a never-ending boom in the pig-iron industry.

Mr. MILLS says that in 1870 we imported $2,500,000 worth of pig-iron; the same year we produced in this country $52,000,000 worth. In 1871 we imported $3,000,000 and we produced $56,000,000 worth. In 1872 we imported $5,000,000 worth and produced $119,000,000 worth. Mr. MILLS asks, if the Republican doctrine be true, if every ton of this imported pig-iron did not take the place of a ton of American pig-iron, and then points to the fact that the American production increased from $52,000,000 worth in 1870 to $119,000,000 worth in 1872 as a proof that it did not, and goes further with his deductions and proves to his own satisfaction that the increased production in this country was due to the importation of foreign pig-iron.

I ask Mr. MILLS or any other man endowed with even limited reasoning faculties if he does not believe that every dollar's worth of the imported pig-iron took the place of a dollar's worth of American iron. If in three years, because of the demand, we increased our productions from $52,000,000 worth to $119,000,000 worth, did we not have the furnaces, the coal, the iron-ore, and the labor to manufacture the $10,500,000 worth imported? Everybody knows that we had and that the importation of that amount of pig-iron took from the American laborer the work necessary to produce it and from the channels of trade in this country the $10,500,000 which it took to pay for it and conferred nothing upon the nation in the way of compensation.

Mr. MILLS again says that—

In 1873 prices began to go down and continued downward until they touched bottom in 1878. The consequence was importation fell off—just what this bill is proposing to accomplish now. What was the result? The importation of pig-iron declined from $7,000,000 in 1873 to $3,000,000 in 1874, to $2,000,000 in 1876, and $1,250,000 in 1878.

Mr. MILLS, at the dates these importations were declining was an able-bodied, robust statesman; why did he not, as a friend of the importers, go to them and tell them to increase their importations?

The importers might as a matter of fact have said to him that nobody wanted to buy; but Brother MILLS should have reminded them that principles are eternal, and a little matter of the want of purchasers could not stand in the way of carrying out a great economic principle, upon which rested the grand superstructure of free trade.

Mr. MILLS pursues in his argument the relations of the importation of pig-iron to the prosperity of the American producer of that article to considerable length, and evidently satisfies himself that he knows how to bring prosperity to the American producer, and that the way is to encourage importation.

I want to assure the gentleman that, if in his next canvass he should happen to meet one of his constituents who is engaged in raising cattle, and that constituent were to say to him that he had a thousand head of cattle on his pasture, but there was only grass enough on it for five hundred, and ask Mr. MILLS if he did not think he should sell half of the cattle, it will not be safe to apply his doctrine and advise his constituent to go and buy another thousand herd of cattle and turn on his pasture. No cattle-man will stand that kind of nonsense or vote for the man who would give it.

There is in this country to-day a debtor class whose debts were contracted when farm products commanded a better price than they do now. An increase of the volume of money brings an increase of prices. The converse of this proposition is true.

In the years cited by Mr. MILLS in his remarks relative to pig-iron we imported in pig-iron and its equivalent (old scrap-iron) $100,000,000 worth. We had the unemployed labor, the raw material, and the furnaces to produce the amount of pig-iron imported in addition to what we produced.

One hundred millions added to the volume of the currency of the country would have stimulated every line of business, and the fact that after a period of large importation there came one of depression proves this to be true.

The people of this country are demanding an increase of money. During the last year we imported $50,000,000 worth of iron and its products, $32,000,000 worth of cotton goods, $21,000,000 worth of tin-plate, $25,000,000 worth of agricultural products; other importations of articles we could have produced in this country will increase the amount of needless importations to $150,000,000 for the year 1889.

This vast sum taken from the volume of our currency can not fail to produce disastrous results, and when we take into consideration the fact that the labor to produce the articles imported has been taken out of the hands of the American laborer and artisan, need we be surprised that there is an army of unemployed men in the country?

Every State Legislature in the Union has, at the demand of organized labor, passed laws relative to convict labor. Why do the labor organizations demand that convict-made goods shall not come into competition with the articles made by their number? I answer, because the labor organizations wish to make the goods manufactured by the convicts.

It is one of the things past my comprehension how a man can ask for the suppression of convict labor, which manufactures only a small amount of goods, and then vote for the party which asks that all restrictions may be removed from importations and that manufactured goods may be imported to the amount of hundreds of millions.

The markets of the world appear to have an unlimited attraction for Democrats. They are asking that our manufactures be given them.

The bill under consideration has made raw material free. Now let our manufactures go out and take in the markets of the whole earth; nobody is holding them.

For years we have been exporting large quantities of raw cotton. If the raw material of which cotton goods are made has not been free then there is no such thing as free raw material. Have our manufacturers of cotton goods possessed the markets of the world? Not to any great extent. They have not held the markets of our own country. Last year we imported $32,000,000 worth of cotton goods. Why did we do this? I answer, because the articles imported required much labor to make them. Cheap labor is much more essential than free raw material. Because of it the European manufacturer buys our cotton, exports it, and sends it to us in the manufactured article.

The cotton goods made largely by machinery and manufactured at home sell in our markets as cheap as in those of Europe. The best

market that the American can find is the home market. We manufacture and consume more than England manufactures, consumes, and exports. Our manufactured goods stand in proportion to England's as 1,000,000,000 to 800,000,000. We purchase more than any other nation, live better, and our markets are worth more than the markets of the world. There is no equivalent we can get for them, nor is there anything we can obtain, which we do not now have, by surrendering any part of our home markets.

We do not want to go into partnership with any set of foreigners for the purpose of regulating prices. The statement that the import duty is added to the price of like articles made in this country, and that the duty is a tax paid to American manufacturers, is not true.

For the first barbed wire I bought I paid 9 cents per pound. I bought barbed wire last fall at retail for 3½ cents per pound. The duty was not added to this. I purchased steel nails for 3½ cents per pound. The duty is 4 cents. Deducting freight and profit, the manufacturer got but little over 2 cents, or half the duty.

The tax on clothing is one that causes the Democratic mind much trouble. The manufacturer of woolen goods, if you were to believe their stories, is piling up wealth by the millions, wealth wrung from the toiling masses through the tariff.

I can best illustrate the fact that woolen manufacturers are not making large profits by quoting from the speech of Hon. John E. Russell, of Massachusetts, made in this House on May 16, 1888. Mr. Russell is a Democrat, consequently truthful:

Mr. PERKINS. I understood the gentleman to say that all the woolen manufacturers of the East had gone into bankruptcy without exception in the last few years.

Mr. RUSSELL. You misunderstood me. I have not said so.

Mr. PERKINS. What did the gentleman say?

Mr. RUSSELL. I have said over and again that the business was not prosperous, and I may say that many large and small manufacturers have become insolvent in the past ten years, some of them not once, but two or three times. When mills are burned they are left unrestored, and I made other statements showing the difficulties of the trade.

Mr. Russell was making a speech in favor of free wool. Had he been making a speech in favor of free woolen goods and followed the instincts and habits of Democratic speakers when discussing the tariff the condition of the woolen manufacturer might have been presented in different colors. Mr. Russell spoke the truth, and I assert that there is no legitimate manufacturer in this country who is to-day making or has in the past made more than a reasonable profit on his investment; many have not made as much. By legitimate manufacturer I mean a manufacturer not protected by a patent. Manufacturers making articles covered by patents have in the past made large fortunes because of the monopoly it gave them. But to-day the average profits made by manufacturers in this country who are making goods which come in competition with goods imported does not exceed 8 per cent. on the capital invested.

The statements made by free-traders relative to the profits made by manufacturers are misleading and not in harmony with the truth. As an illustration take the manufacturers of salt. The Democratic orator loves to talk about salt to the farmer and to tell him how he is taxed by the tariff 70 per cent. on the salt he gives to his cattle, with which he cures his meat and salts his butter. Two hundred and eighty pounds of salt in a barrel that costs 23 cents is sold by the producer in Michigan for 50 cents. Deducting cost of barrel, 7½ bushels of salt is sold for 27 cents. There can be no large profit in this to the manufacturer; neither is it possible that the duty is added to the cost.

Mr. Cleveland laid down the doctrine of his party and made a broad misstatement of facts when he said:

The effects of this tariff taxation is not limited to the consumer of imported articles, but the duties imposed upon such articles permit a corresponding increase in price to be laid upon the domestic production of the same kind, which increase is paid by all our people and consumers of home productions.

Do Democrats believe the doctrine taught by Mr. Cleveland? Do they believe that the imported duty is added to the price of every imported article and the same amount placed upon the value of all articles of the same kind made in this country? If they do why did they give to the country the Mills bill? Why do they not declare themselves for free trade pure and simple, thus proving by their works the faith that is in them?

The estimate of customs receipts this year is $235,000,000. Our manufactured products as a nation will this year be nearly $8,000,000,000. Estimating half of this production to be of like character as goods imported and admitting that the import duty is added to the cost of these articles, then the American people have taxed themselves $1,500,000,000 to get $235,000,000 into the Treasury, and this vast amount, more than the national debt, has been put into the pockets of the American manufacturers.

The mere statement of this proposition proves its falsity. No one believes that we paid such an amount to the manufacturer. But if the doctrine laid down by Mr. Cleveland be true we did pay it, and the plain duty of the American people is to abolish at once import duties on any article imported into this country the like article being manufactured here.

In the light of Mr. Cleveland's declaration there is no place in this country for a revenue reformer. He is a full partner with equal privileges with the robber barons created by the tariff, of whom my colleague from Missouri [Mr. BLAND] speaks so often.

Direct taxation is the only honest method of collecting money to pay the expenses of the Government. Every man would then pay his share of taxes, things would be cheap, and everybody prosperous. This is the logical deduction from the doctrine of the Democratic party, but that party neither believes its doctrine nor puts it into practice. The Mills bill only reduced the robbery of the tariff 7 per cent.

I wish to give one illustration of the absurdity of the proposition that import duties are added to the cost of the like article produced in this country.

I demonstrated by quotations from Mr. Russell's speech that the woolen manufacturers of this country were not a prosperous collection of citizens. It is safe to estimate the production of woolens in this country for the year 1890 at $400,000,000; 40 per cent. of this, $160,000,000, goes into the pockets of a class of manufacturers who, according to Mr. Russell, are bankrupts. Mr. ARNOLD, a member of this House and a manufacturer of woolen goods, informed me that he would operate his mill for 4 per cent. on the money invested. Evidently the 36 per cent. of duty which he proposes to forego is not flowing into his pocket, and the doctrine that the duty levied on imported goods is added to the like articles made in this country is not true.

Mr. Speaker, as an introduction to what I shall say in connection with the relation of the farmer to the tariff, I quote from a letter from General Andrew Jackson, a President of the United States and Democratic patron saint, to Dr. Coleman. This letter is dated April 26, 1824:

This tariff, I mean a judicious one, possesses more fanciful than real dangers. I will ask what is the real situation of the agriculturist? Where has the American farmer a market for his surplus products? Except for cotton, he has neither a foreign nor a home market. Does not this clearly prove, when there is no market at home or abroad, that there is too much labor employed in agriculture and that the channels of labor should be multiplied?

Common sense points out at once the remedy. Draw from agriculture the superabundant labor, employ it in mechanism and manufactories, thereby creating a market for your breadstuffs, and distributing labor to a most profitable account, and benefit to the country will result.

Take from agriculture in the United States six hundred thousand men, women, and children and you at once give a home market for more breadstuffs than all Europe now furnishes us. In short, sir, we have too long been subjected to the policy of the British merchants. It is time we should become a little more americanized, and, instead of feeding the paupers and laborers of Europe, feed our own, or in a short time, by continuing our present policy, we shall all be paupers ourselves.

The conditions of agriculture in the world points to the inevitable conclusion that to the American farmer there is soon to be no market for his breadstuffs save the home market.

Russia has unimproved lands when brought into cultivation sufficient to feed the people of the earth. These lands are unsurpassed in fertility, and vast in extent. They extend from Poland on the west far into Siberia, in Asia, and comprise an area of 450,000 square miles, or nearly 300,000,000 of acres.

These lands, or the greater part of them, are treeless like the prairies of our Western States, and only need to be broken by the plow to be in cultivation. One of our consuls, in speaking of these lands, says: "The wild grasses grow 7 and 8 feet high upon them, and they are as fertile as the delta of the Nile." The Russian Government sells these lands at 50 cents per acre.

When this vast Territory is put into cultivation and brought into communication with the market of Western Europe by railroads where will the American farmer find a market for his surplus? The emigration from Western Europe to Russia is rapidly increasing, and the condition of its liberated serfs is improving. With the changed condition of its people a change in its domestic and foreign trade takes place, and this change directly affects the American farmer. In 1887 the United Kingdom of Great Britain purchased from the United States 49,000,000 cwt. of wheat, over 50 per cent. of its purchase from foreign countries. The same year it purchased from Russia 5,000,000 cwt., or about 16 per cent. of its purchase. In 1888 she took from us 30,000,000 cwt., and from Russia 21,000,000 cwt. In 1888 we exported 19,000,000 cwt. less to England than we did in 1887, Russia 16,000,000 cwt. more. This statement needs no amplification to show to the intelligent American farmer that Russia, with its cheap and fertile land and cheap labor, will soon drive us from the only foreign market we now have for our surplus wheat.

The farm laborer in Russia boards himself and works for $6 per month. Much of the work in harvesting wheat in Russia is done by women, and they work for an average of 13 cents per day.

To show the wonderful development of the export trade of Russia in cereals, the American consul at St. Petersburg cites the exports of cereals in 1886, amounting to $86,762,800, and that of the following year, 1887, to $123,032,000, an increase of $36,000,000 in one year.

The bread-food of all Eastern Europe is rye. Russia, in 1887, raised 750,296,418 bushels of rye. Her production of rye for that year exceeded our production of wheat, rye, and barley by 257,000,000 bushels, and the same year she raised 280,000,000 bushels of wheat, the greater part of which was exported.

India is making rapid progress in wheat-growing. The English Government is using every effort to increase the production of wheat in India, and is constructing long lines of railroad to facilitate its movement to the seaboard.

India has over a hundred million acres of wheat land. If one-fifth of this was sown in wheat, at an average production of 10 bushels per acre, she would raise 200,000,000 bushels. As the natives do not eat wheat, this amount, less seed, will be for exportation. With her present facilities India can export 40,000,000 bushels.

I need not discuss the cheapness of production, as all know that labor in India is cheap beyond comparison with that of any other country.

South America, which in the past has been an importer of breadstuffs, has entered the trade as an exporter. The Argentine Republic in 1888 produced 24,000,000 bushels of wheat, one-half of which was exported. The amount of wheat exported from Buenos Ayres in 1888 was 15,000,000 bushels. There is an immense area of land in South America which produces wheat. Emigration from Europe is turning in a strong stream to South America and these lands are being settled by an industrious and thrifty class of farmers. Its rapid development is a settled question, and that it will be a strong competitor, both in breadstuffs and meat products, no one questions.

Our exportation of wheat and flour as wheat amounted in the year 1889 to 88,600,745 bushels. Of this the United Kingdom took 55,289,584 bushels. With the competition present and that which the future is sure to bring can the American farmer hope to increase the sale of exported wheat? Is it not certain that the sales must diminish? Does it not, then, behoove him to accept the advice of General Jackson to vote with that party which proposes to build up manufactories to give employment to labor and a home market to the farmer?

The Republican party, always in advance on all questions that better the condition of all classes, has, through its Committee on Ways and Means of this House, framed a bill which will diversify the productions of the American farm. It has offered a bounty on sugar and silk and put a duty on hemp and flax.

When I went to Missouri I settled in Saline County, a county that contains more good land than any other county of its size in the United States or the earth. Before the war that county engaged largely in the production of hemp. Its farmers did not raise wheat enough to feed the people who lived in the county.

Since the war the farmers of Saline County have gone out of hemp-raising and turned their attention to wheat.

We have by the duty in this bill made it possible for the farmers of Missouri to again engage in the cultivation of hemp. How much to the advantage of the farmers of my State it would be if the Farmers' Alliance would take up the question of hemp-raising and the manufacture of binder twine from it.

Hemp fit to make binder-twine can be produced at a profit at 5 cents per pound. The twine could be made for 2 cents per pound. The Missouri farmer would be able to buy his binder-twine for 7 cents per pound instead of 14, and Missouri would be benefited by keeping at home the thousands of dollars annually sent abroad to purchase twine, and relieved from the extortion of a foreign syndicate which controls the price of the material from which binder-twine is now made. Missouri can raise hemp enough to make twine to bind all the wheat in the United States. In doing this a large area of her best wheat-producing lands would be employed, thus reducing the quantity of the surplus wheat that to-day is finding an unremunerative market; besides it would give employment to more laborers and create new industries within her borders.

I especially commend this clause of the pending bill to my colleagues from the Eleventh and Third districts of our State, and trust they will support the bill on account of this provision, as it will enable our farmers to keep the money at home expended for twine to pay the interest on their mortgages, as well as to get an increased price for their products to pay off the mortgages when due. Flax grows in any part of our State, and large quantities are now produced for the seed. Should it prove profitable to grow flax for the fiber, we can produce enough to meet the wants of our own people and much to spare.

If our people understood the handling of the silk-worm I have no doubt that silk would be produced in large quantities in our State. The leaves of the osage-orange, a tree which grows all over Missouri, furnish the best quality of food for the silk-worm. The bounty given by this bill will encourage the growth of silk, and I have every hope that the silk industry will soon be one of the permanent pursuits of our farmers.

The farmers of our country are intelligent, thinking men; they are studying the conditions surrounding them and will come to sensible conclusions. They are not going to follow any plan of farming that does not pay, nor depend upon any market that does not offer a steady and remunerative demand for their productions. They fully believe in diversified productions and that their prosperity depends upon the prosperity of the laborer, the artisan, the manufacturer, and the business man. They understand that manufactories build up town and city and enhance the value of both their farms and productions. They have studied statistics and history, and know that the demand for their productions outside of the home market is confined to one country, England. They know that no tariff, either high or low, will change the demand of that country for their productions, and that other nations are sending the English people food products.

We exported about 170,000,000 pounds of beef, four-fifths going to England. Of the 520,000,000 pounds of pork exported three-fourths went to England. If England is the only country we can supply with our farm products the demand can not be increased and the talk of the free-trader about feeding the millions of Europe is the merest bosh.

From reports made by the census enumerators it appears that there are citizens of Europe working in the mines of this country so low and degraded that they are tagged like animals. These people would make poor customers.

Mr. MILLS wants to send over to Europe our wheat to feed the inmates of the government soup-houses of that country. Paupers are not good customers. What would we gain by feeding these men save the approbation of Heaven? and the Lord would withhold that if we did it for gain.

Mr. Chairman, I had intended in my remarks to discuss the duty on wool, the relation of manufactories to the value of farm lands and the price of labor. These questions have been presented both to this House and the country, and I will conclude by saying that the bill under consideration meets my approval and will receive my vote.

The Tariff.

SPEECH

OF

HON. BENJAMIN F. SHIVELY,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. SHIVELY said:

Mr. CHAIRMAN: Though the tariff question is somewhat hackneyed, the pending bill involves the vast and complicated interests of 65,000,000 people and merits the closest scrutiny, the most careful and dispassionate investigation. Under an equitable division of the allotment of time, arbitrarily fixed by the majority, each member would be entitled to less than five minutes for general debate. This House has ceased to be a deliberative body. We are engaged in the mere perfunctory registration of the decrees of a caucus. There is, therefore, nothing left for the member to do but to characterize this bill in general terms and leave to a vigilant and faithful press the dissection of its details and the exposure of its injustice.

This proposition comes to us as a distinctively protective measure. In this respect it is a marked departure from the tariff legislation of the past. It makes the issue broad, plain, and sharp between the principle that the taxing power of the Government should be employed primarily for the purpose of raising the revenue to pay the public expenses and the other principle that the taxing power of the Government should be farmed out to a part of the people to enable them to collect tribute from the remainder of the people. To meet the revenue necessities of the Government is the last consideration underlying it; to respond to the demand of private interests for protection against the regulating power of competition is its first and controlling principle. So the contest is on between a tariff for revenue, with attendant protection, and a tariff for monopoly, with incidental revenue. On this line this controversy must naturally proceed until that justice which alone insures permanency is made the essence of the law.

At this late day, Mr. Chairman, it is unnecessary to quote statistics to show the effect of our present tariff upon agriculture. The majority report admits the depression of this industry. The swelling notes of distress and discontent which reach this Hall from every corner of the Republic attest to the utter failure of so-called protection to secure to agriculture that degree of prosperity to which it is entitled. The system has located the farmer between a buying and a selling market, neither of which he controls. He buys in a domestic market, dominated more or less by trusts and combinations which limit production and maintain prices, and sells in a market where prices are fixed by the competition of the whole world. Farm lands have fallen in value in the last ten years from 25 to 50 per cent. The profits of agriculture have disappeared. Farms are going by the thousand under the hammer of the auctioneer. Evidences accumulate on all hands that our rural population under this system have lost their ancient and commanding position in the structure of our laws.

Nor need we quote statistics to show the effect of the tariff on the workingmen, the wage-earners of the country. Under it has been ushered in the era of the strike, the boycott, and the lockout. Workingmen have felt compelled on all hands to organize to resist the constant downward trend of wages. They are engaged in a ceaseless struggle against the increasing strain of harassing environments. Their opportunities are narrowing every hour. The conditions of life to them

are fraught with doubt, with misgiving, with uncertainty. Such are the results to labor of a quarter of a century of tariff.

Nor need we quote statistics to show the effect of our tariff on domestic commerce. The forces of exchange and distribution are unbalanced. We behold the monstrous spectacle of the farmer burning his corn for fuel while the coal miner famishes for bread. Warehouses are crowded with manufactured and agricultural products, while one-half our population press the border lines of subsistence. The markets are dominated by combinations, and price is no longer based on cost, but to a large extent on conspiracy against the laws of demand and supply. Splendid fortunes for the tens and a struggle to keep even in the race of life for the millions is the order of our political internal economy. Engrossing, forestalling, and monopolizing, all crimes at the old common law, are becoming the chief forces of our domestic commerce. Monopoly is simply absence of competition. The domestic monopolist, who is safely intrenched behind the Federal statute, assures us that the tariff is an unmixed blessing and warns us against the dangers of pauper-labor competition.

Nor is it necessary to quote statistics to show the effect of our tariff on our foreign commerce. Everybody knows that we have substantially no foreign commerce left. What England in two wars against us and we in four years of terrific war among ourselves could not do, our tariff has most successfully accomplished. In the ocean marts of commerce appear the flags of all nations but our own. The Stars and Stripes, with exceptions few and far between, has taken farewell of the seas. The emblem of our country's honor and power no longer flaunts in proud rivalry with those of other nations against every sky. The American seaman, once the boast and pride of our nation, is only a memory. The remnants of our foreign trade are carried under alien flags, in alien bottoms, manned by alien seamen. We have built ramparts against the highway of nations. We have sentineled our seacoast against the commerce of the world, and have been left to our own folly. The commerce that once carried the rugged and commanding influence of our civilization to the uttermost parts of the earth has been sacrified to the destructive force of obstructive legislation.

Nor need we quote authority, Mr. Chairman, to show the effect of the tariff in this country on society in the concrete. Everybody admits that the benefits of the tariff go in the first instance to the employer. If the employé becomes a partner in such benefits it is only by the grace of the employer. So the statute itself operates to make a nation of patrons and dependents. The millionaire and the *prolétaire* are embalmed in the law. The natural and legitimate fruits of the system are ripening all around us. The chemistry of our whole social structure is changing. Society is being resolved into castes. It is being stratified on lines as harsh and inflexible as ever marked the feudal ages. The tragedy of Dives and Lazarus is on. The rainbow of promise and hope will yet span the abyss between these dismal characters, but it will not be flecked with the figures which in the sacred name of protection tax the millions to add to the treasures of the tens.

With these results of a quarter of a century of obstructive tariff before us we are confronted with a bill which in nearly every schedule increases the rates of duty. The majorityof the Committee on Ways and Means ground their proposition on a promise to enlarge the area of successful production. Our warehouses are crowded and our granaries full to overflowing. Yet we are constantly told that this is a question of production. Many industries are operated only a part of the year and the remainder of the time the laborer languishes in enforced idleness or crowds his fellow-laborers in other occupations. Still we are reminded that this is simply a question of production.

If this is a problem of production, Mr. Chairman, and the future prosperity of this country is to depend on its solution by the enactment of statutes, we might as well close our doors, lock this Hall and go home. The conditions of production are unalterably fixed by laws far beyond the control of human legislation. The soil, the climate, the location and extent of the various mineral deposits of the earth, the location and extent of the forests, prairies, mountains, and rivers, are among the conditions of production. No law since the great legislator of Israel handed down his statutes on tablets of stone has changed even to the slightest extent these natural conditions. Statutes can not make the pineapple grow on the banks of the St. Lawrence nor wheat on the banks of the Savannah. Your legislative fiats are as powerless to improve the natural conditions of production as are the puny wings of the nightingale to shake the rocks of Gibraltar.

I freely admit that by pensioning off one industry or another you may neutralize the advantages of favorable conditions in the latter, and, carried to a sufficient extent, such policy would destroy the industry itself; but even this rebellion against the justice of nature leaves the conditions unchanged. You may let in the sunlight or obstruct the sun's rays, but you can not compel the sun to shine. This bill is simply an effort of plethoric statesmanship to amend the ordinances of Almighty God.

But, Mr. Chairman, it is not a problem of production. The problem of production has been solved. Its solution was not accomplished by statutes. Gentlemen on the other side seem to think that a tariff law possesses some innate potentiality for the production of wealth. The whole law of production is labor, and this law comes to us through the centuries. By skill of hand, brawn of muscle, and vigil of brain, labor has harnessed the forces of nature and multiplied the producing power of mankind from ten to a thousand fold. The problem of production has been solved by the thousands of inventions that have leaped from the human brain. So complete has been this solution that we witness combinations forming on all sides to limit production and keep up prices against the cheapening forces of skill and invention.

The real problem which confronts the American people is that of exchange and distribution. Yet this bill and the report in support of it are drawn on the theory that commerce is a swindle and trade a fraud. The bill is purely a non-intercourse measure. It erects new barriers to commerce. It raises higher the old ones. It narrows the limits within which the American people may do business. We are to be made prosperous by housing ourselves in from the outside world and industriously collecting taxes, bounties, and profits from one another.

The chairman of the Committee on Ways and Means [Mr. McKINLEY] in his opening speech admits that this bill is intended to embargo our foreign commerce. In the same breath he frankly demands that we subsidize American steam-ship companies. The American people are to be taxed to erect walls against commerce. Then they are to be taxed to subsidize commerce over the walls. We are to tax ourselves to keep strangers from doing business with us. Then we are to tax ourselves again in order that we may do business with them. Thus are we to usher in the millennium of wealth by statute and riches by taxation.

At no point is commerce at war with the order of nature. It grows out of it and is in entire consonance with it. The soil and climate of Brazil are adapted to the production of coffee. The East Indies are adapted to the production of spices. Our Northern States are adapted to the production of corn and wheat. Our Southern States are adapted to the production of cotton and rice. A like variety of adaptabilities attaches to manufacture. Adaptability here means those natural conditions under which a given article is produced with least sacrifice of time, labor, and capital. The production of rice in Indiana, or cotton in Ohio, or wheat in Georgia, or corn in Florida, or spices in Minnesota, or coffee in Kentucky would involve the greatest possible sacrifice of labor and capital for the least possible result. The function of commerce is to save this needless loss, to avoid this needless sacrifice.

Commerce is not a swindle. It is the great economy of civilization. It is a time, labor, and capital saving institution. In recognition of this fact we have tunneled mountains, spanned rivers, and bound up the continent in a net-work of railroads and telegraph lines. On this conviction we have pending a bill to expend over $20,000,000 in improvement of our rivers and harbors to liberate internal trade. The sea requires no improvement. On the highway of nations all comers are welcome without price. The blessings of commerce are only limited by limiting its volume and its extent.

Soil and climate suggest the location of profitable agriculture. Timber, coal, iron, other minerals, natural gas, and other natural products suggest the location for profitable manufacture. Distance to market counts but little against favorable conditions of production. It is cheaper for Chicago to transport figs from California than to raise them in Cook County. It is cheaper for the American people to transport tea from Japan than to raise it in the United States. Nature, not nations, fixes the lines of profitable production. The despotism of the ages has been exhausted in vain to nationalize human belief against the constitution of the human mind. Even more dismal must be the failure of legislative effort to localize production and commerce against the bounty, the generosity, and the justice of nature.

This bill is a proposition to destroy competition. The function of competition is to preserve equitable relations between cost and price. Cost is the measure of sacrifice involved in the production of a given article. Price is what the consumer pays for it. The tariff neither creates nor distributes favorable conditions of production. It simply circumscribes the area over which the regulating force of competition operates. Surrounded by a prohibitory tariff, oranges might by the use of artificial appliances be produced in Canada. When the consumer pays his dollar apiece for such oranges, he pays 5 cents for the orange and 95 cents as pension money for the support of the so-called "domestic industry."

The law does not change the climate or soil. By shutting out all competition it increases the exchange value of oranges. Domestic competition could not reduce the price below the cost. In this case, therefore, the tariff would increase both cost and price. Ninty-five per cent. of the total price of the orange crop would be the net financial loss to the community. This is what the advocates of this measure would call diversifying industry! Canada would have one more industry and the census-taker would count the orange crop as riches. But common sense would pronounce such riches a fiction and such an industry an expensive mendicant, subsisting on the charity of other industries.

Commerce had its origin in the same motive and desire as the cotton-gin and the steam-engine. Both multiply human comforts and diminish human toil. To needlessly abolish commerce is as insane as to abolish steam, electricity, and natural gas. To reinvent the sickle and by statute compel the farmer, for the benefit of the maker of sick-

les, to use it in preference to the self-binder would be no more unjust than to enact a statute to enable one industry by monopoly to lay all other occupations under contribution for its special aggrandizement. In the first instance the sickle is merely an incident, while the statute is the real source of gain. In the second instance the industry is the plausible pretext, while the statute is the real instrument of profit. In neither instance has the statute any inherent producing power. In both instances the statute merely enables those for whom it is enacted to transfer the wealth of the community to themselves without compensation. There is no necromancy in your bill that can add one farthing to the wealth of the country. Its first, last, and only function must be to enable the few to confiscate the earnings of the many.

To narrow the field of competition is the office of a prohibitory tariff. To the extent this object is accomplished must relative prices of protected articles be increased. This is done by increasing the cost of production in some industries and facilitating the formation of combinations in others. The advantages of the tariff fall to those whom it can protect from competition. The burdens of the tariff fall on those whom it can not protect from competition. This bill places a duty on corn, wheat, hay, straw, and other agricultural products. We have every year a surplus of corn, wheat, beef, and pork which we send to foreign markets. The price received for this surplus in the world's markets fixes the price received for that sold in this country. If our corn, wheat, beef, pork, or cotton brings 1 cent more in the home market than in the foreign market, why do we every year send millions of dollars' worth abroad? If wheat were a dollar a bushel in Chicago, who would send it to Liverpool for 90 cents?

The competition of the whole world fixes the prices of the farmer's products. Though the figures in this bill were made ten times higher it could not protect agriculture. The tariff on binder-twine and barbed wire shuts out foreign competition and renders easy the organization of the domestic trust. Your bill protects the twine and wire that the farmer must buy, but can not protect the wheat and corn that he has to sell. Your bill protects the iron, steel, and lumber which go into the farm machinery that he must buy, but can not protect the beef and pork that he has to sell. Your bill protects the cutlery, glassware, earthenware, tinware, cotton and woolen goods that he must buy, but can not protect the oats, cabbage, or potatoes that he has to sell. Sir, your tariff can not enrich the soil, add warmth to the sunshine, nor freshness to the rain. It can not keep off the fly, the rust, the drought, the frost, or the flood. It begins by loading the farmer with burdens and ends by bankrupting and destroying the oldest and most independent occupation of history.

It is alleged with the usual vehemence that this bill is to protect the American workingmen. Yet the very men who are clamoring most loudly for its passage are in theory and practice free-traders in labor. They have literally emptied the pauper asylums of protected Italy, Austria, and Hungary into our mills, mines, and workshops to break our labor market and press down our rates of wages. Intrenched behind our tariff walls they have organized iron, steel, and coal trusts, and by agreement closed their mills and mines for a part of the year in order to limit the product and keep up prices. The laborer is rewarded with enforced idleness and high prices for the necessaries of life which the remnants of his wages will buy. The laborer does not appear in the bill except as a victim. He, like the farmer, is to sell his labor at competitive prices and buy his subsistence at protected prices.

The tradesman, clerk, and professional man likewise appear only on the debtor page of this ledger of taxation. Neither the profit of the merchant, the wages of the clerk, the salary of the teacher, nor the fee of the lawyer is protected by its provisions. These are to contribute, not to receive. They are to pay bounties, not to enjoy them. Such is the left-handed protection vouchsafed by this measure to the great body of our people. It contemplates the relation of guardian and ward between the ten and the ten thousand, with the guardian in perpetual default. It is the gentle protection extended by the highwayman to his victim.

Nor does this bill give even-handed protection to all our manufacturers. Loud and deep and earnest are the protests which reach this Hall from many manufacturers against its merciless provisions. Even this great department of human industry is summoned to lay sacrifices on the altar of wealth by taxes. The factory which depends on merit, not combination, for its success is assailed. The factory which must make a new schedule of prices to meet the increased bounties on raw material is assailed. The factory which, by the intelligent application of skill and invention, has reached the minimum cost of production is assailed. Those real captains of industry, who have defied distance and the "pauper labor" of the world and placed their products on sale in the farthermost parts of the earth, are assailed. The most capable, generous, self-reliant, and self-respecting of our manufacturers are by this legislation sacrificed both in their factories and in their markets.

The iron, steel, earthenware, glassware, barbed-wire, binder-twine, and a few other industries are on the dividend page of this bill. The degree of protection in each case depends on the degree of monopoly of the American market which the tariff secures and the amount of exactions on raw material which it compels. The net protection on a given finished product is that which is left after deducting the bounty paid by the manufacturer on his raw material. Thus, even among directly protected industries, the advantages are unequal. The nearer the approach of the article to what is termed raw material the broader the field for the collection of bounties in the way of increased prices on it. Iron and steel form the basis of a large per cent. of manufactures and are incidents to the remainder. Iron is the basis of stove manufacture. Steel is the basis of cutlery manufacture. Lumber is the basis of furniture manufacture, but the workmen use iron and steel in fashioning the product. Hides are the basis of leather and shoe manufacture, but the machinery in the factory is of iron and steel. These are the metals of civilization. How vast must be the burdens which a tariff on them for monopoly visits on society.

In 1883 it was shown in an equity suit that the Jackson Iron Mining Company of Michigan paid in twenty years $5,355,000 in dividends on an investment of $300,000. This was an average annual dividend of 89½ per cent., and the plant increased in value to $1,500,000 in the mean time. Andrew Carnegie admits that he drew $1,500,000 in dividends in a single year, or $5,000 a day, out of the Edgar A. Thompson Steel Works. These millions were struck into the metals as a part of their price. They followed these metals through the various grades of manufacture until they reached the consumer of the finished product. There they were fastened in the shape of the increased price which the last purchaser had to pay.

Every farm, home, and factory is thus laid under contribution. Prohibitory tariff is a patent of monopoly. It is not granted to reward genius or encourage invention. It is granted to reward greed and encourage grand larceny. It gives to odious privilege the character of legal right. In the nature and the constitution of the system it picks ten thousand pockets to make one plethoric purse. Iron and steel well illustrate the amount and distribution of its bounties and its burdens.

Yet, Mr. Chairman, the title of this bill announces its purpose to be to "equalize duties." If this were true it would fall to pieces in five minutes. If it equalized the bounties and burdens of the tariff the influences outside and inside this House which clamor for its passage would drop it as if it were a serpent. It is its unequalizing purpose alone that secures it support. It is the Government partnership which it creates with a few industries, at the expense of all other interests, that commends it to the combination back of it. The Government is to hold the hands of the millions of consumers while the tens pick their pockets by increased prices. It is a partnership in which the Government compels the many to stand and deliver while the few pocket the plunder. It is these characteristics that endear this bill to the few who cultivate the taxing power of their Government while the many cultivate their farms or toil in the mills and mines.

Gentlemen reply that the tariff does not increase prices, but rather decreases them. Human nature is not made of the stuff that comes to Washington to clamor for a tariff to decrease the price of what it has to sell. The purpose of monopoly is always to increase or maintain prices. He who asks for protection simply asks for the removal of competition. The men and corporations who demand the passage of this bill would strangle it to-morrow if it were intended to decrease the price of their products or increase the wages of their workingmen.

It is insisted that the tariff cheapens, and the prices of calico and steel are again quoted to prove it. By what process do figures in a statute cheapen the cost of the products of labor? As well say that to the yellow fever is due the increase of population, or to the eclipse of the moon the fate of political parties. The faith of the advocates of this bill in the efficacy of parchment is sublime. They attribute good crops to the tariff. They seem to believe that the soil, sunshine, rain, and dew are regulated by the tariff. The school, the lyceum, the library, and all other agencies for the elevation and culture of society have been, in the course of this debate, attributed to the tariff. The providence and beneficence of nature are discounted and every blessing is ascribed to the tariff.

Lord Macaulay observes that, with a pecuniary consideration involved, plenty of talent can be found to deny the law of gravitation. How perfectly the arguments employed in defense of the pending bill illustrate and confirm the truth of this observation. What miraculous power a statute with high percentages in it has. It gives skill and cunning to the hand of labor. It energizes the gray matter of the human brain and suggests inventions in rapid succession to the human mind. It will enable us to make tin-plates whether we have the tin or not. It will enable us to find plenty of tin-mines whether they exist or not. It will make peanuts blossom on the summit of the Rocky Mountains and dates grow on the banks of the Aroostook. Only place the figures in your tariff statute high enough and keep them there long enough and we will make nice fine wool grow 2 feet long on a hydraulic ram!

But, Mr. Chairman, however miraculous the power of the tariff, it is still unequal to its logic. The defender of this bill says that the necessaries of life have grown cheaper in this country, and ascribes it to the tariff. Then he asks protection to our industries from the cheaper products of England, which cheapness he ascribes to free trade. He assures us that free trade means low wages and protection means high wages. Yet he admits that wages in free-trade England are 50 per cent. higher than in protected Germany, 75 per cent. higher than in protected Italy, and 100 per cent. higher than in protected Spain. The

authority is conclusive that wages in England have advanced from 25 to 40 per cent. in the last quarter of a century, while in the same period they have decreased in the United States in about the same ratio. He assures us that the tariff lowers prices all along the line, and then proceeds to put duties on corn, wheat, potatoes, and straw for the benefit of the American farmer. He assures us that free trade means poverty, and yet admits that 98 per cent. of the poverty-stricken populations that press through Castle Garden every year come from the protected countries of Europe.

The truth never involves its advocates in such inexplicable inconsistencies. Facts do not require their defenders to occupy every sign in the zodiac. Justice never faces both ways. Only the evangelists of error and the missionaries of greed need shift their position or flank themselves with passion, prejudice, assumption, and falsehood.

By the invention and application of the Bessemer process the cost of producing steel rails has been vastly reduced. The price fell from $166 per ton to $27.50. But within the past eighteen months the price of steel rails has been advanced over $9 per ton, while the wages of the labor that produced them have been reduced 20 per cent. Invention cheapened the cost of steel rails. The tariff which shut out competition enabled the domestic combination to advance the price $9 per ton, and, by limiting the product, cut off the demand for labor and made possible a reduction of wages.

A century ago Adam Smith pointed to the fact that one man could make an average of 4,800 pins a day as a triumph of invention and division of labor. To-day one man in the same length of time makes 7,500,000 pins, or over 1,562 times as many as a century ago. To-day the winds are pumping water on our farms, the streams are grinding our flour, steam is throwing our shuttles and whirling our spindles, electricity is abolishing time and distance and bringing all our people face to face. The forces of nature are thus harnessed under the direction and superintendence of human skill and human industry. The magnificent bounty and benevolence of nature are in ceaseless co-operation with the genius, skill, and energy of labor to decrease the burdens and multiply the comforts and happiness of mankind. Only obstructive legislation, with its emissaries of selfishness and maxims of greed, is left to strew the wake of progress with the wrecks of poverty.

We are told that the increase of price on the protected article is at best but a trifle. The difference between the price of the farmer's crop and the total of the mechanic's wages on the one side and the cost of subsistence to them on the other fixes their financial status. If the exactions of the tariff are trifling, why not leave the trifles in the pockets of the consumers? It is the vast accumulation of these so-called trifles in the relative increased cost of all necessary articles of consumption that is pressing the non-protected farmer, non-protected laborer, non-protected tradesman, and certain departments of non-protected manufacture across the dead line of bankruptcy. Trifles eat away the margin of profit and swell the debit column on the balance-sheet of receipts and expenditures. The pending bill is intended to multiply these trifles, to increase these exactions. The colossal fortunes gathered by the beneficiaries of our tariff are but the accumulated trifles extorted from American consumers. Petty larceny is no more justifiable than grand larceny. This bill is a proposition to legalize both.

The farmer again receives the old and familiar assurance of a home market. In 1860 we sold 90 per cent. of our farm products at home; in 1870, 80 per cent., and in 1880 only 70 per cent. In 1860 we were compelled to send only 10 per cent. abroad; in 1870, 20 per cent., and, in 1880, 30 per cent. Indiana's wheat crop last year was 5,000,000 bushels more than manufacturing New England consumed. Manufacturing Pennsylvania does not furnish a market for all her own agricultural products. Such is the home market that a quarter of a century of high tariff has given the American farmer. Three-fourths of our exports are farm products. It is the farm that is furnishing what foreign commerce we have. This is a bill to compel the farmer to buy at home even if he must submit to being swindled right and left, and leaves him to sell in competition with the whole world. It simply furnishes him with splendid opportunities to pay high prices for inferior articles. So far as the home market is concerned the protection secured to the farmer by this bill is the protection tendered the Judean traveler from Jerusalem to Jericho.

Gentlemen point us to the $20,000,000 worth of tin-plates brought into this country every year, and say that by this bill it is proposed to make the tin-plates here and keep these millions at home to buy our farm produce. It is our farm produce that goes abroad now to pay for these tin-plates, as well as other imports. With our present high tariff on tin-plates their production in the United States has been a failure. This bill can not give us tin-mines or change the conditions of production. It proposes simply to increase the duty on tin-plates 150 per cent. and pension off an embryonic tin-plate industry on the farmers and other non-protected classes. Every member on the other side admits that it will raise the price of tin-plates. So every consumer in the United States is to pay an increased price for the tin can, the tin pail, the tin roof, and all articles of tinware as pension money to support the alleged industry.

The canning industry and the tinware manufacturers are to be mulcted for their share of the contributions. It is said this new industry will give 20,000 American workingmen employment, at a total wages of $10,000,000 per year. It is capable of mathematical demonstration that this duty will increase the cost of tinware to the American people on the basis of present consumption at least $15,000,000 annually. The American people would save $5,000,000 a year if they paid each of the 20,000 workingmen $500 a year to remain in idleness. The American farmers are to contribute at least $7,000,000 to procure a home market for $4,000,000 worth of produce. In other words, the farmer is to make the so-called tin-plate industry a gift of $1 for a chance to sell 60 cents worth of his farm and dairy products.

And this is what gentlemen call establishing an industry! A poor-house is a flourishing industry and a public soup-house a gold mine in comparison with it. If the conditions for the production of tin-plates in this country are favorable, the present duty is ample; if unfavorable, then your industry can represent nothing but waste of time, waste of capital, and waste of labor. From the beginning the so-called industry is to be the pretext, while the power conferred by this bill to collect bounties from the consumers of tinware is to be the real source of dividends. It is not to be profitable production of tin-plates, but profitable plunder of the people. Such union of the farm and the factory is the union of Sinbad the Sailor and his dead wife.

It is such monstrous abuses of the principle of protection that are to-day destroying agriculture and impoverishing the wage-earners of the country. This bill simply licenses the few industries which it can protect to increase their exactions from the industries which it can not protect. It turns loose additional mendicants to feast on the taxing power of the Government. It arms greed and selfishness, not with power to produce wealth, but with power to collect it from honest toil and self-sustaining enterprise.

The framers of this bill, Mr. Chairman, with refreshing frankness, lodge the sugar industry directly on the public Treasury. All grades of sugar, up to and including No. 16, Dutch standard in color, are placed on the free-list. The duty is retained on refined sugar. By this process the national Treasury loses $55,000,000 annual revenue. To this must be added the proposed bounty of 2 cents a pound on domestic sugar, or $7,620,000 annually on the basis of last year's product. This bounty is made to run for fifteen years, so that the more sugar we produce the more expensive is to be the bounty to the tax-payers. The net results of this provision are $62,520,000 annual loss of revenues to the public Treasury, free raw sugar to the sugar trusts and sugar refiners, and a duty on the refined product to keep up the price of sugar to the American consumers.

All other industries must contribute to pay the 2 cents a pound bounty to the domestic sugar producer. The trust and refiner are furnished free raw sugar. They are protected on the finished product. The millions of consumers are left substantially as before, except instead of their $55,000,000 going as heretofore into the public Treasury most of it is to go to the sugar trust and refiner, and $7,520,000 besides taken out of the Treasury and handed over to the sugar industry which is thus pensioned by the Government. Is it any wonder that the price of sugar trust stock arose $11 on the hundred within two days after this bill was reported to the House? Instead of turning this vast revenue from the Government over to the sugar combinations, why not, while about it, make all grades of sugar free, and thus save the $55,000,000 to the consumers?

This provision of the bill renders it unnecessary to argue that a prohibitory tariff and a bounty are the same thing. The proposed duty on tin-plates is to enable the producer of them to collect his bounty from the consumer in an increased price. The duty is taken off of sugar and the Government pays the bounty of 2 cents a pound direct out of the people's taxes in the Federal Treasury. In effect both systems are the same. In one case the Government collects and pays the bounty and in the other the individual collects it for himself. One is an open public pillage of the tax-payer; the other, a constant, cunning, complicated, and insidious pillage of the consumer.

The rational protectionist claims that in levying import duties the rate should be made to cover the difference in wages and cost of capital as between this and foreign countries. Such a policy, he insists, produces the necessary revenue, protects the domestic producer from bankrupting competition, and yet leaves enough of the regulating power of foreign competition to protect the domestic consumer from extortion by domestic combinations. No one can pretend that such is the doctrine of this bill. The census of 1880 showed that the producing power of labor in the boot and shoe industry in the preceding ten years had increased 28 per cent., while the wages had fallen 33 per cent. Owing to improved methods and machinery during the last ten years the producing power of labor in all departments of manufacture has greatly increased.

The census of 1880 shows that even at that time less than $13 in wages were paid in this country in producing $100 worth of average chemicals, oils, and paints. Yet this bill, coupled with the provisions of the McKinley administrative bill, places an average duty of $45 on each $100 worth of these articles. The rate of duty not only covers all possible difference between the foreign and domestic rates of wages, but covers the total domestic wages three times over. The chemicals, oils, and paints schedule is mentioned for illustration. Total absence of any possible relation between wages and the rate of duty charac-

terizes every schedule of this bill. Protection, not to wages, but to monopoly, is the sole maxim applied. It is a scheme for the consumption of wages, not for their protection.

It is claimed that this bill will increase the opportunities of American workingmen. It facilitates combinations to limit production and stop employment. It increases the cost of subsistence, and thereby lessens consumption, which in turn cuts off demand for labor. It offers additional employment only against conditions where all other forms of employment must be plundered to make good the waste of labor and capital. It proceeds on the doctrine that waste is wealth. Its policy would burn cities to give opportunity to carpenters, destroy books to give opportunity to authors, invoke famine to give opportunity to agriculture, and invite pestilence to gladden the heart of the undertaker.

The specter of "foreign pauper wages" is again conjured up to humbug American workingmen into the support of this bill. The sum paid to labor in the production of a given amount of product is the crucial test as to whether wages are relatively high or low. The labor of the man who receives $2 per day and produces three times as much as the man who is paid $1 per day is much the cheaper labor to the employer. Parallel columns of relative per diem wages always deceive. They never state the fact that the higher-rate column represents energetic, wide-awake, skilled, and hopeful labor, nor that the lower-rate column represents stupid, careless, unambitious, hopeless toil. They fail to show the fact that each dollar in the higher-rate column secured for the employer as much or more product than each dollar in the lower-rate column. The men who quote these columns and in theory lament most loudly the condition of foreign labor are in practice the most careless as to the condition and rewards of domestic labor.

One factory pays a man $2 per day and he weaves 400 yards of cloth. Another factory pays a man $1 per day and he weaves 150 yards of cloth. The defender of this bill would insist that the former secured the higher wages, but the employer knows that in the former case he pays one-half cent a yard for weaving and in the latter two-thirds cent a yard and that the so-called higher priced labor is at least 16 per cent. the cheaper. These illustrations point out a rule that is universal as between American and foreign labor and indicate the misleading character of comparative tables of wage statistics unless based on the relative wages paid in producing a given article. With rare exceptions a given amount of wages produces more for the American employer than for the foreign employer.

This is not, Mr. Chairman, a matter of conjecture, but of ascertained fact. Actual tests and comparisons demonstrate it. Mr. Evarts, when Secretary of State, made a thorough and critical examination of the whole subject. On page 36 of his report to Congress he says:

> The average American workman performs from one and a half to twice as much in a given time as the average European workman.

After quoting authority and statistics he adds, on page 37:

> One workman in the United States, as will be seen from the foregoing extracts, does as much as two workmen in most of the countries of Europe.

Mr. Blaine, when Secretary of State in 1881, made a special investigation of the cotton industry. In his report he demonstrates by undisputed statistics that the wages paid in our cotton factories were less at that time, both by the hour and in proportion to the product, than in England. It is safe to appeal from the jugglery and sophistry of a Presidential campaign to the facts ascertained by these men and deliberate judgment expressed by them when oath-bound officers of the Government.

When Brassey was building railroads in India he found that high-priced British labor was cheaper than 12 cents a day native labor. A gentleman who assisted in building the Mexican Central railroad tells me that he found it much cheaper to hire workmen from the United States at $1.50 per day than to employ Mexican labor at 37 cents per day. A Republican ex-Secretary of the Treasury who has spent much time in England says that even the hostlers and house-maids do from two to three times as much work in this country in a day as the same class of laborers do abroad. This bill is not drawn to protect a difference in wages. It is drawn to protect an arbitrary difference in price, which is made a direct charge on the wages and profits of consumers.

It is alleged that this is a proposition to increase production. Quite the reverse is true. The non-protected farmer seeks to increase his income by increasing his crop. The protected coal operator seeks to increase his income by limiting his production and advancing his prices. The non-protected plow and furniture manufacturer seeks to increase his profits by increasing his production and his sales. The protected steel and iron manufacturer stops production, limits the supply, and seeks profits from arbitrary prices. Non-protected labor must increase its income by increased industry. Protected wire and twine manufacturers aim to increase their profits by limiting the supply and collecting high bounties from the consumer. The many are left to increase the wealth of the country by increased production; the few are to sponge up the wealth of the country by the machinery of monopoly. The many are to seek profit by abundance; the few are to gather fortunes by partnership with scarcity and the tariff.

I recognize, Mr. Chairman, a primary obligation to my immediate constituents. Neither pride of opinion nor attachment to party can require me to sacrifice either the most powerful or most humble among them. In revising the tariff, American labor and American capital should have the benefit of every doubt. But as far as this bill applies to the great body of the people whom I represent there can be no doubt. It sacrifices them right and left, regardless of party and occupation. It increases the duty on many lines of raw material and removes it on none. It compels a revision of price lists and disorganizes the domestic market. It flaunts the black flag in the face of every foreign nation into which the products of our factories have been pushed. It strikes down every hope which the late Pan-American Congress inspired of enlarged markets for our goods in Mexico and the Central and South American states. Even where the duty on the finished product is increased, all advantage is neutralized by its increased exactions on raw material. It has called out many petitions from my people against its provisions and not one in favor of them. Some of the ablest and most far-seeing Republicans in and out of this House are denouncing it. The leading Republican papers of the great Northwest are exposing its injustice. The conscience of the nation and the moral sense of the great mass of the people are in revolt against it. The despotism of a caucus may compel its adoption, but no amount of force can reconcile thoughtful and just-minded men to many of its provisions.

This Congress, Mr. Chairman, has increased the appropriations for every department of the Government. New lines of expenditure have been established. Many more propositions have been reported and are now on the Calendar awaiting action. The majority of the Committee on Ways and Means claim that the pending bill will reduce the Federal revenues over $71,000,000. If it results, as predicted by many of its friends, in the total exclusion of many dutiable articles, the reduction must be even greater. It threatens in any event to disorganize our national finances and bankrupt the Treasury within six months after it goes on the statute-book. In the mean time the people are in no wise relieved of the burdens of taxation. The streams of taxation are simply diverted from the national Treasury to the coffers of select and favored beneficiaries of this legislation. The taxing power is simply lessened for public purposes and increased for private purposes.

In good faith this should be entitled a pension bill. Its only purpose and effect is to pension off its beneficiaries on the rest of the community. The sugar-planter is pensioned directly from the public Treasury, and the wire, twine, tin-plate, and other select industries are armed with the taxing power of the Government to secure domestic monopoly and pension themselves out of the pockets of the people. The pension is not for wounds received in battle, nor for disability contracted in the line of duty. Nor is it for honorable service rendered in defense of the flag or free institutions. It is a pension to selfishness and greed. It is a pension to the men who reap where others sow and gather where others plant. It is a pension to the men who debauch the ballot and gamble in public trusts. It is a pension to the men who seem to have no possible use for the grandest Government on earth except to prostitute it to their individual profit and private gain.

Whatever party, Mr. Chairman, undertakes a revision of the tariff is confronted with many difficulties. The perfect system of taxation has not yet been devised. The vast revenue necessities of the Government during the late war opened the doors to private interests to lodge themselves on the labor and enterprise of the nation by the machinery of our taxing power. Privilege thus invited to the feast soon took possession of the host. While the people for years after the war were borne along on the waves of stimulated patriotism and passion, the men who had found in the taxing power the secret of wealth by bounties lost no opportunity to intrench and fortify their position. Each beneficiary of privilege from his safe retreat behind the clouds of passion that enwrapped the nation could join in the boast of the King of Assyria, "My hand hath found as a nest the riches of the people: and as one gathereth eggs that are left, have I gathered all the earth; and there was none that moved the wing, or opened the mouth, or peeped."

The influence of these men and these powerful interests involve every effort at revision of the tariff in a maze of complications and embarrassments. The announced policy of the dominant party, that duties are to be levied primarily for the benefit of private interests and that the public revenues are to be a secondary consideration, was a complete surrender of the sovereign power of Federal taxation. From that moment public interests were made subservient to private ends. The insolent brood of protected extortioners hatched by the abuses of our present tariff accepted your invitation and took full possession. The taxing power was turned over to them and they proceeded to revise the schedules to suit themselves. The conflict of contending interests raged around the committee-room. Taxes were handed about. Increased duties were met by compensating duties. Figures were compared. The number of victims were estimated. The prizes in the lottery of taxes were distributed. The combinations were perfected, the clamor hushed, and we have now before us one of the most marvelous charters of taxation ever conceived by the human brain.

The beneficiaries of this bill may realize the fruits of their victory. Its defenders here are certainly welcome to the fruits of their surrender. It is a dearly purchased servitude. But it will secure the patronage of the combination of special interests back of this bill for the domi-

nant party for a time. These creatures of privilege will print tons of literature, as in the past, to convince the people of the beauty of their system; they will eulogize as American the policy that is American only in the sense that it victimizes Americans. As in the past, they may cover the floors of our factories with improvised tables of statistics and heart-rending articles on the pauper labor of other countries; they may furnish editorial free to every rural newspaper that will publish it; they may send their sleuth-hounds into every close district to hunt down the public man who denounces their larcenies. All this they may do for the dominant party, but only so long as that party responds to their commands and devotes itself to their service.

Amid the raging tempest, when the clouds are low and the stars are dead, the mariner turns to his compass and chart to locate his bearings and avoid the shoals. Amid the fury of contending interests about this Capitol we may confidently revert to first principles to measure the just and safe and locate the unjust and dangerous exercise of public power. These principles, older than the Decalogue, struck by the hand of Heaven into the eternal order of things, are no more immutable in their nature than universal in their application. The boast of the Assyrian monarch, "I have removed the bounds of the people, and have robbed their treasures," marked the beginning of the end of that proud and powerful dynasty. The long and bitter struggle for political and civil liberty has been in the main a revolt against abuses of the taxing power. Kings seized on the property of their subjects to satisfy their lust for wealth and were met by armed revolt. They farmed out the public revenues to their favorites and lost their thrones. They granted monopolies to their ministers and trod the narrow steps of the scaffold. After centuries of resistance to the doctrine of the divine right of taxation the principle was conceded that taxes were voluntary contributions by the subject through the commons to the crown. It is too late in the nineteenth century to revive with permanent success the dogmas of despotism and make the taxing power of our Government an instrument of profit for a few favored citizens. The garniture of well set phrase and the embelishments of shrewdly handled statistics may allure and deceive for a time, but certain defeat at last awaits any system based on the assumption that taxation in any possible form can add wealth to a nation or insure prosperity to a people.

Taxation is a consuming force. It is a necessary evil. It is a penalty society pays because of the imperfections of human nature. The man does not live who returns thanks for his opportunity to pay taxes. In the practical affairs of life taxes are always credited as expenses. Legislative jugglery can not change their character. These facts suggest that in any revision of the tariff the first aim should be to limit revenue to the actual necessities of the Government. The second aim should be to preserve the public character and purpose of the tax. The third aim should be to place the burden where it least cripples the producing energy of the nation. The duties should be reduced and so far as possible remitted on the necessary articles of consumption. To tax the necessary subsistence of a people is to discount the very source and supply of wealth. Articles of luxury should be taxed up to the collection point, not simply because they are articles of luxury, but because to tax luxuries is to effect the object of taxation with least subtraction from the producing force of the people. To tax the workman's breakfast table is to discount his day's labor; to tax the jewel-case is to provide for the public expenses with least harm to labor. Taxes should be reduced on raw material. To tax the basis of manufacture is to increase the cost and narrow the market of the finished product. Finally, the principle should be observed that reasonable competition is a stimulant to improvement in the means of production, a weapon with which superior skill and industry take the market, and a safeguard against unjust exactions from the consumer.

Elaborate statistics have been thrown into the current of this debate to show the progress of this country in material wealth. On this point no authority is required. The wildest dream of the romancer is dull prose compared with the marvelous miracle of our industrial growth. The shadows are also here. Jay Gould and Lazarus are together worth $200,000,000. The carnival of flood and drought, plenty and poverty, luxury and famine is on. This bill promises no relief. It means disorganization of our industries. It insures further disorder in the body politic. It can only add to the disease already too apparent in our economic system.

But, Mr. Chairman, out of this delirium of political economy will come the soberness of reason. The illusion of wealth by statute and riches by taxation will pass away. The use and control of the Federal taxing power will be restored to the Government. The Government will dissolve its partnership with the classes and again become the impartial umpire of all the people. By prudent methods the evils of vicious taxation will be removed and our economic system will be restored to harmony with our political system.

Nor will the American people solve the vexed problem for themselves alone. Pride and patriotism alike repudiate the sacred folly that this nation must be a hermit. It is at once the example and the missionary of free government. It is well equipped for the majestic task of peacefully proselyting to the gospel of liberty. It has passed through the saddest dramas and grandest triumphs in all the course of time. Beyond its wealth of mine and mill and field is its rich legacy of traditions, its proud heraldry of freedom, its sublime galaxy of martyrs to its faith. These are the guardians of its past, inspirations to its present, and hostages to its future. To these silent but mighty influences are due in no small degree the ruggedness of character, the sturdy self-reliance, the decisive individuality, the imperious aggressiveness of the American people.

It were humiliating to such a people to speak with awe of the competition furnished by the labor of nations loaded down with vast standing armies, expensive aristocracies, and the accumulated paralysis of centuries of tyranny. In intelligence, genius, skill, energy, courage, and productiveness American labor in all lines of production to which our climate, soil, and natural resources are adapted stands in a clear majority against all the outside world. It is only in the petty domain of obstructive legislation that the most inferior nation on earth can double the figures in her parchment and laugh at our power.

No, Mr. Chairman, the influence of this nation is not to be circumscribed by red lines on the map or the incidents of the sea. If in the sacred name of protection we are only to set a slender fraction of our people to feeding as parasites on the labor of the country, how vain these centuries of sacrifice. If we are to present to the nations only an example of monstrous extremes of wealth and poverty, republican institutions must stand discredited. If a little brood of protected aristocrats are to write our laws and wield the power of taxation to disfranchise labor of its earnings, then the Mayflower and Plymouth Rock are senseless fictions and Lexington and Yorktown stupendous jokes.

But the faith of our fathers was not vain. Here already have their children subordinated the forces of nature and solved the problem of production. The problem of exchange and distribution is certain of solution. The products of American skill and industry will go in unfettered ships into the markets of the world. The products of American loom and spindle will go to clothe the millions on the south of us to whom our obstructive laws have almost made us commercial strangers. Our factories will furnish the farm machinery for the world. The petty era of taxes and ad valorems and percentages will give way to enlarged markets for our products, larger demand and juster compensation for labor, and a solid basis of prosperity to the whole people. Our merchant marine will no longer dangle a miserable mendicant from the ragged edges of the United States Treasury.

Relieved of the weights that our own laws have hung about it, it will again course the highway of nations and command that commerce which above all others is most profitable to mankind. American ships, sailing under the American flag, manned by American seamen, will carry the finished products of American labor over every sea into every port. They will return laden with the fruits of other climes, impossible of production here, and with the raw material, which American skill will shape into finished products and again send out among the nations. This is no idle dream. It is what we have done in every instance where raw material has been released from odious exactions and American labor released from the manacles of obstructive laws.

With the white sails of our enfranchised commerce on every sea and the Stars and Stripes again floating from our mast-heads against every sky, the commanding influence of our free institutions will again be felt. Every ship will be an evangelist of liberty. Every sail will be a parable of freedom. Our flag will everywhere tell the story of self-government. Other nations must then disband their standing armies and unload their aristocracies and give hope and enterprise through enlarged liberty to their labor, or fall laggards in the friendly rivalry for the supremacy of the seas. By such policy the American people, made up of every nation, tongue, and clime, will, on their own congenial soil, work out the problem of civilization for themselves and reflect the beneficence of their institutions over all the world. It is this principle, withheld only in our economic system, that makes the American people, rejected by the architects of despotism in other lands, the chief corner-stone in the temple of political and civil liberty here dedicated to all mankind.

APPENDIX.

Table compiled from the Tenth Census by Mr. Seaton, Superintendent, showing value of various manufactured products, per cent. of labor cost, rate of duty existing and proposed.

Industries.	Value of product.	Labor.	Percentage of labor.	Present tariff.	Proposed rate.
Carpets	$31,792,802	$6,835,218	21.5	46.31	60.88
Cotton goods	210,980,383	45,614,419	21.6	35.64	38.00
Bolts, nuts, etc	10,073,330	1,981,300	19.7	32.00	30.00
Nails and spikes	5,629,240	1,255,171	22.3	62.00	41.00
Iron pipe, wrought	13,202,162	1,788,258	13.4	74.00	62.00
Oil, linseed	15,393,812	681,677	4.4	44.00	53.00
Screws (smallest)	2,184,532	456,542	20.9	72.00	84.00
Wool hats (cheap)	8,516,569	1,893,215	22.2	68.00	111.00
Woolen goods	160,606,721	25,836,392	16.1	71.00	90.00
Worsted goods	33,549,942	5,683,027	16.9	67.00	103.00

Table showing increase in rate of duties on many articles in common use.

Articles.	Present duty.	Proposed duty.
116. Common window-glass, 10 by 15.....per pound...	67.61	73.72
116. Common window-glass, 16 by 24.....do.....	115.41	123.10
116. Common window-glass, 24 by 30.....do.....	128.58	135.34
116. Common window-glass, above that.....do.....	132.29	138.04
131. Freestone, granite.....	20.22	40.00
131. Freestone, granite, hewn or dressed.....	20.00	50.00
144. Cotton-ties.....per pound...	35.00	115.00
147. Tin-plate.....	34.00	74.00
150. Steel ingots, etc., above 16 cents per pound.....	11.89	45.00
151. Wire-fence rods, No. 6.....	45.00	54.00
169. Pen-knives, etc.....	50.00	75.00
171. Table cutlery.....	35.00	50.00
348. Plushes.....	40.00	100.00
350. Hosiery.....	40.00	60.00
350. Shirts and drawers.....	40.00	65.00
363. Burlaps.....	30.00	.....
368. Brown and bleached linens.....	35.00	50.00
369. Brown and bleached linens.....	35.00	60.00
390. Yarns.....	69.00	100.00
391. Woolens and worsted, knit goods, etc.....	94.59	125.00
391. Worsteds, knit goods, under 30 cents.....	73.20	130.00
391. Worsteds, knit goods, 30 to 40 cents.....	68.41	147.00
391. Worsteds, knit goods, 40 to 60 cents.....	67.60	130.00
391. Worsteds, knit goods, 60 to 80 cents.....	68.98	112.00
391. Worsteds, knit goods, above 80 cents.....	71.22	90.00
391. Worsted shawls.....	61.82	93.00
391. Belts for presses (printing).....	53.14	101.00
392. Blankets and flannels and hats.....	69.70	110.00
393. Women's and children's dress goods.....	68.00	103.00
394. Women's and children's dress goods.....	85.00	110.00
395. Clothing, ready made.....	54.00	84.00
396. Cloaks, dolmans, etc.....	60.00	82.00
397. Webbings, gorings, etc.....	64.00	90.00

The Tariff.

New England extends to the great West and South her congratulations that their progress and prosperity is evidence of the national beneficence of that protective-tariff system in support of which she has been and continues active.

SPEECH

OF

HON. CHARLES A. RUSSELL,

OF CONNECTICUT,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. RUSSELL said:

Mr. CHAIRMAN: I have listened somewhat patiently and attentively to this tariff discussion until these closing hours and now suppose that I ought to be able to give a somewhat intelligent synopsis of the information acquired.

Several MEMBERS. Oh, no!

Mr. STRUBLE. Do not try it. [Laughter.]

Mr. RUSSELL. Well, I do not propose to rehearse the great mass of buncombe statements for home consumption or to refer to the notorious proceedings which have in a measure characterized the efforts of our Democratic friends to retard consideration of the bill. The country has already, I believe, recorded its judgment that Congress is convened for legislative action, and not for swagger and braggadocio, and on that judgment the country will weigh the action and not the pretense of the political parties here represented. But gentlemen will agree generally with me when I state that this tariff debate has evoked the information that the country is prospering and has been increasing in its prosperity for the last three decades.

How often during the progress of this discussion have our free-trade and revenue-tariff friends, when forced to the admission that the particular States and districts represented by them on this floor show a marked and steady prosperity, bolstered their tariff policy by the equivocation that it has all been "in spite of the protective tariff." I submit that any industrial system which, on the admission of its enemies, "in spite" of itself creates and enhances, during long years of trial, prosperity to a country is neither to be spurned nor to be blackmailed. It is rather to be continued and extended.

During the last eight days while this bill has been under discussion by schedules and while the discussion has been frequently irrelevant to the particular schedules under consideration the great States of Kansas, Iowa and Missouri—especially the latter—have occupied a considerable portion of the time. I think it must be admitted that the consensus of opinion on the part of the gentlemen speaking for these States is that their respective States are generally prosperous. The same opinion has been repeatedly expressed by gentlemen speaking for other States in our great Union. The possible exceptions are our two Democratic friends from Massachusetts [Mr. ANDREW and Mr. O'NEIL], who bemoan the decadence of and danger to Massachusetts manufactures. I will extend my remarks to show the error of their wail, though I had supposed that the rest of the country considered New England, and especially Massachusetts, a remarkable beneficiary under the protective system.

Thus, while some gentlemen have been disposed to deprecate a lesser prosperity in other States than existed in their own, they have all, as I have stated, generally admitted the prosperity of their respective States. Varying conditions of thrift, economy, and intelligence on the part of the individual citizen regulate in large measure the degree of prosperity to the community and the State. Whether the gentlemen who express concern for a greater prosperity to their neighbors recognize the force of these conditions I know not. They should, for these conditions are necessary to give scope and power to whatever legislation we enact.

THE PROTECTIVE SYSTEM NATIONAL AND NOT SECTIONAL.

However, brotherly solicitude for the common welfare on the part of our Democratic friends is agreeable to note. It is a conviction which precedes a conversion to the general industrial policy which has for its ultimate object protection to every branch of American industry. [Applause.] It is a recognition of the protective system. It is an admission of the desire and beneficence of that result which is claimed and proven for a protective tariff: common concern for every home industry, general regard for home labor in its every diversity, and national legislation for national interests. [Applause.]

The section of the country from which I come, New England, is sometimes spoken of by our free-trade and revenue-tariff friends as a great manufacturing monopoly which reaps in unequal proportion the benefits of the protective tariff. What New England has received from the protective system is only the possibility and the surety to every other section of the country by the continuance and extension of the system. Time is proving that assertion, and the statements of facts in this discussion are evidence of its truth. If it be a revelation interesting to our section of the country that the great agricultural State of Iowa has deposits in its savings-banks which increased per capita during the last statistical year in excess of the increase in New England savings-banks; that the State of Missouri, with its manufacture and agriculture, has its bonds quoted at a rate equal to those of the National Government, and higher than those of some of the older and more distinctively manufacturing States, and that its expenditure for educational puposes is the greatest in the Union; that the magnificent and booming State of Kansas, in whose farm mortgages are invested the savings of the wage-earners of New England and the Middle States, is meeting the interest and reducing the principals of those mortgages, which in reality are not disproportionate to the mortgages in manufacturing property in the country—if, I say, this condition of things be a revelation, it is by no means an occasion for jealousy or anger on the part of New England. We rather extend to the great West and Southwest our congratulations that their progress and prosperity are evidence of the national beneficence of the protective-tariff system in support of which our section has been and continues active. [Applause.] We share as part of the whole in whatever good and gain comes to your Kansas, and your Iowa, and your Missouri. You, gentlemen of the West and the South, share in what prosperity we enjoy.

I wish, Mr. Chairman, to incorporate in my remarks statements in evidence of the point which I have endeavored to impress upon this committee, namely, that a protective-tariff system in its application and its results is national, and not sectional. I refute the idea that now or ever the protective system in its benefits has been "a local issue."

NATIONAL WEALTH AND PUBLIC DEBTS.

A nation, like an individual, must gauge its prosperity in large measure by the accumulation of its wealth and the lessening of its debts. Recent and careful estimates place the wealth of the people of the United States at the present time at $60,000,000,000, against $43,000,000,000 in 1880. That is an average of almost $970 per capita, as compared with $860 per capita at the time of the last census. A trade journal prints the following on the increase of our national wealth:

The addition of new buildings, with the new farms and improved lands, and the new railroads, mines and manufacturing establishments, must have exceeded $18,000,000,000, if the estimate of the Census Bureau for ten years ago was correct. The railroad property alone has increased about $5,000,000,000. The new farms may perhaps be counted at half as much more, and the increase in the value of old farms by the vast extension of railroad facilities must be considerable in spite of cheap crops. The value of other real estate has also been much enhanced, particularly in the villages of the West and South. A comparison of these facts seems to warrant the supposition, which is supported by the insurance returns, that the entire gain in wealth during the decade has been fully 43 per cent. It is believed that the assessed valuation, in the cities at least, has increased nearly as much as that, and, if so, actual values must have grown considerably more.

In 1880 the aggregate debts of all the States and Territories in our Union were $260,000,000. To-day these debts on careful estimate are $215,000,000. This shows a reduction in the decade of $45,000,000. In 1880 the county, city, town, township and school-district debts aggregated, in addition to State and Territorial debts, $942,000,000. They are estimated to-day at $782,000,000. This shows a reduction in the decade of $160,000,000. The national debt on the 1st of January, 1880, was $2,120,415,000; on the 1st of January, 1890, it was $1,052,000,000, a reduction of $1,068,415,000. The aggregate public indebtedness of all kinds is, therefore, some $1,274,000,000 less than it was ten years ago. According to the statistical abstract as published by the Treasury Department, the increase in the amount of taxable property, as assessed in the States during the past year, has been $1,381,024,835.

GENERAL PROSPERITY.

Now, I contend, Mr. Chairman, that the foregoing measures of our prosperity are not balances of increase and decrease between different sections or different interests or different classes in our country. The nation is too large, its interests are too diversified, its industries too much interwoven, and its internal relations too complex and mutual to allow this wonderful record of increased prosperity to result from the balance of profit of any one or any several sections or classes over the loss of others. It is the aggregate measure of increasing prosperity which has been and is general throughout the land. It is possible to multiply evidence on evidence of the general prosperity of our East and our West and our North and our South under the prevailing industrial system which the Republican party now proposes to revise along the line of protection to our existing industries and to extend along the same line to the creation of new industries and the growth of new and increased products which can be under the natural condition of things manufactured or grown here. From the Atlanta (Ga.) Southern Industrial Record, in its issue of February 20, 1890, is gathered the following:

Three hundred and twenty-five new manufacturing enterprises were inaugurated in the ten cotton States during the past two weeks, employing over $6,000,000 capital. This does not include the many new railroad enterprises, employing many millions of dollars' capital, developing vast extents of country, rich in minerals, coal, timber and agricultural lands. Industrial development is spontaneously springing up all over the South which will eventually make it populous and rich.

NEW ENGLAND INDUSTRIES.

And lest some doleful mugwump in my own New England from the foregoing item of Southern prosperity hearkens for the echo of "decadence to New England industries," let me give the following from a recent issue of a Boston journal:

The hives of industry are so full that the swarming process may naturally lead to new swarms and new hives at distant points. These work no injury to New England. We can spare them. Not 1 per cent. of the substantial manufacturing concerns of New England have migrated South or West in a decade. Any general exodus is a fancy of the prejudiced operator. New England in 1889 invested $50,000,000 in new manufacturing plants at home. Deposits in her savings banks increased over $50,000,000 in 1889. The situation is most hopeful for 1890. Let our people look at the bright facts instead of the doleful misstatements of interested parties.

And here is an extract from the Lowell (Mass.) Mail, referring to the erection of a cotton-mill plant in its vicinity, which will involve the expenditure of $3,000,000:

When it is done it will furnish work for 2,000 operatives, whose wages will support directly at least 6,000 people. These people will eat bread and meat and vegetables and dairy products and fruit from American farms. They will wear clothing made in American shops from cloth manufactured in American mills. They will use American boots and shoes, furniture, crockery, and iron and wooden ware. They will burn American coal and oil. They will employ American physicians, lawyers, teachers and preachers, and read American books and papers. They will patronize American railroads, theaters and baseball nines. They will buy American watches and jewelry, and in almost every conceivable way they will help to make a demand for the products of American skill, industry and enterprise.

Mr. Chairman, my Democratic friends from Massachusetts, who imagine that the McKinley tariff bill is neglectful of New England interests because it continues on the dutiable list wool and coal and iron, are deceived by the petitions which have been sent to them for "free raw materials." I think I read between the lines of the signatures to these petitions. I think I discern a selfish inclination towards a lessening of the number of competitors in our manufacturing industries which can surely be accomplished by a free-trade or revenue-tariff system. With that lessening will come the survival of the wealthy and the creation of a manufacturing monopoly which exists to-day only in the visions of our Democratic friends. With a lessening of competition comes to the survivors the possibility of forcing labor conditions which would be the equal of those in England and other foreign countries. Foreign manufactures, I regret to say, some of our friends would rather have as competitors than honorable American industries manned by honest, intelligent, prosperous American laborers. I say with emphasis and with full regard to the meaning of my words that the American workman should view with distrust that manufacturing interest which seeks "free raw material." It seeks as well less competition in manufacture and a surplus of workmen.

SAVINGS BANKS.

Now, let me give from the great agricultural West clippings from the general evidence that under the protective system our prosperity has been national. In his speech in this committee, on Friday last, the gentleman from Iowa [Mr. CONGER] confuted the charge that the New England States were prospering over his West by reference to the statistics of savings-banks deposits. The exhibit was a most striking blow to our Democratic friends. It showed that during the last year the deposits per capita in the savings-banks of Iowa had increased $19.06 to each depositor, the number of depositors increasing as well. That was an increase of rising $20 more than the greatest increase in any New England State, namely, in Rhode Island, which showed the handsome increase of $21.55 per capita. I append the table of the gentleman from Iowa, taken from the statistical abstract of 1889:

States and Territories.	1886-'87.			1888-'89.		
	Number of depositors.	Amount of deposits.	Average to each depositor.	Number of depositors.	Amount of deposits.	Average to each depositor.
Maine	114,691	$37,215,071	$324.47	124,562	$40,969,663	$328.91
New Hampshire	132,714	50,822,762	382.94	145,021	57,300,590	395.12
Vermont	53,810	15,587,050	289.67	61,759	17,801,327	288.24
Massachusetts	906,039	291,197,900	321.40	983,202	315,185,070	320.57
Rhode Island	119,159	53,284,821	447.18	123,102	57,699,884	468.71
Connecticut	266,888	97,424,820	365.04	287,776	105,850,078	367.82
New York	1,264,535	482,486,730	381.55	1,362,852	523,677,515	384.25
New Jersey	98,137	27,482,135	280.04	114,627	30,696,529	267.79
Iowa	*39,638	9,969,019	251.50	*43,669	13,125,058	300.56

* Partially estimated.

Now here is the evidence of a Wisconsin farmer, as published in the public press:

Around me is a territory embracing about 16 square miles, of which I am personally fairly posted as to the condition of its farming community. As I sit at my table writing this, I make a tally-sheet headed, "In debt," "Not in debt." Following the different highways, I note the conditions as to debt of each farmer and tally them under the appropriate heading. In this list I include the small farmer as well as the large. One hundred farmers are embraced in the list, and forty of these I find more or less in debt; not all are mortgaged; perhaps a little over one-half of those in debt have mortgages on their real estate. Many that are in debt are thrifty, prosperous people who will soon be out of debt. Sixty out of one hundred are practically free of debt. Quite a percentage of the sixty have money at interest or invested where they consider it well placed.

MORTGAGES.

It seems to me that much of the talk about mortgages is not only exaggerated, but is misconceived. A mortgage is not necessarily an evidence of poverty or even an evidence of the want of prosperity; oftener than not it is evidence of an exactly contrary condition of things. It is the means by which thrift is given opportunity to expand and reap its reward. It is a handmaid of industry and economy. It is the resource of manufacturing as well as agricultural industry. It is to the benefit of those wage-earners who seek investments for their savings. You see now and then a sky-rocket explosion on account of a foreclosed mortgage or a defaulted interest; but against these exceptions place the many, many mortgages which have been released and are being released, and which have given the prosperous and honest man of to-day his start in life, and which have given to thousands the profits of investments furnishing the comforts of old age or the education of children.

I suppose during the last few weeks the country has heard much of Kansas mortgages. I do not suppose the common-sense citizen has been unduly frightened at the writhing of our Democratic friends over "mortgaged Kansas," but I wish to incorporate in these remarks a colloquy which occurred in this committee on Monday last. It was as follows according to the RECORD:

Mr. DOCKERY. Does the gentleman mean to admit that there are $100,000,000 on the farms of Kansas in the shape of mortgages?

Mr. PETERS. No, sir; I deny it most emphatically.

Mr. DOCKERY. I so understood the gentleman.

Mr. PETERS. Yes, and you are understanding a good many things that are equally as unreliable. But the record will show the facts. A careful examination of the records of Kansas shows that the mortgages upon farms of that State do not exceed $50,000,000. And yet when the Democratic campaign was going on the Democratic crowd went all over Kansas proclaiming that there was over $300,000,000, and the statement has gone abroad throughout the whole length of the land. Now, what does that include? Why, it includes mortgages upon all the railroad property. The Atchison, Topeka and Santa Fé Railroad has a mortgage upon its road-bed and rolling-stock recorded in every county through which it runs. The same is true of the Missouri Pacific, San Francisco, and the Rock Island——

Mr. ANDERSON, of Kansas. And the Union Pacific.

Mr. PETERS. Yes; and the Union Pacific. Of course if the amount of mortgages on all of the railroads in the State is taken into consideration, and they have to be recorded in every county through which the lines run, you can fix the amount of the mortgage indebtedness of the State at almost any figure you please, and create the impression that Kansas is mortgaged to death. But I state on high authority that an examination of the records will show that the farm mortgages of Kansas to-day do not exceed $50,000,0000, and it is more——

Mr. PEEL. Will the gentleman yield for a question?

Mr. PETERS. Yes.

Mr. PEEL. I would like to ask the gentleman whether, if they have an indebtedness even of $50,000,000, there is market enough for corn, Kansas corn raised in the State, to pay it off?

Mr. PETERS. Yes, sir; and let me tell the gentleman that the increase in price in the last thirty days from 13 to 23 cents a bushel on corn has made Kansas $20,000,000 alone [applause on the Republican side], because we have that quantity of corn on hand ready to sell, and the increase in value of 10 and 12 cents a bushel will bring to that State $20,000,000 of surplus money. [Applause.]

CONNECTICUT LABOR STATISTICS.

Now, Mr. Chairman, in this discussion, as in the tariff debate of two years ago, our Democratic friends seem to strive to make the protective system the wedge by which to separate and antagonize sections and interests. That is an old-time and favorite method of theirs. They seem to have great difficulty to get away from a sectional feeling and adopt a national policy. Their adherence to that old method has cost the country much of treasure. In the debate of two years ago I remember it was vigorously and tauntingly flaunted before us that the protective system disproportionately distributed its rewards between capital and labor. I believe that the charge was well refuted in the following election, which sent from the districts of our producing sections a majority into the Republican side of this House.

But that I may further refute the charge I desire to refer to the findings of the bureau of labor statistics of the State which I in part represent. Some five years ago the State of Connecticut established a bureau of labor statistics. It called to the head of that bureau a gentleman eminent in letters and a professor of political economy, Professor Arthur B. Hadley, of New Haven. The efficient and instructive work which he began has been continued by the present commissioner, Samuel M. Hotchkiss, whose impartial and intelligent direction of the bureau is recognized by all. Mr. Hotchkiss has recently published the fifth annual report of the bureau, and it is specially instructive in the details of the cost and profits of manufacturing in Connecticut. For the year ending November, 1889, a personal investigation was made of two hundred and forty-one manufacturing establishments, covering twenty-two branches of industry. That the investigation was extensive and is valuable in its results is declared by the fact that the establishments considered employed 53,147 work-people and turned out an annual product of the value of $85,929,133. The investigation was made by a personal examination of books by agents of the bureau. The cost of production was divided as follows:

COST OF PRODUCTION.

Items.	Cost.	Per cent.
Stock and materials	$45,368,000	57.2
Wages	22,432,000	28.2
Interest, taxes, and rent	1,691,000	2.5
Miscellaneous	9,190,000	12.1
Total	78,681,000	100

It should be noted that the number of work-people and the wages as given above do not include the officers, superintendents, clerks, book-keepers, salesmen and non-producers connected with the manufacturing establishments considered. These people are classified under a schedule by themselves and number nearly three thousand additional. The capital employed in these establishments is $85,863,522.26, and the value of the productions, the cost of producing which is shown in the foregoing table, is given at $85,929,133.43. Thus it will be seen that the difference between the cost of production and the value of the product is in even figures $7,248,000. This sum represents the profit of capital, or 8.4 per cent. on the amount of capital employed.

The tables which show the per cent. net profits of capital indicate quite a difference of per cent. of profit in different industries. For instance, the clock, cutlery, printing and publishing, and rubber-goods industries, with a capital of over $7,000,000, show profits averaging less than 3 per cent., the rubber-goods industry being the poorest, with profits of less than 1 per cent. on $4,367,000 capital. On various other important industries, such as woolen goods, shoes, hardware, cotton goods, and silver plating, the profits have averaged less than 8 per cent. on a capital of over $40,000,000. Various other industries, including paper, silk goods, machinery, hats, corsets, and brass works, with a capital of about $35,000,000, show profits of from 9 to 13 per cent. A limited number of industries, with capital of about $5,000,000, show profits of from 13 to 16 per cent., and only one branch, the manufacture of paper boxes, with a capital of $170,000, shows profits of more than 16 per cent.

PROFITS OF MANUFACTURE.

The report of Mr. Hotchkiss has carried the investigation of Connecticut manufacturing further, and the report makes a comparison of eighty-five similar establishments for the years of 1887 and 1888. These establishments cover twenty-one industries, employ 27,000 work-people and $49,000,000 of capital, and produce a value of $45,000,000. For these eighty-five similar establishments the following table of per cent. net profits of capital and per cent. wages (not including superintendence and selling), of cost, and per cent. value of stock, and per cent. cost of manufacture (less rent, interest, and taxes), and per cent. of rent, interest, and taxes, is given:

Industries.	Per cent. net profits of capital.		Per cent. wages of cost of goods manufactured.		Per cent. of value of stock and materials of goods manufactured.		Per cent. of cost of manufacture (less rent, interest, and taxes) of value of goods manufactured.		Per cent. of rent, interest, and taxes, of value of goods manufactured.	
	1888.	1887.	1888.	1887.	1888.	1887.	1888.	1887.	1888.	1887.
Bakeries	15.51	16.82	11.82	13.52	66.92	6.63	21.66	2.45	2.18	.7
Brass	6.09	6.29	22.09	23.86	61.53	6.14	31.55	3.18	1.75	1.6
Clocks	1.73	5.31	51.41	49.33	37.55	3.87	58.16	5.69	1.76	1.5
Corsets	16.04	9.76	32.13	27.34	39.39	5.63	41.80	3.71	1.13	1.8
Cotton	5.43	6.72	26.49	28.90	39.39	4.26	47.92	4.22	2.55	2.9
Cotton duck	7.13	2.32	25.14	25.63	57.71	5.81	31.82	3.47	1.49	3.5
Cutlery	2.78	6.06	57.49	69.40	20.33	1.94	71.93	7.20	3.61	1.8
Forgings	7.94	11.11	38.24	33.77	46.78	3.94	42.21	4.44	.75	1.1
General hardware	3.86	1.21	40.02	39.04	38.45	3.89	56.55	5.84	1.16	1.4
Hats	11.39	3.87	37.38	35.42	51.20	5.29	42.39	4.44	1.72	1.2
Iron foundries	15.64	6.78	35.43	42.58	52.15	3.99	44.39	5.37	.46	.4
Iron, malleable	7.34	9.09	40.50	45.39	39.94	3.65	53.09	5.55	1.59	1.8
Knit goods	14.51	11.75	39.70	36.05	40.32	4.78	41.93	3.85	.97	1.0
Machine shops	8.68	6.71	53.91	61.19	26.44	2.72	55.43	5.42	2.12	4.8
Paper mills	10.23	7.36	19.88	18.06	59.57	6.49	28.39	2.57	.94	1.2
Printing and publishing	3.80	9.16	42.78	43.88	36.33	3.43	54.16	4.75	1.73	3.8
Rubber goods	.48	5.32	24.82	21.94	65.47	6.22	30.90	2.89	3.02	3.1
Shoes	9.49	9.36	28.49	27.93	60.89	6.01	33.53	3.41	1.61	1.8
Silk	10.55	7.68	21.05	24.67	60.27	6.10	27.69	2.90	.63	.9
Silver plating	7.77	6.71	22.72	26.98	45.27	5.20	41.80	3.97	2.31	1.1
Woolen goods	4.73	*.17	22.74	20.10	64.30	6.29	27.92	3.44	2.95	2.9
General percentage	6.72	5.98	28.33	28.96	53.40	5.39	37.55	3.78	1.84	.19

* Loss.

PROTECTION FOR LABOR.

The foregoing official statements from the investigations of the Connecticut Bureau of Labor Statistics disprove the grossly exaggerated assertions respecting the profits of manufacturing which prevail somewhat among politicians in their arguments for free trade. They show that the average profit to capital for the years 1887 and 1888 has been less than 7 per cent., and that is no more than is frequently obtained in well selected investments with little hazard and no work. They show further that the great industries of Eastern Connecticut—the cotton, woolen, silk, rubber, and machinery manufacture—have averaged for the two years a profit on capital of 6 per cent. The two greatest industries—the cotton and woolen manufacture—average a profit on capital of only 4 per cent.

Another conclusion results from these investigations; it is an obvious fact. The tariff is not a bonus to capital. It is protection to the wages of those who produce and those who distribute products. It is along the line of continuance of this protection that the Republican tariff bill is drawn. For instance, in the hosiery manufacture the bill seeks to preserve and extend the industry here at home. A gentleman who was for ten years hosiery buyer for the largest hosiery jobbers and importers in Boston said that he ascertained when in Germany buying hosiery that the average price paid per day to hosiery mill employés was one mark, or 25 cents in our money. Last year we imported more than $5,000,000 value of hosiery, and the bill proposes, instead of 35 per cent. ad valorem duty, a specific duty of from 20 cents to $1 per dozen, with an ad valorem of from 20 to 40 per cent.

PROTECTION FOR AGRICULTURE.

But the tariff bill under consideration extends its protection not alone to those who are employed in our manufactures. The farmers are "in the bill." The agricultural products are given, almost for the first time, proper consideration; especially are the products of New England agriculture secured from a continuance and extension of foreign importation.

I append the following table, showing the importations of the last year, the present duty, and the proposed duty on the agricultural products in which New England is largely interested:

Article.	Imported 1889.	Present duty.	Proposed duty.
Horses and mules	$2,146,514.50	20 per cent	$30 per head.*
Cattle	542,764.71	20 per cent	Over one year, $10 per head; under one year, $2 per head.
Hogs	4,770.80	20 per cent	$1.50 per head.
Sheep	1,189,192.38	20 per cent	$1.50 per head.
Barley	7,678,763.58	10 cts. per bushel	30 cts. per bushel.
Buckwheat	25,469.85	10 per cent	15 cts. per bushel.

*Provided that horses valued at over $150 shall pay an ad valorem duty of 30 per cent.

Article.	Imported 1889.	Present duty.	Proposed duty.
Oats	10,178.19	10 cts. per bushel.	15 cts. per bushel.
Oat-meal	55,995.00	¼ cent per pound.	1 cent per pound.
Butter	17,689.41	4 cts. per pound	6 cts. per pound.
Cheese	1,132,143.28	4 cts. per pound	6 cts. per pound.
Milk	5,684.87	10 per cent.	5 cts. per gallon.
Beans	759,802.28	10 per cent.	40 cts. per bushel.
Beans, pease, and mushrooms, prepared or preserved.	No data.	35 per cent.	40 per cent.
Pease:			
Green or dried	Included with beans.	10 per cent.	40 cts. per bushel.
Split	$52,738.00	20 per cent.	50 cts. per bushel.
In papers, cartons, or packages.		Not provided for.	1 ct. per pound.
Cabbages	No data.	10 per cent.	3 cts. each.
Eggs	2,419,004.37	Free	5 cts. per dozen.
Hay	1,082,685.50	$2 per ton.	$4 per ton.
Hops	1,100,408.00	8 cts. per pound.	15 cts. per pound.
Onions	No data.	10 per cent.	40 cts. per bushel.
Plants, trees, shrubs, etc.	323,762.82	Free	20 per cent.
Potatoes	321,120.26	15 cts. per bushel.	25 cts. per bushel.
Garden seeds, agricultural seeds, etc.	187,488.69	20 per cent.	40 per cent.
Vegetables:			
Prepared or preserved	369,512.42	30 per cent.	45 per cent.
Pickles and sauces	334,926.71	35 per cent.	45 per cent.
In their natural state	437,377.57	10 per cent.	25 per cent.
Straw	28,921.00	Free	30 per cent.
Apples:			
Green or ripe	No data.	Free	25 cts. per bushel.
Dried or prepared in any manner	No data.	Free	2 cts. per pound.
Bacon and hams	45,899.51	2 cts. per pound	5 cts. per pound.
Beef, mutton, and pork	14,293.09	1 cts. per pound	2 cts. per pound.
Poultry:			
Live	154,866.26	10 per cent	3 cts. per pound.
Dressed		10 per cent.	5 cts. per pound.
Flaxseed or linseed, poppy-seed, and other oil seeds	3,969,640.00	20 cts. per bushel.	30 cts. per bushel.
Leaf-tobacco for cigar-wrappers:			
Not stemmed	1,417,302.40	75 cts. per pound.	$2 per pound.
Stemmed		$1 per pound.	$2.75 per pound.
All other tobacco in leaf:			
Not stemmed	8,126,091.34	35 cts. per pound.	35 cts. per pound.
Stemmed	476,679.25	40 cts. per pound.	50 cts. per pound.
Cigars, cigarettes cheroots of all kinds	3,657,316.02	$2.50 per pound and 25 per cent.	$4.50 per pound and 25 per cent.

Mr. Chairman, I commend the Republican revision of the tariff as a national issue in which all the industries of our country and all our home labor have vital and beneficent interests.

The Tariff and the Bagging Trust.

SPEECH

OF

HON. WILLIAM ELLIOTT,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 31, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. ELLIOTT said:

Mr. CHAIRMAN: I move the following amendment to paragraph 365:

Amend paragraph 365 by striking out all after "jute butts," in line 6, and inserting "three-eighths cent per pound."

The object of this amendment is to reduce the duty on jute bagging to the rate fixed by the Mills bill, which, in connection with free jute butts, would sufficiently compensate the manufacturer for the increased cost of labor in this country. In order that the committee may fully understand the subject-matter of this amendment it will be necessary to go back to the attempted tariff legislation in the Fiftieth Congress.

During the winter and spring of 1888, while the tariff was under consideration by the committees of the two Houses of Congress, the manufactures of jute bagging appeared before them and made statements relative to that product. Bagging was then at its usual selling price of about 7½ cents a pound.

THE JUTE-BAGGING TRUST.

Later on, in the month of July, without any apparent reason, the price of bagging was increased 100 per cent. It became at once known that a trust on this article had been formed. During the month of August both Houses of Congress—the House through its Committee on Manufactures and the Senate through its Finance Committee—commenced investigations on the subject. The persons known to be prominently concerned in this conspiracy were summoned before these committees, and it was developed that on the 16th of April preceding each of eight firms or corporations had signed, with S. Waterbury & Co., of New York, a contract as follows:

A.

This agreement, made the 14th day of April, 1888, by and between the Eagle Mill, of New York, party of the first part, and L. Waterbury & Co., of the city of New York, party of the second part, witnesseth:

The party of the first part hereby sells and agrees to deliver to the party of the second part free on board in the city of New York, in car-load lots as required, all the bagging belonging to it now on hand and wheresoever situate, and all the bagging that may be manufactured by it during the remainder of the current year 1888, at and for the following prices, namely: 1½ pounds at 5½ cents per yard; 1¾ pounds, at 5¾ cents per yard; 2 pounds, at 6¼ cents per yard; 2¼ pounds, at 7¼ cents per yard, bagging in the South to be at the above prices plus actual freight and insurance charges incurred in transportation.

The party of the first part shall, as soon as may be after the 30th day of April, instant, file with party of the second part a true and correct invoice of all its stock of bagging on hand at said date, and thereafter shall in like manner file monthly, as soon as may be after the last day of each month during the current year 1888, a like invoice of all bagging manufactured by it during each month, and upon the filing of such invoices from time to time the party of the first part shall be given credit upon the books of the party of the second part for the amount of the same at and after the prices above named, respectively.

The party of the first part hereby agree to sell, or cause to be sold, in behalf of the party of the second part, all bagging so invoiced at prices which shall be fixed from time to time by this party of the second part, hereby guarantying full payment in cash upon all sales made, and will render promptly and regularly to the party of the second part full and correct accounts thereof.

The party of the first part further agrees that immediately after the 31st day of October next ensuing it will pay and make over to the party of the second part the entire proceeds of all sales of bagging made by it hereunder, first deducting therefrom an amount which shall be equal to the invoice of the bagging sold and a commission of 5 per cent. upon the gross amount of sales, and as well deducting therefrom interest upon the total amount of all invoices of bagging filed, at the rate of 6 per cent. per annum from date of filing and the actual expenses incurred by it in carrying such bagging.

The amount so deducted shall be retained by the party of the first part, and is in full payment for the bagging sold with commissions thereon and the cost of carrying all bagging invoiced to that date.

In like [manner] the party of the first part will, immediately after the 31st day of December, 1888, pay over to the party of the second part the proceeds of sales of all bagging effected by them since the 31st day of October aforesaid, first deducting therefrom the invoice prices thereof and commission of 6 per cent. per annum upon the total invoices and cost of carrying the bagging, accruing since the 31st day of October, which reduction shall be retained by the party of the first part in full payment for bagging so sold with commissions thereon and all costs of carrying accrued since the last settlement.

All said bagging remaining unsold on the 31st day of December, 1888, shall be retransferred and delivered to the party of the first part in full satisfaction and discharge of all and any liability of the party of the second part with respect to the same.

The party of the first part agrees that during the pendency of this contract it will carry at its own expense for the party of the second part all bagging herein agreed to be sold and delivered to them; will fully insure and protect the same, and thereby undertakes and agrees that the party of the second part shall be put to no cost, charge, or expense by reason of the premises.

The party of the second part agree that as soon as may be after the 31st day of October, 1888, they will pay and make over to the party of the first part—— of the profits realized by the said second party on all bagging sold by them or for their account to the 31st day of October aforesaid.

In like manner the party of the second part agrees that as soon as may be after the 31st day of December, 1888, they will pay and make over to the party of the first part —— of the profits realized by said second party on all bagging sold by them or for their account after said 31st of October, 1888.

In witness whereof this agreement is duly executed by the parties hereto the day and year first above written.

Then on the 10th of April all these parties signed the following contract:

B.

This agreement, made the 16th day of April, 1888, between the firm of L. Waterbury & Co., of New York City, party of the first part, and the Charleston Bagging Manufacturing Company; Nevins & Co., of Boston, Mass.; The New York Bagging Company; The Eagle Mills; Southern Mills Bagging Company; Standard Mills Bagging Company; Muncie Bagging Manufacturing Company, and The Empire Bagging Company, parties of the second part, witnesseth:

Whereas the said parties of the second part, in and by certain contracts made by them respectively with the said party of the first part, bearing date the 14th day of April, 1888, have each agreed to sell and deliver to said first party all their bagging then on hand, as well as such as might thereafter be acquired or manufactured by them respectively during the remainder of the year 1888, upon terms and in the manner in said contracts provided; and

Whereas some of said parties of the second part have acquired by lease or purchase certain bagging mills, with their machinery and stocks on hand, and as well have made contracts with certain other manufacturers of bagging for the product of their mills, upon terms therein provided, as follows: Hart Bagging Company, J. C. Todd, Peru Bagging Company, Crescent Jute Manufacturing Company, St. Louis Bagging Company, Louisville Bagging Manufacturing Company, Eben S. Stevens, Troy Burlap Manufacturing Company, and Ludlow Manufacturing Company, under agreements, copies of which are hereto attached; and

Whereas in so doing said parties have acted in behalf of and for the joint benefit and account of all of the parties of the second part hereto, in the proportion of their several respective interests in the common enterprise and this contract, as hereinafter agreed and declared:

Now, in consideration of the premises and their mutual covenants, it is agreed and declared as follows:

(1) That the respective interests of the parties of the second part in the common enterprise herein contemplated are, and all loss and profit thereon shall be, shared by them in proportions, as follows, to wit:

	Sixty-sixths.
J. M. Waterbury, Chauncey Marshall, and the New York Bagging Company	12
Southern Mills Bagging Company	12
Charleston Bagging Manufacturing Company	11
Nevins & Co	8½
Muncie Bagging Manufacturing Company	7½
Standard Mills Bagging Company	7½
Empire Bagging Company	4
The Eagle Mill	3½

(2) That the parties of the first part, in fixing the sales prices of bagging, shall

be governed by the vote of a majority of the parties of the second part, which shall be indicated to them in writing.

(3) That each of the parties of the second part, within the limits of their respective capacities, shall operate their mills to such extent as shall be decided by the vote of a majority of the representatives of the parties of the second part.

(4) Upon the expiration of this contract all the several stocks of bagging remaining unsold in the hands of the parties of the second part shall be distributed amongst them in the proportion of their respective interests in the common enterprises as hereinbefore declared, at the original invoice prices in their respective contracts with the party of the first part.

Witness the parties hereto the day and year first above written.

[SEAL.] L. Waterbury & Co.; New York Bagging Company, J. M. Waterbury, treasurer; J. H. Waterbury, Chauncey Marshall, The Eagle Mill, Appleton Sturgis, president; Standard Mills Bagging Company, by Joel Wood, president; Muncie Bagging Manufacturing Company, by L. F. Jones, president; The Empire Bagging Company, by John D. Filley, president; Southern Mills Bagging Company, by B. B. Graham, president; Charleston Bagging Manufacturing Company, by Jas. S. Murdock, secretary and treasurer; Nevins & Co.

These contracts were clearly intended to and did constitute a trust in the strictest sense of the word. The eight parties agreed—

1. To make a sham sale, without delivery, to Waterbury & Co. of all bagging on hand or to be manufactured by them during the year.

2. To sell the same for Waterbury & Co. and to make returns to them.

3. That they should, by a majority vote, fix the price at which each should sell and that no sales should be made below such price.

4. That each should manufacture only so much bagging as the majority should decide.

5. They fixed the interest each should hold in the trust, and provided for distribution of the proceeds amongst the members of the trust according to such interest.

No more complete trust could have been formed, and throughout the investigations there was no claim made that it was not a trust, except upon the pretense that all bagging manufacturers in the country had not joined in it.

CIRCUMSTANCES FORMING THE TRUST.

In order to show the true character of the outrage perpetrated by this bill on the cotton farmer, I will quote liberally from three investigations made into this subject by Congress in 1888, one by the Finance Committee of the Senate in June, another by the same committee in August, and the third by the House Committee on Manufactures in the same month. At the June hearing before the Senate Finance Committee the bagging manufacturers presented a memorial signed by "all the mills," elaborately setting forth the condition of the industry, both in this and foreign countries, a part only of which I need read:

MONDAY, *June* 11, 1888.

Memorial of the manufacturers of bagging in the United States.

The present tariff on bagging for covering cotton is 1¼ cents per pound, equal to 3 cents per yard on 2-pound bagging.

Under this protection about twenty-five mills have been established in this country, situated in the following States: Massachusetts, Connecticut, New York, New Jersey, Illinois, Indiana, Ohio, Missouri, Kentucky, Virginia, Georgia, South Carolina, Alabama, Louisiana, and Texas.

* * * * * * *

In view of these facts the manufacturers of bagging would respectfully ask that they be treated with the same consideration extended to other manufacturing industries in the United States.

In placing jute butts on the free-list, as provided in the present bill, a reduction will be made in the cost of the raw material used by us of $5 per ton, or a little less than one-quarter of a cent per pound.

The present duty on the manufactured article is 1¼ cents per pound, equal to 3 cents per yard for 2-pound bagging, which is the average weight used, and if this duty were made 1 cent per pound, equal to 2 cents per yard, it would be a reduction of one-half cent per pound, or more than double the reduction effected in the raw material, and would enable the home manufacturers to maintain this industry as against foreign capital and cooly labor.

For reasons given above, the manufacturers of bagging in the United States would respectfully ask that the following be adopted as an amendment to schedule J, line 343 of the present tariff:

"Bagging for cotton or other manufactures suitable to the uses for which cotton-bagging is applied, composed in whole or in part of hemp, jute, jute butts, flax, gunny bags, gunny cloth, or other material suitable for covering cotton, 2 cents per yard."

Ludlow Manufacturing Company, Ludlow, Mass.; Nevins & Co., Salem, Mass.; New York Bagging Company, Brooklyn, N. Y.; Eagle Mills, Brooklyn, N. Y.; The Hart Bagging Company, Brooklyn, N. Y.; E. S. Stevens, Quinnebaug, Conn.; Horicon Mills, Manchester, N. J.; J. C. Todd, Paterson, N. J.; Charleston Bagging Manufacturing Company, Charleston, S. C.; Hinde, Preer & Iliges, Columbus, Ga.; James Sherry, Eufaula, Ala.; Crescent Jute Manufacturing Company, New Orleans, La.; Galveston Bagging and Cordage Company, Galveston, Tex.; Louisville Bagging Manufacturing Company, Louisville, Ky.; Southern Mills Bagging Company, St. Louis, Mo.; Standard Mills Bagging Company, St. Louis, Mo.; St. Louis Bagging Company, St. Louis, Mo.; Empire Bagging Company, Champaign, Ill.; Muncie Bagging Manufacturing Company, Muncie, Ind.; W. H. Hessin & Co., Huntington, Ind.; Peru Bagging Company, Peru, Ind.; Troy Bagging Company, Troy, Ohio.

The memorial nowhere complains that the mills were then or had been suffering from low prices; on the contrary they asked that the duty on bagging be reduced from 3 cents to 2 cents per yard, a reduction of 33⅓ per cent. All the mills in the United States asked this. It will be observed that this hearing took place nearly two months after the trust agreements of April 14 and 16, and yet a witness who had signed those agreements as a representative of one of the companies in the trust gave the following testimony:

The CHAIRMAN. Have you any trust now to regulate prices for production?

A. No; we had an association, but it broke up in 1885.

Senator ALDRICH. That was not a trust I suppose?

A. No; it was just an association where we curtailed production to about the wants of the country, but we always made sufficient to supply the crop and carry over a fair amount to the next season. That kept the prices about fair.

And yet the trust had been organized nearly two months before, was then in full operation, as appears by the testimony that follows, and the witness was a leading and active party to it. Comment is unnecessary. In August following this testimony was given before the same committee:

The CHAIRMAN. I see those contracts bear the date of April 14.

Mr. STURGIS. April 14 and 16.

The CHAIRMAN. You were before us on the 11th of June?

Mr. STURGIS. Yes, sir.

The CHAIRMAN. These contracts were in existence then?

Mr. STURGIS. Yes, sir.

The CHAIRMAN. And fully perfected?

Mr. STURGIS. Yes, sir; as they are now.

* * * * *

Senator BECK. The foreign manufacturers could not make bagging for the cotton raised in America, could they?

Mr. STURGIS. They could not, under the present tariff laws.

Senator BECK. I am speaking of the laws as they exist. They could not make it under the present laws, and therefore they only make the bagging that is needed for the other one-quarter?

Mr. STURGIS. Of course.

Senator BECK. Therefore you caught them without any supplies.

Mr. STURGIS. Yes.

Senator BECK. This contract was made in April, was it not?

Mr. STURGIS Yes.

Senator BECK. And you were here in July?

Mr. STURGIS. In June.

Senator BECK. And you kept the fact concealed from the committee, then?

Mr. STURGIS. I did, and from everybody else I could.

Senator BECK. And you did it on purpose to keep the people of the country from ascertaining the existence of your pool, so that no bagging could be made anywhere else?

Mr. STURGIS. Most certainly. We were in to make money, as I have testified.

Here is an express admission that the existence of the trust had been kept secret and for a purpose, even though one of the parties to it had been questioned about it under oath. If the truth had been told at the June investigation the conspiracy would have been unearthed and the farmers could have protected themselves. Hence the denial.

The CHAIRMAN. Who was the active person to manage this?

Mr. GRATZ. It was done principally through the office of Warren, Jones & Gratz, and some part of it at the office of L. Waterbury & Co. I think we made eight or ten leases or contracts to close mills, and probably twenty contracts of purchase of material; and L. Waterbury & Co. made four contracts with mills, one contract for the purchase of material; and Nevins & Co., of Boston, made one contract with a mill.

The CHAIRMAN. So that your concern and Waterbury & Co. did the active work?

Mr. GRATZ. We did the active work. We think to-day we could get 25 cents a yard for bagging as easily as 12 cents, but we do not care to put up the price so high, as it would look like extortion. The additional price now being charged amounts to about 35 cents a bale on cotton, and as the average cotton-planter raises about five bales annually, the additional tax on the average planter amounts to $1.75 a year; somewhere in the neighborhood of the same amount of money he spends per month for tobacco.

The CHAIRMAN. That is, if he uses it.

Mr. GRATZ. He mostly uses it, and mixes it with whisky.

The CHAIRMAN. You say that the advance you have already made is over 7½ cents; or what do you mean?

Mr. GRATZ. I figure over and above 7½ cents.

The CHAIRMAN. That only amounts to about 35 cents a bale.

Mr. GRATZ. Only about 35 cents a bale.

Senator BECK. Have you any reasonable data for assuming that five bales is the average product? I suppose that is the way the negroes manage now.

Mr. GRATZ. The reason I say five bales is because the general merchants in the South tell me that the ordinary negro farmer raises from three to four bales a year, and I did not want to put it too low.

The CHAIRMAN. Most of the cotton now is raised in a small way, is it not?

Mr. GRATZ. Mostly in a small way. Even those who call themselves large planters lease out their land. They consider that they are planting 1,000 or 2,000 acres, although they may have from twenty to one hundred tenants on their land who raise the cotton, and whose cotton it is, and who also pay for the covering, as a rule.

Before the House committee Mr. Gratz testified:

Q. Your sales are practically south and southwest of those mills which you have been enumerating?

A. Our sales are from Athens and Macon clear around to Texas. We furnish covering for two-thirds of the cotton crop.

Q. You sell from Athens and Macon to the Rio Grande, Georgia, and up to the northern limit of the cotton country?

A. Yes, sir.

Was there ever displayed more unblushing insolence and effrontery than this? Here is a member of a firm controlling two-thirds of the bagging used by the farmers, out of whom alone their profits come, deliberately slandering and insulting the men who annually produce 7,000,000 bales of cotton, worth $3,500,000, export price, and excusing the robbery of a part of their hard-earned income on the ground that, as they had so little, were so accustomed to be plundered, the exaction of something more would make no difference to them. I beg to call especial attention to this display on the part of manufacturers, not only of antagonism to the farmer, but of contempt for him, feelings engendered directly by the lordly dominion over the farmer which a prohibitory tariff gives him. No wonder that he thinks that anything more than doubling the price to the farmer "would look like extortion!" And I will also emphasize to the majority of the Ways and Means Committee the fact that by means of the present duty the price of this article could just as well be raised to 25 cents a yard as to 12 cents.

I quote further from the testimony:

The CHAIRMAN. Go on with your statement.

Mr. GRATZ. After buying enough bagging and securing control of enough mills to get two-thirds of all the bagging required for this year's crop, we waited to see whether the Mills bill would give us a rate of protection sufficient to enable us to continue in business another year. It was agreed that in case there was protection sufficient to insure us the continuance of our business the price of bagging would not be materially raised; that, however, in case no sufficient protection was left, we would advance the price of bagging from time to time as much as was deemed advisable, in order to get out of the business this year as nearly as possible enough money to pay for our machinery. This policy has been pursued to this day, and we hope and expect to continue it.

Here is a plain admission that the sole object of this conspiracy was, not simply to exact from the farmer excessive profits, but to rob him in one year of enough money to pay for all the machinery owned by twenty-five mills:

Senator BECK. Answer my question, please. What enabled you to put up the price?

Mr. STURGIS. It was decided that the smaller mills had better not open again, and they were either leased or their product bought or some arrangement made that was satisfactory to them. As a general thing they were leased, not by corporations, but by individuals. That gave the larger manufacturers the field to produce their own cloth and to sell it.

Before the House Committee on Manufactures the following testimony was given by Mr. Gratz:

Q. How many mills controlled by Warren, Jones & Gratz have closed?

A. I will give the names of the companies: There is the St. Louis Bagging Company; the Louisville Bagging and Manufacturing Company; the Crescent Jute Company; James Perry, of Eufaula, Ala.; and the Troy Burlap Company, of Troy, Ohio; the Peru Bagging Company, of Peru, Ind.; and the mill at Richmond, Va.

* * * * * * *

Q. Now, you said something about the importing of bagging into this country; that there is or has been in the past an importation on account of which you could give no estimate of the amount needed.

A. We believe it will be impossible to produce any sufficient quantity of bagging in time so as to interfere materially with the sales of our bagging, no matter what the prices should be. We investigated that point very carefully and found the mills abroad were so full of contracts for other goods that they had but very few looms which could make this particular kind of bagging set up in their mills, and that it would take so long a time to get the mills ready to manufacture this bagging that they could not wait these other contracts for the other goods.

EXCUSE FOR THE TRUST.

Throughout the August investigations the plea was put forward that the sole reason for forming the trust was the danger of the passage of the Mills bill. I believe this to be a mere pretense, and that the following testimony before the House Committee on Manufactures shows that for years before there had been in existence a pool, trust, or combine of some sort, sometimes two of them, intended to limit production and control prices, and that it existed up to the formation of this trust in April, 1888:

Q. There was, I suppose, an association of some kind between all the manufacturers of bagging for wrapping cotton some years ago.

A. There was an association between most of the manufacturers, but there were one, two, or three mills who were not in it, and the firm of Warren, Jones & Gratz was not in that association. That association expired in 1884, and was not afterwards in use.

Q. I wish you would tell me when that association began, and what its nature was, and how close an association it was.

A. That was an association which we call a pool. It ran but three bagging establishments. It operated principally by reducing its production in a way that was extremely costly, and enhanced the cost of making bagging to the others, to each mill, because in reducing the production they reduced proportionately all around. Therefore a mill would receive orders to run one-quarter time or three-quarters time, all running the same. The net result as far as we can find was an increase in the actual cost of making bagging amounting to more than 2½ per cent. of the working expenses. In addition to that there was a pooling system by which balances were paid back and forth and percentages on sales. The whole arrangement was an absolute violation of all economic laws, and opened the way to a very successful competition by any manufacturers who might be of a mind to have gone outside of it.

Q. It was a crude attempt?

A. Yes, sir.

Q. At getting a commercial regulation?

A. Yes, sir.

Q. But it was profitable at the time?

A. Yes, sir. It was open to fraud. One of the members of the institution perjured himself and stole some considerable quantity of money.

This is the testimony of Mr. Gratz, and evidently does not refer to the following association, mentioned by Mr. Charles E. Pearce:

Q. Have you been a party in such compact or agreement at any time since the formation of your company?

A. Well, in 1883 there was an association formed by the bagging manufacturers of the country, or the most of them, the object of which was to diminish the output of bagging to the consumptive demand, with about five or six millions of yards surplus in general distribution throughout the country. That association, however, had only that object in view and did not undertake, as I recollect, to make any prices. Any man sold his own goods at whatsoever price he pleased. If he chose to sell it at a loss it came out of his own pocket, the idea being parties could then do their proper legitimate business, provided the surplus did not enter into active competition with the stock which was required. That association held up for three seasons, and then went to pieces.

The following is by Mr. Gratz:

Q. Had you anything to do with the negotiations of this contract?

A. Yes, sir. I modeled those contracts after some contracts that had been in existence for the past three years between the Southern Mills Bagging Company, the Standard Mills Bagging Company, and the firm of Warren, Jones & Gratz, and included for two years the Muncie Bagging Company.

Q. And have you copies of those contracts?

A. No, sir; but the idea is embodied entirely in this contract.

Q. Are there still in existence contracts between those parties and your firm?

A. There is one contract still in existence, but subject to the execution of this contract, so that it does not affect the actual business for the season. There is one material difference between these contracts and the contracts between the Southern Mills Bagging Company, the Standard Mills Bagging Company, the Muncie Bagging Company, and Warren, Jones & Gratz, and that is that the division profits or losses under these last-named contracts were to be in exact proportion to the number of yards of bagging furnished by each mill to the account. So if there was any profit in the business there was a premium offered for extra production. Under these contracts, A and B, the percentage of profits is divided on a fixed basis and has nothing to do with the product on. The others were contracts covering proper and exactly legitimate business, and these are contracts to control production, as well as to divide the profits. Therefore they might be called illegitimate business contracts.

Testifying in August, 1888, the witness says that contracts had been in existence for the "past three years," and, of course, they were not those previously mentioned, all of which had expired. If anything was required to fix the character of the agreements of April, 1888, it is found in the frank admission of the witness, that they were "illegitimate."

Q. Had you at the beginning of the firm's operations any understanding with other parties who are members of the association, or were you simply undertaking as one firm to regulate the whole market?

A. No, we didn't undertake to regulate the whole market. We began in combination with the stockholders of the Southern Mills Bagging Company and the Standard Mills Bagging Company, and we bought last December the mill at Champaign, Ill.

Q. That mill has been closed?

A. That mill has been closed. Then we gave stock of that concern to some parties at Dixon, Ill., and took their machinery. Then we bought a little mill——

Q. Why did you take that machinery?

A. To put it in the mill at Champaign, Ill.

Q. And the other?

A. Both are there. They are set up in the mill and they are beginning to run it. Then we bought a little mill at Alliance, Ohio. That was also removed and brought to Champaign and consolidated with the others, and the entire consolidation is called the Empire Bagging Company, and each one of the parties in interest took some stock in it, our idea being that we would gradually get a sufficient control of the Western bagging market to avoid competition in our own markets, as it were, to a ruinous extent.

Q. You began that policy when?

A. We began that policy two years or more ago when we bought the mill in Muncie, Ind.

Q. That was done to get control of the Western production?

A. Yes, sir.

Q. And, as I see, you went down into Virginia?

A. That is only lately, after this other arrangement; that was beyond our reach before.

The "policy," then, of getting a "sufficient control of the Western bagging market to avoid competition" had been commenced "two years or more ago," and finally culminated in the April agreements, which undoubtedly would have been made if the Mills bill had never been heard of. It is a common device of persons enjoying such monopolies to try to create among their victims the impression that the real friends of the people are responsible for such outrages. That the Mills bill had nothing to do with the organization of this odious trust is further shown by the fact that its members maintained their outrageous prices on bagging until December, months after it had become certain that the Republican Senate would not pass the bill, if, in fact, there had ever been any doubt on that subject.

LOSS TO THE FARMER.

What loss did the cotton-planter suffer in one season by this conspiracy? Let the parties themselves answer:

Senator BECK. I want to bring out just what you are squeezing out of the American cotton-planters under the operation of a law that you say protects American labor.

Mr. STURGIS. We are going to get back a little of the money squeezed out of us during the last two years, when we were obliged to sell below cost.

Before the House committee Mr. Gratz testified:

Q. What was the price of 2-pound bagging before this association went into operation—say the last of March or the first of April?

A. From the last of February until the middle of March a large amount was sold at prices South from which, if the freight was deducted, the prices in New York would have been from 5¾ to 6¼ cents for 2-pound bagging.

* * * * * * *

Q. Let us see what the increase would be. Bagging last spring was 7¼ cents, how much higher now do you say it is than 7¼ cents?

A. It was 7¼ cents, and it is 12½ now.

Q. That is 5 cents a yard from the mill to the merchant?

A. Six and a half by five would be 32½ cents a bale.

Q. Without the merchant's profits having been added to it, however?

A. He would charge a profit on the 7¼ cents, being what you would call probably a legitimate profit, but he would also charge a proportionate profit on the 5 cents, which would probably make an increased cost to the planter, say of 5½ cents, bagging being sold in the South on very close margins. It would be 6½ times 5½ cents, which would be 35 cents a bale.

Q. That would be $350,000 per million bales and seven times that would be $2,450,000. Have you a definite idea of the amount of capital invested in bagging mills?

A. It is very hard to say the amount of capital, because the real estate in some instances would be necessarily measured with the bagging mill as part of the institution, and in others it would be difficult to divert the other business, some buildings being made especially for this and fit for nothing else, and some property being applicable for this and for nothing else; so I could not estimate exactly the amount of capital invested.

Q. You have seen an estimate?

A. I have not seen an estimate except in the rough. As far as our own institution is concerned, our calculation is that if we could secure in this year's business 60 per cent. of the profits you talk about here we would have gotten pretty much our whole investment, but that would not apply to others, because we own more real estate, and that estimate covers nothing except bare bagging machinery.

The loss to the planter, then, in one season, according to the estimate of this adverse witness, was $2,450,000! And this in addition to the usual profit made on their sales. My own conclusion, Mr. Chairman, based upon careful examination, is that the actual loss arising out of this

trust was $3,000,000. A more accurate idea of the outrage on the farmer is found in the witness's statement that "if we could secure in this year's business 60 per cent. of the profits you talk about here we would have gotten pretty much our whole investment." That they did make such profit is clear from the tact that they had entire control of the market and managed it as they chose.

The CHAIRMAN. What is the price of bagging now? I believe I have not asked that.

Mr. GRATZ. Twelve and one-half cents a yard to-day; will be one-fourth of a cent higher Monday.

The CHAIRMAN. What is occurring to advance the price?

Mr. GRATZ. We thought we could get that much more.

Senator BECK. You have the market effectually cornered?

Mr. GRATZ. We have it effectually cornered, and there is no power on earth can stop us except some of us die or turn thieves on the rest.

* * * * * * *

Senator BECK. The result of this arrangement is that you are making as much in proportion to the amount of sales, while your mill is not running at all, as you would if it was running?

Mr. STURGIS. Certainly.

Senator BECK. Certain mills are running and certain mills are closed, and each, in proportion to what was the estimate of its capacity or right under this contract, receives a proportion of the sales?

Mr. STURGIS. Of the profits; not of the sales.

PROHIBITORY DUTY THE CAUSE OF THE TRUST.

The Republican party, Mr. Chairman, contend that a prohibitory tariff does not breed trusts. It is difficult to give to such a plea respectful consideration. Take the present case as an example. For nearly twenty years in consequence of a prohibitory duty, as I will show it to be on cotton-bagging, none of it substantially had been imported from abroad, and the production in this country was carried on by twenty-five mills, which were competing with each other to a greater or less extent. Eight of these mills, having got rid of all competition from abroad and wishing to stop that at home, obtain control of the other seventeen, form a trust, and immediately increase the price to the consumer 100 per cent. Could this have been done if there had all the time been importations of this article from abroad? How could it with the foreign article competing with the domestic? Production could not have been limited, nor could prices have been advanced by the home manufacturer. Is the duty prohibitory? Clearly so, according to the testimony of the manufacturers themselves given in these investigations. Here is what they say:

Senator HISCOCK. What do you say about reducing the duty on bagging?

Mr. MURDOCH. That if an additional half cent per yard be taken from the bagging duty it will be as much as the manufacturers can stand and continue in the business, and that should jute butts be made free of duty the manufacturers would save nearly half a cent per yard and could afford a corresponding reduction in the duty on bagging.

Senator HISCOCK. Do you think you could stand that reduction and then absolutely control the market here?

Mr. MURDOCH. Yes, sir; I think with that reduction it would place us nearly on an equality with them; they might possibly at times bring in a little bagging, but it would make the market pretty nearly equal. It would put us on an equality with Calcutta, giving them a slight advantage, but then they are 16,000 miles away.

Senator HISCOCK. How much of that Calcutta bagging comes here now?

Mr. MURDOCH. None at all; no bagging comes here. It is all made in this country.

Senator ALDRICH. You represent all these different mills?

Mr. MURDOCH. Yes, sir.

* * * * * * * *

Senator ALDRICH. How long have you had the exclusive control of the American market?

Mr. MURDOCH. I suppose from fifteen to eighteen years.

* * * * * * *

Senator BECK. Any tariff protections?

Mr. STURGIS. I repeat what I said before, that the tariff is entirely prohibitory to the extent of any foreign bagging coming in.

The same witness says:

By Mr. CROUSE:

Q. There was one question asked one witness yesterday which I would like to ask of this witness, namely: In your judgment, what protection would be necessary in order that the mills of this country could retain the trade in cotton bagging at a fairly profitable basis?

A. I have given the matter a great deal of thought and attention. I have gone into statistics and facts; I have cabled to Calcutta, and written letters, and have received letters from Dundee; and, in fact, I have made a thorough and exhaustive examination into this subject, and it is my honest belief that the bagging manufacturers can not possibly get along without a protection of at least 2 cents per yard. That is one-third less than the present duty which we are receiving. As testified to yesterday, the present duty is prohibitory. I do not think that a protection of 2 cents a yard would be. It would put us all on our mettle. It would leave competition open to the foreign market at times of dull trade and low wages, and at the same time such protection would be in an ordinary season an inducement for the medium-sized and smaller mills to continue work and not to close their mills entirely down, which must be the case if the price is made too low for them to continue to manufacture at a living profit.

* * * * * * *

Senator JONES. Is the present duty fully protective?

Mr. STURGIS. It is more than we need. We have already agreed to accept a considerable reduction, one-third.

The manufacturers themselves admitted that the duty was prohibitory, that it was too high, and asked that it be reduced one-third, or to 2 cents per yard, equal to 1 cent per pound, and we may be certain that they did not ask any too great reduction. Under these circumstances what does the Ways and Means Committee do in the present bill? The manufacturer and the cotton-planter were both before the committee, and each presented his side of the case. The planters asked that jute butts and bagging be both put on the free-list, and in their statement said:

This is one of the most important questions that will come up of interest to the Southern cotton-planter.

The people are anxiously awaiting results and are desirous of showing [knowing?] if our legislators feel more interest in enrichment of half a dozen men who control the price of jute bagging manufactured in America, or their millions of constituents who are striving to feed and clothe their loved ones by an honest effort.

The manufacturers asked that in their interest the manner of laying the duty be changed from so much a pound, as the law had always been, to so much a square yard. It was at once done. As to the rate of duty, they admitted that the rate was too high if jute-butts were put on the free-list, and asked that, with jute-butts free, the duty on the class of bagging most in use should be 1.6 cents per square yard. The committee gave them exactly what they asked for.

The cotton-planter need not further worry himself with the question whether their "legislators feel more interest in enrichment of a half dozen men who control the price of jute bagging manufactured in America, or their millions of constituents who are striving to feed and clothe their loved ones by an honest effort." They have their answer, not only as to jute bagging, but as to everything else they use in making and marketing their crop. In fact, they need never have doubted that the Republican party would show more interest in a half dozen manufacturers than in millions of farmers. That is their record: to legislate for the privileged few against the people, for the classes against the masses. In the report of the majority on this bill the chairman says:

We have not been so much concerned about the prices of the articles we consume as we have been to encourage a system of home production which shall give fair renumeration to domestic producers and fair wages to American workmen, and by increased production and home competition insure fair prices to consumers.

If they could ever have been induced to break their record here was a splendid opportunity for them. Out of their own mouths it has been proved that these manufacturers, through the tariff, had a complete monopoly of the American market; that for years prior to 1888 they had one or more combinations to keep up prices; that, not satisfied with this, in April, 1888, under the false and absurd pretense of alarm at the passage of the Mills bill by a Republican Senate, having bought up or closed up as many mills as they thought necessary, eight of them formed a perfect trust to limit production and increase prices; that not only was its existence kept secret, but it was denied by them under oath before a Senate committee, that the avowed purpose of secrecy was to prevent introduction of foreign bagging to come in competition with them; that when this purpose was accomplished the price of bagging was advanced, almost at one leap, 100 per cent., and their admitted and express intention was to rob the cotton-planter in one year of enough money to pay for their whole investment, and that they did, in that single year, so rob the planter of at least $2,400,000.

Not only so, but the committee knew that these transactions had created intense excitement throughout the South; that out of them had grown the solid, compact Alliance organization which had waged war against this iniquitous trust; that the farmer, already beset to make both ends meet, had been driven from one substitute for bagging to another, many of them more costly than jute bagging, rather than submit to the outrageous demands of the bagging trust. Notwithstanding all this, when the manufacturers, at the very next Congress, demand certain legislation the committee blandly complies and gives them just what they want.

It is no answer to say that the duty on bagging has been somewhat reduced. The rate is just what they asked for and no one can be deceived by the pretense that they would ask for anything that would injure them. It is not in human nature to do that, and we may be certain that, either in the change of law fixing the duty by the yard instead of the pound, or by making jute butts free, or by both, these gentlemen expect to gain much more than they will lose by the decrease in duty. If, Mr. Chairman, there was anything near equality in the number of persons interested and the value of the product on the one side and the other it might be easier to understand the action of the committee. It can not be charged to sectionalism, because, to their shame be it said, many of these conspirators lived in the section plundered, some of them in cities that would no longer exist if the cotton industry were destroyed. And the Ludlow Manufacturing Company of Boston was an honorable exception in refusing to enter the trust.

BAGGING AGAINST COTTON.

But how stand the opposing interests?

On the one side are a few manufacturing companies, probably not over eight having any real interest, employing, according to the testimony, not more than about 2,500 hands and producing 50,000,000 yards of bagging, worth about $3,500,000, an article made solely for a temporary purpose, to serve simply as a covering to get a product to market.

The great body of the stockholders in these companies have simply invested a part of their surplus wealth in them; they do no work in connection with the business and have only to draw their dividends,

greater or less, according to whether prices are run up 100 per cent. or less. On the other side stand the more than million men who, during the present season, have made 7,300,000 bales of cotton, worth at export prices the enormous sum of $365,000,000. During the year 1889 they shipped to foreign countries 5,390,926 bales, worth $264,806,905, over one-third of the whole of our exports.

They, as a rule, have no other means of support. They do all the work, endure all the exposure, stand all the chances of success or failure. From the beginning to the end of the year they are hard at work, and no sooner is one crop disposed of than another is taken in hand. They are scattered throughout the cotton States of the South and can not, because of their number and surroundings, combine to fix their prices.

Everything they buy is in a protected market, while the price of their cotton is fixed in a free-trade market 3,000 miles away, in competition with the cotton of the world. And yet they have received no more consideration at the hands of this committee than if they had never existed, in fact much less, for if they had never raised a bale of cotton and had come before the committee and said they could do so with a prohibitory duty, the committee would immediately have granted it, as in the case of cotton-ties, of which none are made in this country, and the committee, with the avowed purpose of helping some imaginary manufacturer at the expense of the cotton-planter, have increased the duty thereon from 35 to 103.71 per cent. A greater outrage than this was never perpetrated, not even by the bagging trust.

Mr. Chairman, nearly two years ago in a public address, I said:

Some persons are disposed to belittle this tariff question, gentlemen, but a recent development has fixed the attention of the country upon it in the sharpest manner. The annual consumption of bagging for cotton amounts to about 47,000,000 yards. Substantially all of this is produced in this country, the duty, about 50 per cent., being almost prohibitory. In 1886 the tariff duties collected on improved bagging amounted to only $11,515. In April last a few companies, controlling pretty nearly the whole production of this country, formed a combination for the purpose of forcing up its price. They, in form, sold their entire production to a certain party in New York for from 5½ to 7½ cents per yard, according to weight, reserving the right to a majority of the parties interested to fix the price at which it was to be put on the market for the joint benefit of all concerned.

The one object of this combination was to extort outrageous exaction from the farmers of the South. The only foreign mills producing this material are in Calcutta. Up to July, no increase in price was announced. At that time, when it was impossible for sufficient bagging to be imported in time for the present crop, the price was suddenly forced up to from 11 to 12½ cents per yard. The year before they sold the same material, made at the same or less cost, at 7½ cents. The practical result to the planter has been doubling of the price and the extortion of over $3,000,000 in a single year. Was ever a greater outrage perpetrated?—an outrage the greater to bear because of its impudence. Think of it, gentlemen, a few manufacturing companies throttling the entire cotton industry of the South, that last year produced 7,000,000 bales! If this conspiracy can be successfully carried through what hope is there for escape for the people from like exaction in matters of smaller importance? In this view the people of this and other States may as well make up their minds to face the issue and settle it once for all.

In Congress many measures of relief have been prepared, substantially providing two modes of prevention, the one declaring such combination illegal and criminal and the other authorizing the President to remit the duties on imported bagging so long as the combination continues. As to the first, constitutional questions and the usual delays in Federal courts will render a final decision improbable under several years. As to the last, the Republicans will not permit it to become a law, because they stoutly deny that the tariff has anything to do with trusts and combines. What relief, then, can the people look for from this and like oppression? My judgment is that each State can most efficiently protect her people. If laws adequate to the emergency are not in existence others must be promptly passed. It can not be that the power to prohibit and punish does not lie anywhere.

Lately, with a great shout and flourish of trumpets you passed a bill against trusts. When your actions in this bill are considered it is impossible to believe that you were in earnest in passing that measure. You now give the trusts everything they want. Not only that, but you have voted down the only measure calculated to hinder them. One of your own party has offered this amendment to this bill:

That the President may suspend the rate of duty on any imported article when, in his judgment, the production, manufacture, or sale of such article is monopolized or attempted to be monopolized or controlled by any trust or combination.

You immediately voted it down, only two on your side joining the Democrats in its support.

I have taken the trouble, Mr. Chairman, to go fully into the history of this worst of trusts, because my belief is that trusts are to-day a most serious menace to the peace and prosperity of our country and are the means of sore oppression to all consumers, especially the farmers. Had it not been for the splendid fight made by the Alliance against the bagging trust, that trust would to-day have been plundering the cotton-planter annually of millions of dollars. The men who formed that trust never dreamed they would stir up such an upheaval; they had been made bold by immunity; they thought the cotton-planter to be nothing but a dull, patient, clumsy beast of burden, living and drudging only for the benefit of his oppressor and incapable of resenting and resisting an outrage. They have found out their mistake; they have been beaten and disgraced.

Just think, Mr. Chairman, what a gross outrage it must have been to make the millions of cotton-planters in twelve great States, the most peaceable, conservative, law-abiding, and home-loving people on the face of the earth, never given to combinations, because in the very nature of things each had to depend upon his own unaided exertions in his daily life and work—what an outrage, I say, it must have been to make these men suddenly throw off the habit of their lives and form in solid mass against this oppressor. And what a reproach to the country that this duty should have been forced upon these men; that there was no remedy for this wrong except that worked out by themselves.

This is not the only trust that has oppressed the people. Their name is legion. This one has only made itself more conspicuous by its folly and rapacious greed. It made too big a bite and thereby got strangled. Here are some of the others, a list made by the gentleman from Tennessee [Mr. ENLOE]:

		Per cent.
Earthenware trust	average tax	56
Glassware trust	do	62
Plow-steel trust	do	45
Bessemer-steel trust	do	45
General steel trust	do	45
Nail trust	do	45
General iron trust	do	45
Copper trust	do	25
Zinc trust	do	52
Tin trust	do	32
Lead trust	do	74
Glass trust	do	55
Soap trust	do	26
Linseed-oil trust	do	34
Rubber-shoe trust	do	25
Castor-oil trust	do	194
Envelope trust	do	25
Paper-bag trust	do	35
Barb-wire trust	do	60
Cordage trust	do	25
Sugar trust	do	76
Salt trust	do	80
Jute-bagging trust	do	54
Lead-pencil trust	do	30
Oil-cloth trust	do	40
Borax trust	per 100 pounds	$5
Ultramarine trust	do	25

Mr. Chairman, when the anti-trust bill was before the House I tried to get the floor to offer the following amendment, previously offered in the Senate by the distinguished Senator from Mississippi [Mr. GEORGE]:

And in all such actions in any court of the United States it shall be lawful for any number of persons complaining of such injuries committed by the same defendant against each of them separately, to join as plaintiffs, and the court or jury trying the issues of fact in any such cause shall find the amount of the separate damages sustained by each plaintiff and may also find in favor of a part of said plaintiffs and against the others, as the proof shall warrant, and the court shall render judgment accordingly. And in the proceedings in such cause the court may, if justice so requires, proceed with the trial thereof as to a part of said plaintiffs and continue the cause to a future day as to the remainder, and this may be done as often as justice may require. And whenever there shall be a motion for a new trial in any such cause the court may sustain the same as to a part of said plaintiffs and overrule it as to others, accordingly as the right and justice of the case may require. Execution shall issue on any judgment rendered in such cause in favor of each plaintiff for the amount recovered by him and for his reasonable attorney's fees, and also for such share of the costs as the court shall determine to be fair and reasonable.

Under our new rules, allowing substantially neither amendment nor debate, I could not get the floor for the purpose. Its object was to provide a mode by which any number of persons injured by a trust, each in small amounts, as in the case of the cotton-planter by the bagging trust, could combine in one suit to get redress, and thus encourage such suits and at the same time save expense. But I could not even offer it. I fear the bill, if it becomes a law, will afford but little remedy in such cases. So my advice to the cotton-planter still is: Insist upon State legislation against trusts, and all the time keep a close watch on your old enemy, the bagging trust.

The Tariff.

SPEECH

OF

HON. CHARLES TRACEY,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 21, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. TRACEY said:

Mr. CHAIRMAN: The distinguished gentleman from Kentucky [Mr. CARLISLE], during his long service in this body, has often demonstrated his devotion to high principles and his pre-eminent ability to give patriotic advice to his countrymen.

He has performed the closing act of his career on the floor of this House in offering the following resolution affecting the McKinley bill:

Resolved, That the pending bill be recommitted to the Committee on Ways and Means, with instructions to report the same back to the House at the earliest possible day, so amended by substitute or otherwise as to reduce the revenues of the Government by reducing the burdens of taxation on the people, instead of reducing the duties by imposing prohibitory rates of taxation upon imported goods.

Mr. Chairman, I question whether a resolution was ever offered in the House of Representatives which was more thoroughly in accord with the views of a large majority of the people of this country; and,

although the House will pass the bill, we have ample evidence that, in addition to the entire Democratic side, a large number of the majority is much more disposed to favor the line of tariff policy indicated in the resolution than to impose prohibitory rates of duty. Is this bill satisfactory to anybody in the House? Even the chairman of the Committee on Ways and Means has stated in debate that he would prefer that some portions were different.

The gentleman from California [Mr. McKENNA], a member of the majority of the committee which framed the bill, dissented from the report of his colleagues. He was supported in his opposition by Republican members from Kansas, California, Nebraska, Louisiana, Iowa, Ohio, and Pennsylvania. Other Republican members from Illinois, Minnesota, Massachusetts, Missouri, New Jersey, Indiana, and New York indicated their dislike to some of its features. How many were dissatisfied in all I can not say, but at least forty gentlemen came under my observation who either by speech or by offering amendments displayed their desire to alter the bill; some of them apologized for supporting it at all by expressing the belief that the Senate will make great improvements in it.

To those of us who were in the Fiftieth Congress and supported the Mills bill there has been during the consideration of the measure a steadily increasing feeling of satisfaction. Although we have been given but a short time for general debate and have not had even the privilege of submitting all our amendments to a vote of the Committee of the Whole, we have had sufficient time to see how superior a bill was ours to the one now before the committee. From the district which I have the honor to represent there came to me but few protests against the passage of the Mills bill.

It satisfied the aniline-dye manufacturers, the roofers, canners, and numerous other industries using tin-plates; the stove industry did not complain, nor the photographers, lumber-dealers, tobacco manufacturers, stone-cutters, seed-dealers, hardware merchants, brewers, and maltsters, all of whom have petitioned Congress not to deliberately do them such injury as they see will result from this bill becoming a law.

The knit-goods mills are content; but so they should have been with the Mills bill, which gave free wool, a provision that worsteds be classified as woolens, and ample protection against competition from manufactured goods.

There are some provisions in this bill to protect the farmers. I am glad to see their interests guarded, but the burdens imposed on them are so numerous that they can not be satisfied by merely increasing duties which already give fair protection. What benefit to the farmer to place on produce duties so high that in times of short crops the poor people in the cities are compelled to pay exorbitant prices to buy articles which must be brought from abroad after our own supply is exhausted?

Is this consoling to the farmer who at all times is being taxed for the clothes he wears, his farm utensils, the lumber for his house and barns, the tins and stoves in his house, and in a hundred different ways? Some of these taxes which affect people indirectly go unnoticed for a time, but they are always doing their work to the detriment of the people. In Kansas and Missouri it appears the farmers have at last realized that they can not get rich, nay, more, that they can not even get enough to support themselves.

In New York State the day will come, if it has not already arrived, when our farmers will acknowledge that they might better have accepted the Mills bill as it was, rather than have been frightened into opposing it because of the false statement that it put potatoes on the free-list. I desire to call the attention of the committee to the fact that in my district it is the manufacturers that are loudest in complaints of injury done by this too high tariff.

From New York City you have heard the appeal of importers. I doubt not that a large interest in that line will be seriously affected in all the cities of the country, but it is through the manufacturing interest that our workingmen will be made most seriously to suffer. In Albany, N.Y., the principal city of my district, the high tariff is bringing disaster to numerous large industries.

In his message to the common council, the Hon. James H. Manning, recently elected mayor by the unprecedented majority of 7,200 votes, makes the following allusion to the subject of Federal taxation:

> The necessity for rigid economy in city expenditures and for the levying of the lowest taxes for municipal purposes, consistent with efficient local government, is the more incumbent upon us at this time because our people are still compelled to pay, directly and indirectly, exorbitant and unnecessary taxes under the Federal tariff law, and it is proposed at Washington further to increase those burdens. The budget of the city for this year amounts, as stated, to $910,645.58, or less than $9 for each inhabitant of the city. The Federal tariff laws extort annually several times this amount from each person in the city. I am informed by the head of one of the largest manufacturing establishments in this city that the tariff taxes his establishment is required to pay annually from which it derives no benefit, but, on the contrary, injury in the curtailment of its market, are fully ten times larger than the entire amount of taxes it pays for city, county, and State purposes combined, and that legislation now before Congress will add to its taxes more than the entire amount of local taxes paid by the establishment.
>
> You can, of course, do nothing directly, except in your capacity as American citizens, to reform this wrong, which is especially oppressive upon the manufacturing and industrial interests of Albany, preventing the normal growth of its trade and depriving labor of its just remuneration. Indirectly, however, by making the lesser burden of local taxation as light as is possible, you may assist our industries in bearing the much greater burdens which unjust and unnecessary Federal tax laws still impose upon them. If the tariff bill now before Congress should become the law, your utmost endeavors for retrenchment in local taxation will be required to offset the drain upon the city's resources which that bill will cause.

Mr. Chairman, I greatly fear that those who expect the Senate to improve this bill will be disappointed. Some mysterious influence has forced this much-condemned measure through the Committee on Ways and Means. The chairman of that committee is a gentleman of such high character and possesses such a delicate sense of honor that no one would dare to approach him with a suggestion that grateful acknowledgment must be made to those who provided funds for a Presidential campaign or that the means whereby future campaigns are to be carried on must be considered in revising the tariff. And, indeed, no member of the committee would neglect to resent an affront of the kind were it offered to any member.

Nevertheless, many believe that an influence has been at work in this direction, without the committee realizing it, and that its spirit runs through the bill. Why should we expect the Senate to steer clear of these adroit efforts to accomplish by indirect methods results marked out by unscrupulous persons who are prepared to deceive men of honor or to take advantage of their ignorance or amiability; and, Mr. Chairman, no matter how great our confidence may be in the integrity of our colleagues, we will not hesitate to expose to the country a party that twenty-five years after the close of the war which necessitated taxing the people has the effrontery to place on the statute-books an act greatly increasing the burdens which bear so heavily on the people.

The Tariff and the Farmer.

SPEECH

OF

HON. JAMES B. McCREARY,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. McCREARY said:

Mr. CHAIRMAN: In a speech delivered by me in this House May 1, 1888, I discussed generally the tariff bill reported by Hon. ROGER Q. MILLS, entitled "A bill to reduce taxation and simplify the laws in relation to the collection of the revenue."

My remarks to-day will be confined mainly to the effect of the tariff bill reported by Hon. WILLIAM McKINLEY on the farmer and the laboring man.

THE TARIFF.

as it is usually understood is a tax or duty imposed on foreign articles imported into this country. It is first paid by the importer, but ultimately comes out of the consumer. When levied and collected for the Government it is a revenue tariff, when it is levied for the purpose of aiding individuals in their business or private enterprises it is a protective tariff.

The average tariff rate in 1850 was 27 per cent. In 1857 it had been reduced to a little over 18 per cent., but it was raised to an average rate of 40 per cent. on dutiable goods between the years 1862 and 1866, inclusive. In 1883 the average tariff rate amounted to 41.63 per cent., but in 1884 after the tariff commission recommended a reduction of 25 per cent. the average rate was increased to 42.60 per cent. In 1885 these duties went up to an average rate of 47.21 per cent. and since that time the average tariff rate has been about 47 per cent. The bill under consideration makes the average rate 51 per cent.

MANUFACTURERS GET MOST OF THE MONEY.

The tariff brings more money to the manufacturer than to the Treasury. The aggregate value of the manufactured products of the United States is reported by the Bureau of Statistics to be in round numbers $6,000,000,000 annually. More than two-thirds, or four billions, are sold in this country. The increased cost to the consumer in consequence of tariff duties is, according to the estimates made by Professor Arthur L. Perry, $869,159,572 per annum which goes into the pockets of manufacturers and private persons outside of the amount received in the Treasury on imports. Therefore the tariff law which in 1888 put $217,289,892 into the Treasury put $869,159,572 into the pockets of manufacturers and private persons, being $4 into their pockets for every dollar put into the Treasury. If we reduce the tariff we not only provide for a reduction of the surplus, but for every dollar we leave out of the Treasury we leave $4 in the pockets of the people.

THE FARMER AND THE TARIFF.

A wise man said many years ago, "God made the country and man made the town." I wish to say now with emphasis God made the farmer and the laboring man, who toil unceasingly in the country, and

the Republican party made the present tariff, which like an incubus is crushing the people down and, like "the pestilence that walketh in darkness and the destruction that wasteth at noonday," is blighting every part of our great Republic. The first man created was a farmer; the foundations of all human progress, the success of all human efforts, are intimately connected with the sweat and toil of the farmers. It is estimated that about twenty millions of the present population of the United States are living on farms or engaged in the cultivation of the soil, and from their productive labor the Government draws its main support and all citizens derive most of their wealth and prosperity. Farmers furnish food for our whole population and they send abroad about three-fourths of the entire exports that go from the United States to foreign countries. They create one-half of the wealth of our country and receive as their share only about 4 per cent. on their investment and are required by the protective-tariff system to pay an increased cost on the articles they use of about four hundred and twenty millions of dollars annually. No protective tariff benefits the farmer. He is compelled to sell his crops at prices fixed in the great markets which draw their supply from the whole world and he is compelled to compete with all kinds of labor.

The farmer is not asking for tariff protection, but he is asking in thundering tones for equality under the law. He is demanding that the system of legalized robbery under which his hard earnings have been wrung from him for many years and used to enrich monopolists, millionaires, and manufacturers shall cease. He at last knows his rights and he dares to maintain them, and henceforth he intends to watch as well as work. He has determined to be an important factor in the great problem of elections and show his power all over the Republic, as he has but recently done in Ohio, Indiana, Iowa, and Oregon.

WAR TAXES.

More than a quarter of a century ago taxes were imposed by a Republican Congress on home manufactures, which yielded annually about $120,000,000; on incomes, which yielded about $70,000,000 annually; on gross receipts of railroads and express companies, which yielded annually about $11,000,000; on bank checks, legacies etc., which yielded annually about $5,000,000.

A tax of $2 per gallon was imposed on whisky and brandy, and a tax of 24 cents on tobacco, and tariff taxes were imposed on thousands of articles, embracing both the luxuries and necessaries of life.

All these taxes were war taxes. They were imposed to carry on the war to preserve the Union, and the people were told that these taxes should be removed when the war closed. After four years of strife, bloodshed, and suffering, such as the world never witnessed or heard of before, the Angel of Peace smiled on our country, war ceased, fraternity and friendship were re established, the tax on incomes, on home manufactures, on railroads and express companies, on bank checks, etc., were repealed, and the tax on whisky and brandy was reduced to 90 cents on the gallon, and the tax on tobacco was reduced to 8 cents per pound; but the tariff tax, which was the heaviest and most burdensome of all taxes and reached nearly everything the people used in their shops, on their farms, and in their homes, was not reduced, but was increased.

The Democrats in the last Congress presented and passed a bill making a considerable and equitable reduction of all the schedules in the tariff, thereby cutting down the burdens of the people over sixty millions of dollars annually without injuring any American industry by unfair discriminations, but the Republican Senate refused to pass the bill.

The Republicans, in their national contest for the Presidency, misrepresented the Democrats on the tariff, but they gave their solemn pledge in their platform and in their public speeches "to correct the irregularities of the tariff and to reduce the surplus." How well they have reduced the surplus may be seen in the following tabulated statement, made by Hon. JOHN D. STEWART, showing the receipts and expenditures of the Government for the last year of Cleveland's Administration and for the ensuing year under a Republican Administration:

Total appropriations from June, 1888, to June, 1889, were:	
Agriculture	$1,669,770.00
Army	24,315,615.73
Diplomatic and consular	19,800,250.00
District of Columbia	5,682,409.91
Fortifications	1,233,594.00
Indian	8,677,453.39
Legislative	20,843,615.81
Military Academy	902,766.00
Navy	21,602,510.27
Pensions	81,758,700.00
Post-Office Department	66,606,344.28
Sundry civil	25,297,341.65
Total regular annual appropriations	260,060,146.73
Total permanent annual appropriations, sinking fund, etc	108,691,055.95
Deficiencies, second session, Fiftieth Congress	16,330,518.30
Miscellaneous, Fiftieth Congress	10,255,795.28
Grand total appropriations for said year	395,337,516.26

The foregoing shows total appropriations as well as making up deficiencies for the last year of a Democratic Administration.

And for the same period the total revenues of the Government were	$450,414,337.34

What will the expenses of the Government be for the ensuing year, for which this Congress is now making provision under Republican rule?

Regular estimates which have been presented to Congress for appropriation bills amount to	$466,843,315.04
To which should be added direct-tax bill	17,500,000.00
Public buildings, etc., private pensions, etc	10,000,000.00
Deficiencies, furnished by clerk of Appropriations Committee	30,000,000.00
Pensions for prisoners of war	7,500,000.00
Dependent pensions	36,000,000.00
Rivers and harbors	20,000,000.00
Grand total	527,843,315.04
Estimated revenues of Government for ensuing year	450,414,337.34
Deficiency unless taxes be increased	77,428,977.70

That this may appear the more impressive I desire to call attention to the monthly, daily, hourly, and expenses per minute based upon the foregoing calculation:

Expenditures per month	$43,986,943
Expenditures per day	1,466,231
Expenditures per hour	61,093
Expenditures per minute	1,098

Thus we see the Republican party has not reduced the surplus by reducing taxes, but before the term of President Harrison is half completed this party has forgotten its fair promises and has not only arranged to wipe out the surplus in the Treasury by reckless appropriations of money, but it has so legislated as to make a deficiency which will certainly compel an increase of taxation.

Mr. Chairman, how has the Republican party complied with its pledge to

CORRECT THE INEQUALITIES OF THE TARIFF?

They have furnished us the McKinley tariff bill, which is the result of various Republican caucuses, many committee consultations, and much combined wisdom, but, judging from the mutterings which come to us continually from dissatisfied and unhappy Republicans, it is not clear, to use the language of the old pioneer—

Whether the snake that made the track
Is going north or coming back.

In their bill they have increased the tax on wool and manufactures of wool $15,493,002; they have increased chemicals $249,168; earthen ware, $626,011; the metal schedule, $11,279,379; tobacco, $17,966,425; cotton goods, $1,553,324; agricultural products, $9,309,850; hemp, flax, and jute, $6,816,299. The increase not estimated in the committee's calculation amounts, according to the statement of one of the ablest and best informed members of the Committee on Ways and Means [Mr. McMILLIN], to $25,773,000. This, added to what the committee confess they have increased, makes the increase on the different schedules, outside of sugar, $66,049,000. In addition to this a bounty of 2 cents per pound is given on sugar, amounting annually for fifteen years to at least $7,500,000, and a bounty also is given on reeled silk produced in the United States, which the farmers, the merchants, the mechanics, the toiling masses, have to take out of their pockets in order that a small class of sugar-producers and silk-experimenters may be protected and enriched. This is the way the Republican party increases the burdens of the people when they promise to lighten them. This is the way they heed the demands of an indignant people who "asked for bread, but you have given them a stone."

My limited time will not permit me to discuss all the provisions of the McKinley bill, which is a monstrosity that I believe will raise a storm of

INDIGNATION AMONG FARMERS

in the North, West, and South such as has never been known before. I shall only refer now to certain important items of the bill that directly concern the farmer.

TIN-PLATE.

The most outrageous and indefensible provision of the bill is that which increases the tax on tin-plate from 1 cent to 2.15 cents a pound, an increase of 115 per cent. Tin-plates are not manufactured in the United States. All used in this country are imported. The importations of last year amounted in value to $21,002,209 and the duties or tax collected and paid into the Treasury from this source amounted to $7,279,459. It is estimated that the amount of duty collected next year will be over $15,000,000, and therefore every farmer or other person who buys tin buckets, cups, spoons, fruit cans, or has tin roofing put on his house will be required to pay about one-third more than ought to be paid in order that the National Tinned-Plate Association now being organized may be protected and encouraged and a home manufacture of tin-plate established in the United States.

The effect of increasing the tax is not only to injure the consumer of tin-plate, but the duty is so high that it will prohibit foreign competition and it will deprive the Treasury, soon as the National Tinned-Plate Association is in successful operation, of the $7,279,459 heretofore paid annually by importers and put a burden of over $15,000,000 on the consumers of the goods in order to encourage an unsteady industry and enrich a huge monopoly.

LINEN GOODS.

The present duty on manufactured linen goods is 35 per cent. ad valorem. The McKinley bill proposes to increase this duty, specific and ad valorem, from 62 to 114 per cent. A protest sent to each mem-

ber of this House states that this will increase the cost to American consumers of linen goods from eight to nine millions of dollars annually.

PEARL AND SHELL BUTTONS.

Another protest is against the duty or tax on pearl and shell buttons provided for in the bill which, according to the protest, makes an increase of 4 cents a line, which will amount to from 103 to 358 per cent. average on the great bulk of pearl buttons used or imported into this country.

TOMBSTONES.

Farmers are oppressed with taxes all their lives, and it seems that when "life's fitful fever is over" they should be allowed to rest untaxed, but the relentless, remorseless bill under consideration taxes their swaddling cloths when they are born and follows them after they are dead and imposes a duty or tax on tombstones, freestone and granite used for monumental purposes, at the rate of $1 per ton and 14 cents per cubic foot.

The total value of our exports of domestic products sent abroad from the United States in the year ending June 30, 1889, was $730,282,488, for the payment of which in a large measure the farmers and workingmen or their agents received goods of foreign manufacture, on which goods there was an average duty of 47 per cent.; or, to express it in a business way, on every $100 worth of goods imported a tax of $47 was added at the custom-house, which finally came out of the pockets of the farmers and workingmen.

BAGS AND BAGGING.

At the risk of being tedious I will refer to a few more articles used by farmers. The duty of 40 per cent. on bags and bagging imported in the year 1886 for grain and cotton amounted to $482,240, and the duty of 35 per cent. on cotton-ties imported into this country in the same year, $211,188. The duty on cotton ties is increased in the pending bill to 115 per cent. Every dollar of this money comes out of the farmers, because the importer has to pay it when he brings his goods into our country and he immediately adds it to the price charged the consumer.

SALT.

In the year 1886, $1,493,397 worth of salt was imported into the United States, on which there was a duty collected of $706,324. The home production that year was about $5,000,000, and doubtless this was enhanced at least one million by the duty of 85 per cent. on salt.

WINDOW-GLASS.

On window-glass there is an average duty of 86 per cent., though it runs as high as 114 per cent., and from the best data that can be obtained at least $4,000,000 annually are paid by the people of our country on account of this tariff duty, and the larger part of this comes out of the farmers.

LAMP-CHIMNEYS AND CHAMPAGNE GLASSES.

In this connection I call attention to lamp-chimneys, on which there is under existing law a protective duty of 45 per cent. The McKinley tariff bill increases the duty on lamp-chimneys to 450 per cent. On thin-shell glasses, used by the rich for drinking champagne and other wines, the pending bill increases the duty from 40 to 75 per cent., while on the heavier and coarser glasses, used by the poor for drinking milk or water, the duty has been raised to 115 per cent.

CROCKERY AND COTTON CLOTH.

The average duty on crockery is 57 per cent. On a reasonable calculation the people of our country paid in 1886 about $5,500,000 for the privilege of using crockery. The duty on cotton cloth is from 40 to 73 per cent., and there was collected in 1886 because of this tariff duty on cotton cloth, such as is used by farmers, the sum of $1,701,795.

REPUBLICAN TYRANNY AND REPUBLICAN BOUNTIES.

The Republican leaders seem to have thrown off the mask this session of Congress. It was not sufficient that the Speaker of the House of Representatives should ignore the rights of the minority, count a quorum when it became necessary, and have members of Congress noted as present whether they voted or not, in order to pass a Republican measure. It was not enough that six legally elected Democratic Representatives, one of whom (Mr. Turpin, of Alabama) had over 13,000 majority, should be turned out in order to bring in six Republican Representatives who were not elected by the people. The grasping greed of Republicans for power was not satiated when a bill was rushed through the House, with only one hour's debate on the Democratic side, which reorganized the Federal judiciary, took away from the United States circuit courts original jurisdiction, and authorized the President of the United States to appoint for life eighteen new Federal judges, who, according to bills now pending, are to superintend Federal elections and make certificates in Presidential and Congressional elections, and it did not fill the cup of happiness of Republicans to pass under a gag rule, without fair debate, the dependent and service pension bill, which added $50,000,000 annually to the regular appropriations for pensions, already increased to ninety-eight millions per annum, but now you seem to have followed the example of Cortez, and burned your ships behind you, and you are supporting a tariff bill that bristles with bounties and glitters with discriminations against the farmers and laboring men of our country. It is the boldest and the most unmasked measure of protection and partiality that has ever been introduced in the Congress of the United States.

In the early years of our Republic political parties asked that tariff bills be passed to protect our infant industries. For many years the primary and leading objects of tariff laws have been alleged to be for the purpose of raising revenue to support the Government. Now for the first time we are openly and boldly invited to enact a law, not for revenue with incidental protection, but for the primary purpose of protecting certain private interests against competition and thereby enriching American manufacturers, with increased taxation on consumers and incidental revenue to the Government.

The bounty feature of the bill is one of its worst features.

SUGAR BOUNTY.

All sugar, up to and including No. 16 Dutch standard, is to be admitted free of duty, and, in order to satisfy and placate the sugar-producers of Louisiana, and California, and Kansas, a bounty of 2 cents per pound on the sugar produced in this country is given each year until July 1, 1905.

According to the report of the Ways and Means Committee in 1888 the sugar product in this country was 375,855,877 pounds, and therefore the sum which the people of this country will be compelled to donate each year for the support of this industry will be $7,520,000, or $113,000,000 during the fifteen years; but it is claimed by the friends of this bill that the object of the bounty is to encourage the production of sugar in the United States, and that in a few years the domestic supply will equal the demand for home consumption. The total annual consumption of sugar in the United States last year, including domestic and imported, was 3,076,277,079 pounds; therefore, if the friends of the bill are correct, the annual payment out of the Treasury under the sugar-bounty clause will soon be $61,528,426.

SILK BOUNTY.

Raw silk and cocoons are now on the free-list, and last year 5,329,646 pounds of reeled silk and 101,647 pounds of cocoons were imported.

The bill compels the people to take from their pockets and give to the tax-gatherer an amount of money sufficient to enable the Secretary of the Treasury to pay a bounty of "$1 per pound or $2,240 per ton on all raw silk reeled from cocoons, and 7 cents on every pound or $156.80 per ton on fresh cocoons, including the worms produced in the United States."

Mr. Chairman, I desire to ask members of this House who represent agricultural districts how they dare go before the farmers in their respective districts, who toil unceasingly to produce wheat, corn, cotton, rye, oats, and other agricultural products, and tell them they voted to give a bounty to sugar producers that may aggregate $600,000,000, and not one dollar to the farmers they represent, and that they voted also to pay a bounty of thousands of dollars annually to the silk-producer, not for his work, but as a gift, in order that a select class might try an experiment and engage in the pleasing avocation of raising cocoons and reeling silk. My friends on the other side had better study carefully these bounty clauses. The bill was heavy enough without the bounties, but when the bounties are added they will find, like Sisyphus, that their burden is so heavy they can never reach the summit of success.

THE CONSTITUTION.

For the consideration of those who respect the Constitution of the United States I wish to place on record my protest against Congress levying and collecting taxes for any other purpose than that of maintaining the Government of the United States. The Supreme Court decided in the Topeka bond case "that Government aid to private industries was not warranted by the Constitution."

In this case Judge Miller, delivering the opinion of the court, said:

To lay with one hand the power of the Government on the property of the citizen and with the other bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation; it is a decree under legislative forms. Nor is it taxation. Beyond a cavil there can be no lawful taxation which is not laid for public purposes.

Judge Cooley, in discussing this question, declares that—

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and therefore not warranted by constitutional principles.

No speech can do full justice to the tax-ridden, tariff-ruined farmer. I might continue my tale of the sorrows and burdens heaped on him by Republican rule until the heart would grow sick and the mind become mad. In these dismal and unsatisfactory times I recall with pride and pleasure that a Democratic House of Representatives passed the Mills bill two years ago which made

SALT, TIN-PLATE, AND COTTON-TIES FREE,

and many other things were then put on the free-list, or the tax on them materially reduced, which are indispensable in the daily duties of the farmer.

Without occupying the time of the House longer on this branch of my argument I present the following table furnished me by Mr. WIKE and taken from the official reports of the Treasury Department.

It shows more forcibly than anything I can say the unjust discrimination made against the farmer. Among the luxuries that are made free scarcely an article can be found that the farmer uses, but among the necessaries that are heavily taxed nearly every article is used daily by the farmer.

Table contrasting the tariff duties on articles in the nature of luxuries with those on the necessaries of life; compiled from the official reports of the Treasury Department for the year ending June 30, 1889, except as to last-named three comparisons, which are taken from a former report of the Treasury.

IN THE NATURE OF LUXURIES.	Per. cent.	NECESSARIES OF LIFE.	Per cent.
Diamonds (rough)	Free.	Sugar	70
Diamonds (cut)	10	Sugar (highest rate)	108
Attar of roses	Free.	Castor-oil	200
Straws for juleps	20	Salt (in bulk)	85
Bird's nest	20	Woolen cloth (cheap)	95
Alabaster and spar statuary and ornaments	10	Steel and iron beams, joists, and structural forms	115
Silk (raw)	Free.	Spool thread	61
Skeletons and crude bladders	Free.	Glass and glassware	58
Amber, ambergris and bergamot	Free.	Window glass	114
Chocolate	8	Chicory	62
Canes and walking sticks	20 to 35	Cotton cloth	40 to 73
Sachet powder	20	Burlaps and cotton bagging	30 to 54
Amber beads	Free.	Earthen and china ware	57
Feathers (for beds) and down	Free.	Rice	117
Sago and tapioca for the gentry	Free.	Coarse woolen shawls	88
Fashion plates	Free.	Blankets and flannels	70 to 82
Furs, fur-skins, and catgut	Free.	Woolen clothing	58
Plumb pudding	20	Nails, spikes, tacks, etc	52
Spices	5 to 10	Wool hats and yarn	70
Toothpicks	20	Galvanized wire, iron	72
Stuffed birds	Free.	Lumber, per 1,000 feet	200
Fossils and joss sticks	Free.	Highest rate on wool	125
Ivory coral (unmanufactured)	Free.	Sheet iron	81 to 90
Gold size	Free.	Starch	92
Meerschaum	Free.	Trace-chains	50
		Steel railway bars	72

For the rich:	Per cent.
Fine worsted trousering, costing at factory $3.36 per yard	58½
Beaver cloth, costing at factory $3.96 per yard	56½
Broadcloth, costing at factory $3.60 per yard	50½
For the poor:	
Cotton warp cloth, costing at factory 64 cents per yard	121½
Cotton warp melton, costing 24 cents per yard	153½
Cotton warp reversible cloth, costing at factory 45 cents per yard	180½

The McKinley tariff bill contains more glaring discriminations than the existing law; while it mitigates none of the hardships, it increases the burdens, as will be seen in the following table:

Articles.	Present duty.	Proposed duty.
	Per cent.	*Per cent.*
Worsteds, knit goods, under 30 cents	73.20	130
Worsteds, knit goods, 30 to 40 cents	66.73	147
Worsteds, knit goods, 40 to 60 cents	68.49	130
Worsteds, knit goods, 60 to 80 cents	68.24	112
Worsteds, knit goods, above 80 cents	52.96	90
Worsted shawls	61.82	93
Belts for presses (printing)	53.14	101
Blankets and flannels and hats	69.70	110
Women's and children's dress goods	68	103
Do	60	73
Do	85	110
Clothing, ready-made	54	84
Cloaks, dolmans, etc	60	82
Webbings and gorings, etc	64	99
Common window glass, 10 by 15	67.61	73.72
Common window glass, 16 by 24	115.41	123.10
Common window glass, 24 by 30	128.58	135.34
Common window glass above that	132.29	138.04
Freestone, granite	20.22	40
Freestone, granite, hewn or dressed	20	50
Cotton-ties	85	115
Tin-plate	34	74
Steel ingots, etc., above 16 cents per pound	26	45
Wire fence rods, No. 6	45	54
Penknives, etc	50	75
Table cutlery	35	50
Shotguns	35	60
Mica	Free.	35
Horses	20	70
Cattle	20	61.94
Hogs	20	45.68
Sheep	20	50
Eggs	Free.	32.91
Plants, trees, etc	Free.	20

INDIVIDUAL EVIDENCE AS TO THE WHOLESALE ROBBERY.

A number of importers from the principal cities of the United States and especially from New York came to Washington to protest against the passage of the McKinley bill. About sixty were present at one meeting of the committee, and they told some positive, palpable, and pointed truths. When each gentleman rose to speak he announced his business and his address, and as each showed that the McKinley bill increased the duties on goods used by poor people ten to twenty times their present amount, the iniquity and robbery of the bill became apparent. The testimony of these prominent importers was taken down and published, and here are the statements made by a few of them:

R. H. Ewart (linen). The McKinley bill would double the rate of duty on linen. I think the increase needless, as there are no linen manufactories in this country.

E. Stroebel (glassware). I had an invoice yesterday, on which the duty was $46. It would be just $483 under the McKinley bill.

M. Kirchberger (lamp goods, 137 Duane street). I received an invoice of small night-lamp chimneys on Monday and paid $642 duty on them. Under the McKinley bill they would have cost me $5,476. The invoice price of the chimneys was $1,800. They are sold now at 7 cents a dozen. Under the new rate they would have to be sold at 21 cents.

Alphonse D. Reisthal (lamp goods, 55 Murray street). On cheap goods used by poor people the specific duties amount to from 200 to 1,400 per cent. On staple goods the duty is practically prohibitory, and gives domestic manufacturers an opportunity to double and treble their prices if they complete their organization.

Gustav Blumenthal (buttons, No. 384 Broadway). A small invoice of pearl buttons and a few others which arrived to-day for me paid a duty of $400.20. The same invoice would have to pay a duty of $5,187.60 under the McKinley bill. The market value of these goods was $1,600.80.

E. F. Anderson (crockery, 49 Barclay street). The bill will increase the duty on white ware from 55 to 66½ per cent., and on decorative ware from 60 to 74 per cent.

P. B. Werrall (textile fabrics, 451 Broadway). The bill would increase the duty on our goods from 50 to 100 per cent., and the lower class of goods used by working people would be most affected.

Ernest Werner (worsteds, Franklin and Church streets). The bill would prohibit the importation of everything but the finest grade of worsteds.

John Bernheimer (woolens, Italian cloths, serges, and linings, 75 Leonard street). The new tariff would be prohibitory, especially on low grades of goods. The rate on them would be nearly double.

D. A. Van Horn (window glass, 131 Franklin street). The bill advances common window glass 14 per cent., and goes back to an obsolete method of collecting a duty which was set aside by the United States court six years ago. On common ground glass there is an advance of from 45 to 165 per cent., and on common enamel glass from 45 to 407 per cent.

L. Lehman (fancy glassware, 60 and 62 Murray street). The bill would increase the duty on ordinary beer and wine glasses from 45 to 200 per cent. It would shut out all imported goods, and manufacturers here could charge any price they wished to. It would not affect fancy glassware not used here at all. It would make small decorative articles, such as are now bought by poor people for 10 and 15 cents, cost $1.

Francis Spies (Portland cement, 36 Broadway). The present duty on cement is about 21 cents on the barrel. The administrative bill and the McKinley bill combined would produce an increase of about 125 per cent.

Charles P. McClelland (corsets, 40 and 42 Wall street). The bill increases the rate on corsets from 35 to 50 per cent. This is not protection, but prohibition. The domestic manufacture to-day exceeds the import in the ratio of 8 to 1, which is a good argument that the import does not hurt the domestic manufacturer.

Monopolists and manufacturers have extracted vast sums of money from the farmers of our country because of the present tariff laws. Colossal fortunes, millionaire palaces, Lucullus feasts, bedizened coaches, and campaign corruption funds are some of the results of the iniquitous system which under the name of protection allows the lords of the furnaces, the magnates of the manufactories, the bosses of the mills, and the barons of the trusts to keep the farmer prostrate in this "land of the free and home of the brave." But it seems they are not content with their power and success, but many of them are daily guilty of

INSULT AND INJUSTICE TO FARMERS

in the prices they charge them and in the sales they make them.

Almost every protected industry in the United States which a few weeks ago was beseeching the Committee on Ways and Means for more "protection" is now advertising to sell abroad at retail cheaper than it will sell at home at wholesale. This is the way the American consumer is made to pay a higher price than the foreign consumer. This is the way the sham and pretense of the tariff system is shown, for if the American manufacturer can sell his goods in Europe from 10 to 50 per cent. cheaper than in the United States, where is the necessity or the justification for the high rate of "protection" now allowed?

The export supplement of the Engineering and Mining Journal and also the Tariff Reform Journal, both published in New York, show that on plows of all kinds the discount to the foreign buyer is 30 per cent., and on other farm and garden implements the foreign buyer is allowed to purchase from 10 to 50 per cent. cheaper than home buyers. This outrage on the farmers of our country can not be condemned too severely. There are hundreds of articles named in these journals which I now hold in my hand, and they contain interesting reading to Republicans who have voted for a quarter of a century in favor of "protecting" these manufacturers who charge their countrymen from 10 to 50 per cent. more than they do foreigners.

I give below a few of the articles, with the rate of tariff duty and the price charged in home markets and in foreign markets.

In every case the "foreign price" is retail for a single article (or package), free on board in New York City, while the domestic price is for large wholesale lots at factory, freight or express to be paid by the buyer:

Articles.	In home market.	To foreigners.
CULTIVATORS—PROTECTED 45 PER CENT.		
Wheel hoe, cultivator-rake, and plow	$11.00	$8.40
All-steel horse hoe and cultivator, with wheel	8.00	6.75
All-steel plain cultivator, with wheel	7.20	4.50

Articles.	In home market.	To foreigners.
RAKES AND TEDDERS—PROTECTED 45 PER CENT.		
Lock-lever rakes	$15.00	$14.21
Self-dump rakes	18.00	17.12
Hay tedder	26.00	25.25
Potato-digger	8.00	6.75
PLOWS—PROTECTED 45 PER CENT.		
Two-horse—		
Chilled, 9-inch cut	5.60	5.04
All steel, 9-inch cut	8.40	7.56
Chilled, 10-inch	6.30	5.67
All steel, 10-inch	10.50	9.45
Three-horse—		
Chilled, sr	7.70	6.93
Chilled, jr	7.35	6.61
All steel, sr	14.00	12.60
All steel, jr	14.00	12.60
Four-horse—		
Two-gang plows, all steel	58.80	52.92

These are the prices that the foreign farmer has to pay for one plow, and the prices which the American dealer in plows has to pay in large lots at the factory. The foreigner pays no more freight than the American dealer; sea freights are cheap.

Articles.	In home market.	To foreigners.
SHOVELS—PROTECTED 45 PER CENT.		
Cast-steel, long handles, round point, No. 1, per dozen	$9.20	$7.86
No. 3 per dozen	9.80	8.37
Cast-steel, D handle, round point, No. 2 do	9.60	8.21
No. 3 do	10.00	8.55
Spades, cast-steel, D handles, No 2 do	9.20	7.86
No. 3, cast-steel, long handles do	9.80	8.37
KITCHEN HOLLOW-WARE—PROTECTED 1¼ CENTS PER POUND.		
Flat-bottom kettles	1.40	.85
Round-bottom kettles, 10¼ inches	1.82	1.10
Spider, 8 inches	.35	.27
Spider, 12 inches	.91	.55
Griddle, 10¼ inches	.56	.34

Similar favorable prices to the export trade are given on all other kinds of hollow-ware. The above are taken as samples only.

Articles.	In home market.	To foreigners.
Circular saw	$30.00	$25.55
Scroll saw	7.50	6.35

TYPE-WRITERS AND SEWING-MACHINES—PROTECTIVE DUTY 45 PER CENT.

A type-writer which costs in this country $100, or, if the buyer has already purchased three, $90 for each additional one he may buy, can be bought for export for $60.

Fine sewing-machine, which costs $27.50, can be bought for foreign market for $20.75.

DOES THE TARIFF PROTECT LABOR?

The last census shows that there are 17,392,099 of our people actually engaged in all kinds of industries. Seven million six hundred and seventy thousand four hundred and ninety-three are actively employed in agriculture, 1,139,362 in professional services, 2,934,876 are laborers and domestics, 1,810,256 are employed in trade and transportation, 1,214,023 are carpenters, masons, blacksmiths, builders, bakers, plasterers, tailors, agricultural-implement makers, shoemakers, railroad employés, milliners, dressmakers, and other miscellaneous occupations, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

Thus it appears that 14,769,010 persons, who perform six-sevenths of the labor done in this country, are thoroughly taxed and fleeced for the benefit of 2,623,089, but only a few thousand of the last-named number receive the profits of the tariff. They are the owners of the factories, the nabobs of the "trusts," the "pools," and the "combines," who make often from 30 per cent. to 50 per cent. per annum on their investments.

The 2,000,000 laborers employed in manufacturing or mining are not protected by the tariff, because they must compete with 8,500,000 other laborers in this country and with all the laborers of the world (except the Chinese, who are prohibited from coming here), and in addition to this they are compelled to pay the increased price for clothing, shelter, food, and home conveniences caused by the tariff.

While there is a tariff on thousands of things, there is no tariff on labor. When we come to the poor laborer we find absolute free trade. The manufactures of Europe can not be shipped here without paying a high duty, but European labor and pauper labor come here without paying a cent of duty. The tariff does not protect American labor. It protects the article on which it is laid by shutting out or lessening foreign importations.

OUR CENTRAL AND SOUTH AMERICAN TRADE.

We have for years been endeavoring to increase our trade with fifty millions of people in Central and South America and in Mexico, and the International American Conference held under the authority of our Congress has been considering this subject and other important subjects, and, after a six-month session, with eighteen Republics represented, has but lately adjourned.

The people from all these countries expected that our Government was acting in good faith with them when we invited them to send their delegates here, and they had a right to suppose that nothing would be done to disturb their deliberations or prevent the success of their mission; but just at the time when closer commercial relations between the respective countries were being considered, and the outlook for favorable action was good, the pending bill was reported containing provisions which will not only retard reciprocal arrangements, but destroy a large part of the trade now existing between our country and the neighboring countries south of us.

The McKinley bill increases the rates of duty on all classes of wool imported into this country and thus will diminish the quantity of wool sent to our country from Central and South America, if it does not stop the supply.

In January, 1889, there were in this country 42,599,079 sheep, and they produced about 245,000,000 pounds of wool, while the imports for the last fiscal year in all forms, wool, carpet, and clothing, is estimated at 350,000,000 pounds. As the amount of wool annually consumed in the United States is in round numbers 600,000,000 of pounds, the increase of the duties on wool will be a hardship on the people, and it is clear that the passage of the McKinley bill will increase the cost of woolen goods and clothing.

The bill increases duties on carpet wools and takes silver ores containing lead from the free-list and subjects the lead contained in the silver ore to a duty of 1½ cents per pound, not for the purpose of raising revenue, but for the sole purpose of preventing these articles from being imported into this country. The report of the minority on the pending bill is very expressive on this subject, and is as follows:

Last year we imported direct from the states and republics of Central and South America and the Republic of Mexico many million pounds of this wool, and still more by way of London and other European ports, and from Mexico silver ores bearing lead to the value of $6,779,160. Our total importations of carpet wools from all countries amounted to 96,555,466 pounds, and our total importations of this kind of ore was $6,951,719. All this wool has been converted into carpets and other fabrics, and all these ores have been smelted in the United States by American workmen, and their importation has been of great benefit to our people, in addition to the profit realized from the trade between the different countries. The free admission of fluxing ores from Mexico has enabled our citizens to establish and maintain large smelting works at El Paso, Tex., Argentine, Kans., Newark, N. J., Kansas City, Mo., and a great many other places. If this bill passes the tax upon 66,000 tons of silver ore, the amount imported last year, will be over $672,000, which the Government does not need and which will benefit nobody in this country.

Although our Republic produces so much that our sister Republics in Central and South America need and they produce so much that we need, yet our existing tariff laws prevented the International American Conference from arriving at a satisfactory conclusion on the subject of reciprocity in trade. The committee appointed by the conference, with the distinguished minister from Mexico, M. Romero, acting as chairman, made an able and exhaustive report showing that while the protective policy of the United States is in the way there can be no free trade among the nations of this hemisphere. The committee, at the close of the report, say:

The manufacturing countries, as the United States of America, would have to abandon, at least partially, the protective policy which they have adopted to more or less extent, and they do not seem yet prepared to change that system.

* * * * * * *

Therefore, while these obstacles are in the way, it seems premature to propose free trade among the nations of this hemisphere.

EUROPEAN RETALIATION HEAVIEST ON FARMERS.

The injury to our commerce and trade produced by the tariff is not confined to the republics of the western hemisphere. Our country was for years the great commissary department of European nations. In those years they sent over large cargoes of machinery, wares, and merchandise, and took back immense quantities of our beef, pork, wheat, breadstuffs, etc. Our late minister to Denmark, Mr. Anderson, explained the situation when he reported the Danish minister as saying:

America has practically nothing but her cereals, breadstuffs, and provisions for export, and as her high tariff prevents European countries from selling their manufactures and products to her people we have arranged a system of retaliation in Europe, and we have to strike at your farmers and their products, as they furnish substantially all your nation has to sell abroad.

England's inspection laws, enacted expressly to discourage the importation of meat products, have diminished the use of one of our most important exports. In France, Germany, Denmark, and Belgium duties and inspections have been adopted solely in retaliation for the American tariff system, and beef from South America and Australia,

and wheat from India and the Argentine Republic, and breadstuffs from five or six different sources have depressed the trade and seriously impaired the business of American farmers in European markets.

Corn has become so cheap that many Western farmers have been burning it for fuel because it was cheaper than coal or wood. The price of wheat in the New York market in the beginning of the year was 85 cents per bushel. In the same market in the year 1873 it was $1.65 per bushel.

The entire yield of wheat in this country in 1879 was 448,756,630 bushels, and the average export price of wheat for that year was $1.33 per bushel. In 1888 our total yield of wheat was 415,868,000 bushels, and the average export price of wheat for that year was 85 cents per bushel. It will not do, therefore, to say that the price of wheat has been reduced by overproduction, for the above figures show that the yield of wheat in our country in 1888, when it sold at 85 cents per bushel, was 33,000,000 bushels less than it was in 1879, when it sold for $1.33 per bushel.

The principal cause of the reduction of the price of corn and wheat and other cereals is the bad legislation of the Congress of the United States on certain great questions that directly affect the interest of the farmer. During the time that the Republicans have controlled legislation since the civil war, for they have had one or both branches of Congress or the President for more than a quarter of a century, they have legislated continually in the interest of manufacturers, millionaires, and railroads, and not for the farmer or the laboring man.

I shall not stop now to show in detail how many millions of acres of the public lands were donated to railroad corporations by Republican Congresses or how Government bonds that were purchased at a reduced price with greenbacks were exempted from taxation and ordered by Congress to be redeemed in gold; neither will I attempt to tell of the millions of dollars made annually by protected manufacturers, but I will simply let the census reports give the facts to show that the farmers of our country have prospered far more under a low tariff than they have under a high tariff.

EFFECT OF LOW TARIFF AND HIGH TARIFF ON THE FARMERS.

From 1850 to 1860 the average tariff rate was from 18 per cent. to 27 per cent. By the census of 1850 the estimated value of farms in the United States was $3,271,575,426. In 1860 the value was estimated at $6,645,045,007, showing an increased value during this decade of $3,373,469,581, or more than 100 per cent. In 1862 the average tariff rate was raised to 40 per cent. In 1870 the value of the farms of the United States was estimated at $9,262,803,861, showing an increase during the decade of $2,617,758,861, or less than 40 per cent. In 1880 the value of farms was estimated at $10,197,096,776, being an increase during this decade of $939,292,915, or within a fraction of only 9 per cent.

The value of the live-stock in the United States in 1850 was estimated at $544,180,566. In 1860 it was valued at $1,089,329,915. The increase during the decade was $545,149,349, or over 100 per cent. In 1870 it was estimated at $1,525,276,547, being an increase during the decade of $435,946,542, or less than 40 per cent. In 1880 the live-stock was valued at $1,500,464,609, being a decrease during the decade of nearly $25,000,000, or more than 1½ per cent.

What the census of 1890, now being taken, will show for the farmers no mortal man can tell.

We know that they are filled with distress and discontent; that their homesteads are being mortgaged; that their indebtedness is increasing; that the value of their farms is decreasing; that hundreds of farms have been abandoned in the New England States and hundreds of others sold at ruinous prices, and that, according to the report of the statistician of the Department of Agriculture, the farm price of corn has shrunk from 63 cents per bushel in 1881 to 28 cents per bushel this year; the farm price of wheat has diminished from $1.19 that year to 69 cents per bushel this year; the farm price of oats from 46 cents that year to 23 cents this year; the farm price of hay from $11 per ton that year to $7 per ton this year, and that the market price of all kinds of live stock has been very much decreased.

TARIFF OFFSPRING.

Twenty-five years of high protective tariff have brought tramps and strikes and lockouts in a country where they were never known before. They have caused a mortgage indebtedness to be heaped on the farmers of Ohio amounting to $300,000,000 and a mortgage indebtedness on the real estate of Illinois amounting to $402,000,000. In Iowa, Kansas, Nebraska, and in most of the States of the Northwest from 20 to 50 per cent. of the improved farms are heavily mortgaged, and Bradstreet in his valuable and reliable journal declares that—

Recent investigation by the State authorities of Vermont, New Hampshire, and Massachusetts show that an alarming number of farms in fair condition and once owned by thrifty farmers are abandoned entirely and turned over to the bramble and the thistles, untenanted and unrentable.

With these appalling facts before us and with a knowledge that the tariff, like an iron wall, prevents proper trade and commerce between our country and the republics of Central and South America and is fast reducing our trade and business with European nations, every patriot should admit that the day for enlarging the American tariff system should end, and all lovers of "equal and exact justice to all men and exclusive privileges to none" should sincerely and earnestly do all that can be done to correct existing evils and to restore prosperity to our country, and confidence and hope and happiness to the people.

In the dark days of the French Revolution Madame Roland said, "O Liberty! Liberty! how many crimes are committed in thy name!" May we not say now with equal truth, O Tariff! Tariff! how many lies are told in thy name!

The logic of the pending bill is the logic of the highwayman

That they should take who have the power,
And they should keep who can.

The purpose of the bill is to redeem the pledges of the Republican party, pay its financial obligations and prepare for future emergencies.

The effect of the bill, if passed, will be to set up the classes over the masses and make the rich richer and the poor poorer.

REMEDIES.

I can not close my remarks without suggesting remedies for the trying ordeal through which the people are passing and for the crisis which now confronts our country. There should be an immediate reformation and reduction of tariff taxes and such revenue as is required in the honest and economical administration of the Government should be raised from internal-revenue taxes and duties on articles of luxury, exempting as far as possible and making cheaper all articles needed by the masses of the people.

There should be free coinage of silver, so as to make it more plentiful, and silver should be placed on an equality with gold as to coinage, bullion, and certificates, and every effort to demonetize silver or stop its coinage should be condemned and opposed.

Trusts and combines that control the price of live-stock or farm products should be prohibited by law or by a constitutional amendment, with heavy penalties to secure its enforcement. "Gambling in futures," by selling that which does not exist, thus interfering with farm products and establishing an injurious and fictitious price, should be prohibited by law, and the heaviest fines and imprisonment imposed for a violation of the law.

I know my remedies will not be heeded by a political party which now controls the Presidency and both branches of Congress, but I wish to remind you who sit on the other side of this House that under our system of Government, thank God, there is a power higher and stronger than you; it is the power of the people, the power of the sovereigns of this land who dressed you and me in a little brief authority, and when they command we must obey. Their wrath is fast gathering and soon it will burst upon you like a tornado, and when the sunshine succeeds the storm at the next November election you will realize the force of the sentiment, "Thou art weighed in the balance and found wanting."

The Tariff.

SPEECH

OF

HON. BINGER HERMANN.

OF OREGON,

Wednesday, May 21, 1890,

IN THE HOUSE OF REPRESENTATIVES,

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. HERMANN said:

Mr. CHAIRMAN: The American people for two hundred years have been experimenting with every known fruit, plant, herbage, textile, and seed of any commercial value known to the temperate or tropical zones.

Not only this, but in American legislation the economic theory of protection has been applied to the various productions of our soil, and we possess a statistical record of the development and growth of each, as well as of their consumption and exportation. We know the extent of this production when tariffs were low and when tariffs were high and when our nation was at war and when it was in peace.

We have now demonstrated to a certainty which of these productions are susceptible of development and those which, under like physical conditions, are incapable of profitable development. The nation, during the last one hundred years, has been liberal and patient in its experimentation. Almost every production of our soil which for any length of time was stimulated and protected from its foreign competitor has attained a sturdy growth. From being articles upon which the duty was originally in effect a tax, many of them have reached such proportions in the market as not only to supply the demand and to compete at home, but to bear transportation across the oceans, and in the far-distant foreign market have overcome the competitive price of the like article of foreign production and driven it from a free and equal contest for the supremacy.

To this encouraging success there has been one notable exception, and

that is the sugar-cane production of the United States. With all the possible inducement and reward of a tariff protection for nearly one hundred years on the one hand and a close study of physical conditions on the other, and with the greatest and best market of the world for a customer, the cultivation of the cane at this late day in the century is still restricted to a very limited area. Outside of Louisiana, and there but a portion, and a very small production in Florida and Texas, no other success is recorded in the United States. There is an inherent difficulty. It exists in the unfavorable conditions of the climate. It is not warm enough. In Cuba, the West Indies, and other tropical and subtropical climates—where the sugar-cane grows in luxuriance and yields twice the result in sugar per acre as with us—the temperature varies from 75° to 79°, while in Louisiana it varies from 65° to 69°.

The sugar yield of Louisiana in 1889 was 350,000,000 pounds, while the demand, or, in other words, the actual consumption, in the United States equals 3,042,502,670 pounds. There was imported last year from foreign countries 2,692,502,670 pounds. Our home production—and this includes not only all the cane sugar, but all the sorghum and beet sugar product—amounted to barely one-eighth of the entire market demand! The product is growing less. In 1861 Louisiana produced 539,830,500 pounds, and in 1889, 350 000,000 pounds. Indeed the sugar acreage is also actually less than in former years. In 1880 there were 227,776 acres in cultivation, while in 1889 there were about 190,000 acres. This is not because there is an overproduction; it is not because the home market is unremunerative, for it is conceded that not only is all the home product consumed here, leaving a deficiency of 92 per cent. to be supplied from foreign fields and factories, but that the market price yields a satisfactory profit. Each year our importations increase, while the home supply diminishes. It is not because the protective duty has not been high enough to discourage the foreign import and encourage the home product, since it is found that the foreign producer can afford to pay the duty and transportation, too, for the privilege of entering our home market, and still he is able to compete with us.

Our producer receives 2 cents on each pound of his yield, which is paid by the foreign producer, but in the end by the consumers, and still he can not diminish the foreign import nor increase his own supply. In order that the American product may be protected, with a view to an enlarged development, every pound of the 2,692,502,670 pounds of foreign sugar coming to our shores is taxed 2 cents per pound. If protection should continue longer it is now seriously considered whether it would not be far more just to the sixty millions of American consumers that we pay the 2 cents per pound merely on the 350,000,000 pounds of sugar actually produced here. If our planters produce more they will receive more. They now receive 2 cents more than the foreign producer and they will still receive 2 cents more. Everything has been done that is possible to do to stimulate the home production, but it is now almost conclusively established that the industry, in Louisiana at least, is incapable of stimulation and further development. This being thought to be true no believer in protection as a principle can further support the continuance of a duty on sugar imports. To do so is to be inconsistent.

We declare that as a practical result of the principle protection begets production, since it fosters and stimulates any industry which is capable of development. It restricts the home market to the home product, by imposing a tax on the rival foreign product, and thus lessens competition with the former, upon the theory and with the hope that this policy will enable an infant home industry to develop and increase in productive power, and, as its productiveness increases, competition will follow as a result, and soon the consumer will enjoy in the home market, what alone the foreign market did supply, and upon terms as favorable, while at the same time he has aided in concentrating wealth in his own country and in creating industries for useful and profitable employment of our own people. We believe that by bringing the workshop to the farm we can diminish the distance between the farm and the market. The market follows the workshop. That country which has its fields farthest from its manufactories and furnaces is poor in proportion as the distance is great. The power and greatness and glory of our nation are due more to the observance of this principle than to all other causes combined.

Duties were once imposed for revenue purposes on coffee and tea importations. Such products could not be produced here by any amount of protection, and when the revenues were no longer required the tax was removed, and this additional cost upon the consumer reduced the price in the market to that extent. The removal of this duty was justified and demanded also on the ground that these two products had become substantially necessaries of life. Whenever, therefore, it becomes established that a duty is imposed upon such an article the like of which can not be successfully produced by our own people then we can no longer defend the duty, and it should be removed. It fails to be protective and remains simply "a tariff for revenue only." The reasoning as to coffee and tea will apply to sugar.

We have a population now of 65,000,000. These people all consume sugar. There is none so poor as not to use it. Once a luxury even in our own land, it now ranks as one of the every-day necessities of every American household. Examine the grocery supplies of the poorest family, and it will be found that sugar follows flour in order as to cost, and third in order if meat be included in the list. The duty or tax imposed and collected on sugar imports into the United States amounts to $65,000,000 in each year and is constantly increasing. This is $1 to every man, woman, and child in the nation! It is a pure revenue tax. We no longer require this money for governmental purposes. We have whisky, tobacco, and a variety of other products which are not necessaries which we tax, including many which are luxuries and chiefly consumed in the mansions of the rich.

There is no longer a necessity to impose a burden upon the food of the people. We say that the necessaries of life must be free.

If the $65,000,000 paid on foreign sugars are not needed why should they be collected from the people? Why should every poor family in the nation be compelled to pay 2 cents a pound on his sugar to sustain and benefit eleven hundred rich planters in the South? Why should nine-tenths of our consumption be taxed to support only one-tenth of like consumption? We exclaim against monopolies and the baneful influence of rings and trusts and combines, and we have pledged our constituents to tear them out root and branch and annihilate them wherever we can do so by legislative penalties. If we can not entirely extirpate them let us impose such restrictions upon their avarice and high-handed exactions that the American consumer may freely enter the market place and buy not only pure and wholesome and unadulterated food, but that he may pay an honest and fair price for the same, and not be throttled by the extortions of an infamous beef ring, sugar combine, or flour trust.

On the other hand we insist also that the honest producer shall have the same chance for a square deal in the market, and that he too shall be protected from the "boycott" of speculative dealers and rascally syndicates who corner the market, drive out and combine against the small farmer or stock raiser, and then dictate unconscionable prices to a helpless public, while they, a few, become rich at the expense of the many. How can we consistently with such pledges and in support of such just principles continue to foster and protect at so great a cost to the country the cane-sugar industry of one State of the Union any more than we can do the same for another product of a few at the expense of the many?

When it was proposed in the last Congress to abolish the protective duties on wool and lumber and hops, my constituents in Oregon, who are deeply concerned in these industries, which have grown marvelously under protection, confidently looked to the people of Louisiana and Texas and Florida for aid.

They naturally reasoned that as they were contributing their portion of the $65,000,000 to protect the sugar interests of the South in return these people would gratefully and magnanimously extend reciprocity to our people on the Pacific, Northwest, and elsewhere in the nation where required. We pleaded with them and submitted evidence conclusive that if British Columbia were permitted to invade our markets with its free lumber our magnificent industries would cease and our numerous highly improved and costly mills would be valueless, and the milling towns would be deserted, and the lumber fleets would be idle, and many thousands of our industrious, well paid, and contented laborers would be deprived of employment, and the rich forests would no longer contribute to the up-building of our own country.

We reminded them of another great industry with us which they proposed to jeopardize, our sheep husbandry. We explained to them that a large portion of our area as well as climate was peculiarly adapted to this industry and that great pastures now most profitably utilized for sheep-grazing are largely unfitted for other purposes. Figures were cited in exhibit of the annual exports of wool from every shipping point and warehouse in the State, and the amount of money which went into the pockets of every farmer and tradesman among us, and we called attention to the number of people who would suffer financially if free trade was permitted as to wool and the cheap wools of Australia and New Zealand could compete on equal terms in the American markets with American wool.

All these appeals, however, were in vain. They closed their eyes and their ears, and, while ruthlessly removing every protection to the industries of the North, placed a high protection wall around the sugar and rice of the South. This was not just. It was not even good party politics, for as it is with parties so it is with individuals, that "honesty is the best policy." Retribution did follow swift and terrible. The people administered the rebuke, and that party which was the majority is now the minority. We who constitute the majority, however, propose to be more considerate of the interests and appeals of other industries than our own. In regard to sugar, we offer a bounty to its producers in the hope that the failures of the past may be overcome by further trial.

It is said that the property of the Southern planters is valued at $100,000,000, and that if they are left to the mercy of free-trade competition—with no countervailing assistance for some period at least—they will be overwhelmed by disaster and bankruptcy. They insist in their own behalf that with the recent and more improved methods in cultivation and manufacture they will be able successfully to compete with the foreign grower of sugar, if encouraged by their own nation awhile longer. They are our own people and their wealth is a part of the national wealth. Their prosperity will be our prosperity. The bounty proposed on the present American sugar product will

amount to $7,000,000, and when we count the reduction by the removal of the present tariff on foreign imports and the decrease of the refinery prices we have a saving of more than $50,000,000 to the consumer.

The planters generally object to this legislation, and they resist and criticise a bounty, and yet we ask them to explain the difference between the specific sum to be paid directly to them from the Treasury on the amount of sugar actually produced by them at the rate of 2 cents per pound and the duty of 2 cents which the foreign producer must pay to compete with our planters, which adds that much of an increase on the selling price of the home product, and hence reaches the planter's pocket almost as direct and fully as protective as the bounty.

To the planter there is substantially no difference, while to the people of the country there is an aggregate saving far in excess of $50,000,000. Sugar to the consumer will be cheaper by more than 2 cents per pound, as a large profit now going to the refineries will also be saved. In encouraging the Southern industry we do not neglect the growing production of the sorghum of Kansas and Nebraska and Missouri, nor the sugar-beet of California.

It is claimed that these products are being manufactured into a superior grade of sugar, and that as improved methods are introduced larger yields and better qualities result to the grower and manufacturer. In Kansas the sorghum product owes its present success to the stimulating influence of a bounty paid by the State. In California the beet sugar owes its success thus far to the patronage of the great Hawaiian Island cane-sugar planter—Claus Spreckels. Our friends of the California beet-sugar industry favor the protective duty on foreign sugar imports, except as to the Hawaiian Islands, and earnestly oppose a bounty for the home sugar product. They say, "If the bounty principle is correct why not apply it to other things? Why not apply it to wool until that article is produced in this country to the extent of the people's wants?" This method of argument is begging the question. It proceeds upon a false premise.

Wool has been demonstrated to be capable of development in proportion as it is encouraged by a protective tariff. Sugar has not. Wool has increased in productiveness as a tariff was high and decreased as a tariff was low. Sugar (referring to cane sugar, which has been tried for nearly a century) is limited practically to a part only of one State, and even there the product is less now than it was twenty-five years ago. Wool, on the contrary, is limited only by the boundaries of the nation. It is a national industry. Taking the number of sheep by groups of States, we have the following in 1884:

New England States	2,384,888
Middle States	3,792,675
Southern States	12,950,761
Western States	15,636,760
Pacific coast	9,616,092
Territories	7,245,450
Total in United States	50,626,626

The extent of the wool industry throughout the United States may be seen from the following:

Wool clip last year	290,000,000
Pounds of wool	300,000,000
Value of sheep	$119,000,000
Number woolen mills	2,689
Capital in mills	$159,000,000
Wages paid annually	$47,000,000
Value of sheep	$116,000,000
Value of lands, barns, sheds, and equipment of sheep industry	$408,000,000
Value of product when manufactured	$267,000,000

While we only produced one-eighth of the sugar consumption, we produced more than one-half of the wool used by our people. We had $10,019,392 of increased valuation on sheep last year over the year before. In 1888 the sheep in the United States were valued at $90,640,369, and in 1889 they had increased to a valuation of $100,659,761. The owners of sugar plantations in the South number about eleven hundred persons, while the owners of flocks of sheep exceed one million persons. Had the reduction of 1883 not been made on wool its increased production would have been 100 per cent. in ten years.

We need not hesitate to adopt the policy of a sugar bounty. It will prove a great national blessing and will not be required beyond fifteen years. The history of the bounty on sugar production in Europe is an interesting one. France and Germany took the lead and now they are exporters of sugar instead of importers. As soon as a bounty system was put in force the sugar industry was at once advanced to the front and became successful from the beginning. Its great progress has all been secured during the past eighteen years. In 1879 the output of sugar in Germany amounted to 576,180,300 kilograms (2 pounds and 3 ounces) and the salable products of raw sugar and molasses to 559,806,600 kilograms. In 1889—ten years later—the output of sugar in mass was 1,165,346,900 kilograms, and the salable products of raw sugar and molasses amounted to 1,145,693,600 kilograms, showing an increase in ten years of more than 100 per cent.

It is also shown that as the industry advances and becomes better understood the farmers take the lead. In 1879 the factories raised two-thirds of all the sugar product, but in 1889 over one-half was raised by the farmers themselves, and these farms are usually small holdings from 1 to 10 acres in extent. As the domestic production increased the importation of foreign sugars diminished. In 1879 Germany imported 2,983,000 kilograms, while in 1889 it imported only 1,907,800 kilograms. It also followed that as the home supply increased the foreign exportation of sugars increased. In 1879 Germany sold to other nations rebate sugars, including raw sugar, candy-sugar, and other hard sugars, an amount equaling 134,224,500 kilograms, while in 1889, ten years later, her sales increased to 592,226,600 kilograms, an increase of more than 441 per cent.

The more sugars produced the more rebates on exportations increased and the less in the aggregate the bounty taxes amounted to, as is shown by the fact that the taxes and customs duties in 1879 per capita averaged 15 marks, or a little more than 27 cents in United States money, while in 1889 they had decreased so that they averaged 15 cents per capita, a decrease of 12 cents per head. The more the sugar increased the more commonly it was used among the people. Once it was a luxury; now it is an every-day article of food. In 1879 the domestic consumption of sugar per capita was about 14 pounds, while in 1889 it had increased to 17 pounds per head.

The sugar-growers of the South concede the favorable results of a bounty wherever tried, and they are convinced that the benefits to them will be equal to protection if a sufficient time can be guarantied. Governor Warmoth, an extensive planter of Louisiana, when before the Ways and Means Committee, in answer to questions, said:

> You give us a bounty of 2 cents a pound and give us a guaranty that the next Congress will not come here and repeal it. If you can do that I will take a bounty.

In answer to another question, he said:

> So far as I am concerned I would just as soon have a bounty as a tariff.

The present measure fixes a limitation for the duration of the bounty at fifteen years, and it is unreasonable to assume that when once adopted and great enterprises under it are inaugurated any Congress would likely enact unfriendly legislation to impair the public confidence or injure vested interests.

Nor is a bounty necessary for other products, for, unlike sugar, they are more easily capable of development. Protection accomplishes its mission with them. In 1889 we raised 125,000,000 bushels more corn than in 1888. We raised 74,692,000 bushels more wheat last year than the year before. We raised 48,780,000 bushels more oats last year than the year previous. In view of these facts why make a comparison between wool, and wheat, and corn, with sugar as to bounty protection?

No citizen of the Pacific coast, desirous of success there for the beet-sugar industry, can favor a continuance of the present revenue policy as to sugar imports, especially as it applies to the reciprocity treaty with the Sandwich Islands. So long as free importation of sugar from these islands is permitted, so long the farmers of our coast may as well abandon all hope for beet sugar there. In the first place island sugar is produced cheaper than our people can ever produce the home article. The labor on the plantation is Chinese and Kanaka principally. The wages are low and cost of living merely nominal. The soil is fertile and the temperature of the climate well adapted for the highest development of the sugar cane. The cost of transportation by sea is a small item per cargo. The industry there is in the hands of wealthy syndicates and firms who are exclusive monopolists of the entire sugar yield. They constitute an imperial trust, and are able to put prices up or put them down on the consumers of our coast until all competitors are vanquished or driven into bankruptcy. What possible hope, then, to build up the beet-sugar industry among our farmers with such hard conditions to contend against? The Government virtually pays this monopoly a bounty of 2 cents a pound for the sugar it exports to San Francisco. While all other foreign producers pay a duty of 2 cents to enter our market, these island people enter it free, and then tax on the consumers as an addition to their already large profits a sum equal to the duty.

It was the design of our Government when it negotiated the treaty of reciprocity to make sugar not only free to the Pacific coast people, but cheaper, in order to foster a profitable commerce between the islands and the Pacific. But the plantations soon went into the control of grasping monopolists, and they, like all monopolists and tyrants, proposed to make the best of the situation for themselves regardless of others' welfare. The Oregon farmer pays as much for his sugar imported free from the Sandwich Islands as does the New York or Iowa farmer on sugar which has paid to the Government an import tax of 2 cents per pound.

If free-trade sugar is good enough for California and Oregon, why not good enough for New York and Iowa? If reciprocity treaties can build up a commerce with the Hawaian Islands, why can not reciprocity treaties do the same with Cuba? So far as our consumers are concerned it has been a treaty to build monopolies, and not to favor the people.

These island sugar trusts are naturally opposed to any change in the present tariff on sugar. They want all other foreign sugar imports heavily taxed, as that keeps up a high price on the consumer and protects them in their extortionate figures. If foreign sugars, however, have free entry at all ports of the United States, we shall on the Pacific coast at once experience the advantage of competition, as then it will be a contest for trade on equal terms. Now the free sugar from the islands is master of the field west of the Rocky Mountains, and

even can afford to reach as far east as Kansas City and St. Louis, and there compete with duty-paid sugar.

Is it surprising, then, that this monopoly should be here at the Capital to oppose a change in the existing sugar schedule? But there is a second item for consideration in this beet-sugar subject which is of interest to the Pacific coast. We hear it said that already is beet sugar an established industry there, and that to remove the protective duty, and even substitute a bounty, will be the death-knell to further efforts on the part of enterprising men who have studied the subject carefully and have expended large sums of money among the farmers to encourage sugar-beet farming, and that as a result already hundreds of tons of sugar are manufactured. The tariff will continue to stimulate this development, until soon California can furnish the whole United States with a cheap sugar.

Who is it that makes these well worded and delusive promises? Who is it that is expending so much money to build up a beet-sugar trade on our coast? Who is it that expresses so much solicitude for the future success of beet-sugar in the event of the removal of the tariff on sugar?

It is the sugar-cane monopolists of the Sandwich Islands. It is the sugar trust of California, which above all things, temporal or spiritual, is supremely interested in maintaining a monopoly through which its members have been made millionaires and the consumers of sugar have derived no corresponding benefit.

The owner of the largest beet-sugar factory in California is himself jointly or severally the owner of one-fourth of the plantations on the Sandwich Islands. Why, it may be asked, should these island planters and monopolists of the cane-sugar trade, which already sends to the coast three times as much as is consumed there, be so extremely desirous of building up a rival industry on the coast? What motive can these men have to induce Pacific coast farmers to cultivate the sugar-beet? What inducement can capitalists have to invest in the building of sugar factories on our coast? With the powerful island sugar trust standing ready with its vast surplus of cheap sugar and some of its shrewdest copartners in possession of the largest beet-sugar factory in operation, what remote chance for existence could a rival competitor have under such circumstances?

The only factory which has so far successfully maintained itself is the Spreckels concern. Others have gone down which did not have the same paternal influence. And others will continue to go down which aspire to exist in the face of such an all-powerful and Government-aided monopoly. No wonder these people do not wish to exchange a protective tariff for a bounty on beet sugar! The beet sugar in which they are interested will thrive much better in friendly union with their own free island sugar and against all other tariff-taxed sugar; but the beet sugar of any one else will have a rough road to travel. With the tariff removed all sugars will come in free and then there will be a fair and an even race in the market for bounty-paid beet sugar. The present sugar trust will no longer possess the power to choke to death any rival industry which may attempt to compete. It will have other competitors to engage, and beet sugar, being aided by a bounty, as in Germany, will, as there, overtake all other sugars.

This explains why it is on the one hand that the beet-sugar factories of California so bitterly oppose a bounty for the displacement of the existing protective tariff and on the other hand why it is that the sugar monopoly of the Sandwich Islands advocates the taxing of sugar imports from other lands, while it is permitted to enter its own sugars free. This further explains why it is that there is no hope for beet sugar as a great industry on our coast so long as it must compete with free sugar from the islands and taxed sugar elsewhere. Our coast—California and Oregon and Washington—with its rich alluvial lands and equal temperature, has no superior on the globe for beet culture, not even Germany; and it is not an idle boast to assert, that with a bounty paid and the tariff removed, our people could ere long supply the demand of the entire nation with domestic sugar.

I voted a short time since for very stringent legislation in prevention and punishment of trusts, but when sugar is voted on the free-list that one act will destroy the most gigantic and merciless trust of the whole lot. The time has come when these leeches on the commercial body must die. Public condemnation is loud and earnest in their execration. There is a belief in the minds of the people that the few are defrauding the many. That monopolies are absorbing the business and life of every community is becoming more apparent. Public spirit, enterprise, and energy are everywhere commendable. They are the motive power to progress. When, however, they are throttled in the hands of the many and do pliant service for an avaricious and powerful few, they become engines of oppression to the poor and the weak; they become tyrants in all the avenues of trade, and soon stifle instead of stimulating the exertions of society.

The more we distribute the rewards of traffic the more we incite to increased effort. This country will be free and happy and great in proportion as the many are busy and prosperous and free. It behooves the honest law-maker to investigate the evils which so thickly underlie our progress, and when he concludes upon the remedy let him have the courage, the independence, and the moral conviction to hew straight to the line, until victory full and complete shall bring restored confidence to all trades, while richest blessings will be his own reward.

The Tariff

SPEECH
OF
HON. C. A. O. McCLELLAN,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 22, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. McCLELLAN said:

Mr. CHAIRMAN: The bill reported to us for consideration by the majority of the Ways and Means Committee presents questions of the most vital importance, that have engaged the consideration of our most thoughtful statesmen and students of political economy from the organization of our Government down to the present time.

For years enthusiasts and reformers have agitated and philanthropists have devoted their lives and fortunes to consider the question of how the relations between labor and capital could be adjusted upon a basis of strict justice and equality.

The great diversity of opinion among them regarding the causes of the many inequalities with which we are confronted, the great difficulty of getting a united and definite political purpose out of the masses of mankind, on account of their lack of knowledge, and prejudices, and the timidity and selfishness of the educated and thinking classes, make the acceptance of an equitable adjustment almost impossible.

Never before have these financial questions so occupied the attention of our people or been so much discussed as they are at the present time, and a man would be wise, indeed, who could put forward a new idea or suggest a new remedy.

All the suggestions so far adopted by the Government have failed to satisfy the people. Uneasiness, discontent, and unrest universally prevail. Is not our system of taxation defective, unsound, and unjust? Can it be so adjusted as to do justice to all? Is not the inevitable result of this protective system to make the rich richer and the poor poorer? Are not the many taxed for the benefit of the few?

If we increase duties the price of protected goods will be raised at the expense of the consumers; manufactures will be stimulated and this will naturally lead to overproduction; and when the home market is glutted and warehouses are packed with millions of articles that can not be sold, then factories will close their doors, discharge their employés, and general ruin and bankruptcy follow, as they did in 1873. Some of you, gentlemen, from personal experience, perhaps, with that terrible panic, can fully realize what its effect was.

Ingersoll, in a speech at Rockport, Ill., on the 28th of September, 1880, in speaking of the panic of 1873, said:

No man can imagine, all the language of the world can not express, what the people of the United States suffered from 1873 to 1879. Men who considered themselves millionaires found that they were beggars. Men living in palaces, supposing they had enough to give sunshine to the winter of their age, supposing they had enough to keep all they loved in affluence and comfort, suddenly found that they were mendicants, with bonds, stocks, mortgages, all turned to ashes in their trembling hands. The chimneys grew cold, the fires in furnaces went out, the poor families were turned adrift, and the highways of the United States were crowded with tramps.

I want to tell you that you can not conceive of what the American people suffered as they staggered over the desert of bankruptcy from 1873 to 1879. Shall we continue a system of taxation that leads to such results? It is clearly in violation of the Constitution, which says:

SEC. 8. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

Nothing said there about laying taxes for protection; certainly not for the purpose of checking importations. The fathers never dreamed of such a perversion, such unjust discrimination, as is provided for in this bill. Under it the wealth of the country will pay no taxes, but will receive much more protection than those who pay them.

Is it any wonder that our highways are filled with tramps; that a million honest, industrious men are vainly seeking for employment; that a million more are employed only occasionally, living sparingly, economizing, and hoping for better times; that women and girls scantily clothed and half fed, veritable white slaves, are by the thousand in every large city of our land working in crowded rooms at starvation wages; that one-half the people in our large cities are living in crowded tenement houses in the midst of wretchedness and squalor? Nor is it a wonder that the Committee on Ways and Means, knowing all these things, was compelled to report that there was a widespread depression in our land.

Think, gentleman, what a result of this glorious system of protection. By it these people are driven into the streets, become "floaters," their necessities making them easy victims to be influenced by the

"fat" fried out of the trusts and monopolies, and they are marched up to the polls in "blocks of five" to vote the Republican ticket and perpetuate the system that ruined them.

When will the bread-winners open their eyes to the injustice imposed upon them, lay aside their political prejudices, assert their manhood and independence, and demand an equal opportunity under the law? While this system of oppression produces widespread poverty and want on the one hand, it is the instrument by which the grandest fortunes ever known in the world are accumulated, fortunes that make the potentates of Europe turn green with envy and outshine the fabled fortunes of Crœsus and King Solomon and make them seem no larger than the widow's mite. While no man will deny that the wealth of this country has greatly increased, until now we can justly say that we are the richest nation on earth, neither will it be denied that said wealth is so unequally distributed that we might with equal truth say we are doing all we can towards making it a nation of paupers.

An equal distribution of the products of labor would bring sunshine and happiness to thousands of firesides that are now desolate. But how can that result be brought about? Certainly not by increasing the tariff. An increase of the tariff so as to protect manufactures must necessarily increase the price of the articles protected; that increased price must be paid by the consumers, not into the Treasury, but to the manufacturer, and the result of thirty years' practice of that system is that five-twenty-five-thousandths of the people of the United States own three-fourths of nearly all the wealth of the country.

Why should this condition of things exist in this glorious country of ours? We were told two years ago that the depressed condition of affairs was brought about by the Democratic party discussing free trade; that the people were frightened by the proposition, and that it depressed business; and you elevated your party into power by crying "British free trade." You now have omnipotent power. You have the legislative, executive, and judicial branches of the Government, and almost a certainty of higher protection, and yet the condition is worse than it was then, more discontent, more complaining. The chairman of the committee, on reporting this bill, says:

> The committee have given months of investigation to the existing conditions of agriculture. That there is widespread depression in this industry to-day can not be doubted.

Yet in his speech in presenting this bill to the House Mr. MCKINLEY says:

> We find ourselves at this time in a condition of independence and prosperity the like of which has never been witnessed at any other period in the history of our country and the like of which has no parallel in the recorded history of the world.

He very guardedly says "We find ourselves" (meaning those he is serving, the protected class) "in a condition of independence and prosperity the like of which has never been witnessed," and this condition, he tells us, is the result of protection.

Never did he more truly speak. It has indeed been a marvelous era of prosperity for the protected class; but to the other class, the agriculturists and laborers, as he says in his report, it has been a period of depression unknown before in the annals of our history.

At almost the same time he was speaking, the representative of fifteen hundred thousand farmers was before the Committee on Agriculture pleading in suffering and distress for relief from the widespread and alarming depression that has paralyzed the great agricultural interests of the country, appealing to facts shown by statistics and the truth of history to substantiate his statements. He certainly did not wish to be understood as referring to them when he said "We are independent and prosperous."

Mr. Chairman, it is not only the farmers who are here asking relief. Organized labor is also here in such numbers as to command respect, boldly declaring that they do not receive justice under laws you claim were passed especially for their protection. They are here appealing from lockouts, and strikes which they were compelled to resort to to compel their "independent" masters to pay them a price for their labor which will afford them a living.

The gentleman, Mr. MCKINLEY, by way of comparison between the times under Democratic rule, says:

> In 1860, after fourteen years of revenue tariff, just the kind of tariff the Democrats are advocating to-day, the business of the country was prostrated, agriculture was deplorably depressed, manufacturing was on the decline, and the poverty of the Government itself made this nation a by-word in the financial centers of the world. We had neither money nor credit. We had neither as the legacy of the Democratic revenue tariff.

What a slander upon the history of those times and upon Democratic rule. That period, as compared with the present, was a Paradise to the people generally. It is true we did not have so many millionaires, but the people were happy, the middle classes were prosperous, and never in the history of the world were the farmers so prosperous.

Why, Mr. Chairman, under Democratic rule was laid the foundation for all our future greatness. Under that rule we acquired the vast territory of Louisiana, out of which were carved the great States of Louisiana, Arkansas, Missouri, Iowa, Minnesota, Kansas, Nebraska, Oregon, Montana, Washington, North Dakota, South Dakota, Idaho, and the Indian Territory. Under Democratic rule we also acquired Florida, annexed Texas, an empire itself, and the war with Mexico, under Democratic rule, gave us California, Nevada, Colorado, and the Territories of Utah, New Mexico, and Arizona, while all the Republican party has to show for its thirty years' rule is the frozen, uncultivable regions of Alaska.

What have those Democratic acquisitions done for our country? Have we not reaped billions of wealth from them? Will we not reap hundreds of billions from them in the future? Was not this foundation of our future greatness laid by the wisdom and statesmanship of the fathers of the Democratic party? Two million two hundred thousand square miles of valuable arable lands, enough to support one hundred million people, all acquired and paid for under Democratic rule and turned over to the rule of the Republican party in 1860 with a national debt of only $58,496,837. Since that time Republican Administrations have had the benefits of the sale of those lands and they have received from sales $89,213,629, or $30,716,192 more than enough to pay the national debt when they assumed control of the Government. They received this as the direct good management of the Democratic party, and after they gave away millions of acres to corporations we have millions of acres left.

That was the financial condition of the Government at the time the Republican party went into power. Under this long period of Democratic rule our taxes were adjusted upon a revenue basis, affording such incidental protection as necessarily followed. That protection was sufficient, however, to foster all the necessary industries, and agriculture prospered. From 1846 to 1860, there was no year that wheat did not reach $1.22 per bushel, and during the whole time it averaged $1.49 per bushel. Oats averaged 52 cents per bushel, and there was no year that it did not reach 47 cents.

There was no year that wool did not bring 30 cents per pound, and during the whole period it averaged 33 cents. There was no year during that time that corn did not sell for 70 cents per bushel, and the average price was 76 cents. These prices are taken from the last census reports and can be verified if disputed. At present prices wheat is worth 94 cents, corn 34 cents, oats 25 cents, and wool from 25 to 30 cents.

The gentleman from Texas [Mr. MILLS] the other day on this floor, in describing the condition of the country during that period, said:

> In that halcyon period of our history we touched a higher prosperity than this country has ever seen at any period before or since, from the time of the Declaration of Independence down to the present moment. Our national wealth increased at the rate of 126 per cent., a ratio twice as great as that at which it has increased during any corresponding period under protective tariff. Your farms increased more than 100 per cent. between 1850 and 1860, and they were not covered with mortgages. You have now had possession of the Government for thirty years, and your agriculture is depressed, prices have gone down until to-day they are lower than at any time since 1860. Agricultural products last year, if we had had the prices of 1881, would have been worth more than $1,500,000,000 more than they were. That is what you have done for agriculture.

I will now introduce the statements of some other great statesmen. The late lamented Mr. Cox, in his Three Decades, says:

> Under the long sway of the Democratic party there was a minimum of restraint by taxation, which left the people free to avail themselves of the rich resources of the domain that their fathers had won and bequeathed to them as an heritage forever. They waxed great in numbers and prosperous beyond comparison. Their fame spread abroad among the nations. Immigration poured in upon them its waves of industrious millions to partake of their freedom and to develop the fatness of the land. Peace smiled upon them and plenty abounded.

Mr. CARLISLE, conceded by all the members on this floor to be one of the most intelligent and fair-minded men in the nation, in a speech delivered May 19, 1888, said:

> Instead of paralyzing the industries and pauperizing labor in New England, or any other part of the country, for that matter the tariff act of 1846 infused new life and vigor into our languishing manufactures and secured more constant employment and higher wages to our laboring people; and the consequence was that even the strong prejudices of New England were removed by actual experience, and in 1857 every Representative from that part of the country who voted at all voted for a bill making an almost uniform reduction of 20 per cent. from the rates imposed by the act of 1846, and placing many additional articles on the free-list.
>
> Two-thirds of the men chosen by the people of New England to represent their interests in Congress declared by this vote that a further reduction would be beneficial to their industries, and thus the tariff act of 1857, which we have so often heard denounced on the other side of the House, became the law of the land by the votes of Republicans and New England Representatives. These Representatives of the greatest manufacturing sections of the country had seen their industries grow and prosper as they had never grown before, they had seen capital realizing adequate returns upon its investment, they had seen the number of laborers employed constantly increasing and the rate of wages continually rising, they had seen at the same time the agricultural and commercial interests of the people in all parts of the country flourishing to an extent which the wildest enthusiast had scarcely dreamed of before.

It may be said, Mr. Chairman, that these witnesses are prejudiced by their political views; therefore I will introduce the statements of some of the great Republican leaders. Statements made before the "fat frying" process was inaugurated, and then you can judge whether that system had any influence upon the gentleman from Ohio to induce him to distort and slander the history of his country.

Mr. Garfield, in a speech in 1878, said:

> The fact is, Mr. Chairman, the decade from 1859 to 1860 was one of peace and general prosperity. The aggregate volume of real and personal property in the United States in 1850 was, in round numbers, $7,135,000,000; in 1860 it was $16,159,000,000, an increase of 126 per cent., while the population increased but 35

per cent. Yet to suit a theory of finance we are told that 1860 was a year of great distress and depression of business equaled only by the distress of the present year. I hold that the facts I have recited establish, in so far as anything can be established by statistics, that the year 1860 was a year not only of general peace, but of very general prosperity in the United States.

Mr. ALLISON, the distinguished Senator from Iowa, in a speech made by him in 1870, said:

The tariff of 1846, although confessedly and professedly a tariff for revenue, was, so far as regards all the great interests of the country, as perfect as any that we have ever had.

And Mr. Blaine, as a historian, not as a politician, said in volume 1, page 196, of his book, Twenty Years in Congress, in reference to the same tariff law and the effect of it upon the country during the period for which it was in force, that—

The tariff of 1846 was yielding abundant revenue and the business of the country was in a flourishing condition at the time his (General Taylor's) administration was inaugurated. Money became very abundant after the year 1849. Large enterprises were undertaken, speculation was prevalent, and for a considerable period the prosperity of the country was general and apparently genuine. The principles embodied in the tariff of 1846 seemed for a time to be so entirely vindicated and approved that resistance to it ceased, not only among the people, but among the protective economists, and even among manufacturers, to a large extent. So general was the acquiescence that in 1856 a protective tariff was not suggested or even hinted by any of the three parties which presented Presidential candidates.

What more could be asked or expected of any government? At peace with all the world; vast domains of rich agricultural and mining lands unincumbered with private or public debts; taxation so mild that it was hardly felt; the Government economically administered under just laws, bearing equally upon all the people; manufactures flourishing; labor receiving just compensation; no tramps, no strikes, no lockouts, and the products of agriculture bringing better prices than at any other period of our existence, either before or after that time. And yet we hear blatant demagogues crying out that during that period under Democratic rule our country was reduced to such a degree of poverty that we became a by-word in the financial centers of the world, and also declaring that a reduction of tariff duties would ruin the country, when the present rate is more than 200 per cent. higher than it was under Democratic rule. Yet they demand an increase of 50 per cent. over what it was during the war.

Mr. Chairman, the Republican doctrine of protection, as I understand it, is that the taxing power vested in the Government may and ought to be exercised for the purpose of protecting certain kinds of American industries, so as to give them an advantage over foreign competition, without regard to the effect it may have upon the price to the consumer of the articles they produce; also for the further purpose of creating new industries in this country that can not profitably be maintained on account of local advantages existing in other countries. It is admitted by the committee that this would increase the prices of goods manufactured in this country to the consumer. In their report they say:

We have not been so much concerned about the prices of the articles we consume as we have been to encourage a system of home production.

The theory is that such a policy will stimulate such industries, drive out foreign competition, and some time in the future create such an increased production of such goods as would cause great competition between home manufacturers and induce them to sell their products at as low a price as they could be sold for by foreign manufacturers; that it would also hold the American market for American manufacturers, increase the demand for American labor, and produce a home market for the products of agriculture.

This is a plausible theory and would do credit to a professional confidence man and produce the same result. The confidence man will say anything, promise everything, show an undue interest in your welfare until he gains your confidence and your money, then suddenly vanish and leave you to your own resources to get it back.

We are asked to pay these increased expenses in advance, in hard cash, and in our wills devise to our children the opportunity to get it back. And Republican orators, purely for the good and future welfare of their country, with oily tongues, greased with the "fat" fried out of these infant industries, will argue these propositions to the grangers and laboring men with such grace and effect that, like the poor victim of the confidence man, they contribute their votes and their money towards building up mammoth corporations and palatial residences for their millionaire bosses, furnished with all the luxuries that wealth can purchase and accept their theory of future prosperity.

It is the old game, "Heads I win; tails you lose." They ask us to pay cash in advance and offer us a theory by which to get it back. When will the people of this country learn that "a bird in the hand is worth two in the bush." That the theory of protection is fallacious, I think I have clearly shown by our experience from 1846 to 1860, under Democratic rule.

In 1862, when the tariff was increased from about 18 per cent. to 36 per cent., protection was not thought of; the constitutional power to tax one class for the benefit of another class was not discussed. It was the pressing necessity of the times that made it necessary, it was enacted as a temporary measure. When the war of the rebellion was forced upon us we needed more money than the revenue of 18 per cent. would produce, with which to provide provisions, clothing, and ammunitions of war to support the boys at the front in that terrible conflict, in protecting the honor of our flag and saving the Union. No sacrifices were too great under such circumstances, and they were submitted to without protest.

It was soon apparent that 36 per cent. was not sufficient to produce the amount of revenue required, and it was increased from time to time, until at the close of the war it was 47½ per cent. That was not sufficient, and as it was believed that it could not be increased further without its having the effect of reducing the revenue and the revenue was what was wanted we were compelled to seek other sources of taxation, and the internal-revenue system was adopted.

Under this system we taxed all trades, professions, and occupations. We taxed the gross receipts of transportation, express, insurance, and telegraph companies. We taxed toll roads, bridges, lotteries, theaters, and other places of amusement. We taxed the sales of auctioneers, brokers, and merchants. We taxed gold and silver bullion, coins, stocks, and bonds. We taxed the income of corporations and individuals. We taxed the dividends of canal, turnpike, and railroad companies. We taxed the surplus of insurance companies and banks and the salaries of officers, both State and national. We taxed billiard-tables, piano-fortes, gold and silver watches, yachts, and gold and silver plate. We taxed the capital, deposits, circulation, and dividends of banks, both State and national. Expensive stamps were required upon all business transactions put in writing. We taxed everything on the earth, in the air, and under the sea.

From these two sources of revenue we were receiving at the end of the war $488,273,464 per annum, increasing the revenue from customs from $39,582,126 in 1861, to $179,046,652 in 1866, an increase of $139,454,526 per annum, and these taxes were paid without a murmur; but enough money to meet the enormous expenses of the war could not be collected from the people, the expense of which was, in 1865 alone, $1,295,099,289, and so we were compelled to create an enormous debt, which in 1866 was $2,773,236,173.

This was the debt of all the people, both rich and poor, made necessary for their protection, and should have been honestly paid by them in equal proportions. Taxes should have been collected from the wealth of the rich and the necessities of the poor; of that no man would have reason to complain. The Government being unable to collect from the people a sufficient amount of money to pay that debt were compelled to issue interest-bearing bonds. After being thus relieved from the immediate necessity of paying the debt and expenses of the war, it was apparent that the Government was in a condition to fulfil its promises to reduce taxation. How was it done? Up to this time nothing had been said about protection.

The Government had recovered from its financial embarrassments and established its credit among the nations of the world and all that was necessary to be done to preserve its honor was to keep its promises made to her people. All had been taxed alike, the rich and the poor; all should have been treated fairly when the burden was to be removed.

In 1867 our annual expense amounted to $519,022,356, a decrease of $776,079,933 per annum over the expenses of 1865, yet the expenses at that time were more than the receipts, and good management would have suggested the continuance of the taxes some time longer, but the manufacturer, railroad, insurance, and other companies commenced at once to petition Congress for relief.

The first class to appear at the door of Congress was the manufacturers. They were near the seat of power, small in number, powerful in influence, and their demands were acceded to; and in 1866–'67 their burdens were reduced, and in 1868 the law taxing them was repealed, relieving them from the payment of $127,230,609 per annum.

The next demand was made by the railroad, steam-boat, express, and insurance companies. The taxes assessed against them were reduced in 1867, and repealed in 1870, by which they were relieved from the payment of $11,262,460 per annum. Then the stock and bond brokers and merchants were relieved from the payment of $8,837,395 per annum in 1870.

In 1871 the specific tax on the lawyers, doctors, auctioneers, etc., and on dealers in spirits, beer, and tobacco was reduced $14,144,418 per annum. Then the same year the tax on the incomes of individuals and corporations was repealed and that class relieved from the payment of $72,982,159 per annum. Then the tax on legacies, articles of luxury, passports, etc., was repealed to the amount of $13,246,441 per annum, making a total annual reduction of $247,703,452, all from the internal-revenue tax. These taxes were paid largely, if not entirely, by the wealthy people of the country, and by this action of Congress they were relieved from bearing any of the burdens of the Government. During all this time no action had been taken by Congress to relieve the agriculturists, the laboring class, of the burdens of taxation, which were increasing as the population increased, and at that time had increased from $84,928,261 per annum at the end of the war to $206,270,408 in 1871, while our expense had decreased from $1,295,099,289 in 1865 to $293,657,005 in 1871, a decrease of $1,002,442,284. Our national debt was yet $2,353,211,332.32, which of itself was an annual burden of $129,235,495, all left to be collected from custom duties and paid by the consumers.

If the internal-revenue tax had not been abolished and had been collected and paid upon the national debt, it would have been extinguished in 1880 without imposing any additional burdens upon the consumers. That should have been done, or else taxes should have been reduced upon each class in equal proportions. By not doing so Congress perpetrated the greatest outrage and wrong that was ever imposed upon any people by releasing the taxes imposed upon the rich and imposing the burden of paying the national debt and supporting the Government upon the shoulders of the poor. In addition to that, they left unpensioned a million veteran soldiers, who, at the sacrifice of health and risk of life, defended the homes and property of the rich as well as the poor.

Twenty-five years have passed since the close of the war and little reduction has been made on custom duties during that time. Under that system the Government has collected $4,415,588,335 from the consumers, principally paid by the poor. The rich may pay a little more per capita than the poor, because they are able to get more to eat and wear, but the poor outnumber the rich five hundred to one, and hence pay almost five hundred times as much tax as they.

Has the Republican party, dominant now for thirty years, dealt fairly with and kept the promises made by them to the people?

Suppose Congress had reversed their legislation and collected that $4,400,000,000 from the wealth of the country and nothing from the farmers and laborers, and thereby left that money in their hands to be loaned and compounded at interest, it would have amounted to enough to make ten thousand millionaires amongst them.

It is no wonder, under such legislation, that the protected class should grow rich in such proportions as to astonish the world and that the unprotected, tax-paying class should grow poorer and poorer. These conditions were imposed upon the people without a thought of the protection theory. They were first inaugurated through necessity, continued with moderation, extended through selfishness, and at last the condition of affairs enables it to be established with uncontrolled sway.

Such has been our experience since the war. The complications growing out of that terrible calamity were the necessity for the tariff of 1862, which was accepted by all as a temporary measure. It was not expected to be made permanent. It was so stated by its authors. Taken in connection with the internal-revenue tax, it was the greatest measure of taxation the world ever knew. Under the protection it afforded, the protected industries increased in number, wealth, and power, and their influence became great. As the condition continued unchanged, capital was invested in industries that could not be maintained without it, and they used their influence to create a sentiment towards its permanent establishment.

Under these conditions it was easy to justify the necessity of continuing the system. Business men, capitalists, and merchants had become involved in it; their stores and warehouses were filled with high-priced goods and they were induced to join with the manufacturers. It was declared that a reduction would ruin them as well as the manufacturers. Thus a powerful organization was formed possessing intelligence, money, and influence. Under this influence silver was demonetized and the currency contracted, which greatly weakened their adversaries and increased their own wealth and strength. They were few in number as compared with the agricultural and consuming class, and could more easily form combinations.

Their wealth enabled them to maintain lobbies at the seat of power and by these means prevent legislation against their interests. They joined with their natural allies, the Republican party, and have succeeded so far in sustaining their advantage, and they now have that party in their power. Their demands can not be refused. They are now able to dictate legislation; they hold the sinews of power—wealth—and as long as money can control the elections they will control legislation. They come here now under no mask; their ideas of protection have grown in proportion to their wealth; they do not ask, but command, not protection, but such laws as will exclude all foreign importations; they say to that party, "We placed you in power with our money and you must reimburse us," and the party responded through this bill, which will be fastened upon the country with little discussion or amendment.

It is true that an effort is being made by those engaged in agriculture, unprotected industries, and others to prevent this great outrage, and they think they have friends enough on the other side of this House who will join with the Democrats to defeat it, but they are mistaken. Some of the members on the other side may offer amendments and speak against some of the wrongs proposed for the purpose of satisfying their constituents, but no relief will be given them; they expect none, and I now predict, and I wish you to remember it, that when the yeas and nays are called upon this bill every member on the other side of this House will vote for it; the fiat has gone forth and they must obey.

What a lamentable spectacle, indeed! the combined wealth of the country demanding protection against the poor! It was not so, Mr. Chairman, under Democratic rule. Then we had equality, but few millionaires were in the land; they could be counted upon your fingers' ends. How is it now? I will give you the most reliable statistics I can find, which show that there are now in the United States—

200 persons each worth $20,000,000	$4,000,000,000
400 persons each worth $10,000,000	4,000,000,000
400 persons each worth $7,000,000	2,800,000,000
1,000 persons each worth $5,000,000	5,000,000,000
2,000 persons each worth $2,500,000	5,000,000,000
6,000 persons each worth $1,000,000	6,000,000,000
15,000 persons each worth $500,000	7,500,000,000
Making a grand total of	35,300,000,000

Here we have 25,000 persons out of a total population of 65,000,000 who under Republican protective theory have acquired the bulk of all the wealth of the country.

In 1850 the farmers of the United States owned 70 per cent. of the total wealth of the country. In 1860 they owned about one-half the wealth of the country. In 1880 they owned about one-third of the wealth of the country. In 1889 they owned a fraction less than one-fourth of the wealth of the country. The position of the farmer has been reversed under Republican rule, and at the present rate of concentration of wealth it will be but a short time until all the property of the country will be in the hands of a few. The interest on that $35,300,000,000 at 6 per cent. amounts to $2,118,000,000 per annum. Who pays it? I will ask the farmers of this country, how long can you continue to pay it? The time is coming when your mortgages will be so large that you can not increase them to cover the interest you can not pay from profits upon your farm. Then foreclosure must follow, and the bondholder will become the landlord and the farmer the tenant. It was not so under Democratic rule. Farms increased in value 101 per cent. between 1850 and 1860. Under the protective system the increased price upon protected goods is paid by the consumer to the manufacturer, not to the Government. During the last ten years these net profits have been as follows:

Manufacturing establishments	$10,274,080,060
Railroad companies	2,955,958,000
Insurance companies	943,500,000
National banks	552,154,000
Telegraph companies	56,000,000
Total profits	14,780,692,060
Wealth of the millionaires	35,300,000,000
Taxes paid by the manufacturers to the General Government on all that wealth and income	0
Amount paid by the consumers, collected from customs duties during that period	3,313,510,252

What do the capitalists of the country care for taxes, public debt, or expense as long as they are not taxed and the consumers pay them the interest upon their bonds?

Why, Mr. Chairman, the manufacturers themselves furnish evidence, which is tabulated and shown in the second volume of the Compendium of the Census of 1880, on page 928, which conclusively shows that they need no protection and that the claims presented here by them are entirely without foundation.

Do not be discouraged at the array of figures, but study them carefully and be convinced:

Number of manufacturing establishments	253,852
Capital invested	$2,790,223,506
Average number of hands employed	2,738,950
Total amount of wages paid	$947,919,674
Value of materials used	$3,394,340,026
Value of products produced	$5,369,667,706

By adding wages paid and cost of material used together, we find that they sum up $4,342,259,700. This is their entire expense. Deduct this from the value of their product and a balance of $1,027,408,006 remains as profits for a single year.

This shows that they make on an average 37 per cent. per annum upon the entire capital invested, after deducting cost of labor and material. Some of them must have made much more than that, for the large companies are driving the smaller concerns out of business and into bankruptcy every year, and that would tend to increase the per cent. of their average earnings. Twenty-three States had less manufacturing establishments in 1880 than in 1870. Indiana had 649 less, Ohio 2,074 less, Pennsylvania 5,968 less, and so on. From this showing do they need further protection? Can not they survive upon 37 per cent. profit, without the additional aid offered by the McKinley bill?

But it is said this additional tax is not so much for the benefit of the manufacturers as it is to protect American labor. That policy assists to keep them in power; it is the bait thrown out with which to catch the laborers' vote. It is a well known fact that laborers engaged in the unprotected industries receive better wages than any other class. Let us examine these figures again and see if the laborers in these factories received any benefits of protection. By dividing the amount of wages paid by the number of hands employed, we find the average wages paid that year, per capita, was $346, or $1.10 per day, but as that includes the salaries of officers and superintendents, the average wages paid to operatives was probably less than a dollar a day.

It is charged that the leader of your party declared in Indiana that "a dollar a day was enough for a laboring man." Whether he said it or not I do not pretend to say, but by the figures given it appears that is all the protected manufacturers pay their men.

Almost all the industries are prospering beyond our most sanguine ex-

pectations excepting agriculture. I quote the price of some of the leading stocks on the market to show how they have increased in price:

Name and kind of stock.	Par value per share.	Selling price.	Asked for.
Iron stock:			
Champion Company	$25	$100	....
Pittsburgh Company	25	160	$170
Life insurance:			
Manhattan Company	100	600	.....
Equitable Company	100	1,000	.....
Fire insurance:			
German American	100	310	320
Williamsburgh City	100	315	325
Telephone:			
Speaking Company	100	150	160
Bell Company	100	224	225
Trust companies:			
United States	100	830	.....
Central	100	1,445	....

All of these corporations were organized within the last thirty years; the stock was purchased at par, and in many instances paid for in greenbacks worth less than 50 cents on the dollar in gold. The corporations have been paying large dividends yearly, from 10 to 300 per cent., and some of said stocks are worth fifteen times as much in gold as they paid for them in greenbacks. If farm property had increased in the same ratio a farm worth $5,000 then would be worth $75,000 now; but the fact is that farms are not worth nearly as much now as they were twenty years ago. These are cold facts, and if you lay aside your political prejudices you must admit that it would be more just to tax the manufacturer and capitalist for the benefit of the farmers of the country than to tax agricultural interests for the benefit of capital.

Mr. Chairman, with all these facts before us, is not this bill the most unjust, unequal, and iniquitous proposition ever offered for approval to any legislative body? Can any person who is not party-blind or personally interested indorse it? Will you lend your support towards perpetuating this system of legalized robbery by forced contribution from those least able to pay for the benefit of those who do not need it? A system which takes the hard earnings of American labor and bestows it upon the wealthy manufacturers of this country, to enable them to sell their products to the people of Europe for a less price than they will sell them to their home customers. A system which prevents the exportation of our surplus agricultural products to other countries where they can not be produced, and where, if it were not for these protective taxes, they would be received in exchange for products which other countries can produce at a less cost than this country, thereby destroying to a certain extent the market for our agricultural products. A system of burdensome taxation upon raw materials which increases the cost of goods manufactured in this country where many of them could, if it were not for these taxes, be produced at such cost as would enable our manufactures to compete with foreign manufactures in the markets of the world. In this way the exportation of the products of American labor is decreased and our commerce destroyed. A system which attempts to create new and experimental industries in this country by taxing the people for their support when it is well known that many similar industries so established almost one hundred years ago can not be profitably maintained now without additional aid, so as to place them upon an equality with the natural advantages existing in other countries. A system by which the farmers of the North and West are taxed upon their products for the purpose of paying the farmers of the South a bounty of 2 cents a pound upon all the sugar raised by them. A system which taxes the poor laborers working in the mines, shops, and fields for the purpose of paying a bounty of a dollar a pound upon the silk which is produced in this country, which they do not use, for the purpose of making that luxury cheaper to those who are able to afford it. In fact, a system of legalized piracy by which the combines and trusts are enriched at the expense of the poor.

I can not conceive of an excuse or reason for any disinterested member on this floor supporting this iniquitous bill unless it is that suggested in an article I noticed in a Washington paper of to-day, which I will read:

There is an apparently well founded rumor at the Capitol to-day that certain big manufacturers who are protected by the McKinley bill were compelled in advance of the framing of the bill to "put up" an immense fund for use in the campaign of 1892. It is said that members of the Republican national committee gave the protected manufacturers referred to to understand that unless they would agree to submit to the fat-frying process in advance their interests would be lost in the shuffle.

Mr. Chairman, we have just appropriated $1,500,000 of the people's money for the purpose of encouraging the holding of a world's fair, to which are to be invited the nations of the world.

Mr. Chairman, do you think they will accept such an invitation to exhibit their arts, wares, and merchandise from a nation that places upon its statutes a law which prohibits them from trading with it? Do you think they are different from our own people, that they would go upon dress parade for the purpose of amusing our people without the expectation of deriving any benefit therefrom? Will not such legislation engender a spirit of retaliation? Will they not exclude our pork and beef?

Will they not purchase their wheat from India, and, if that country does not produce enough now, will they not take steps to see that it does? Do you think they will send their ships to us empty for the purpose of hauling away our wheat, and pay us in gold for it, when they can carry their products to some other country and exchange them for such products?

Why, Mr. Chairman, we are proceeding upon the theory that no other country can produce such articles as we have to spare and that foreign countries are compelled to buy them of us. I take it that humanity is about the same all over the world. Nations are governed by men, and we all feel a spirit of resentment against a man who without reason refuses to patronize us.

Mr. Chairman, the gentleman from Ohio [Mr. McKINLEY], under the title of "What protection had done," says:

With a debt of over $2,050,000,000 when the war terminated, holding on to the protective laws, against Democratic opposition, we have reduced that debt at an average rate of more than $62,000,000 each year, $174,000 every twenty-four hours, for the last twenty-five years, and what looked to be a burden almost impossible to bear has been removed under the Republican fiscal system until now it is $1,020,000,000.

It is true the national debt has been decreased in the number of dollars we owe, but has it been decreased as compared with the value of the products in which it must be paid? If a farmer owed $100 which could be paid with 50 bushels of wheat you could hardly convince him that to reduce the debt to $50 would benefit him if it required 100 bushels of wheat to pay the debt. In 1885 we raised 421,086,160 bushels of wheat, worth at that time $463,194,776. In 1889 we produced 490,560,000, which was worth only $421,881,600. It will be seen that the crop of 1889 was 69,473,840 bushels more than the crop of 1885, yet it brought at the point of export $41,313,186 less than the crop of 1885.

The crop of 1880, although 41,090,595 bushels less than the crop of 1889, would have brought at the point of export $280,036,551 more money, so that the wheat farmer pays two and one-third times as much of the products of his labor to-day on the dollar as he did from 1860 to 1870. Why, Mr. Chairman, it would require more bushels of wheat, corn, or oats to pay the national debt of $1,020,000,000 to-day than it would have taken to pay the debt of $2,050,000,000 in 1870 at the prices that then prevailed.

Now, Mr. Chairman, it was not my purpose to discuss the details of this bill. I will leave that to gentleman who have given it more study, but I wish to point out a few of the unjust discriminations contained in it, all of which are in favor of the rich and against the poor. It taxes the most costly grades of yarns 72 per cent. and the lowest grades 112 per cent. The finest grade of blankets is taxed 72 per cent. and the lowest grade 106 per cent. Fine wool hats are taxed 66 per cent and coarse ones 111 per cent. Finest quality of women's and children's dress goods 73 per cent. and the cheapest cotton-wrap dress goods 106 per cent. The highest grade of woolen cloths 68 per cent. and the lowest grade 125 per cent. The best quality of wool knit-goods 78 per cent. and the lowest grade 138 per cent. The highest grade of woolen shawls 90 per cent. and the lowest grade 135 per cent. The finest grade of worsted goods 90 per cent. and the coarse lowest grade 130 per cent.

The rich purchase the better quality of goods, the poor the cheaper quality.

It is useless to discuss the matter further, the discrimination is apparent. This bill is entitled "A bill to reduce the revenue and to equalize duties on imports." I have pointed out how they have been equalized; I will now append a table showing how it proposes to reduce the custom duties.

This table will show the present duty and the duty proposed by the pending bill on the articles named:

Articles.	Present duty.	Proposed duty.
	Per cent.	*Per cent.*
Worsteds, knit goods, under 30 cents	73.20	130
Worsteds, knit goods, 30 to 40 cents	66.73	147
Worsteds, knit goods, 40 to 60 cents	68.49	130
Worsteds, knit goods, 60 to 80 cents	68.24	112
Worsteds, knit goods, above 80 cents	52.96	90
Worsted shawls	61.82	93
Belts for presses (printing)	53.14	101
Blankets and flannels and hats	69.70	110
Women's and children's dress goods	68	103
Women's and children's dress goods	85	110
Clothing, ready-made	54	84
Cloaks, dolmans, etc	60	82
Webbings, gorings, etc	64	99
Common window-glass, 10 by 15	67.61	73.72
Common window-glass, 16 by 24	115.41	123.10
Common window-glass, 24 by 30	128.58	135.34
Common window-glass, above that	132.29	138.04
Freestone, granite	20.22	40
Freestone, granite, hewn or dressed	20	50
Tin-plate	34	74
Wire fence rods, No. 6	45	54
Penknives, etc	50	75

Articles.	Present duty.	Proposed duty.
	Per cent.	*Per cent.*
Table cutlery	35	50
Shotguns	35	60
Mica	Free.	35
Plants, trees, etc	Free.	20
Fish, fresh	Free.	52.10
Tobacco	81	200
Plushes	40	100
Hosiery	40	60
Shirts and drawers	40	65
Burlaps	30	50
Brown and bleached linens	35	50
Brown and bleached linens	35	60
Yarns	35	100

The tax on almost everything is raised excepting upon sugar. The repeal of that tax is the boast of the friends of this bill. That was a revenue tax; eight-tenths of it went into the Treasury. This the committee could not endure; it was not a tariff for protection. It was therefore placed upon the free-list, and the revenue sacrificed, not for the purpose of relieving the people, but that the duty might be raised upon other articles, and thereby enabling the infant industries to put a sum equal in amount to that raised upon sugar into their pockets by adding it to the price of their products. But it is claimed, Mr. Chairman, that these increases were made necessary for the purpose of securing higher wages for the workingman.

I do not object, Mr. Chairman, to the imposition of such a duty as will fully compensate our manufacturers for the difference in the cost of labor between this and other countries. But when that difference is only 10 per cent. why should they get a hundred? The duty on many articles is from ten to twenty times the cost of the entire labor of production even in this country, saying nothing about the difference between producing them in this or a foreign country.

Now, Mr. Chairman, I have a table here prepared by the Superintendent of the Census, showing a list of manufactures of different kinds, which shows the whole cost, the labor cost and the per cent. which the labor cost bears to the whole cost, with the present rate of duty on such articles, to which is added the proposed duty. You can from it judge whether the proposed increased duties are intended for the laboring man or to be put into the pockets of the manufacturers. Here is the table:

Table showing value of various manufactured products, per cent. of labor cost, and rate of duty existing and proposed.

[Compiled from the Tenth Census by Mr. Seaton, Superintendent.]

Industries.	Value of product.	Labor.	Percentage of labor.	Present tariff.	Proposed rate.
Carpets	$31,792,802	$6,835,218	21.5	46.31	60.88
Cotton goods	210,950,383	45,614,419	21.6	35.64	*28.00
Bolts, nuts, etc	10,073,330	1,981,300	19.7	32.00	30.00
Nails and spikes	5,629,240	1,255,171	22.3	52.00	41.00
Iron pipe, wrought	13,292,162	1,788,258	13.5	74.00	62.00
Oil, castor	653,900	44,714	6.8	220.00	125.00
Oil, linseed	15,393,812	681,677	4.4	44.00	53.00
Screws (smallest)	2,184,532	456,342	20.9	72.00	84.00
Wool hats (cheap)	8,516,569	1,893,215	22.2	68.00	111.00
Woolen goods	160,606,721	25,836,302	16.1	71.00	90.00
Worsted goods	33,549,942	5,683,027	16.9	67.00	†103.00

*Clothing made, 50 per cent. †Some worsteds increased to 130.

Now, we will take the article of linseed oil, controlled exclusively by a trust. They produce $15,393,812 worth of oil per annum. It is proposed to give them 53 per cent. protection; 53 per cent. of $15,393,812 is $8,168,720. We will now deduct the entire amount they paid for labor, $681,677, and they have left $7,487,043 per annum to put in their pockets. Under the present tariff they would receive $6,091,600 per annum over the labor cost of production. This bill puts into their pockets $1,385,443 per annum more than they received under existing law, and $3,037,449 per annum more than they would have received under the Mills bill. They certainly could afford to have the fat fried out of them to defeat the Mills bill and pass this one.

It is all nonsense, Mr. Chairman, to talk about protecting American labor by putting money in the pockets of the bosses. There is no way of compelling them to pay it to the laborer. They go into the market and get their laborers where they can get them the cheapest. If there is only one laborer in the market and two bosses need him, he can almost set his own price; but if there are two men in the market and only one is needed, he must take what he can get or starve.

If increasing the duty did have the effect of increasing the demand for labor, so as to give work at good prices to all the laborers now in this country, what is to prevent the laborers from other countries from coming here? If we manufacture all the goods we now import, it would necessarily throw out of employment the men who manufactured them in other countries; and do you think they would stay there and starve when it would cost them only $15 to come here, where there was a demand for labor at good prices? Why, Mr. Chairman, British ships would be employed in bringing their pauper laborers here, instead of bringing the results of their labor. There is no restraint upon people immigrating to this country, and over ten millions have landed here since the war, enough to make ten cities the size of Chicago.

Mr. Chairman, some remedy should be provided for these existing wrongs; but I see no immediate prospect of relief. We must trust to the future and the education of the masses of the people, where the power finally rests. They are making every effort by discussion to solve the problem, and I have confidence in their ability and good judgment, when they understand these questions, to work out its proper solution. You may suppress discussion here, but not among the people. Discussion brings out the truth, and truth is mighty and it will prevail. No sudden or radical change should be made. That might ruin many industries that have grown up under these false theories.

There should be a gradual reduction of the excise duties, say upon the basis of the Mills bill first, which not only reduces the duties, but equalizes them; then a reduction of about 5 per cent. each two years until we reach a revenue basis which will furnish sufficient revenue for the ordinary expenses of the Government economically administered. But we need more revenue than such a system would produce.

Both parties on this floor stand pledged to give the soldiers a service pension. It can not be done without money. The only excuse you gentlemen on the other side of this House gave for not passing the service-pension bill at this session was that our financial condition would not warrant it. That was a flimsy excuse when we have twenty five thousand millionaires who own in the aggregate $35,000,000,000, which is untaxed. One-half per cent. tax per annum upon that sum would produce $175,000,000, more than enough to pay a pension to every man who ever served in and was honorably discharged from the Army. If it had not been for the gallant services these soldiers rendered we would have no Government, no millionaires; and, as their services saved the property as well as the lives of our people, some plan should be devised by which property can be taxed and thereby compelled to bear its proportion of the burdens of the Government. With that idea in view I introduced into this House, March 25, 1890, a bill to impose a graduated income tax. It was referred to the Committee on Ways and Means, but that committee refuse to report it back to the House, and it will sleep with hundreds of similar bills until resurrected by the people.

It is said an income tax is unpopular and odious to those who are compelled to pay it. That is true; all taxes are odious. They are like sorrow, sickness, and death, odious and certain, but they must be endured. It is further said to be odious because it reveals the secrets of a man's wealth and business. Well, so do all taxes. In my State—and I suppose all other States pursue the same course—a man is compelled to swear to how much personal property he owns, what it consists of, how much he owes and whom he owes it to, and if fraud is suspected he may be brought before an officer and catechised under oath. As long as a man is honest in these matters there is nothing odious about it. It is only when he wishes to deceive that it becomes odious; odious to tell the truth. No law will compel a man to return his income at a greater sum than it is.

Now, Mr. Chairman, it was in the interest of capital that the income tax was repealed. By the repeal of that tax capital has been relieved from taxation by the Federal Government for twenty years, and I now think, in the interest of the people, it ought to be re-enacted. Twenty years ago it produced a revenue of $73,000,000 per annum; the same law would produce now one hundred and fifty millions per annum, just what is needed to pension the soldiers. The argument could not then be made against pensions, that all the tax was collected from the poor people, many of whom were just as deserving as the soldiers themselves. But, strange as it may appear, many of the soldiers have been educated up to the belief that to advocate an income tax was against their interest and would militate against their cause.

The soldiers ought to be more willing to collect their just claims from those who are able to pay it without embarrassment than from those who can ill afford to spare their mite, be it ever so small, especially when the rich, in equity, should pay their share. Is not the proposition just and right? Is it not right that the property of the country should bear its due proportion of taxation? Is it not true that the property of the country is that which is supported and defended by the Government; that it generally expends its revenues for the protection of property and remuneration of capitalists?

The principle that property or the income therefrom should support the Government is recognized in every state and in every government excepting this. It is admitted by everybody that it is right that the taxes should be levied upon those who have the property. Upon the policy of the thing, in fairness and justice, is it not right, proper, and expedient for any government to lay its taxes upon those who will least feel the burden? Can not men who have a net annual income of over $4,000 pay 2 per cent. easier than a poor man can pay taxes out of the means which are below the necessities of the support of his family? It strikes me there is nothing more clear than that.

Now, Mr. Chairman, I represent a people who are willing to pay and

willing to suffer, when need be, for the interest and the welfare of the country, and they have proved it upon all occasions; and I say here as their Representative that they are ready and willing to pay their due proportion of taxation, but no more, and in their name I protest against increasing taxation upon the farmer, the laboring man, and laboring women of the country at the expense of a few capitalists who own most of the wealth.

I believe that taxation should be reduced upon those who are not able to pay and whose necessities compel them to consume, and should be placed upon those who are able to pay and should pay.

As a further means of relief towards restoring a sound financial condition we should remonetize silver, provide for its unlimited coinage with full legal-tender quality, thereby largely increasing the amount of our so-much-needed circulating medium. Long before the christian era silver was used as money, and one thousand millions of the population of the globe use it now. Even the Bank of England has authority to hold silver to an amount equal to one-fourth of its reserve. Why not use it here?

The national-banking law needs revision. The effect of the present law, under present circumstances, is to contract the amount of money in circulation, which is one of the causes of our depressed condition. If the law is not changed, I fear contraction will go on with increased rapidity until the entire issue of national-bank notes has disappeared. In 1881 we had $325,000,000 in circulation; in 1883, $305,000,000; in 1886, $202,000,000; in 1888, $143,000,000, and in 1889 only $128,000,000, showing a reduction since 1881 of $197,000,000.

The reason for the rapid retirement of these notes is that it is unprofitable for the banks to maintain them, and upon the Western banks it is a burden. If it was not that the law compels these banks to purchase bonds, upon which their circulation is based, a further reduction would have taken place.

It is useless to endeavor to maintain a sufficient amount of circulation through these banks when it must be done at a loss to them. Prejudice has always existed against national banks by reason of this power conferred upon them to issue notes for circulation. No good reason can be shown why they should be authorized to do so. The notes they issue are not a legal tender. They are redeemable in "greenbacks." Why should not legal-tender money be issued direct by the Government?

Legal-tender money is more popular with the people. It serves them better, and this plan would enable the Government to retire an amount of its interest-bearing bonds equal to the entire circulation of the banks without increasing the circulation of the currency. It is a burden forced upon the banks. It is made an excuse for slandering the national-banking system and all those connected with it. Those engaged in the business do not desire it. It is odious to many of the people. Then, why continue it? I believe its repeal would be satisfactory to those engaged in the business. I know it would be beneficial to the people and the Government, and I think it ought to be done.

We now have 3,290 national banks, with an aggregate capital of $612,584,095. They have only $128,450,600 circulation. Ninety per cent. of their capital would produce a circulation of $551,325,685, or $422,875,088 more than they now have. The loss of that circulation is paralyzing the business of the country. We need it. We need it badly. We have the power to issue it. Why not do so? The Government should be authorized to issue legal-tender notes in an amount equal to 90 per cent. of the capital of said banks. That would increase our circulation $422,875,075, over $6.50 per capita, and would do what the national-banking system was expected to do when it was inaugurated, that was, to furnish a sufficient amount of money for its people to do business with. It would stimulate all kinds of business and enable the Government to redeem $541,325,686 of its interest-bearing bonds, thereby decreasing our interest $21,653,027 per annum. It would also place the national-banking business in an independent position, upon an equality with all other private business, receiving no favors, asking none. It would release the business from that odium, always attached to it, of being assisted, protected, and fostered by the Government.

The $47,000,000 now deposited by the Government in two hundred and ninety-six of these banks should be withdrawn, and the bonds deposited to secure the same redeemed. This practice creates a most unjustifiable favoritism. It involves the exercise of a dangerous power. It is unjust to the people to grant the use of their money for nothing, to be loaned back to them at from 6 to 8 per cent. interest. Like many bad practices it was inaugurated through necessity and should be abandoned at once.

All unprejudiced people agree that the present national-banking system is excellent and should be preserved if the power to issue money is repealed. The law gives no other privileges, but contains many wise restrictions; publicity is one, by compelling the publication under oath of the condition of each bank four or five times a year. All can ascertain how the business is conducted. As banks of discount and deposit they have served the people well. Out of 4,148 banks organized under this system only 130 have become insolvent; of those 30 have paid in full principal and interest, 6 paid principal in full and interest in part, 13 paid principal in full, 45 paid in part, and 36 are not yet settled.

No system has furnished better security to its depositors and patrons, nor given better satisfaction to the people. They should be required to deposit only a nominal amount of bonds with the Government, say $1,000 for each $100,000 of capital, upon which no circulation should be issued. That would be sufficient to give the Government control over them and would obviate another objection to the system, that is, it would not necessitate the perpetuation of the public debt for the purpose of continuing these corporations. It would also decrease the demands for Government bonds, which would have a tendency to decrease, if it did not entirely obliterate, the premium now on bonds, which cost the Government in the year 1889 $8,775,222.35.

Mr. Chairman, in conclusion let me say that I do not expect that any suggestion that I may make will be adopted by this House, nor do I expect the defeat of a single measure proposed in this bill. The command has been given and King Caucus must be obeyed; it will be passed without dicussion or amendment.

The only source from which we can look for relief is from the other end of the Capitol. The Senate of the United States is a deliberative body. Bills are read there before they are acted upon. Amendments can be offered in that body, discussed, and voted upon; it is not so here. There are two hundred amendments printed in the RECORD that will not be read to the House, discussed, or voted upon. The Senate is composed of men of mature age, one-half of them averaging sixty-six years old and the entire body averaging sixty years. They are men of intelligence, great information, and experience, and I can not be made to believe, until it is proven, that they will vote to perpetuate and fasten these iniquitous and unjust measures of taxation and bounties upon the backs of the people. They have reached that time in life when their political prejudices ought to be softened, when there is not much in the future for them personally, excepting the history they make, and I believe they will look to the welfare of their country and the people they represent, rather than to the perpetuation of their party in power at the expense of fastening this great wrong upon the people.

I believe there are many members on this floor whose mouths have been closed by party necessity, who are looking for relief in the same direction, and my prayer is that it may be given them. But I may be mistaken; it may be that their political prejudices and love of power have grown with their years and that the success of their party is deemed of more importance to them than the welfare of the people, and that, at the command of wealth and dictation of party caucus, they may pass this bill. If they do and it becomes the law of the land, I warn you gentlemen who voted for it that when its practical workings have been shown and you are called upon by your constituents, especially the farmers and laboring men, to give a reason for your action here today, you will exclaim, Oh, who shall deliver me from this great embarrassment? And now let me close in the language used the other day by the distinguished gentleman from Tennessee [Mr. MCMILLIN]:

"Oh! who shall deliver me from the body of this death?" This had reference to an ancient practice. When a certain crime was committed they did not put the criminal in the penitentiary, as we sometimes do; nor hang him, as we occasionally do; but, worse than these, they took the body of the victim and lashed it to him. Wherever he went he was forced to bear it till decaying muscle fell from muscle and joint from joint. If he walked forth by day the flies of the air infested him. If he lay down at night the creeping things of earth made his sleep more horrible than a dream of hell. But by day and by night he was forced to bear his load of guilt till the stench stifled him, and dying he exclaimed, "Oh! who shall deliver me from the body of this death?"

Sir, when this bill is passed and its enormous increase of taxation, its inconsistencies, its iniquities, and corrupting bounties are known, the people will lash it to the backs of those who so far forgot their country as to vote for it. And when the ides of November come, when November's sky is bright and clear for Democracy, when November's clouds are bleak and drear for Republicanism, a sad wail will go up from Republican candidates all over the country, the wail of remorse and defeat, "Oh! who shall deliver me from the body of this death?"

Vinegar.

SPEECH

OF

HON. WALTER I. HAYES,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, Mr. HAYES having offered an amendment to strike out section 32 of said bill, relating to vinegar.

Mr. HAYES said:

Mr. CHAIRMAN: I am not an expert in vinegar manufacture, possibly for the reason that from the language of the bill I find that alcoholic vapor has something to do with it. Still, I am advised that the effect of the passage of this bill, including section 32 thereof, will have the effect of ruining, driving out of business, no less than ten vinegar factories in Iowa. This arises from the fact

that this section 32 in effect prohibits the use of alcoholic vapor in its manufacture and limits the distillation of fermented liquids except in an authorized distillery.

Now, so far as Iowa is concerned, this prohibits its manufacture as it is now there manufactured, for the use of our people and as an article of commerce, and destroys the business of no less than ten factories that are doing a prosperous, legitimate business, without offering any relief or any way to avoid the difficulty or avert the ruin, from the fact that one of the beauties of Iowa fanaticism, as evidenced in its prohibitory liquor law, prohibits the establishment or maintenance of a distillery. However, it is in exact accord with the ideas of protection, increases the price to the consumers, the poor men of the country included, and increases the profits of the manufacturers, and in doing this, as usual, does it alone to the benefit of those of the Eastern portion of the country to the neglect, abandonment, and ruin of those of the great and growing West and Northwest. This is not only true, but, with unparalleled doughfaceism, those that ought to represent Western interests, their own local interests in fact, vie with the gentlemen whose interests are being subserved, and who must laugh in their sleeves at their gullibility, to fasten the yoke upon their own people.

The fact is the people of Iowa are interested in grain which is used in the manufacture of vinegar, and which is thus supplied to our people as a wholesome food product at about one-half the price that it formerly was, and will be, if this business is stricken down; and this amendment is entirely in the interest of the apple-growers of the East, who by reason of it, through the doctrine of protection, which ought to be called legalized robbery, will be able to realize an enhanced price on their crop and product from it, and build up that panacea for all our ills, a home market, and force the people to use what they neither desire, want, nor need, and at a cost twice as great as they would have to pay for an article answering the same purpose and more to their taste. But the down-trodden apple-grower of the East has got to be protected with the balance of that pampered pap-sucking locality, and the grain-growers of the West and the people there who use vinegar upon their tables have got to be mulcted to enrich these people.

Outside of these considerations, however, and without regard to any economic questions involved, it is a rank injustice to a considerable and legitimate business industry in Iowa, and strikes this business and industry down simply to enhance the profits of another class who have no claim or right to it. But, as I said before, it is in exact harmony with the principle of so-called protection, which, under one specious plea and another, and, when they fail, by practical brute force, takes from one class, and the one least able to bear it, to build up another that has no occasion for it from the standpoint of need, but who desire it as a road to luxury and who have got to the point of believing that they are a favored class and entitled to it, and who will soon, under the fostering care of the Republican party, if this party is not relegated to the rear, begin to claim it as a divine right, akin to that kings claim to rule by.

In the interest of my constituents and that of the people, against those who have no concern for them, except to divide their scanty earnings with them, I hope this amendment will be adopted; but, if not, I hope, trust, and believe that it will help, as it is where they can see it, to open their eyes to the iniquity, injustice, and general cussedness of the whole protective system, and that they will hereafter make themselves heard in their own interests, and cease to follow a party whose tenets are against all their interests, and which lead to the building up of others without claim at their expense.

I have a letter, not from a free-trade or any other kind of Democrat, but from one of my constituents, who is one of the most active of our business men, a man of honor, repute, and standing, and who is not only a Republican, but by far its most active member in my district, and who is, if I am not mistaken, now the chairman of its Congressional committee, that is so full of meat upon this question, and from the practical standpoint, that I will read it in full. There will be no suspicion of him by my friends on the other side from a political standpoint, and I especially call the attention of my colleagues to his statement of the action in this regard of our own General Assembly and to his correct and sensible statement as to the proper policy of legislation regarding food products.

The letter is as follows:

DAVENPORT, IOWA, *April* 29, 1890.

Hon. WALTER I. HAYES,
Washington, D. C.

DEAR SIR: Section 32 of the McKinley bill ruins the 10 vinegar factories in Iowa, and we want to respectfully beg your help in overthrowing the said section, because by distilling vinegar from corn, by the vaporizing process, we have brought down the price to the consumer one-half. Second. If the law passes as per section 32, while all factories in Illinois, Minnesota, New York, or almost any other State could become distilleries, and still make the vinegar, but charging the consumer over twice as much as now, we in fact could not run a distillery under the prohibition law. And after putting all the money we have in the world into a vinegar factory, the United States practically says, "You must become a legal distillery and make full-strength goods first, and pay tax as other distilleries, or all the money you put into a business we passed a special law to get you to go into must be lost." And the State says, "And if you do run a distillery of any kind you are a criminal and must go to jail." You see, Iowa factories are ruined, and all our business is thrown to parties out of the State.

Again, this thing is a fight of the Eastern cider men against the Western corn-vinegar men. We can beat them on price unless they can get this law passed to stop us.

Lastly, there is no sense in raising prices on any kind of food and this section 32 would about double the cost of all vinegars, for cider vinegar would go up the minute the competition ceased.

Moreover, four years ago, when they tried this same bill in Congress. Our senate and house passed a joint resolution asking the Representatives and instructing the Senators at Washington to work and vote against it.

William O. Schmidt introduced the resolution and Senator Sutton seconded it. The same would have been done this time if we had known; for corn is our product and apples are theirs. Please do all you can for us.

I have just been advised that the committee will offer a substitute, but, as I am not informed as to its details, will reserve what I may desire to say about it.

The Tariff.

SPEECH
OF
HON. THOMAS H. PAYNTER,
OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890,

On the bill (H. R. 9416) to reduce the revenues and equalize duties on imports, etc.

Mr. PAYNTER said:

Mr. CHAIRMAN: This subject has been most thoroughly discussed in and out of Congress.

During the first session of the Fiftieth Congress it was presented in all of its phases. The inequalities and iniquities of the present rates of duties were most satisfactorily exposed. The then majority in this House sought to correct them. They were unable to do so because of an adverse majority at the other end of the Capitol.

The agitation and discussion has resulted in the enlightenment of the people of the country upon the question which above all others so vitally concerns their prosperity and happiness.

It has resulted in convincing the people of the country that the tariff is a tax. Politicians can no longer appear before them and argue, with any hope of deceiving them, that the consumer is not the tax-payer.

It would seem to me that the boldest and most blatant demagogue would shrink from an effort to prove that the people could be enriched by being compelled to pay enormous taxes, or that excessive taxation is a blessing to the people, or that "unnecessary taxation" is not "unjust taxation." I congratulate the country that no longer can the politician flourish whose chief claim to statesmanship consists in his ability to appeal to the prejudices of a section of the country to array it against another section. In the future I trust the economic questions will divide the great political parties of the country. I welcome the day in this country which brings perfect confidence, peace, and good-will between all sections of our common country. This condition will enable patriotic sentiment to control the country, resulting in untold blessings to it.

From the beginning of our Government to the present time the expenses of it have been chiefly paid by the collection of revenue from duties on imports. This will continue to be the principal mode of taxation by which the Government will be supported. There is another manner under the Constitution by which revenue could be raised for the purpose, and that is by direct taxation, being apportioned among the several States according to population; but this plan would not be acceptable to the people for many reasons, among others that the most wealth is not found in the States where the population is greatest. I fully subscribe to the doctrines of my party upon the questions of taxation. The expenses of the Government should be paid chiefly by the collection of revenue from duties on imported goods.

The Government should be economically administered. These duties should be laid and collected on imports in a way that will give the necessary protection to the industries of this country.

Where the expenses of the Government are chiefly paid by levying and collecting, in the manner indicated, the duties on goods of foreign importation the like of which are manufactured in this country, all the protection needed is secured to our various industries. When you take from the citizens, under the guise of a necessity or otherwise, more than is needed to defray the necessary expenses of their government you unjustly deprive them of that which their brawn or brain has earned. I am in favor of a policy which will promote and encourage American industries and promote the interests of American laborers, but I am opposed to that policy the effect of which is to impose unjust and unequal taxation on the people for the benefit of the few. On the other hand it is the policy of the Republican party, as shown by the report of the Committee on Ways and Means, not to advocate merely a protective policy, but to inaugurate in part a prohibitory one, practically removing the question of competition as a factor in the productive problem in the United States. The tendency of such a doctrine is to destroy our commerce with other countries, confine our trading within our own borders, and place our people at the mercy of trusts and combinations. These state-

ments substantially show the position of the two great political parties of the country on this economic question.

When the Democratic party seeks the relief of the people of the country from their burdens, by securing to them just and equal taxation, the leaders of the Republican party endeavor to mislead the people by holding up their hands in holy horror and proclaiming that the would-be benefactors are free-traders, seeking the destruction of the business interests of the country. In the vehemence of their exclamations one would conclude that the hands of the Democratic party were contaminated; that their touch would blight and put in decay every business interest of the country. But their fervid eloquence in the advocacy of the robbery of the many for the benefit of the few is required by the exigencies of the cause of those whom they serve.

The politician who does not know this charge is false is as ignorant as the Fiji Islander; if he is not in this wofnl condition, then he willfully misrepresents the Democratic party. These charges occur on the eve of and during every campaign. It is done to serve a purpose.

To illustrate the purpose of it I quote from a speech delivered by Representative PETERS (Republican), from the State of Kansas before the Ways and Means Committee. He said:

> Both the Democrats and the Republicans recognize the essential necessity of a tariff. We hear, of course, sometimes in our political arguments, about free trade. There is no such thing as free trade in this country, and can not be. The most ardent Democrat is not a free-trader.

I trust that no longer will the tax-ridden people of the country be fooled by such a false charge.

Another of the favorite arguments of the advocates of the system which so unjustly distributes the burdens of taxation is in calling attention to the wonderful growth of the country under the tariff. They paint beautiful pictures of the progress we have made in wealth, the industrial arts, and the sciences. Granted. It is a country of boundless resources. Its lands are more fertile than those of any country in the world. Its mechanics are most skillful; its inventive genius has flashed its scintillations from hemisphere to hemisphere with results that have made the nations of the earth do us homage. Victory to our arms and statesmanship unsurpassed in wisdom have given us a vast domain for free settlement. We have a climate temperate, unsurpassed in variety. We have free institutions. These advantages invited men and money from the world.

While this wealth has been accumulated, nevertheless a sad fact stares us in the face, that it has been unequally distributed, vast sums have accumulated in the hands of a few. You find more poverty according to population than thirty years ago; while you find thousands upon thousands who revel in wealth like Crœsus, you find the honest laborer begging for the privilege of earning bread for himself and his family; while you find a millionaire owning a palace, living in luxury and ease, endowing a great library, giving his hundreds of thousands to a music hall in a distant city, writing a book to prove the wonderful growth of the country, giving "Belshazzar feasts," yet a spectacle has been presented to you of his workingmen being kept out of his great manufacturing establishment with Winchester rifles because they demanded living wages. This manufacturer's products are protected in the American markets from foreign competition by tariff duties ranging from 40 to over 100 per cent.

This is a condition of things that should arrest the attention of every American citizen who loves his country and his kind. From our earliest infancy we have been taught that our Government was founded upon the principles of liberty and justice; that the patriots from whose brains our system was coined bequeathed to us and coming generations a government that secured equal privileges and opportunities, and denied exclusive privileges to any; but when I read the so-called McKinley bill I am struck with wonder and amazement. The questions come unbidden to my mind, Did our patriotic forefathers labor to no purpose in endeavoring to transmit to us a priceless heritage? Did they err in proclaiming the natural rights of man when they said "all men are created free and equal?"

To show some of the duties which are imposed by it I herewith submit a table:

Present and proposed rate on many articles in common use.

Articles.	Present duty.	Proposed duty.
116. Common window-glass, 10 by 15.....per pound..	67.61	73.72
116. Common window-glass, 16 by 24.....do....	115.41	123.10
116. Common window-glass, 24 by 30.....do....	128.58	135.34
116. Common window-glass, above that.....do....	132.29	138.04
131. Freestone, granite.....	20.22	40.00
131. Freestone, granite, hewn or dressed.....	20.00	50.00
144. Cotton-ties.....per pound..	55.00	115.00
147. Tin-plate.....	34.00	74.00
150. Steel ingots, etc., above 16 cents per pound.....	11.89	45.00
151. Wire-fence rods, No. 6.....	45.00	54.00
169. Penknives, etc.....	50.00	75.00
171. Table cutlery.....	35.00	50.00
174. Shotguns.....	35.00	60.00
206. Mica.....	Free.	35.00
244. Horses.....	20.00	70.00
245. Cattle.....	20.00	61.94

Present and proposed rate on many articles in common use—Continued.

Articles.	Present duty.	Proposed duty.
246. Hogs.....	20.00	45.68
247. Sheep.....	20.00	50.00
272. Eggs.....	Free.	32.91
279. Plants, trees, etc.....	Free.	20.00
290. Fish, fresh.....	Free.	52.10
Schedule F, tobacco.....	81.00	200.00
348. Plushes.....	40.00	100.00
350. Hosiery.....	40.00	60.00
350. Shirts and drawers.....	40.00	65.00
368. Brown and bleached linens.....	35.00	50.00
369. Brown and bleached linens.....	25.00	60.00
390. Yarns.....	69.00	100.00
391. Woolens and worsteds knit goods, etc.....	94.59	125.00
Do.....	88.43	135.00
Do.....	93.81	124.00
Do.....	68.41	147.00
Do.....	67.60	130.00
391. Worsteds, knit goods, under 30 cents.....	73.20	130.00
391. Worsteds, knit goods, 30 to 40 cents.....	68.41	147.00
391. Worsteds, knit goods, 40 to 60 cents.....	67.60	130.00
391. Worsteds, knit goods, 60 to 80 cents.....	68.98	112.00
391. Worsteds, knit goods, above 80 cents.....	71.22	90.00
391. Worsted shawls.....	61.82	93.00
391. Belts for presses (printing).....	53.14	101.00
392. Blankets and flannels and hats.....	69.70	110.00
393. Women's and children's dress goods.....	68.00	103.00
Do.....	60.00	73.00
394. Women's and children's dress goods.....	85.00	110.00
395. Clothing, ready-made.....	54.00	84.00
396. Cloaks, dolmans, etc.....	60.00	82.00
397. Webbings, gorings, etc.....	64.00	99.00

I shall not be able to point out in detail the rates of duty upon all the articles in common use, nor the many items of inequality in placing duties upon imports; but that you may see something of the character of the bill I shall point out a few which illustrate the enormous burdens placed upon the people. It makes a very great increase in the rates on woolen, linen, and cotton goods, which the people are compelled to purchase and use and which are essential to their health and comfort.

The increase on woolen and worsted goods including carpets amounts to about $15,500,000 per annum, estimated by importations of the last fiscal year. This increase will compel the people to pay vast sums for the domestic goods in excess of what they have heretofore paid for them. Not a cent of the latter will go to defray the expenses of the Government. A duty of 112 per cent. is proposed on the lowest grade of woolen yarn worth not over 30 cents per pound; 70 per cent. on the most costly yarn; cheap blankets will be required to pay 106 per cent.; 72 per cent. is fixed as the rate of duty on the finest blankets. The cheapest and coarsest woolen hats will be taxed 111 per cent., while the finest hats will be taxed 66 per cent. Women's and children's cheapest dress goods, with cotton warp, are to be taxed 106 per cent., and the finest dress goods, 73 per cent.

The highest grade of woolen cloth will pay 86 per cent., while the lowest grade will be required to pay 125 per cent. The finest and most expensive knit goods for underwear will pay a tax of 78 per cent., while the cheapest qualities will pay from 112 per cent. to 138 per cent. The woolen shawl of the coarsest and lowest grade will pay 135 per cent. duty, and worsted goods of the lowest grade will pay 130 per cent., while the highest grade of woolen goods will pay only 90 per cent. tax. The circumstances of the "poor" will require them to buy the coarsest and cheapest goods, upon which the duty is highest, while the rich who use the most expensive qualities of these goods will pay the least rate of duty.

It is claimed that this bill is framed in the interest of the poor laborer. All the wrongs that have ever been inflicted upon a people in past ages have been done in the name of liberty. That plea seems to have gone out of fashion. They are now perpetrated in the name of the "poor laborers" of the country. Knowing that every one should respect the honest toilers of the country who produce its wealth, they think thus they can better disguise the purpose to inflict the wrong. I should think the laborers of the country would be nauseated at the unhallowed use that is being made of their supposed misfortunes. The duty on common window-glass, not exceeding 16 by 24 inches, is increased to 123 per cent.; when not exceeding 24 by 30 inches square it is raised to 135 per cent. All sizes above these are raised to 138 per cent.

There were 5,329,646 pounds of raw silk and 101,647 pounds of cocoons imported into this country during the last fiscal year. It being suggested that they could be produced here, this bill proposes to compel all the people to pay out of the Treasury of the United States a bounty of $1 per pound, or $2,240 per ton, on all the raw silk reeled from cocoons, and 7 cents on every pound, or $156.80 per ton, on fresh cocoons, including the worms produced in the United States.

Although a person may not use silk, yet he is compelled to pay his share of this bounty.

It more than doubles the duty on tin-plate, yet there is not a pound of it produced in this country.

It proposes to reduce on copper only one-half of the present rate, which is 2½ cents per pound. This is a bonus extorted from the people. Copper needs no protection.

Mr. BUTTERWORTH stated the case aptly and truthfully when he said:

I insert here a table showing the product of the mines of the world and a statement also which shows how the tariff on copper, which amounted to 66⅔ per cent. of the cost of its production, enabled them to organize a trust and raise the price 200 per cent., thus extorting millions upon millions more from the people. The same has been true in regard to nickel, and the same is now true in large measure in regard to T-rails and lumber, and a vast number of other articles which are clamoring loudly for the maintenance of present rates or an increase of them. It is astonishing how many specious pleas are urged to enable certain individuals to secure, not equality of opportunity, but advantages which the protective tariff instead of creating was intended to remove.

Upon this question Mr. CANNON (Republican), from the State of Illinois, used this language:

I said to a man who has great copper interests, but yesterday, when he said that he himself had suggested the cut on copper one-half from the present law, and this bill carried it, "But why not cut it further and cut it all?" He said frankly, "I think that it could be done, but conditions might arise in the future where it would be embarrassing to the industry."

So we see from this that a man who has great copper interests, who claimed the honor of suggesting the rate of duty fixed in the bill, admits "frankly" that it could all be taken off, except "conditions might arise in the *future* when it would be embarrassing to the industry."

I quote these expressions that it may be seen who suggested the rate of duty and the character of reasons given therefor. It is easily seen why it is the prices of copper goods are high.

SUGAR BOUNTY.

The bill proposes to pay the sugar producers in this country a bounty of 2 cents per pound each year until July 1, 1905, on their product.

We have an estimated population of 66,000,000 people. From official sources we learn that in 1888 we consumed 3,076,277,079 pounds of sugar and produced in this country in that year only 375,855,877 pounds.

The majority of the Committee on Ways and Means in their report with reference to sugar say:

Even on the assumption that with proper encouragement we shall eventually be able to produce all, or nearly all, the sugar required for the consumption of our people—an assumption which your committee believe to be sustained by many facts, notwithstanding the slow progress thus far made in sugar culture in this country—this encouragement can be given much more economically and effectively by a bounty of two cents per pound.

This statement is made as one of the reasons for granting the bounty.

To show the effect of the provision of the bill I will assume that their assumption is correct, that we shall eventually be able to produce all the sugar required for the consumption of our people. I will assume that the committee has fixed the proper limit in which it can be done, July 1, 1905. I will further assume that the present amount consumed shall be consumed annually until that date.

To supply the present consumption we would have to produce annually 2,700,422,202 pounds more than we now produce to meet the demand.

I assume that we will have an equivalent annual growth of the industry. As I calculate it upon the basis of the amounts given, we would be compelled to increase the amounts now produced in the ratio of 180,028,147 pounds annually.

I have prepared a table. Here it is:

Year.	Annual product.	Bounty, 2 cents per pound.
1891	555, 884, 024	$11, 117, 680. 48
1892	735, 912, 171	14, 718, 243. 42
1893	915, 940, 318	18, 318, 806. 36
1894	1, 095, 968, 465	21, 919, 369. 30
1895	1, 275, 996, 612	25, 519, 932. 24
1896	1, 456, 024, 759	29, 120, 495. 18
1897	1, 636, 052, 906	32, 721, 058. 12
1898	1, 816, 081, 053	36, 321, 621. 06
1899	1, 996, 109, 200	39, 922, 184. 00
1900	2, 176, 137, 347	43, 522. 746. 94
1901	2, 356, 164, 494	47, 123, 309. 88
1902	2, 536, 193, 641	50, 723, 872. 82
1903	2, 716, 221, 788	54, 324, 435. 76
1604	2, 896, 249, 935	57, 924, 998. 70
1905	3, 076, 277, 079	61, 525, 561. 64
Total		544, 824, 315. 90

The table was made upon the idea that the committee had arrived at a proper conclusion as to the growth of the industry, and without any reference to the increase of population and the consequent increase of the consumption.

If the bounty will stimulate the growth of the sugar industry then large sums in consequence thereof will be invested in its production.

Let us further assume that the increase of the production at the end of the bounty period will not supply our people with the sugar they consume. Say they can supply 50 per cent. of the amount consumed.

What is then to be done? Will you still continue to pay the bounty on the annual production?

If the producers can supply one-half of the amount consumed, estimating the increase in population, then in 1905 to pay the bounty it would cost the tax-payers per annum from $40,000,000 to $50,000,000. Will you continue to pay out this vast sum or will you then remove the bounty and let the industry which you have paid so much to foster languish and die?

The men who are engaged in the industry will demand that they shall continue to receive the bounty.

To take either view, the situation will be serious.

If you are going into this system of bounties, why not pay a bounty to the farmer who produces the corn, wheat, potatoes, etc.? They claim they can not afford to produce these at the present prices, yet you make them pay to support another industry.

The pretended purpose of having very high duties on articles of foreign importation is to give higher wages to the workingmen. The claim is not made that the wages are to be paid directly to the workingman, but to the manufacturer, and that he will pay it to him. The manufacturer is to be the middle-man. In justification of the proposed high rates of the duty the majority of the Committee on Ways and Means say in their report that no duty was fixed above the point of difference between the nominal cost of production here, including labor, and the cost of like production in the countries which seek our markets, nor have we hesitated to give this measure of duty.

I do not desire to enter into any lengthy discussion of this question, as it involves so many figures and facts. But that it may be seen how inaccurate this statement is and as a complete refutation thereof, I quote a compilation from the Tenth Census.

Table compiled from the Tenth Census by Mr. Seaton, Superintendent, showing value of various manufactured products, per cent. of labor cost, rate of duty existing and proposed.

Industries.	Value of product.	Labor.	Percentage of labor.	Present tariff.	Proposed rate.
Carpets	$31, 792, 892	$6, 835, 218	21. 5	46. 31	60. 88
Cotton goods	210, 950, 383	45, 614, 419	21. 6	35. 64	38. 00
Bolts, nuts, etc	10, 073, 330	1, 981, 500	19. 7	32. 00	30 00
Nails and spikes	5, 629, 240	1, 255, 171	22. 3	52. 00	41. 00
Iron pipe, wrought	13, 292, 162	1, 788, 258	12. 5	74. 00	62. 00
Oil, castor	653, 900	44, 714	6. 8	220. 00	125. 00
Oil, linseed	15, 393, 812	681, 677	4. 4	44. 00	53. 00
Screws (smallest)	2, 184, 532	456, 342	20. 9	72. 00	84. 00
Wool hats (cheap)	8, 516, 569	1, 893, 215	22. 2	68. 00	111. 00
Woolen goods	160, 606, 721	25, 836, 392	16. 1	71. 00	90. 00
Worsted goods	33, 549, 942	5, 683, 027	16. 9	67. 00	103. 00

It will be seen by this that the rate of duty fixed far exceeds the labor cost of many articles. It is a fact that some of the manufacturers of this country sell goods cheaper to the export trade than to our own people. Notwithstanding they claim that they can not compete in the "home market" with imported goods, yet they can afford to compete in foreign markets with goods manufactured in foreign countries.

What do the American purchasers think of this fact? What do they think of this especially favored class who are so anxious to prevent a fair competition in the home market, yet are engaged in selling to foreigners the products of their mills cheaper than to them?

It has been charged upon this floor, and substantiated by the most satisfactory evidence, that American manufacturers have been selling machinery and other goods from 10 to 30 per cent. cheaper for exportation than to the home trade. The manufactured articles thus sold consisted in agricultural machinery, implements, and tools, such as cultivators, rakes, potato-diggers, plows, harrows, seed drills, corn-planters, road-scrapers, rollers, mowing machines, corn-shellers, feed mills, cider presses, root-graters, hay and feed cutters, grain separators, fanning mills, horse-powers, farm engines, churns, wheelbarrows, shovels, and spades.

Hardware specialties, such as hammers, wrenches, bits, axes, hatchets, sledges, blacksmiths' tools, anvils, vises, sad-irons, hollow-ware, meat-choppers, wringers, knives, forks, spoons, lanterns, scales, shears, locks, nails, tacks, screws, rivets, &c.

Machinery, such as saws, forges, milling machinery, brick machinery, sewing-machines, type-writers, &c.

If the manufacturers can manufacture goods in this country and compete with foreign manufactured goods, does not that prove that they are getting more protection than they need?

When you give them more protection than is needed to enable them to compete with like goods of foreign manufacture in our home market then we are robbing another class of our citizens to enrich such manufacturers.

The bill imposes burdens upon the farmers in every way that skillful hands and artful brains could devise; yet it was found that their credulity could no longer be relied upon to save its authors from their censure. The majority of the Committee on Ways and Means could hear in the distance the roar that precedes the storm. The cloud in the West appeared larger than a "man's hand." They knew

that the farmer fancied that there was something "rotten in the state of Denmark." They knew that there was no longer a fear in the mind of any one which would prevent a discussion of the bill in and out of Congress. They realized that the people were getting to understand that the tariff is a tax; so to prove to the farmer that his interests were being protected the duties on farm products were increased.

The following table shows the present duty, proposed duty, value of importations of certain farm products during the fiscal year 1889, the revenue and proposed revenue on certain articles produced by the farmer:

Articles.	Present duty.	Proposed duty.	Value of importation.	Revenue.	Proposed revenue.
Bacon and hams	2 c. per lb...	5 c. per lb...	$45,809	$5,442	$13,006
Beef, mutton, and pork	1 c. per lb...	2 c. per lb...	12,397	2,155	4,311
Straw	Free	$2 per ton...	28,921	.....	8,676
Teasels	Free	30 per cent..	2,309	.....	692
Hogs	20 per cent..	$1.50 each ..	4,770	954	2,179
Corn	10 c. per bu .	15 c. per bu.	1,212	238	358
Corn meal	10 c. per bu.	20 c. per bu.	332	39	78
Oats	10 c. per bu.	15 c. per bu.	10,178	2,232	3,348
Wheat	20 c. per bu.	25 c. per bu.	3,097	389	486
Wheat flour	20 per cent..	25 per cent..	5,804	1,160	4,451
Milk	10 per cent..	5 c. per gal..	5,684	568	.....

It will be seen that the duty on bacon and hams is increased from 2 cents per pound to 5 cents per pound; on beef, mutton, and pork, from 1 cent per pound to 2 cents per pound; on straw, which is now free, a duty of $2 per ton is proposed. The duty on corn is increased from 10 cents to 25 cents per bushel; on hogs from 20 per cent. to $1.50 each; on corn meal from 10 cents a bushel to 15 cents a bushel; on wheat from 20 cents a bushel to 25 cents a bushel, and on wheat flour from 20 per cent. to 25 per cent. It is known to every one that these products are seeking a market in foreign countries.

It will be seen by the foregoing table that the total duty collected on corn meal imported into this country last year was the munificent sum of 39 cents, and as you will observe the estimate of the duty to be collected during the ensuing fiscal year will be the sum of 78 cents. It will excite the risibles of the most phlegmatical man in the universe.

You will observe from the table that it is proposed to place a duty of $2 per ton on straw. I never knew before that it was an article that needed the fostering care of the Government. Hereafter when I shall rest my weary body upon a straw bed, I shall never fail to be thankful that mine is a *paternal* Government, which is even giving protection to the *straws* while they are aiding, in restoring tired nature to freshness and vigor.

I am proud of the honest, intelligent, and patriotic constituency which I have the honor to represent on this floor. I congratulate myself that not one of them will fail to see through the transparency of this attempt to deceive the farmers of the country.

Merchandise was imported into the United States during the last fiscal year amounting to the sum of $745,631,652. The surplus agricultural products of this country were shipped to other countries, which chiefly paid that sum. Our exports during the same time amounted to $503,349,648. It consisted in breadstuffs worth $123,876,061; provisions worth $104,144,444; in manufactured tobacco worth $18,901,068; live animals worth $18,374,805, and raw cotton worth $237,775,270. It was all the product of the farms. These being part of our surplus products, we were compelled to find a market for them elsewhere. The prices these articles commanded in foreign countries fixed the price of like articles in the American market. The importer of foreign goods pays the tariff duties on the goods brought into the country. When the consumer buys them, he is compelled to pay the foreign cost with the duty, expenses of transportation, and the profits of the middlemen added. The duty collected goes into the public Treasury. The goods thus imported constitute a small per cent. of the goods consumed by the people. The domestic products consumed by our people are many times larger than the quantity imported.

One of the effects and offices of the tariff duties is to enable the domestic manufacturer in our market to have *an advantage equal to the duty*. When the consumer buys the goods of the domestic manufacturer the manufacturer certainly must receive the amount of this advantage "*equal to the duty.*" Thus it is seen that the consumers are paying vast sums of money, not to support the Government, but to the "domestic manufacturer."

I do not make any war on the manufacturers as individuals, but against the system that gives them the advantage over the rest of the people.

Such laws should be enacted as will give to agriculture, commerce, manufacturing, and mining equal advantages in the race of progress. One should not unnecessarily bear the burdens of the others.

When there is a demand in this country that excessive taxation shall no longer exist; that the necessaries of life shall be cheapened; that the consumers of the country shall no longer be robbed for a favored few, among other fallacies comes the answer that protection cheapens the article to the consumer, and an appeal to history to show how much cheaper certain articles are than they were years ago. The owners of the mills who are receiving rich returns from their investments in industries which are so favored by the laws of the country, appeal to Congress for the retention of the high duties on articles the like of which they manufacture, and in many cases ask for its increase. They and their advocates, presuming that the people are densely ignorant, contend that duty levied upon the article of foreign importation cheapens it and at the same time cheapens that of domestic manufacture. Inventions, and not tariff duties, have cheapened manufactured articles in this country.

There has been such an advancement in the arts and sciences as was never known to civilization; such developments of the hidden mysteries of earth and air as have startled mankind; an inventive genius that has fashioned implements and builded machinery to lighten the burdens of toil; builded the swift messengers of commerce and communication that have annihilated space and as has been said "torn the lightning from the skies and harnessed it to the wheels of progress." With such inventive genius as found in this country it would be a strange phenomenon had not the country developed. In this country we have seen the great steam-ships taking the place of sailing vessels; the reaping-machines, the scythe; the threshing-machine, the flail. We see the railroad train speeding through the country where the wagons moved slowly over the dirt road.

We can hear the noise of the mighty engines that in obedience to man's desire exert a power greater than that of all men combined.

With the improved machinery now in use one man can make as many pairs of shoes in one day as it took the old cobbler many days to make. One girl in the factories can convert cotton into cloth faster than scores of skillful weavers could have turned it out with their hand looms. We can see on every hand thousands of labor-saving contrivances, the result of American inventive genius which has combined to lighten the toil of man and to minister to his wants and comfort.

Do not try to rob American inventive genius, which has led the world in every field of industrial art, of the imperishable glory and renown which it has given to our beloved country and countless blessings to our countrymen and the peoples of the world. You do this when you claim our progress has resulted from excessive taxation and bounties to the favored few.

Upon this question I invite your attention to what a distinguished Republican Representative from Ohio [Mr. BUTTERWORTH] said on the floor of the House May 10, 1890:

> It would cost as much in 1890 to remove cotton from the burs by the old hand-card method as it did a hundred years before Whitney invented the cotton-gin. It was the invention of the cotton-gin that reduced the cost of ginning cotton. It was the introduction of the power-loom that reduced the cost of producing goods and caused the reduction in the price. It was the introduction of the power-press that reduced the cost of printing. It was the introduction of the various devices used in the manufacture of glass, and of T-rails, and bar-iron, and cotton goods that reduced the market price of these several articles.
>
> The general reduction of prices all along the line of supply is due to the production of a machine which enables one man not only to do the work of ten or fifty, but enables him to produce better results. And here we have the reduction of cost, but it is due to the genius of our countrymen in the production of new and useful methods in obtaining results.

I disclaim any histrionic talent and admit that that which follows, critically speaking, is not entitled to the name given it; but to illustrate in a measure the situation at the national Capital and to show the process of reasoning that is employed to continue and increase the burdens of the people, and the character of explanations that are made to cajole and silence them, I have written, and now present you with what I choose to call

A DRAMA OF ONE ACT WITH TWO SCENES.

SCENE 1.—*Capitol.*

Enter a monopolist before the Committee on Ways and Means.

"Mr. MCKINLEY. You are a manufacturer?"

"MONOPOLIST. Yes, sir. I am engaged in various industries, the products of which supply many of the comforts of life to mankind."

"Mr. MCKINLEY. You are an extensive manufacturer?"

"MONOPOLIST. Oh, yes."

"Mr. MCKINLEY. What is the average rate of duty on the kind of articles you manufacture?"

"MONOPOLIST. Fifty per cent."

"Mr. MCKINLEY. In what kind of industries are you engaged?"

"MONOPOLIST. 'Infant' industries."

"Mr. MCKINLEY. How old are they?"

"MONOPOLIST. About one hundred years."

"Mr. MCKINLEY. What do you think the average rate of duty should be on the kind of articles you manufacture?"

"MONOPOLIST. Times have been very hard the past year; my customers have been unable to buy the customary amount from me. The agriculturists have been unable to find sales for their surplus products; corn has been selling from 15 to 20 cents per bushel in the West (much of it has been used in Kansas for fuel); mortgage debts and interest are accumulating on them, and they are on the verge of ruin and bankruptcy. The laborers of the country, who are among my best customers, have had a hard time, having had work only part of the year at

poor wages; under the present rate of duty I am only allowed to charge 50 per cent. in excess of what they could buy them for in a market where there was fair competition. The business no longer is profitable to me. I am running it at a constant loss. I only run it for humanity's sake, to give the poor workingmen employment. The average duty should be 75 per cent."

"Mr. McKINLEY. Let the duty be fixed at 75 per cent. We are not 'so much concerned about the prices of the articles we consume as we have been to encourage a system of home protection,' etc. Mr. BUTTERWORTH is certainly mistaken when he says 'we must listen with caution to certain producers in America who are clamoring for more ample protection, for in point of fact the output of their shops, mills, etc., costs them less than the same articles under the same circumstances would cost the producers of any country upon earth.'"

[Exit Monopolist.

SCENE 2.—*In the corridor of the Capitol.*

"CONSUMER. How do you do? I have been a hard-working man all my life; have never seen the Capitol of my country. I learned that all the rich manufacturers of the country visited the rooms of the Committee on Ways and Means; I thought I would drop in and hear what they had to say about the tariff, a subject about which my neighbors have been talking so much lately. I heard you talking upon that subject."

"MONOPOLIST. I am glad to see you. I was here looking after the interests of the laboring and agricultural people of the country."

"CONSUMER. Yes, sir; the agricultural and laboring classes in my section of the country are faring very badly."

"MONOPOLIST. I am very much concerned about their condition."

"CONSUMER. Who are all these people in the committee-rooms wearing fine clothes, with diamonds glistening in their shirt fronts and carrying gold-headed canes?"

"MONOPOLIST. They were the manufacturers, the friends of the laboring and agricultural people of the country."

"CONSUMER. Do they go there often?"

"MONOPOLIST. Oh, yes; every session of Congress."

"CONSUMER. They must be very kind to give our interests so much attention. I heard you say that your products are only protected to the extent of 50 per cent. against foreign importations. For what purpose is this protection given you?"

"MONOPOLIST. To cheapen my goods to you and other consumers."

"CONSUMER. When you sell your goods for a price equal to the price of the foreign product and duty added, does the Government get that 50 per cent. for revenue?"

"MONOPOLIST. No—let—me—see. That cheapens the article to the consumers."

"CONSUMER. The Government gets nothing from this transaction by way of revenue, yet you want the duty increased. How is this?"

"MONOPOLIST. You see it is to cheapen all the articles I manufacture to the consumers, because just as soon as we can shut out all foreign competition the American manufacturers will at once get into a rivalry as to who will sell the cheapest, and goods will be sold cheaper than ever before. This is what the manufacturers want to see done. They are humanitarians."

"CONSUMER. Will the increase of the duty on farm products increase their value?"

"MONOPOLIST. It certainly will, as Mr. McKinley is looking out for the interest of the farmer especially. He says: 'That there is widespread depression in this industry to-day can not be doubted. Every remedy within the scope of practical legislation known to your (his) committee has been recommended in the proposed measure to meet the urgent requirements of the situation.'"

"CONSUMER. If the tariff will cheapen the goods you manufacture, how is it that to levy tariff duties on farm products will increase their market value?"

"MONOPOLIST. You ask me a difficult question to answer, and as the poor laboring men, for whose sole benefit I am operating my mills need my presence, I beg you to excuse me."

"CONSUMER. My disinterested friend, I see through it all. The consumers are paying you large sums, not a cent of which reaches the Treasury of the United States. You claim to me that you want to sell your product to the consumer as cheaply as possible, notwithstanding I heard you asking the committee to enable you to increase your *price*. Not a farmer or laboring man was to be seen about that committee-room. You claim the farmers are being cared for by the Committee on Ways and Means. I can now see what Mr. BUTTERWORTH meant when he said, 'Can it be posible that florid rhetoric can conceal from the farmer the utter want of bait on that * * * hook? I shall return to my home and tell my neighbors that tariff is a tax and to beware of their professed friends. I shall advise them never to vote for a party which always legislates in our interest at the request of *such friends*.'"

Should one who had never heard of a protective tariff and its effects be transplanted to the presence of the zealous advocates in their appeals for the system as now proposed, he would think except for it that spring-time in all her loveliness would never smile again; that the flowers would never bloom in their beauty and fragrance; that the trees would never put forth their foliage; that the rivulets that trickle down the mountain side would cease to flow; that the great rivers would not continue to pour their freshness into the salt seas; that seed-time and harvest would be no more, and that Egyptian darkness, ruin, and despair would take possession of the uttermost parts of the earth.

Who is it that appears before committees of Congress, saying that high duties be retained or increased? Is it the man who, from early dawn to setting sun, labors on the farm? Is it the man who pushes the plane from morn till night? Is it the brawny smith? Is it the daily laborer in the unprotected avocations of life? Is it that class of laborers who are employed by some of the favored few in their mining and manufacturing establishments, and who live in their little cabins in penury and want, engaged in ceaseless and unremitting toil, never able to better their condition, whose lives are begun and ended that the riches of their employers might be increased?

No, it is none of these laborers who appear before that committee. It is the lordly nabob who lives in a magnificent palace, built by the skilled architect on the most approved plan, the interior decorated and upholstered in the richest velvets, the walls adorned by the paintings of the masters, exciting the admiration and envy of the potentates of the Old World, and only rivaled in beauty and grandeur by Oriental magnificence or the Alhambra in the days of the Moor. It is the men who have grown rich under and by virtue of the laws of our country which favor the few at the expense of the many. They crowd the committee room. They urge in and out of season that Congress grant their demands. They contend that they are running their establishments at a loss; that ruin stares them in the face; that their great concern is for them to be enabled to operate their establishments for the benefit of the "poor laborers" of this country. They say they want their duties to remain as they are or increased, so that they can compete in the markets of their country with the manufacturers of other countries who bring their goods here for sale.

If their statements be true, then their evident purpose is to be enabled to charge more for their goods than they would if they were brought in competition with the foreign article. In other words the domestic article costs the consumer the amount of the foreign article with the duty added.

How is it that with any degree of honesty and fairness it can be claimed by these same gentlemen, when the consumer complains at the excessive price, that they sell it to the consumer cheaper by reason of the duty; in other words, claim that the tariff duty cheapens the article?

If it did cheapen the articles to the consumer, not a mother's son of them would ever ask that duty be imposed. Were this true, they would with one accord ask that the duty be removed.

The annual report of the Comptroller of the Currency to the Fifty-first Congress furnishes some very interesting information on the distribution of money in the country. It contains a table showing the amount of capital surplus, undivided profits, and individual deposits in banks of all kinds for all the States and Territories of the United States.

I give a compendium of the table in the following statement. Capital, deposits, etc., in the nine manufacturing States:

Maine	$71,516,000
New Hampshire	79,281,000
Vermont	36,000,000
Massachusetts	691,000,000
Rhode Island	113,448,000
Connecticut	$188,316,000
New York	1,585,800,000
New Jersey	104,367,000
Pennsylvania	508,567,000
Total	3,378,295,000
All other States and Territories	1,823,376,000
Population of the nine manufacturing States	17,000,000
Population of all other States and Territories	47,000,000
Per capita in the manufacturing States	$198
Per capita in other States and Territories	$40

You will observe that protected manufacturing has given the nine States named control of the banks, banking power, and money of the country. These States have about one-fourth of the population of the country, but they own more than three-fifths of the banking capital and deposits. The per capita is $198 for them, while the other States and Territories have only $40.

Massachusetts (having $691,154,000 in capital, surplus, undivided profits, and individual deposits in banks) has more than the eight States of Indiana, Michigan, Wisconsin, Iowa, Minnesota, Kansas, Nebraska, Missouri, and Colorado put together; New Hampshire, with a population of only 381,000, has as much ($79,281,762) as the two States of Indiana ($63,852,000) and North Carolina ($12,160,000), with an aggregate population of 4,000,000; and Rhode Island, with a population of only 343,000, has ($113,448,036) more than Georgia ($27,299,000), South Carolina ($12,000,000), Alabama ($15,600,000), Mississippi ($10,000,000), Louisiana ($29,000,000), and West Virginia ($8,831,000), with an aggregate population of 8,000,000.

This is not all. The capitalists of these nine States of the Northeast have vast sums loaned to the agriculturists of the West and South. The railroad bonds and mortgages in the West are owned principally by these capitalists. In traveling in the West you can seldom find a town where there are not several loan agents advertising that they

represent Eastern capitalists, with any sums desired to loan on farms. While much of the wealth of the people of the West is in their lands, yet 40 per cent. of them are under mortgages to the people of the manufacturing States. It requires a constant drain of money from the people of the West to pay the interest on the mortgage claims.

We forget the sacred interests of all the people which are intrusted to our care when we bestow our bounties upon a few of them at the expense of the others. These few can afford to have the "fat fried out of them" occasionally, if the laws of the country are so enacted that the "fat" with compound interest is restored. About 50 per cent. of the people of this country make their living by agricultural pursuits. It is far greater than all other industries combined. The farmers and the laborers of the country should by their votes say they are tired of paying unnecessary taxation to the Government and tribute to the favored few.

I am glad to note that such a sentiment is growing in the country. That side of the House in effect proclaims that, if an industry can not be profitably carried on, the rest of the people shall contribute money out of their pockets to make it so. It is further proposed to make the people contribute to the increase of wealth of certain manufacturers by giving them much more protection than is needed. Many of the Republicans are opposed to such a policy and are declaring their opposition to it.

In speaking of the effect of the tariff and the burdens on the necessaries of life, both imported and domestic, Joseph Medill, editor of the Chicago Tribune, the Republican organ of the Northwest, said:

Where, then, is the remedy from *the heavy burden of a 50 per cent. tax on the necessaries of life, both imported and domestic?* There is only one element or class able to remove it, and that Samson is sleeping in the lap of Delilah and will not awaken. I, of course, mean the farmers, *the plundered, unprotected, twenty-five million of goose-like farmers who permit themselves to be plucked of almost every feather by a hundred thousand "protected" monopolists.* So long as the simple-minded bucolic class do not "kick" off the burdens laid upon them Congress will not disturb the war taxes and the manufacturers' corresponding bounties. *While the plowmen act like Issachar's ass, and crouch between two burdens, both will be kept on their backs.* The fabricants live focalized in the cities, and plot and scheme for the promotion of their selfish interests and bring their united lobby influence to bear on members of Congress, whereas the farmers live isolated and scattered, and can't or don't combine in defense of their interests. Hence *they are unprotected, unrepresented, and unconscious of what keeps them poor.* They are captivated by the specious cry of "protection to American industry," *though they get none of it,* and of the value of the "protected" home markets to them, *as if protected monopolists eat any more than other men. Not until the verdant, imposed-upon agriculturists wake up to a realization of the confidence game being played upon them* will the war tariff be reduced or reformed; but when will they get their eyes open and act? In your life-time? Samson (the farmers) is under the spell of Delilah (the manufacturers), and his locks are shorn and he feels no strength to resist. Until the protected manufacturers themselves ask Congress to reduce their protection bounties in order to enable them to cheapen the processes of fabrication with a view to finding foreign markets for their surplus wares there will be no reduction of the high tariff and no relief from *the heavy burden it imposes on the fool farmers and oppressed consumers. But when will that be?*"

The voters of the country are constantly being humbugged by having it persistently sung in their ears that protection gives them a "home market."

This song continues to be sung in the face of the fact that there is not the slightest prospect that for generations to come, under any conceivable tariff, it would be possible to consume in this country the agricultural products which, if the farmer were to continue fairly prosperous, we must produce.

Under the highest tariff duties ever imposed by our laws, farm products have been depreciating in price. If for the past years these exorbitant duties have failed to give the farmers a market for the surplus products, when will it be done under such a system?

As I have heretofore stated, the prices of farm products in this country are regulated by the prices the surplus farm products command in foreign markets.

On this question I quote from Col. Donn Piatt:

OVERPRODUCTION MEANS UNDERCONSUMPTION.

If for overproduction we read underconsumption we shall be nearer the fact. However, for half a century we have been waiting for two things: one is the time when the infant industries will come of age and be able to stand alone; the other for that home market. We are no nearer either than when we began.

THE SWALLOW OF A HOME MARKET.

Way back in 1848 the writer of this was driven to a little calculation, since widely used, but which is ludicrously unanswerable. A home market means, of course, a consumption of what the farmer and planter have to sell. Very good. Now take from the census the class really protected. From this exclude farmers, merchants, mechanics, laborers, other than of mines and manufactures, and professional people—for they are not protected, nor are they dependent directly or indirectly on mines or manufactures.

Come down strictly to the people in whose behalf the Government interferes. Now select five leading States from the North and South and put to paper their surplus. It will be found that for the protected class to consume that surplus each man, woman, and child will have to eat each day twenty barrels of flour, masticate three hundred bushels of corn, get down twenty hogs, ten beef cattle, chew a hogshead of tobacco, and wear forty suits of woolen and cotton goods. The swallowing capacity of a protectionist is vast, but I hardly think it would accomplish this.

The demand for relief by the present condition of agriculture is most urgent. Continued progress in this country depends upon the prosperity of the farmer. At this point I quote with approval from Senator VOORHEES's great speech in the Senate of the United States, April 19, 1890. He said:

The ordinary traveler speeds on and on thousands of miles through farm lands, gazing listlessly at farm-houses and farm productions, thinking nothing of the vast fundamental lessons they teach, but looking eagerly forward to the problems, mysteries, and wealth contrivances of the crowded, speculating, stock-gambling city which he is rapidly approaching; and yet that city would wither and perish, shrivel back to a barren, naked beach; its wharves would rot, and its swollen corporations and haughty millionaires would dwindle into poverty-stric kenskeletons, no better fed than Pharaoh's lean kine, were it not that the fountains of all its wealth, support, and grandeur are kept open and running day and night by the cultivation of the soil in the great domain of agriculture.

Sir, I charge that the legislation of the Republican party on the question of taxation has been in the interest of the rich and opulent against the poorer classes. They swept away the tax on incomes, railroads, express and insurance companies, banks, bankers, manufacturers, etc., while they retained the tax on nearly all the necessaries of life. They repealed the tax on bankers, etc., and increased the amounts on farming and mechanical appliances. They took the tax from legacies, successions, etc., and in place of it taxed coffins, shrouds, and tombstones. In vindication of the truth of my charge and to show the amount of tax of which the wealth of the country was released, I read you a table.

Amounts of tax paid on incomes, banks, etc., and from which they have been released.

Year.	Character of tax.	Amount.
1866.....	Income tax	$72, 982, 150. 03
1868.....	On gross receipts express companies	671, 949. 62
1866.....	On gross receipts	.....
1867.....	On gross receipts of premiums or assessments made by insurance companies	1, 326, 014. 38
1866.....	On gross receipts on other than express companies, railroad, and insurance companies	1, 832, 490. 00
1882.....	On deposits of State and private banks and bankers	4, 096, 102. 45
1882.....	On capital of State banks and private banks and bankers	1, 136, 340. 87
1882.....	On deposits in national banks	5, 521, 927. 47
1877.....	On capital of national banks	660, 784. 00
1870.....	On legacies and successions	3, 091, 825. 00
1867.....	On articles of luxury	2, 115, 674. 00
1870.....	Stamp taxes	16, 544, 043. 00
1866.....	Special taxes, other than those relating to spirits, beer, and tobacco	14, 144, 418. 00
1870.....	Sales other than those of spirits, tobacco, wines, etc	8, 837, 396. 00
1866.....	Passports	81, 149. 00
1866.....	Tax on manufacturers, which was paid by capital	64, 827, 165. 70
	Total	205, 436, 886. 55

This tax was removed at a time when the Government was indebted billions of dollars.

My plea for a reduction of the tariff is not alone for the benefit of the farmer, but for the wage-worker, whatever may be his employment. Those who extract from earth her riches; those who convert it into implements which lighten the burdens of toil; those who delve into the earth for the fuel that saves us from suffering in winter; those who build our houses and the great cities; those who are engaged in building and operating the railroads and steam-ships, the messengers of commerce and communication; those who are engaged in any occupation of life which enables them to earn their living "in the sweat of their face" are as much entitled to our respect as those who occupy the high places of earth, the palaces, or the highest office in the gift of the people. This class of our fellow-citizens should not be robbed by excessive taxation; nor should the Government require them to contribute to the wealth of another class of our citizens.

Ours is a country of free institutions, where, however obscure and lowly may have been his birth, a man may obtain the highest place in the gift of the people. This is the grandest principle recognized by our institutions. All can not obtain the great places which are to be bestowed. They are limited in number. When a man seeks happiness and comfort as a wage-worker in any of the gainful occupations of life, why should the laws of his country burden him with the excessive taxation and at the same time compel him to contribute from his scanty wages to the wealthy that their riches may be increased?

The present measure is, in my opinion, the most radically wrong of any that have imposed burdens upon the people. It will make an increased necessity for the war, for tariff reform. It must be waged with vigor and with a determination that there shall be no peace until the removal of the injustice and inequality of the system. It may take time to accomplish this, as the party which favors it is intrenching itself in power with its utmost ability; it is disregarding the election of Representatives by their constituents and making the *election* by the House.

While the war may be long and a weary one, yet the hope that the right must prevail, that our efforts will result in the triumph of the people's cause over all the forces that can be arrayed against it, should cheer and sustain us. Victory will not only bring blessings to the present, but to coming generations, and enable our country to surpass all others in the race of progress.

The victory will be a glorious prize, worthy of every patriotic effort that shall be made to achieve it.

Men of action, men of might,
Are you ready for the fight?
Have you marked and trenched the ground
Where the din of arms must sound
Ere the victory can be crowned?

The Rivers and Harbors of California Neglected by Congress.

SPEECH

OF

HON. THOMAS J. CLUNIE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 29, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9486) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. CLUNIE said:

Mr. CHAIRMAN: I see by examining this bill that the words "deepening and improving Alviso Creek" have been omitted. I desire to offer an amendment which will cover this omission. In my remarks before the River and Harbor Committee I asked for an appropriation for a survey for a breakwater and harbor of refuge at Santa Cruz; also for surveys for Redwood and Alviso Creeks, with a view to straightening, deepening, and improving them in the interest of commerce. With the amendment herein proposed adopted these just demands in behalf of the Fifth district will have all been granted, for which my people will be forever grateful.

I also reminded the committee that while I represented the Fifth district, in common with my colleagues from California I desired to see every portion of my State, north, south, east, and west, recognized and receive the consideration to which our great and grand Commonwealth was justly entitled. I showed how insignificant had been the expenditure of money in our State as compared with a like area on the Atlantic seaboard. I read from statistics furnished by Hon. W. D. English, president of the California State board of harbor commissioners, the vast amount expended in improving the magnificent harbor of San Francisco, not one dollar of which was furnished by the General Government.

I recounted the paltry amounts that had been given us in the past, including the money appropriated for San Diego, San Pedro, Oakland, and Eureka Harbors. I showed the committee how unmindful Congress had been in the restoration and preservation of the great rivers of California, and instanced the Sacramento, San Joaquin, and Feather Rivers and their navigable tributaries. I showed them that the statements that hydraulic mining was still conducted in such a manner as to longer interfere with the navigation of these rivers were urged simply as a mere pretext to deny our just claims for appropriations to restore the navigation of these great highways of commerce.

I said then, and I repeat it now, it is not only the duty of the Government to restore the navigation of the rivers, but also to devise some plan whereby the great mining industries can be conducted without injury to navigation and ruin to the farmers. I showed how millions of dollars' worth of property had been destroyed and navigation ruined by mining débris filling the beds of our rivers, causing disastrous overflows, threatening the inundation of large and populous cities situated on the river banks, and even menacing the capital itself, the beautiful city of Sacramento, where my wife was born and where I grew to manhood.

By the indomitable will and untiring energy of the people of Sacramento and the expenditure of millions of money that city has been placed far above the angry and threatening waves of the Sacramento River, whose bed having been filled to a depth of 20 feet or more by mining débris, leaving no channel or bed, forms an inland sea, ruining hundreds of thousands of acres of the richest soil upon which the sun has ever shown. The same may be said of the city of Marysville, one of the most thriving cities in California; so it is with smaller towns along the rivers.

The commerce of the city of Stockton, the leading city of the great San Joaquin Valley, would be greatly improved, and millions of dollars' worth of property saved by a liberal expenditure of money in improving the navigation of the San Joaquin River. You can not begin these expenditures any too soon; every year's delay but increases the cost to the Government, whose plain duty it is to inaugurate the work of restoration at once. The miners have been reluctantly informed they could no longer work their mines purchased by them in good faith from the Government and in which $60,000,000 was invested.

The peaceful abandonment of this vast amount of property, which for years unmolested they have been permitted to enjoy and operate, is the grandest tribute that could be paid to the California miner. In the struggle in our State between the two conflicting interests, the mining and the farming, not a life was sacrificed, although at its conclusion $60,000,000 of property was practically destroyed.

Having worked these mines for years without let or hinderance on the part of the General Government, whose sole duty it was to protect navigable streams, and having made large investments on the strength of their supposed right to so continue, I ask you, in all fairness, have they not strong claims upon the Government? By your dereliction of duty you have permitted and, I might say, sanctioned the ruin of our navigable streams and the destruction of millions of dollars' worth of property belonging to our farmers and miners, and added to the people of the great Sacramento and San Joaquin Valleys an extra burden in the way of an increased cost for transportation for all their products by depriving them of the use of the rivers for the purposes of navigation.

You have put us off on one pretext or another until patience ceases to be a virtue. The farmers of my State are making no claim for the millions you have already caused them to lose. Now that hydraulic mining has ceased, they simply ask you to restore to them the navigation of the rivers over which you alone have jurisdiction, which by your negligence has been destroyed, and they will then take care of themselves. The miners' work, the gold they produced, added hundreds of millions of dollars to the material wealth of the country and saved the credit of the nation. You sold them the mines for the purpose of mining. They ask you to devise a plan whereby that industry may be carried on without injury to our rivers and without ruining the farmers of the Sacramento Valley, richer by far than the valley of the Nile.

They attempted to secure State legislation to that end. As a State senator in the senate of California I opposed it, because I felt it was the duty of the General Government to undertake the project. The work would then be done properly. Mining would be re-established under the careful scrutiny of the Government, our navigation restored, and the farmers made absolutely safe. If you are sincere in your desire to help the farmers, do something for them to cheapen transportation in the valleys of the Sacramento and San Joaquin, stop unnecessary taxation, and they will feel thankful. I have heard on this floor lots of talk about the poor farmers; that is about all they have received thus far. Action is what they want, not words. While you are assisting the industries of the country a few millions expended in behalf of our miners (who have added hundreds of millions of dollars to the country), to enable them to conduct their business without injury to others, would not be amiss. I shall vote for this bill because you have dealt fairly with my district. I am free to say I am not pleased with the way the committee has treated other portions of my State.

The amount for Oakland Harbor, if properly expended, will prove beneficial.

The appropriation for Humbolt Harbor should be at least $150,000; you have allowed but $80,000. The harbor at Wilmington gets the paltry sum of $34,000; $75,000 would not be too much. The appropriation for San Luis Obispo should have been double; $100,000 at least should have been set apart towards the construction of jetty on Zuñinga shoal. You should also have come to the relief of San Francisco in the construction of the sea-wall, an improvement made in the interest of the commerce of the world.

At least a million of dollars should have been appropriated for the restoration of the navigation of our rivers, work to be commenced as soon as the report of the engineers was made. Instead of doing this you have compelled us to wait a period of two years longer; in the mean time the work of destruction goes steadily on, increasing the cost of final restoration. Five distinguished citizens of our State, sent as a committee to ask you for $3,000,000 for our rivers, showing its absolute necessity, presenting as clear a case as ever was called to the attention of any committee of Congress, after weeks of work and waiting, were informed that a new survey would have to be made of the Sacramento River, which meant another indefinite postponement.

We will never cease our appeals in these matters until the Government does its plain duty to our State. California should have had a member on this committee. Our neighboring State, through the influence of the distinguished gentleman from Oregon [Mr. HERMANN], has received about $1,500,000, while California, with her long line of seacoast, her magnificent harbors, and her beautiful rivers, so justly entitled to liberal appropriations, gets scarcely enough to preserve, much less carry on, necessary projected improvements. You are but postponing the day of settlement. We will present these just demands at every session of Congress until you do your duty by our great Commonwealth.

I speak, Mr. Chairman, for a mighty State. Our representation should be double its present number. The southern portion of our State has but one Representative on this floor, when it should have two. They have south of the Tehichipa Range territory and population enough for a State. My colleague [Mr. VANDEVER], the distinguished gentleman representing Southern California, is desirous of seceding from Northern and Central California, and introduced a bill for that purpose. I am more than anxious to see Southern California recognized to secure appropriations for her harbors, to see magnificent public buildings erected in the southern metropolis of California, the city of Los Angeles, and the rapidly growing commercial city of San Diego, and other cities in Southern California.

When it comes to dividing the Golden State, the pride of our glorious Union, to see that grand Commonwealth broken in twain, the mere possibility of losing one acre of that great and mighty State fills my heart with sadness. I love California and I love every inch of it. I feel as

much at home in Los Angeles, San Diego, San Bernadino, or Fresno as I do in Northern or Central California.

Having secured all we asked for in the Fifth district, which includes a portion of San Francisco and the three counties of San Mateo, Santa Clara, and Santa Cruz, through which stretch the beautiful Santa Clara Valley, the paradise of California, and the Pájaro Valley, one of the most fertile in our State, in which is situated the thriving city of Watsonville, where is located the large sugar-beet factory of Col. Claus Spreckels—the land surrounding the city produces the finest sugar beets grown in the United States—I have taken the liberty of calling your attention to other portions of my State, sadly neglected and justly entitled to liberal expenditures on the part of the General Government. In answer to the assertion that I have no rivers in my district and that it is a foolish expenditure of public money to attempt to make navigable rivers out of creeks, I desire to say that Redwood Creek, so called, is an arm of the bay extending to Redwood City, which is a thriving town and the county seat of San Mateo County. Notwithstanding the difficulties of navigation caused by the neglect of the Government to cut off the bends in Redwood Creek, the commerce has been steadily increasing.

When the work contemplated by my bill, which you have kindly incorporated in the river and harbor bill, is completed, it will afford the people of Redwood City and the surrounding country water communication with the outside world, which will prove a great benefit to them. The same can be said of Alviso Harbor, which is another arm of the bay extending to Alviso, in Santa Clara County.

The Board of Trade of the enterprising city of San José, headed by its distinguished president, Hon. D. B. Moody, weary of the inaction of Congress and despairing of Government aid to which they are justly entitled, have organized a stock company to do the work of Congress. The improvement of this arm of the bay will afford an outlet to San Francisco and elsewhere for the products of this richest of all valleys, the Santa Clara Valley. By the end of this century I expect to see at least 100,000 people in and around the garden city of San José, the commercial center of the valley. Five acres of land in this valley will afford a man and his family a good living.

In relation to the breakwater at Santa Cruz, I will say it is the only harbor between San Francisco and the southern portion of our State. A reasonable amount expended will make it a place of safety for vessels in case of a storm. Again, the business of Santa Cruz is rapidly increasing. The country is rich in a variety of resources; the land is fertile. Within the last few years important industries have sprung into existence, which have greatly increased the trade and commerce of the beautiful city of Santa Cruz and the surrounding county. A breakwater and harbor of refuge will make this city, now famous the world over as a delightful watering-place, an important commercial city and increase the already rapid growth of country tributary to the prospective harbor. I thank you for what you have very properly done for my district. My people justly deserved it.

The old pioneers of California endured all the hardships, privations, and misery, I might say, of our Revolutionary sires in order that the Golden State might be added to the sisterhood of the Republic. It now forms the western boundary of your finished continent. For forty years we have patiently waited. We willingly contributed to the money of the country $1,200,000,000 in gold, and pay to the Government a revenue of sixteen millions annually. We feel grateful for what you have done for us this session in the way of appropriations for fortifications and public buildings. We invite your attention to the neglected condition of our rivers and harbors, and earnestly appeal to you for justice.

The Mississippi River.

The constitutional power of Congress to make appropriations to restrain its flood waters, as well as to improve its navigation. The obligation of the Federal Government to do both.

SPEECH

OF

HON. NEWTON C. BLANCHARD.

OF LOUISIANA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 22, 1890.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 9486) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. BLANCHARD said:

Mr. CHAIRMAN: If any gentleman desires to speak in opposition to the bill under consideration or to the Mississippi River appropriation in it, I would be glad to yield the floor to such gentleman now, with the understanding that I am to follow after he concludes. If no gentleman desires to speak, then I would ask the indulgence of the House to submit some observations on the Mississippi River and the constitutional power and duty of Congress in reference to it.

Mr. MCADOO. Mr. Chairman, I would like to ask the gentleman from Louisiana a question with reference to a charge that was made in a newspaper published in Jersey City, in my district, with reference to this river and harbor bill. I think there must be some misapprehension about the facts, and I desire to ask the gentleman about it.

Mr. BLANCHARD. I yield to the gentleman from New Jersey for a question.

Mr. MCADOO. I will read an extract from the statement contained in the newspaper referred to:

The bill, unlike previous river and harbor appropriation bills, contains no provision whatever for the work being done by contract, no provision for advertising for bids, no provision for any competition for the work, no limitation of the discretionary power of the War Department in the expenditure of more than $20,000,000. The various jobs which are to consume this vast sum of money may be given by the Secretary of War to any person, no matter whether competent or incompetent, responsible or irresponsible, and without any opportunity afforded to competent and responsible parties to undertake the Government work. As a matter of fact and as everybody knows who is at all familiar with the way in which these things are done, the distribution of this work, the actual administration and control of it all, falls into the hands of the subordinates of the Secretary of War, who are regular-army officers, and they do whatever they please with the work and the money.

The same statement has been sent to several other members of the House, and I had my attention called to it at the time it appeared in this newspaper. I procured a copy of the existing law and compared it with this bill, and I could see no material difference between them in these respects; but I would like to have from the gentleman from Louisiana, the former chairman of the Committee on Rivers and Harbors, a somewhat official avowal as to whether the statement is true or not.

Mr. BLANCHARD. As I caught the averments of the statement read by the gentleman from New Jersey [Mr. MCADOO] I would state unhesitatingly that there is not a particle of truth in any of them.

The money appropriated for river and harbor improvements by this bill, as well as by former bills, is directly under the control in specific terms of the Secretary of War, to be expended under his direction, and all the usual safeguards are thrown around its expenditure. As regards the letting out of the works under contract, there is no inhibition of this in the bill. The work contemplated by these appropriations can be done under contract or under the immediate supervision of the army engineers, as the War Department and the Chief of Engineers may deem most advisable for the interests of the Government.

As to there being jobs in the river and harbor bill, that allegation is made every time a river and harbor bill is presented to Congress for consideration. It is an "old chestnut," which should not disturb the mind of any gentleman, no matter if charged, as it sometimes is, by reputable newspapers.

I am here to state, after an experience of some years of service upon the River and Harbor Committee of the House, that in my opinion no money is expended from which the people derive greater benefit than the money expended in the improvement of the rivers and harbors of the country. You may talk about interstate-commerce laws to regulate the freight charges of railroads, but I believe a judicious river and harbor bill, improving the navigation of our water ways, will do more to solve that problem than a dozen interstate-commerce laws.

Another charge in the newspaper statement referred to by my friend from New Jersey is that this bill differs from previous river and harbor bills in certain material respects. There is nothing in this bill dissimilar from previous river and harbor bills. The bill has been constructed upon the same lines with former bills of a similar character.

But, Mr. Chairman, I rose more particularly to address the House in respect to the Mississippi River.

Mr. ROGERS. Mr. Chairman, I would like to put a question to the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BUCHANAN, of New Jersey. Will it interrupt the gentleman from Louisiana if I ask him now a question on the line he has been discussing?

Mr. BLANCHARD. I yield to the gentleman from New Jersey.

The CHAIRMAN. The gentleman from Arkansas [Mr. ROGERS] addressed the Chair.

Mr. BLANCHARD. Then I yield first to the gentleman from Arkansas, stating to the gentleman from New Jersey that I will yield to him next.

Mr. ROGERS. I simply wished at this time to inquire of the gentleman from Louisiana whether it would be inconvenient for him to divert his attention a moment from the Mississippi River to some other matters of a more local nature before making his remarks on that river. But if he prefers I will desist at this time and address him later.

Mr. BLANCHARD. I would prefer, if it suits the gentleman from Arkansas, to go on for awhile in the submission of such observations as I may care to submit in reference to the Mississippi River appropriation.

I now yield for a moment to the gentleman from New Jersey [Mr. BUCHANAN].

Mr. BUCHANAN, of New Jersey. I wish to ask the gentleman this

question: In the absence of any provision in this bill as to advertising for contracts, etc., would not the provisions of the general statute apply?

Mr. BLANCHARD. They would undoubtedly.

Mr. Chairman, the fact that a great and disastrous flood has recently occurred in the lower valley of the Mississippi River is a sufficient excuse, if excuse were needed, for taking a little time in calling the attention of the House and the country to the Mississippi River. That great river has a way periodically of overflowing its banks, to the great destruction of the property of our citizens and in many instances the destruction of human lives. It is time that the country, time that the Congress of the United States should wake up to the idea that something must be done to harness that great river in order that it may afford not only a safe highway to the commerce and trade of the country, but that there may be a safe and easy passage of its waters to the Gulf. The time has come for the popular sentiment of the country to make itself heard and felt in support of the proposition that the Government of the United States ought to lend its helping hand, not only in the line of the improvement of the channel navigation of the river, but also to control the river with respect to preventing its floods.

Mr. Chairman, the Mississippi River is the great sewer of our country. It drains the waters that fall upon more than twenty-five States of this Union. Even the rain that falls upon the southern portion of the great Empire State of New York finds its way to the Gulf of Mexico through the soil of the State of Louisiana. Steam-boats have penetrated as far as the town of Olean, in the State of New York, away up on the Alleghany River; and beyond it a portion of the rainfall in the northeastern section of the Union pours into the Alleghany River, which in turn pours into the Ohio, which in turn empties into the Mississippi, and then into the Gulf. And from that point, away to the westward, far beyond Fort Benton in Montana—ay, to the tops of the Rocky Mountains—this great drainage basin extends. From the Canadian line on the north to the sun-kissed waves of the Mexican Gulf on the south, the rainfall of nearly one-half the entire northern portion of the American continent finds its way through the State of Louisiana to the sea. We wish you gentlemen who represent the mountain and hill districts of the Northeast, the prairie districts of the North and Northwest, to lend us your helping hand in order that the Mississippi River may safely discharge your surplus waters through the soil of the devoted State of Louisiana.

The Mississippi River, Mr. Chairman, is too great a national feature of our country to be handled by any State or aggregation of States. No other power than that of the National Government is potential enough to take it in hand and make it perform its twofold function of affording a national highway for the commerce of the Republic and of discharging its flood-waters safely into the Gulf of Mexico. If this river drained any one of the great nations of Europe it would long since have had dikes or levees erected along its banks of sufficient height and strength to restrain its floods.

The river is the property of the Federal Government. It is its property in the sense that its jurisdiction over it is paramount to that of the States which border upon it. The States can not say what shall be done with the river or to it, nor how it shall be treated. They are not permitted to divert it or change its course, nor to injure or interfere with its navigation.

I will dwell briefly, Mr. Chairman, on that idea. Suppose Congress should withhold its hand and its money and do nothing towards restraining the flood waters of the river and preventing inundations. In default of such action by the General Government the right of self-preservation arises, and the States and individuals in the valley are themselves entitled to take the matter in hand and resort to such means as they may devise to control the flood discharge of the river for their own protection and for the protection of their property. Suppose, then, that the dwellers in the lower valley of the river, despairing of Congressional action, should resort to the plan of opening innumerable outlets all along the line of the river in every direction available, on the idea advanced by some, but denied by me, that outlets might contribute to preventing disastrous floods. They might so dissipate and scatter the waters of the river by means of these outlets that the navigable character of the great stream might be seriously impaired, if not entirely lost or destroyed. Suppose they were attempting such a thing, would not the strong arm of the Federal Government be extended to prevent it? Would not Congress say "You shall not construct works or so treat the Mississippi River as to destroy its navigable character?" Undoubtedly. When Mr. Jefferson acquired the territory known as Louisiana from France the great and controlling idea actuating that acquisition was that the American Union should control the territory through which flows the Mississippi River, in order that the river might be forever open as a great highway for the commerce of the world.

The United States, then, is interested in preserving the navigable character of the river, and must necessarily check, by legislation or other means, the construction of works that may be designed to destroy or which might have the effect of destroying its navigation. But could the Government do this without, in justice and fairness, assuming the obligation itself of so curbing and restraining the river as to give a safe and easy discharge of its flood waters? The question admits of but one answer. It could not.

Mr. Chairman, what the Federal Government has heretofore done in respect to appropriations for the Mississippi River has been based entirely upon the idea that the money must be used exclusively for the channel improvement of the river. The Government has not expended a dollar except upon the idea that the improvement of the navigation of the river was the direct object. It is true that some $3,000,000 have been expended in ten years by the Mississippi River Commission in co-operation with the States and levee boards in levee-building, but it has been upon the idea, held by a majority of the river commission, that levee-building, which means artificial walls to trail down the flood waters of the river between, is a necessary adjunct to channel improvement. It is time for Congress to go a step further: not only to appropriate money for the purpose of improving the navigation of the river, but also directly for the purpose of preventing its floods; and it is to advocate that idea that I have taken the floor to-day.

Appropriations made by Congress, Mr. Chairman, for this river should not be limited and restricted to works essential alone for the channel navigation of the river. Congress ought to be generous and liberal enough to go further and make appropriations for the lower river, from Cairo to the Gulf, for the object of preventing floods as well as of improving navigation. It has been doubted, sir, in many quarters that there is constitutional authority in Congress to do this. The constitutional authority to appropriate money for purposes of the channel improvement of the river to benefit navigation is not denied under the power in the Constitution to regulate commerce; but it is denied by some that there is any warrant in the Constitution for Congress to go further and appropriate money for the direct purpose of restraining the flood waters of the river.

Mr. OATES. Mr. Chairman, will the gentleman permit an interruption?

Mr. BLANCHARD. Certainly.

Mr. OATES. What would be the difference between appropriating money to improve the channel of the river by other means than that of levees, and appropriating it to improve the river by building levees, if that was, in part, the plan adopted for the improvement of the river?

Mr. BLANCHARD. There would be no difference. The money heretofore expended on the river for the purpose of levee-building to restrain the floods has been based entirely upon the idea, as I have said, that levee-building is a necessary adjunct to channel improvement. But, Mr. Chairman, the restrictive clauses, always attached to the appropriation for the Lower Mississippi River, have fettered the operations of the Mississippi River Commission and prevented them from going as far as they otherwise would go in levee-building, especially at points along the river where levee-construction might have no bearing upon channel improvement, but which was necessary and desirable to prevent inundation.

Mr. Chairman, while somewhat of a strict constructionist of the Constitution, I have no trouble in deducing authority from that instrument justifying Congress in appropriating money for the twofold purpose of improving the navigation of the river and of restraining its flood waters.

Mr. HILL. Will the gentleman yield for a question, as I want to clearly understand the matter?

Mr. BLANCHARD. Certainly.

Mr. HILL. As I understand the argument of the gentleman, it is to this effect, that there are stretches or portions of the navigable part of the river that do not need these embankments or levees for the purpose of navigation.

Mr. BLANCHARD. There may be such stretches in the river.

Mr. HILL. But they do need them for the purpose of protecting the settlers on either side on the land?

Mr. BLANCHARD. Need them to prevent destructive floods. Under the language which is embodied in this bill, and which has always obtained, in respect to the appropriation for the Mississippi River, levees can not be erected except as aids to navigation.

Now, I think it is time for Congress to omit this restrictive clause from appropriations intended for the Mississippi River. That language is this:

> Improving Mississippi River from Head of the Passes to the mouth of the Ohio River, including salaries and traveling expenses of the Mississippi River Commission: Continuing improvement, $2,000,000, which sum shall be expended, under direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission: *Provided*, That no portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands or preventing injury to lands or private property by overflows: *Provided, however*, That the commission is authorized to repair and build levees, if in their judgment it should be done, as part of their plans to afford ease and safety to the navigation and commerce of the river and to deepen the channel.

This language prohibits the expenditure of money for levee construction except as part of the plan of the river commission to afford ease and safety to the navigation and commerce of the river and to deepen the channel. It will be seen that it does not authorize the expenditure of money to prevent the disastrous floods which periodically occur upon the river. I am appealing to Congress to go beyond that. The very

act creating the Mississippi River Commission contemplates that Congress shall go beyond it. The fourth section of that act is as follows:

That it shall be the duty of said commission to take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi River, improve and give ease and safety to the navigation thereof, prevent disastrous floods, and promote and facilitate commerce, trade, and the postal service.

Heretofore, Congress has only carried out in part the letter and spirit of that act. I am pleading that it be now carried out in full. The recent overflow and past overflows have demonstrated that the piecemeal system of levees, which the impoverished States of the South have been enabled only to construct, is not sufficient to prevent the inundations of the great river. A complete levee system is the only means of restraining the flood waters of the river. The trouble with the present levees on the river is that they have not been constructed under any general and continuous system. The Federal Government alone has the power and means to do this. The present levees have been built by piecemeal by the States, local levee boards, and individuals, as best they could.

The people of the State of Louisiana tax themselves in two ways to build levees: one is by a direct State tax, the money raised from which is disbursed under the authority of the State government; the other by a levee district tax. Under the constitution of Louisiana the Legislature of the State is authorized to subdivide the alluvial parts of the State into levee districts with taxing power, and that has been done. Each of these districts levies a tax upon all the taxable property within its limits, and the money thus raised is expended in constructing or repairing levees by the district levee boards. But the State and levee district boards are confined to the territorial limits of the State. They can not go beyond the limits of the State, into the States north of us, and continue the system of levees, even if they had the means to do so. The State of Arkansas has no levee districts, and no tax is levied in that State generally for the construction and repair of levees. In the State of Mississippi they have levee-taxing districts. But the moneys raised by Louisiana and Mississippi and their levee-district boards are not expended on a continuous and connected system of levees constructed on scientific principles, and no power can undertake the construction of such a connected systematic line of levees except the Government of the United States. Hence the necessity and advisability of the Government of the United States undertaking the work.

I said awhile ago, Mr. Chairman, that there was ample constitutional authority for Congress to do this. Let us now examine a little into that question.

INVASION OF AN ENEMY.

An enemy invades us. Our people fly to arms. Points of defense are strengthened. The eye of strategy selects other points to be fortified and defended. Congress votes the money, and immediately long lines of breastworks guard our frontier where attack is apprehended.

But, sir, here is an enemy which comes in the form of raging waters, sweeping down in resistless might from the North upon the sunny valleys of the West and South, bringing devastation, destruction, death. He raids through the country, rioting in ruin, and millions, panic-stricken, flee at his approach, leaving their all to be swallowed up in the wild vortex of destruction. The wasting presence lasts but a couple of months, but in that time there has been a destruction of property, present and prospective, equal in value to many millions of dollars.

Mr. Chairman, it is the duty of Congress to say to these people who have so recently experienced the disasters of inundation that, even as we would erect breastworks on our frontier to repel the threatened invasion of a warlike foe, so will we build levees along the great river to beat back its surging waters, threatening destruction well-nigh equal to what a human enemy could inflict.

But, it may be argued, the delegation of power to Congress to "repel invasions," "to protect the States against invasion," has reference to a human foe. I grant that that is the usual and ordinary meaning or significance given to the term, and it is likely that the framers of the Constitution had in contemplation a human foe when they inserted that clause. The connection, too, in which it is used gives additional weight to that argument. But still the power conferred by the words "repel invasions," by the clause "The United States * * * shall protect each of them (the States) against invasion," is a general one, and might well and reasonably include defending the country against danger or harm of any kind.

Suppose, sir, some monster, like the fabled dragon of ancient times, were to rise up out of the deep and invade the land, spreading devastation, destruction, pestilence, and death around him. Does any one doubt the constitutional power and duty of Congress to "repel" his invasion, to bring the strong arm of the Government to bear against him, to make war upon, and kill and destroy him? I think not. And yet, sir, there are gentlemen on this floor who deny to Congress the power to "repel" the invasion of waters, to throttle this monster of inundation whose periodical visitation of the fairest portion of our country is but the recurring occasion for a perfect carnival of waste, ruin, and rapine.

It is the duty of Congress to protect the States or any one of them against invasion. By "invasion" is meant harm or danger to the Government, the people, the country, threatened by an enemy. An enemy is only to be dreaded because of the suffering, destruction, and death he may inflict. Judged by that standard, was not the recent great overflow in the alluvial basin of the Mississippi "an enemy?" None will deny its potency as an engine of suffering, destruction, and death. Why, then, can not Congress under this clause of the Constitution protect the Valley States against a recurrence of this "invasion" of waters?

Again, it is made the constitutional duty of Congress to protect each of the States, under certain conditions, against "domestic violence." Why not against the violence of domestic waters? I say "domestic waters" for the reason that it is a fact that all the water which seeks an outlet to the sea through the Mississippi is the drainage of the territory of the United States, and in that sense is domestic, as pertaining to home; not foreign.

REGULATING THE PROPERTY OF THE UNITED STATES.

The Constitution (Article IV, section 3) provides—

That Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

In the Gratiot case (14 Peters, 537) the Supreme Court of the United States, construing the above clause, said:

The term "territory" as here used is merely descriptive of one kind of property and is equivalent to the word "lands." And Congress has the same power over it as over any other property belonging to the United States; and this power is vested in Congress without limitation.

In the case of McCulloch *vs.* Maryland (4 Wheaton, 422) the Chief-Justice, as the organ of the court, speaking of this clause of the Constitution and the powers of Congress growing out of it, applies it to Territorial governments and says all admit their constitutionality.

Story says (volume 2, page 228):

No one has ever doubted the authority of Congress to erect Territorial governments within the territory of the United States, under the general language of the clause "to make all needful rules and regulations."

He continues:

The power is not confined to the territory of the United States, but extends to "other property belonging to the United States;" so that it may be applied to the due regulation of all other personal and real property rightfully belonging to the United States. And so it has been constantly understood and acted on.

Now, then, if the Mississippi is the property of the General Government, it is as much subject to "regulation" as the landed property or territory of the United States. And this power to regulate includes curbing, controlling, restraining the river within its own proper metes and bounds by means of levees, dikes, or other works, as Congress may, in its discretion, see proper to adopt; for, in the language of the Gratiot case, "this power is vested in Congress without limitation."

But it may be denied that the Mississippi River is the property of the United States in the sense that Congress may, under the power to regulate, direct the construction of works to restrain its waters within their proper channel. Mr. Chairman, the Mississippi River is a great

NATIONAL HIGHWAY.

It belongs as much to the United States as would a great trunk-line of railroad that had been constructed, stocked, and was being operated by the Government. In the act of Congress enabling the people of Louisiana to form a constitution there is a provision that the State convention shall "pass an ordinance providing that the River Mississippi and the navigable rivers and waters leading into the same or into the Gulf of Mexico shall be common highways and forever free, as well to the inhabitants of the said State as to other citizens of the United States." And in the act for the admission of Louisiana the above provision as to the navigation of the Mississippi is made one of the fundamental conditions of the admission. Similar conditions were likewise imposed upon the admission of the States of Mississippi, Missouri, and Arkansas.

In the case of The United States *vs.* The New Bedford Bridge (Woodbury & Minot's Reports, 421), Mr. Justice Woodbury used the following language:

For purposes of foreign commerce and of that from State to State, the navigable rivers of the whole country seem to me to be within the jurisdiction of the General Government, with all the powers over them for such purposes (whenever they choose to exercise them) which existed previously in the States or now exist with Parliament in England.

In the case of Corfield *vs.* Coryell (4 Washington Circuit Court Reports, 379), Mr. Justice Washington said:

The grant to Congress to regulate commerce on the navigable waters belonging to the several States renders those waters the public property of the United States for all purposes of navigation and commercial intercourse, subject only to Congressional regulation.

And in the case of Gilman *vs.* Philadephia (3 Wallace, 724), it was said:

The power to regulate commerce comprehends the control for that purpose, and to the extent necessary, of all the navigable waters of the United States which are accessible from a State other than those in which they lie. For this purpose they are the public property of the nation and subject to all the requisite legislation of Congress. This necessarily includes the power to keep them open and free from any obstruction to their navigation, interposed by the States or otherwise to remove such obstructions when they exist, and to provide by such sanctions as they may deem proper against the recurrence of the evil and for the punishment of offenders. For these purposes Congress possesses all the powers which existed in the States before the adoption of the national Constitution, and which have always existed in the Parliament in England. It is for Congress to determine when its full power shall be brought into activity and as to the regulations and sanctions which shall be provided.

It can not, therefore, be doubted that the river, for all practical purposes, is the property of the General Government and subject to its "regulation," whether as respects prescribing rules for governing the commerce and traffic which make use of it as a highway, or as respects controlling it in the sense of denying the dominion and jurisdiction of the States or other powers, or as respects preventing the river from rising up out of its customary channel and spreading over the country. It is true the banks of the river and soil under the river belong respectively to the owners of the soil adjacent to the river, but no one will deny to the General Government the right to make use of the banks and soil in the erection of the works requisite to the proper "regulation" of the river for all useful purposes. Should, however, this right be questioned there can be no doubt of the power of the Government in the exercise of the prerogative of eminent domain, to expropriate whatever may be needed for the proper "regulation" of the river.

The law on this subject is universally recognized, as laid down by Bynkershoek, that "this eminent domain may be lawfully exercised whenever public necessity or public utility requires it."

It may be objected by some, Mr. Chairman, that should the Federal Government provide the ways and means for the construction of a levee system for the protection of the alluvial valley of the river, and as an adjunct to the improvement of its navigation, inasmuch as these levees will have to be constructed on the banks over which the jurisdiction of the States respectively extends, contention may arise between the State government and the National Government on this point; that the State government might deny the right of the National Government to control the levees, to protect them after constructing them, and that the question thus raised may become a fruitful source of trouble between the sovereignty vested in the State and that reposing in the Federal Government.

I am not one of those who apprehend that any trouble on this score would ever arise, but as a precautionary measure Congress might, if it sees fit, after having determined upon a levee system, enact that there should be no expenditure of money for such purpose within the territorial limits of a State until the State shall have ceded to the National Government the right to control and protect the public works to be constructed.

The State, Mr. Chairman, which I have the honor to represent in part on the floor of this House has already led off in that direction. In the constitutional convention of Louisiana which convened in 1879, and which framed the organic law under which that State is now governed, I, as a member of the convention and as chairman of its committee on Federal relations, acting on the suggestion of Hon. E. W. Robertson, then a Representative in Congress from the Sixth district of Louisiana and chairman of the House Committee on Levees and Improvements of the Mississippi, reported to the convention the following ordinance, which was adopted and now stands as part of article 215 of the constitution of 1879 of Louisiana, to wit:

> The Federal Government is authorized to make such geological, topographical, hydrographical, and hydrometrical surveys and investigations within the State as may be necessary to carry into effect the act of Congress to provide for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to the headwaters, and to construct and protect such public works and improvements as may be ordered by Congress under the provisions of said act.

Under this article full authority is given the National Government to construct such public works along the Mississippi as Congress may see fit to order, and the control of the same after their construction is ceded to the National Government.

Sir, the State of Louisiana, in incorporating this grant of authority in her organic law, recognized what is now generally conceded, namely, that there is no power competent to handle the questions presented by this great river except that of the Federal Government. No State can do it.

First. Because the work is too vast, too costly for any State through which the river runs to undertake it.

Second. Because any State attempting it would be circumscribed by its own territorial limits.

Third. Because, the river being the property of the United States, Congress alone has power, under the grant to "make all needful rules and regulations respecting the territory or other property belonging to the United States," to say what works shall be done or plans adopted for its regulation.

POST-OFFICES AND POST-ROADS.

Under the authority "to establish post-offices and post-roads" the Government of the United States has established thousands of the former in the alluvial valleys of the Mississippi and its tributaries and provided a perfect network of the latter. Daily over thousands of miles of roadway and railway and waterway in the great valley is the United States mail carried, supplying innumerable post-offices and affording facilities indispensable for the dissemination of intelligence, for the diffusion of the market reports, the crop and commercial reports, and the news generally so absolutely needed for the welfare, the happiness, and the prosperity of the people and the country.

Millions of money, besides great labor and much valuable time, have been expended in building up and perfecting this system, which in the normal state of the country moves with the precision, ease, and regularity of well ordered machinery. But periodically the great river swells up out of its banks and becomes a great inland sea, producing an abnormal condition of affairs and disarranging, stopping, destroying for the time being the postal service, the transportation and delivery of the mails.

On our statute-books, as the enactments of Congress, stand stringent penal laws denouncing penalties against any and all who shall willfully impede, interfere with, or stop the mails, and the courts of the United States hold sittings all over the valley to enforce these laws. But here is a great convulsion of nature, as it were, that stops not one mail, but a thousand, that breaks up not one post-office, but hundreds, and against which the courts and the criminal laws for the protection and security of the mails avail nothing. But to prevent a recurrence of this is the strong arm of the Government powerless? No. Scientific, wise, experienced men, who have made a study of the river and its phenomena, of the laws of its currents, and of the conditions that affect it, say no! They have pointed out how these destructive floods can be avoided, and thus how the mails of the United States, their carriage and delivery, can be protected.

Now, then, does any one doubt that from the authority "to establish post-offices and post-roads" flows not only the power, but the duty to protect them? No reasonable man can doubt it. No lawyer will hesitate for an instant to declare that the power to protect is incidental to the power to establish. The constitutionality of the laws denouncing penalties against the stoppage of or interference with the mails has never been doubted. Yet they were enacted for the protection of the mails and depend for their validity upon the power to protect being incidental to the power to establish. Says the Supreme Court of the United States, in 4 Wheaton, 417:

TO ESTABLISH POST-OFFICES AND POST-ROADS.

> This power is executed by the single act of making the establishment. But from this has been inferred the power and duty of carrying the mail along the post-road from one post-office to another. And from this implied power has again been inferred the right to punish those who steal letters from the post-office or rob the mail. It may be said with some plausibility that the right to carry the mail and to punish those who rob it is not indispensably necessary to the establishment of a post-office and post-road. This right is indeed essential to the beneficial exercise of the power, but not indispensably necessary to its existence.

Yet no one doubts or denies the right or power of the Government to punish the robber of the mails. Now, then, is it not just as legitimate, just as constitutional, to protect against the ravages of the water as against the knavery of the robber?

TO REGULATE COMMERCE.

The power of Congress to regulate commerce includes the regulation of intercourse and navigation. (18 Howard, 421.)

Says Story, volume 2, page 4:

> Commerce undoubtedly is traffic; but it is something more. It is intercourse. It describes the commercial intercourse between nations and parts of nations in all its branches and is regulated by prescribing rules for carrying on that intercourse.

This power to regulate commerce is a very general one, and a wide latitude of construction has been given it.

If a levee system tends, in any appreciable degree, to afford ease and safety to commerce, to intercourse, which is essential to the carrying on of commerce, then an appropriation of money by Congress to construct such a system finds abundant justification in this grant of power.

The Mississippi River Commission, in their report of February 17, 1880, say regarding levees:

> There is no doubt that the levees exert a direct action in deepening the channel and enlarging the bed of the river during those periods of "rise" and "flood," when, by preventing the dispersion of the flood-waters over the adjacent lowlands, either over the river banks or through bayous and other openings, they actually cause the river to rise to a higher level within the river-bed than it would attain if not thus restrained.
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> They give safety and ease to navigation and promote and facilitate commerce and trade by establishing banks or landing places above the reach of floods, upon which produce can be placed while awaiting shipment and where steamboats and other craft can land in time of high water. * * * In a larger sense, as embracing not only beneficial effects upon the channel, but a protection against destructive floods, a levee system is essential, and such a system also promotes and facilitates commerce, trade, and the postal service.

To the same effect are the subsequent reports of the commission and the statements of the individual members thereof before the committees of this House.

Prior to the act creating this commission a board of engineers was appointed on the improvement of the low-water navigation of the river below Cairo, Ill. In their report to the Chief of Engineers, dated January 25, 1879, on the "effect of a permanent levee system on the Mississippi below the mouth of the Ohio River," they say:

> To deal with the question whether there is any connection between levees and facilities for shipping, commerce, and navigation at high stages, we refer to the actual condition of things. We find that throughout all the extension of the Mississippi along which the levee system is practically efficient, and where the marginal lands are generally cleared and cultivated, the levees have been an important aid to commerce. * * * Below the mouth of the Arkansas, as far down as the forts below New Orleans, the levees have been long enough in existence to give evidence of their effect, direct and indirect. Immediately behind them are the cultivated lands, the plantations whence come sugar, cotton, and other valuable staples. To each one of these plantations not only is the levee the protecting agent which renders their cultivation practicable, but

it is during floods the landing-place of the steam-boats, barges, or flat-boats which bring their supplies and carry their productions away.

* * * * * * *

In the lower river, through the regions where the margins are under cultivation, the levees are generally laid close to these margins and afford, as has already been stated, useful facilities for commerce in making practicable the coming alongside of steamers and the receiving of the products of the plantations and discharging freights for the use of the same or for the back country. In ordinary rises the natural banks are not overflowed, but when that happens in "flood" years they (the levees) serve a purpose in still defining the channel.

From testimony like this it can not be doubted that levees aid not only in improving the navigation of the river, but are themselves factors in the giving of ease and safety to commercial intercourse.

If the Federal Government can legitimately spend millions in affording facilities to commerce by improving the low-water navigation of rivers, by parity of reasoning it may just as legitimately spend millions in improving the high-water navigation of rivers like the Mississippi, liable to overflow their banks. And the weight of evidence ten times over is that for the Mississippi and its tributaries a levee system is the most efficient method of improving their high-water navigation.

By the navigation of rivers is meant not alone the passage of steamers and other craft up and down, but in a larger sense it includes likewise facilities for landing along the rivers for the loading and unloading of cargoes, the taking on and putting off of passengers, etc. In other words, it embraces the affording of all needful facilities for intercourse, trade, traffic, and commerce, besides the width, depth, and extent of water requisite for the safe passage of boats.

Again, navigation is only one of the elements of commerce. It is an element of commerce because it affords the means of transporting merchandise and the products of the country, the interchange of which is commerce itself. The river is but an instrument of commerce.

The power to regulate commerce is a power to regulate the instruments of commerce. (Gray vs. Clinton Bridge, 16 American Law Register, 152.)

It extends to the persons who conduct it, as well as to the instruments used. (Cooley vs. Board of Wardens, 12 Howard, 316.)

The commerce of the river and the commerce across the river are both commerce among the States, and may be regulated by Congress, and should be regulated by that body when any regulation is necessary. (16 American Law Register, 154.)

It is now conceded that Congress, under the commercial clause, may regulate railroads. May it not also regulate the Mississippi, a national highway and an instrument which commerce makes use of, so as to prevent it from disturbing the commerce and intercourse going on by rail and by land in its valley?

The term "to regulate commerce" gives the power to restrain the destructive force of the thing used by commerce in its transactions. It is an incongruity to say that Congress, in the exercise of that power, may deepen or enlarge a river, but can not curb its force or exercise restraint over it.

The power "to regulate commerce" necessarily includes protection to commerce. This idea has been acted on from the commencement of the Government. The construction and maintenance all along our coasts of light-houses, beacon-lights, fog-signals, sea-walls, and breakwaters attest this. All are for the protection and convenience of commerce.

The laws of the United States require steam-vessels to pay for the license or privilege to navigate, and the officers manning such vessels are required to pay for the license or privilege of pursuing their respective calling or vocation, such as master, pilot, mate, etc. These vessels engage in the coasting trade as well as in the carrying trade, and Congress is as much under obligations to afford the needful facilities for the transaction of this coasting trade as it is for the transportation of through freights. One of the facilities needed along the Mississippi for the coasting trade is convenient landing-places at all times.

In seasons of flood, these landing-places are supplied by the levees, and, in this sense, levees are but continuing piers or quays. A quay is defined to be a space of ground appropriated to the public use, such use as the convenience of commerce requires. Now, while the levees perform this service, while they furnish these needed conveniences to commerce, should it be objected that, at the same time, they protect the country behind them from overflow? Suppose they do protect private property while performing a public service, should they not be commended all the more for that? Should not that circumstance really be an additional inducement or argument for their construction?

Should not broad and liberal statesmanship, in considering a question of this sort, rather approve of a system which, while subserving the public interests, at the same time affords needed protection to the life and property of the individual? *Salus populi suprema lex.* Sir, protection to private property in some way results from nearly every work of public import. If a street in a town or city be graded, paved, macadamized, the property belonging to individuals on that street experiences an enhancement of value as the result of such improvement.

Every railroad constructed through a country increases the value of the lands adjacent thereto. Every grand, imposing public building erected in this city (Washington) and every park laid out, beautified, adorned, add something to the worth of neighboring private estates.

POLICE POWER OF THE GOVERNMENT.

This question of regulating the Mississippi certainly comes within the general police power of the Government, under which power "persons and property are subjected to all kinds of restraint and burdens in order to secure the general comfort, health, and prosperity of the state." (27 Vt., 149; quoted approvingly in 5 Otto, 471.) In the latter case the Supreme Court, speaking of the deposit in Congress of the power to regulate commerce, say:

What that power is it is difficult to define with sharp precision. It is generally said to extend to making regulations promotive of domestic order, morals, health, and safety. As was said in Thorp vs. The Rutland and Burlington Railroad Company, 27 Vt., 149, it extends to the protection of the lives, limbs, health, comfort, and quiet of all persons, and the protection of all property within the state, according to the maxim, *Sic utere tuo ut alienum non lædas*, which, being of universal application, it must of course be within the range of legislative action to define the mode and manner in which every one may so use his own as not to injure others.

If the Government fails to exercise its police powers to control its property, and this property, like a great river, rises and inundates the country, and great damage to individuals results, the Government is, or ought to be, responsible.

Take the case of an Indian tribe placed by the Government upon a reservation, and over which it exercises jurisdiction and surveillance. From some cause an outbreak occurs. The Indians throw off the restraint they are under, band themselves together, commence hostilities, and raid the surrounding country. For the damage and loss occasioned individuals by such an outbreak the Government has repeatedly acknowledged its liability, and Congress has over and over again appropriated money to make good such losses.

Now, why should it not be equally responsible for losses occasioned by the Mississippi when it in time of flood raids the adjacent country? The Government not only assumes paramount jurisdiction over the river, but asserts a proprietary interest in and to it.

Why, then, should it not be under obligation to restrain and control it, equal to the restraint and control it admits it should exercise over an Indian tribe placed by it upon a reservation?

If a railroad train kills the stock of a man a suit lies to enforce payment of the value of the stock from the company. But the great Mississippi rises, and, by the neglect of the Government to protect its banks by dikes, overflows, causing the destruction of millions in value of property. No suit against the Government can be filed, for this great and free Republic does not permit what the veriest despotisms of foreign lands allow, namely, the general right to its citizens to sue the Government in any court of competent jurisdiction for injuries sustained by the act of commission or omission of the Government.

GENERAL WELFARE.

The first clause of section 8, Article I, of the Constitution prescribed that "Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States."

I agree with the interpretation that the above clause was not intended to invest Congress with the independent and general power "to provide for the general welfare," and that the latter part of the clause, to wit, "to pay the debts and provide for the common defense and general welfare," is but a modification or qualification of the preceding part, namely, "Congress shall have power to lay and collect taxes," etc.

Nothing more was granted by that part ("to pay the debts and provide for the common defense and general welfare") than a power to appropriate the public money raised under the other part ("to lay taxes," etc.).

Said Thomas Jefferson:

To lay taxes to provide for the general welfare of the United States is to lay taxes for the purpose of providing for the general welfare, for the laying of taxes is the power and the general welfare the purpose for which the power is to be exercised. Congress are not to lay taxes *ad libitum* for any purpose they please, but only to pay debts or provide for the welfare of the Union.

Under this interpretation, while a general power to legislate for the "general welfare" is excluded, Congress is still authorized to provide money for the common defense and general welfare, and this is quite broad enough for the practical purpose we have in view. Indeed, the power to lay taxes is in express terms given to provide for the common defense and general welfare. And, as laid down by Story:

It is not pretended that when the tax is laid the specific objects for which it is laid are to be specified or that it is to be solely applied to those objects.

It suffices that all taxes must generally be laid for one or all of three purposes, namely, to pay the debts, to provide for the common defense or the general welfare. And when the money has accumulated in the Treasury from taxes laid for any or all of these purposes, as said by President Monroe in his message of May 4, 1822:

The power of appropriation of the money [by Congress] is coextensive; that is, it may be appropriated to any purpose of the common defense and general welfare.

In other words, if operating under the latter clause, the taxes laid must be applied to some particular measure conducive to the general welfare. Or, as laid down by Story, volume 2, page 162:

The only limitations upon the power [to appropriate money in aid of internal improvements] are those prescribed by the terms of the Constitution, that the objects shall be for the common defense or the general welfare of the Union. The true test—

He continues—

is whether the object be of a local character and local use or whether it be of general benefit to the States. If it be purely local Congress can not constitutionally appropriate money for the object. But if the benefit be general, it matters not whether in point of locality it be in one State or several, whether it be

of large or of small extent, its nature and character determine the right, and Congress may appropriate money in aid of it, for it is then in a just sense for the general welfare.

It is not only right, but the bounden and solemn duty of Congress to advance the safety, happiness, and prosperity of the people and to provide for the general welfare by any and every act of legislation, within constitutional limits, which it may deem to be conducive to those ends. No one, Mr. Chairman, will have the temerity to question the proposition that the protection of the extensive alluvial valley of the Mississippi from destructive floods will be, in the national sense of that term, conducive to the general welfare. Not one State, but a dozen; not a few thousand people, but millions are directly interested and affected for weal or woe according as this protection is extended or withheld. One overflow, as hereinbefore stated, has caused the destruction of many million dollars' worth of property, without taking into consideration the human and animal suffering and death inflicted by it. Does any sane man doubt that providing against the recurrence of such a public calamity is promoting the general welfare?

But it is unnecessary, Mr. Chairman, to dwell upon this. The point is conceded. No man of reflection will gainsay that if it were to the general welfare that we should acquire this territory, as we did, from France, it is equally conducive to the general welfare to preserve it as a habitable, cultivable country. to protect it against relegation to its primeval condition of jungles and swamps. The words of Chief-Justice Bigelow, of Massachusetts, in the case of Talbot vs. Hudson, 24 Law Reports, 228, are here singularly appropriate:

In a broad and comprehensive view * * * everything which tends to enlarge the resources, increase the industrial energies, and promote the productive power of any considerable number of the inhabitants of a section of the state [Union], or which leads to the growth of towns and the creation of new sources for the employment of private capital and labor, indirectly contributes to the general welfare and to the prosperity of the whole community.

Congress has exercised, not without question, it is true, but long enough for acquiescence to take place, the power to lay taxes to protect and encourage domestic manufactures.

This has been and is being done on the ground that it is conducive to the general welfare to protect and encourage domestic manufactures. But it is not one whit more conducive to the general welfare, if as much so, than protecting the finest portion of our country for cultivable purposes is.

Indeed, sir, there are millions of our people who believe that it is not to the general welfare to continue longer the tariff laws for the protection of domestic manufactures. But there are few, if any, who do not admit that it is directly in the line of the public welfare to protect from inundation the magnificent sugar, cotton, corn, rice, and wheat lands of the great Mississippi Basin.

All must admit, Mr. Chairman, that the powers of the Government are limited and that its limits are not to be transcended. But, as was observed by the Supreme Court of the United States in 4 Wheaton, 421, the sound construction of the Constitution must allow the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people.

Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional.—*Ib.*

In McCulloch vs. Maryland (4 Wheaton, 415) Chief-Justice Marshall aptly referred to the Constitution as "intended to endure for ages to come, and consequently to be adapted to the various crises of human affairs."

And in Hunter vs. Martin (1 Wheaton, 304) it was said:

The instrument [Constitution] was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter. * * * Hence its powers are expressed in general terms, leaving the Legislature, from time to time, to adopt its own means to effectuate legitimate objects, and to mold and model the exercise of its powers as its own wisdom and the public interests should require.

Mr. Chairman, when the great Father of Waters, unhindered by an adequate levee system, rises out of its banks and sweeps with resistless might over the valley, a more than crisis, a sad realization of the worst, is upon the people of that unhappy section, and this grievous affliction of one of the members of the body politic in more or less degree disastrously affects the whole. Sir, against the recurrence of the like calamity, national in its effect, we ask the aid of the National Government. We hold that the powers delegated in general terms in the Constitution are broad and comprehensive enough to justify it, that the granting of national aid for such purpose is directly in the line of the effectuation of the legitimate objects of the charter.

Constitutions of government—

Says Story (volume 1, page 655)—

are not to be framed upon a calculation of existing exigencies, but upon a combination of these with the probable exigencies of ages, according to the natural and tried course of human affairs. There ought to be a capacity to provide for future contingencies as they may happen.

That this capacity exists in the Federal Constitution no one will deny. The trials it has undergone, the tests it has been put to and triumphantly emerged from, in the hundred years of its existence, abundantly attest it. Let this Congress, Mr. Chairman, give another evidence of this capacity by providing against the contingency of another great overflow; let this provision be ample and unrestricted; let it meet the case.

Mr. WILLIAMS, of Ohio. Before the gentleman from Louisiana sits down I would like to hear his views upon the question of the possibility of controlling the Mississippi River.

Mr. BLANCHARD. Mr. Chairman, the Mississippi River Commission unanimously declare that so far as preventing floods on the river is concerned a complete and perfect system of levees is the only method that will serve that end. They unhesitatingly condemn what is called the outlet system. This is the conclusion they have reached after years of study of the river. Recently in the Senate of the United States an impromptu discussion of the plan of improvement of the Mississippi River adopted by the river commission sprang up, and it was stated by a distinguished Senator from a Southwestern State that the levee system had proven a failure, not only upon the Mississippi River, but also upon rivers in the Old World, and he named the river Po in Europe and the Yellow River in China. He stated that levee construction upon the banks of those rivers, maintained for long periods of time, had had the effect of causing the bed or bottom of the river to rise, and consequently producing more disastrous floods than before.

As regards the Po, this statement rests upon the declaration of De Prony, a European engineer of note. But his theory was completely demolished by the investigations made by Lombardini, the great Italian hydraulic engineer, who proved conclusively that the bed of the Po had not been raised at all through two centuries of levee construction and maintenance on its banks.

As respects the Yellow River, I have been unable to find any sufficient authority upon which this statement rests. A writer on China, by the name of Williams, makes mention of something of this kind, but does not support it by sufficient facts or reasoning.

The CHAIRMAN. The gentleman's hour has expired.

Mr. BLANCHARD. I ask unanimous consent to proceed further.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to proceed, for how much longer time?

Mr. BLANCHARD. To finish my remarks.

The CHAIRMAN. The gentleman asks unanimous consent for an indefinite extension of his time.

Mr. KERR, of Iowa. Before consent is given I would like to know how much time is to be allowed for the discussion of this bill.

Several MEMBERS (to Mr. KERR, of Iowa). Oh, let him go on.

Mr. BLANCHARD. I will not occupy much longer time.

The CHAIRMAN. The Chair hears no objection.

Mr. BLANCHARD. Mr. Chairman, levee construction as a means of preventing floods upon rivers is of very ancient origin. Semiramis, Queen of Assyria, erected dikes along the Euphrates to prevent the lowlands from being inundated, and Nitocris faced the banks of that great river with burned bricks in order to protect the sides of the channel from abrasion.

Most of the rivers of Europe have been diked or leveed as a preventive against floods. The Po, the Rhine, the Vistula, the Arno, the Scheldt, the Meuse, and others are thus leveed, and in consequence a disastrous inundation in Europe is now a thing of rare occurrence. Some of the works on these rivers are of great magnitude. Upon the Vistula, for instance, the levees are 20 feet high and as many broad at the top. The outlet system is not resorted to in Europe as a means of preventing floods. Outlets have been tried in the silt-bearing streams of that continent and discarded. The division formerly made of the Po at Buondeno was abandoned in the year 1839.

Robinson in his Theory of Rivers states that in the year 1600 the waters of the Panaro, a river of nearly equal size with the Po, were joined with those of the latter, and that in 1720 another river, almost as large, the Rheno, was diverted from its former course and made to flow into the Po. In both instances much alarm was felt by the dwellers in the valley of the Po that this cumulation of waters would result in disastrous overflows. But the reverse was true. The increased volume of water and consequent increased velocity of current caused the Po to deepen and widen its channel, the liability to overflow was greatly diminished, and several extensive marshes, which, prior to that time, could not be reclaimed, were drained and rendered susceptible of habitation and cultivation.

If this be true as to the rivers of Europe, why should it not be true as to the Mississippi River? All the engineers whose sphere of duty brings them in contact with the river say it is true of it.

We hear much of the proposed Lake Borgne outlet from the Mississippi River. This plan is not new. It was examined carefully by Humphreys and Abbot, two United States engineers of long experience and great capacity, who studied the physics and hydraulics of the Mississippi River in 1858 and wrote most intelligently upon it. They rejected the Lake Borgne outlet proposition as altogether inadvisable.

Mr. BUTTERWORTH. Do I understand my friend to say that Humphreys and Abbot in their report condemn the outlet system?

Mr. BLANCHARD. I unhesitatingly say that Humphreys and Abbot in their report condemn the Lake Borgne outlet plan as unadvisable and without merit.

Mr. BUTTERWORTH. But without reference to any particular outlet, will my friend say that in the Humphreys and Abbot report they have decided that the outlet system was not efficacious and desirable? It is fair to say that I was one of the subcommittee appointed in 1883 to investigate this subject, as the gentleman will remember, and I think an examination of the report made by Humphreys and Abbot will not bear out what I understand to be the gentleman's statement with reference to outlets.

Mr. BLANCHARD. Well, Mr. Chairman, the best answer to make to my friend from Ohio is to quote the language of Humphreys and Abbot themselves. Replying to Ellet, who was the earliest writer on the Mississippi River and who advocated outlets as a means of preventing floods, they say:

The task of criticism is always ungrateful, and if this formula had been prepared by an obscure writer it would have remained unnoticed. Coming, however, from an engineer so well known as Mr. Ellet, and furnishing, as it does, the basis upon which rest practical conclusions believed to be most erroneous and most mischievous, it can not be passed by in silence.

Then, after discussing at length the outlet theory, they say:

No further comments are necessary to prepare one to learn that the practical conclusions of Mr. Ellet in reference to protection against the inundations of the Mississippi have been proved to be erroneous by the measurements of this survey.—*Humphreys and Abbot*, edition 1876, pages 227, 228.

The same authors, while acknowledging that, theoretically, outlets of a certain kind might do a certain amount of good, declare absolutely against the practicability of outlets on the Mississippi below Cairo, in the following terms:

Enough has been said to demonstrate with all the certainty of which the subject is capable, the disastrous consequences that must follow the resort to this means of protection [outlets].—*Humphreys and Abbot*, edition 1876, page 428.

And in reference to the treatment which should be applied to the river to prevent floods they use the following language:

RECOMMENDATIONS.

"*An organized levee system must be depended upon for protection against floods in the Mississippi Valley.*—The preceding discussion of the different plans of protection has been so elaborate and the conclusions adopted have been so well established that little remains to be said under the head of recommendations.

It has been demonstrated that no advantage can be derived either from diverting tributaries or constructing reservoirs, and that the plans of cut-offs and of new or enlarged outlets to the Gulf are too costly and too dangerous to be attempted. The plan of levees, on the contrary, which has always recommended itself by its simplicity and its direct repayment of investments, may be relied upon for protecting all the alluvial bottom lands liable to inundation below Cape Girardeau. The work, it is true, will be extensive and costly, and will exact much more unity of action than has thus far been attained.

It will be thus seen, Mr. Chairman, that Humphreys and Abbot declare against diverting tributaries, against constructing reservoirs, against cut-offs, and against outlets, but give to the levee system, as the means of protecting the alluvial valley from inundation, the sanction of their judgment and approval.

General Barnard, Bayley, Forshey, Albert Stein, and others who have written on the river take the same view. Those mentioned were all accomplished engineers, with large opportunities of observation. Without exception they declared against outlets, both theoretically and practically.

Subsequently Mr. Eads added the results of his labors and great ability to the same side of the question.

Finally, the Mississippi River Commission, after most careful experiments and large experience, find themselves opposed unanimously to outlets and in favor of controlling and confining the flood discharge to the main river or channel.

It is a hydrostatical paradox, uniformly confirmed by experience, that you do not diminish the height of the waters in great floods by lessening the quantity of water.

This is particularly true of our alluvial rivers of the South. It is, of course, acknowledged that the first effect of the withdrawal from the river, with a fall into an open basin, of a considerable part of its volume, will be to produce a lowering of its surface in the vicinity of the outlet. But the systematic improvement of the river and its treatment to prevent floods must be conducted with an intelligent knowledge of and reference to ultimate results. The ultimate result of diverting a considerable portion of the volume of water from the river is to increase its surface level.

At best the relief that an outlet would give would be only local and temporary; local, as certainly not exceeding anywhere 2 or 3 feet, and not extending over a hundred miles of river above the outlet; and temporary, since the inexorable laws of the river would surely in a very few years re-establish the adjustment between discharge, resistance, and slope.

Every break of the river from the main channel causes a lessening of the velocity of the current at and below the outlet, and this decrease of velocity causes a precipitation of sediment or silt in the bottom of the river. No greater uniformity and certainty has marked the results of any of the observations of the Mississippi River Commission than in the decrease of river section below an outlet, and, *vice versa*, its enlargement when the outlet is closed and the former regimen of the river restored.

Humphreys and Abbot, it is true, disputed the proposition that, as the result of an outlet, a bar was formed immediately below the break in the bed of the river; but fuller observations since their time have established its truth. And it stands to reason that, if any considerable portion of the volume of water of a silt-bearing stream is diverted from the main channel, the force of the remainder is diminished, the normal condition of the river at that point is disturbed, and the weakened current is no longer capable of bearing along the load of sand and sediment. A part of it is cast down into the bed, the section of the river is decreased, and a bar or obstruction formed.

Now, Mr. Chairman, relative to this question of the duty of Congress to go further than they have gone in the past and make appropriations not only to improve the navigation of the river, but to prevent its disastrous floods, I wish to call the attention of the House, and especially the attention of my Republican friends, to some utterances on this subject by gentlemen who have occupied very exalted positions in our country at the hands of their party.

Mr. Garfield, in his letter of acceptance of the Presidential nomination of his party, July 10, 1880, made use of this language:

The wisdom of Congress should be invoked to devise some plan by which that great river shall cease to be a terror to those who dwell upon its banks, and by which its shipping may safely carry the industrial products of 25,000,000 of people.

At that time there were 25,000,000 of people in the valley of the Mississippi. To-day 35,000,000 are there.

In a speech on this floor he styled the Mississippi—

The most gigantic, single, natural feature of our continent, far transcending the glory of the ancient Nile or of any other river on the earth.

He further declared that he believed that—

one of the grandest of our material interests—one that is national in the largest material sense—is this great river and its tributaries.

And that—

the statesmanship of America must grapple with the problem of this mighty stream; that it is too vast for any State to handle; too much for any authority less than that of the nation itself to manage.

In his day Mr. Garfield urged upon Congress to do what to-day I am urging it to do: to make a liberal and generous appropriation for the twofold purpose of aiding the navigation of the river and preventing its floods.

President Hayes, in his message of December, 1880, speaking of the Mississippi River and its tributaries, said:

These channels of communication and interchange are the property of the nation. Its jurisdiction is paramount over their waters, and the plainest principles of public interest require their intelligent and careful supervision with a view to their protection, improvement, and the enhancement of their usefulness.

Mr. Arthur, when he was President, sent a message to Congress on April 17, 1882, in which he made use of this language:

The immense loss and widespread suffering of the people dwelling near the river—

Occasioned by the great overflow of that year—

induce me to urge upon Congress the propriety of not only making an appropriation to close the gaps in the levees occasioned by the recent floods, as recommended by the commission, but that Congress should inaugurate measures for the permanent improvement of the navigation of the river and security of the valley.

Mr. Chairman, may not this Congress, Republican in both branches, venture to go as far as was recommended by the last three Republican Presidents preceding the present Executive? I hope so.

On this question of the protection of the magnificent alluvial valley of the Mississippi River from the inundations of that stream, I invoke the considerate judgment of this House and of the country. I have felt it my duty to present this matter at length to Congress in view of the great flood which has recently occurred on the river. I thank the House for its attention. [Loud applause.]

Chickamauga Park.

REMARKS

OF

HON. H. CLAY EVANS,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 28, 1890,

On the bill (H. R. 4617) to establish a national military park.

Mr. EVANS said:

Mr. SPEAKER: The proposed park, beginning at or about what is known as McFarland's Gap, extending due east to Chickamauga River at a point say one-half mile north of Reid's bridge, thence southwardly along the Chickamauga to a point near Lee & Gordon's mills, thence

west to the main road, known as the Dry Valley road, thence northwestwardly to McFarland's Gap, would contain, in my estimation, from 6,000 to 7,000 acres, and would embrace all the territory that was so valiantly and heroically contested for by both armies on the 19th and 20th of September, 1863.

I have been familiar with this territory since 1864; in a general way the property remains in very much the condition it was at that date; the small farms that were under cultivation then have remained so since; some few additional patches have been cleared and added. No improvements of great value have since been put upon the property.

A number on each side of this House were engaged in that great battle, and no doubt many of you have since visited this historic field.

I desire more especially to address my remarks to the subject of the approaches or roads leading to the proposed park.

The county of Hamilton has built a very good road extending from Sherman's Heights—formerly, or in the Army, known as the tunnel of the East Tennessee Railway, being the extreme right of the Confederate army in the battle of Missionary Ridge on the 24th and 25th of November, 1863—nearly the whole distance (about 7 miles) to Rossville Gap—the right of way being 40 feet. I have seen many of the parties living along this roadway, and every one without an exception is willing and desirous of having this roadway widened to 50 feet by donation and transferring the supervision or control of it to the United States. The road now is in first class condition, is one of the favorite drives about Chattanooga, and it being located on or very near the summit of the ridge, and the formation being gravel or chert rock, it is an exceedingly easy roadway to keep in repair. It is easy of drainage, and not subject to washouts by the heavy rains, by reason of its being on the crest of the ridge.

From any point on this roadway one can take in the whole of the valley, from Chickamauga River as it empties into the Tennessee at the point where General Sherman's army crossed the Tennessee on pontoons the night of November 23, 1863, to Lookout Mountain, which was captured by the gallant General Jo Hooker on the morning of November 24, 1863, presenting as it does one of the grandest panoramas, I believe, in the world, overlooking Chattanooga and Lookout Valleys for a distance of 15 miles; taking in at one sweep of the eye the battlefield occupied by the Confederate forces under General Bragg, from the extreme right occupied by Howell's battery of General Pat Cleberne's division of Hardie's scorps, along the ridge passing Dea's Alabama brigade to the Forty-third Tennessee, commanded by General Cheatham; thence to General Bragg's headquarters and on to the extreme left of the Confederates at Rossville Gap; and in the valley immediately in front looking westwardly was the Army of the Cumberland, commanded by General George H. Thomas, occupying the center of theF ederal army, while on his left was the Army of the Tennessee, under the command of General William T. Sherman, and on the right of General Thomas was General Jo Hooker's corps of the Army of the Potomac.

While the view from this splendid roadway now is exceedingly grand and interesting to all, it is intended to make it of far greater interest by erecting tablets or monuments showing the exact locality of each command, brigade, regiment, battery, or organization on the memorable 25th of November, 1863; giving to the Confederate forces the eastern or upper side of the roadway (being the position they occupied) and the Federal army the western or lower side, that being their position as they charged up the hill.

Any part of this roadway is of easy access from Chattanooga by good turnpikes, one leading to Sherman Heights (the right of Bragg's army); the McCallie avenue turnpike reaches the center of the line, about the place occupied by Dea's Alabama brigade, while the Montgomery avenue pike crosses the ridge just south of General Bragg's headquarters, and the fourth leads to Rossville Gap. All these are kept in splendid condition and are free from tolls.

The Union Line Railway runs trains to all points along the base of the ridge from Sherman Heights to Rossville Gap (fare only 5 cents), while the Chattanooga Electric Railway covers much of the territory also along the base of the ridge (same fare), and have a line crossing the ridge about the center of the Confederate battle-line and immediately in front of Orchard Knob. The East Tennessee, Virginia and Georgia Railway runs under Missionary Ridge at Sherman Heights. The Chattanooga, Rome and Columbus Railway runs immediately west of the proposed park from McFarland's Gap to Crawfish Springs, and has established a station west of Snodgrass Hill, called Chickamauga Station. Assurances have also been made by the authorities of the Western and Atlantic Railway that they will build across from a point on their road north of Graysville to the proposed park.

I have occasion to mention these facts to show how easy of access will be the park and its approaches.

I also desire to mention that an historical society has been organized in Chattanooga for the purpose of gathering all facts and information concerning the battles of Chattanooga, Chickamauga, Lookout Mountain, and Missionary Ridge, and this society will, I can assure you, cooperate actively with the officers of the Chickamauga Park Association in all matters of interest to the association.

Trusts.

SPEECH

OF

HON. THOMAS R. STOCKDALE,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 1, 1890.

The House having under consideration the bill (S. 1) to protect trade and commerce against unlawful restraints and monopolies—

Mr. STOCKDALE said:

Mr. SPEAKER: I wish to say a few words upon one of the features of this amendment and on the argument that was made by the gentleman from Massachusetts [Mr. MORSE] strongly against any restraint of, or interference with, the manufacturing interests or manufacturers when they undertake to combine and form pools to prevent competition. Now, I have always understood, and I have the very best authority for the conclusion, if our friends on the other side of the Hall have been in earnest, that one of the great interests the country has had and has in having a high protective tariff is that by competition we would get a reduction in the price of goods. There have been more brains employed in arguing that one proposition in this country probably than upon any other that the Republican party has put forth. We have been told over and over again, all the Republican side concurring, if you will protect the manufacturing interests competition will reduce prices. To day we have a very high authority from the great State of Massachusetts (which claims to be in advance in everything) that you must not throw anything in the way of these manufacturing interests, as well as the railroad interests, when they want to destroy competition. If you do so, says the gentleman from Massachusetts, the manufacturers will make the stove-plate thinner, the iron inferior, and the cloth lighter. To quote him literally, he said:

Now, I want to be sure that this bill means what it says, and that it is not a bill to injure the people. I desire here to call attention to an important business method adopted by many large manufacturers and merchants in this country, an interference with which would work injury to large business interests and the people. There is a practice among manufacturers of proprietary articles known as the "contract system" of selling goods, the intention of which is to fix a fair and living profit to the merchant handling their goods and to prevent cut-throat competition, and so far it may be said to be in restraint of trade. Such restraint, I claim, is in the interests of the consumer. It means 16 ounces in a pound of soap; it means 24 sheets in a quire; it means a high grade and uniform quality of goods, so that a purchaser can know what he is buying and what to depend upon. Very many large manufactories in this country have adopted this method of controlling the price at which their goods shall be sold.

Deny manufacturers this right to control the selling price of their goods and compel them to enter into ruinous competition, and the effect i a constantly deteriorating quality of goods to meet such ruinous competition; deny manufacturers this right, it means adulterated food, adulterated spice; it means short weight and short count to meet the constant demand for cheaper goods that will still afford a profit; deny the stove manufacturers the right to regulate the selling price of their goods, as is the custom of many stove manufacturers now, and it means thinner castings and poorer quality of iron to meet the demand for a cheaper stove that will still afford a profit, and no one will suffer so much as the people who buy the goods. So far as I know, the manufacturers of this country who have adopted this system of selling their goods have fixed a fair living profit only on their products, and require the merchant, in order to secure the bottom price, to sign an agreement that he will sell at such living profit; and this arrangement, I claim for the reasons I have stated, is for the interest of the manufacturer, the merchant, and the consumer.

So far as this bill does what its friends claim for it, namely, so far as it suppresses unlawful combinations concerning the necessities of life, so far as it will suppress great combinations that oppress the people, like the Standard Oil Company, like the beef trust in Chicago, like the sugar trust in New York, I believe in so much of this bill, but if it proposes to deny to manufacturers and merchants the right to control the price at which their goods shall be sold, the right to say they shall not enter into ruinous competition, the right to exact a fair and living profit on the sale of their goods by the merchant who handles them, it will be unwise legislation and injurious to the manufacturer, to the merchant, to the consumer, and the whole people, and strike a blow at the business interests of the country, because it will violate a sound business principle, "to live and let live."

That is, by this amendment, you undertake to say we shall have this great blessing, and the Republican party has for many years proclaimed it an inestimable blessing, that protection will make competition and competition will make low prices, and thereby throw anything in the way of the manufacturers in their attempts to destroy that competition from which we are to receive these great blessings, they will beat us in the end, and swindle you by making the stove-plates thinner, the iron inferior, and the cloth lighter. [Laughter on the Democratic side.]

I do insist, Mr. Speaker, that if this great blessing, so much talked about by the gentlemen who surround and support the great apostle of protection from the State of Ohio, Mr. MCKINLEY, as well as himself, is about to burst upon us, let it come and come now, for if it be a blessing, and they say it is a great blessing to the nation, if not to all the nations, for it has been in disguise for a hundred years, and is to those not manufacturers only a matter of faith, I say then we should have nothing to interfere with this boon. I charge it upon my friend from Missouri, Mr. BLAND, to see that its coming be not interfered

with. We must have competition, for God knows that is the only thing in the protective-tariff bill from which we can expect anything.

Now, then, the same thing applies to railroads. If they want to compete why not let them? Why not prevent any party or combination of people destroying this competition that I can prove by one hundred and sixty gentlemen on that side to be the greatest blessing this country ever had. They will not dispute that authority. Now, that competition has come, to some extent at least, and a glimmer of danger to them and of hope to the consumer, that the long-promised result of cheaper goods might be in some measure accomplished in the future. The quick eye of New England descried a menace to her interests in her own offspring, and her alert intellect soon invented a remedy. She never has been found lacking in inventions, either in mechanics or schemes.

For three-quarters of a century Eastern manufacturers have made use of the patriotism of the American people as a lullaby to complaints of extortion with marvelous success. They have treated it as a commodity, to be dealt in as other elements of trade.

The siren sung in dulcet notes into the ears of the patriotic, unsuspecting, and sometimes unlettered people that the interests, yea, the very safety, of the Republic required that manufactories should be built up and sustained and mines developed, so that in case of war with European powers America could make her own goods and implements and arms, and that as soon as that great end should be attained, as soon as our infant industries should be fostered into strength, these admittedly unjust burdens should be lifted from the shoulders of the people and they allowed to straighten up and inhale a free breath of untaxed air. The burdened people with heroic patience submitted to the load and continued to view with pride and hope the marvelous growth of the manufacturing industries and the tremendous output of our mines.

The people themselves with bounding ambition and dauntless energy subdued the wild earth and grew strong and rich; so that what was in the beginning a grievous burden was light on the sturdy shoulders of the now stalwart nation, and contentment prevailed, when the war between the States unfortunately intervened. Then the wildest protection schemes dwindled into insignificance in presence of the colossal proportions of the taxing schemes then deemed necessary for revenue only.

The patriotism of the people was again appealed to and promptly responded. Plans of taxation were then indorsed that all admitted would not be tolerated in times of peace.

While public attention was absorbed the cool-headed, calculating manufacturer advanced his goods to fabulous prices. The crafty money speculator manipulated the necessities of the Government. Manufactories increased many-fold; the pauper laborers of Europe flocked in groups of thousands to our shores to engage in them.

After awhile that war ceased leaving all these immense appliances for which peace had no need, in full operation, and those feverish laws upon the statute-books.

The banking-houses of the manufacturers, the coffers of the money-changers, and the depositories of the speculators were crammed with the money and bonds of the Government obtained as depreciated currency at from 20 to 60 per cent. below a coin basis, and largely paid for in goods at from 50 to 200 per cent. above their real value, making these immense possessions in many instances cost their owners about 20 to 25 cents on the dollar.

It was confidently expected by the masses of the people that with the return of peace the rigid revenue laws would be relaxed, but these great financiers had laid the net while the unwary were intent upon triumph in the great struggle to prevent the division of the Union, and it was now being drawn with skillful hands.

The statutes levying taxes to meet the demands of war, remaining in time of peace, enabled the manufacturer to add millions to the colossal fortunes already accumulated under the cover of war, and that was enough to commend it, and they set their sharp wits to work to prevent any remedial legislation. They and the other holders of Government money put their combined skill to work to compel the Government to pay the currency (which the then owners had aided to depreciate in order to buy it) in coin. In that scheme they were successful by a skillful manipulation of the inflamed condition of the public mind, which they also regarded as a commodity.

This unexampled success gave them unbounded confidence in their power to handle the Government, as well it might, and they undertook and accomplished stealthily, it is charged, the feat of demonetizing silver, thereby increasing the value of those ill-gotten fortunes by destroying half the means the people had to pay their claims and by the same act increased the value of gold, which they also held, so that they, at the same time, held immense claims against the Government, which means against the people, and had in their possession the only means of paying their claims, and had their business interests environed by laws that prevented the people from purchasing goods anywhere except from them—laws, in the execution of which the Government, for every dollar of revenue it collects for its own use, compels the people to pay to the manufacturer at least $6 in excess of the real value of his goods, for the same goods can be purchased a few miles out at sea on board any vessel, or a few feet across the Canada line, for more than $6 less.

I will insert in my remarks a short table to illustrate this. It is shown by the statistics that the American people purchase eight times more American-made goods than they do of foreign-made goods.

Let us take, for example, a laboring man who desires to purchase his family supplies that will cost him in the present market	$135.00
One-ninth of which, perhaps, would be foreign-made and imported goods and the balance would be American-made goods. If there were no tariff laws, so that he could buy where he pleased, that portion of his purchase made abroad would cost him	10.00
And that portion of American-made goods would cost him	80.00
In all	90.00
Forty-five dollars less than it does now—and that is a very moderate estimate—and the manufacturers would make money then; but the Government imposes a duty of 50 per cent. on the imported goods, which makes the imported part of his purchase cost	15.00
The man would say, "I can afford that; the Government must have revenue." But the American manufacturer immediately raises the price of his goods 50 per cent., and that raises the American-made portion of the purchase $40, and makes it cost	120.00
In all	135.00

In that purchase he pays to the Government $5 and to the manufacturer $40. For every one to the Government eight to the manufacturer. But, say the manufacturer, to insure the sale of his goods, only raises his price 40 per cent., leaving them 10 per cent. below what the importer can sell at after paying the duty. Then the purchaser would pay the manufacturer in excess of the real value of his goods $32, and to the Government $5, or $6.40 to the manufacturer for every dollar the Government gets. This laboring man would save many a drop of sweat and often tired limbs, and yet have something with which to purchase a book, if the Government would but take the $5 and let the citizen keep the $32. This the Government could do and still factories and mines make money.

How do I know that? I know it because these same manufacturers do sell their goods in foreign markets where there is no protection and make money on them. They will ship these same goods to England and France, and pay the freight, and sell them there to an Englishman or Frenchman for $32 less than they will sell them to the American laboring man I have described.

These manufacturers are enabled to commit that fraud by means of the laws enacted by Congress, and only by that means. I say the government that does it commits an act of oppression and despotism that should shame a Republic, as such an act ought and I believe would shame the most despotic government in Europe.

By this vicious system of legislation, made up warp and woof of dishonest schemes woven and wielded by that mailed hand that never relents at human suffering and never hesitates at injustice when gain is in the balance, these associations of aggregated wealth were enabled to say to the American people, who imagine themselves free, "We hold your bonds, good and valid mortgages on all your lands; they cost us 20 to 50 cents on the dollar, thanks to our keener wits in manipulating the necessities of the Government while its fate hung in the balance. We will make you pay us 100 cents on the dollar in coin, thanks to our own wits again in manipulating legislation.

"In your simplicity you suppose you have the right to pay this great debt in silver, and hope that the great mines of the country will furnish enough to accomplish that great feat; but we now inform you that by our magic touch that silver has become as Dead Sea fruit in your hands. No matter. And yet we demand the bond. You shall pay every ducat in gold. That gold we have, and you can get it only at our price; and we will compel you to get it or become our tenants." So spoke the money-changers.

When the people, alarmed at their condition, undertook to economize in order to be able to meet these exorbitant demands, and undertook to do what nearly all free people except Americans can do, purchase supplies in the markets of the world for reasonable prices, cheap clothes in which to toil for these new and hard taskmasters, they found the way blockaded by another branch of the combination, the manufacturers. They laughed in derision in the faces of the people who were and are enmeshed in a network of unjust and discriminating laws, maintained purely in the interest of a privileged and preferred class.

True, the people of the West and South, feeling outraged at the clandestine demonetization of silver, clamored to such an extent as to compel a reluctant consent to partial restoration of silver to the coinage, but by that time those same fellows had the silver to a great extent. In that condition there was but one course for the land-owner to pur-

sue, to wit: mortgage his land to secure a debt he was not able to pay. The owners of the money fixed the rate of interest, a condition from which a farmer seldom escapes. Mortgaged farms are increasing in numbers. The system is stealthily spreading. Extravagant and cruel taxation piled millions into the Treasury, not needed and therefore dishonestly there.

Schemes of extravagant expenditure were invented to put that surplus out of the way so that more might be collected under the plan that puts $6 into the pockets of the manufacturer whenever it puts one in the Treasury. It is not wonderful that these men want the Government to collect a surplus of forty millions and then waste it and collect forty more the next year, when by that operation they put two hundred and forty millions in their own pockets annually over and above what an honest administration of even the present unjust laws would give them.

And it is not even strange that, amid the financial depression caused by the legislation brought about and created and maintained by the moneyed men of the country, capital accumulated in their hands should run away from investment that would be subject to extortionate taxation and seek investment in the untaxed bonds so eagerly as to put them to 28½ cents premium.

What a spectacle of imbecility this Government does present before its own people and the world. It is paying 28½ per cent. premium on its own bonds, purely to get the surplus revenues that it wrung from its own people out of the Treasury, and in twelve months from this time the Government will have to borrow money to pay the 4½ per cent. bonds, for by the time they mature this Republican Administration will have increased the expenses of the Government beyond its income even at its present exorbitant rates of taxation.

There is method in the madness, however. It is greatly to the interest of the creditor and moneyed class that the bonds of 1891 be not paid, but renewed and extended. Government bonds afford the safest investment and the grandest opportunities for speculation known to the country. It is important, also, to have as little coin as possible in the country when those bonds mature. There is very little gold in circulation among the people. What is not in the United States Treasury is in the hands of the money speculators. If silver coin is driven from circulation the price of gold will increase. The men who own the money want to make money dear, as the manufacturers want dear goods. The property-owners want cheap money and cheap goods.

The whole tariff system is purely to prevent competition, competition between Americans and English or French or Germans. Our manufacturers acknowledge themselves inferior in business capacity to all of them. The McKinley bill seeks to raise the tariff, so that our manufacturers may raise their goods still higher and exclude imports altogether in some instances.

The cry has been rung in the ears of the American people for a hundred years that Americans can not compete with other people and the Government must keep other people out. Our manufacturers who demand protection to the exclusion of foreign goods by that act acknowledge that they have not the capacity to cope with other people or that they are dishonest enough to extort from the poor, and that admits that the tariff law that excludes from our ports altogether foreign goods is either a nurse for imbeciles or a guard for rogues.

It was an ingenious argument that members of Congress resorted to when they announced the doctrine of protection for the sake of protection, that competition among our manufacturers would reduce prices. It was specious, because the enormous profits that high tariffs yielded manufacturing attracted investment and caused other factories to be built. But the ludicrous part of it was to see gentlemen on this floor proclaiming it with rigid muscles, bulging eyes, and swelling veins, as if they believed, and perhaps they did believe, that the manufacturers who had dominated the country for many years with tariff laws framed solely to prevent competition would acquiesce in that idea. And I have no doubt those lordly manufacturers had many a good laugh over their wine and snails at the performances here and at the people whom they deceived.

When competition did begin to have the effect predicted by these Sir Knights, it was no difficult task for gentlemen who had lived long and grown rich on schemes to circumvent that result. So the railroads formed pools, the manufacturers and miners combines and trusts, and the thing was accomplished. The people demanded supervision of railroads, and Congress was driven to pass the law, and that problem is being worked out. And Congress has been again driven to take some steps against trusts and combines. But when my friend from Missouri [Mr. BLAND], the ever alert champion of the people's rights, presents this amendment to guard against combines and trusts, intended to destroy competition, we are confronted with the manufacturers themselves who have come here to see to their own business, to see to it that this competition, which makes prices reasonable, and which they hate for that reason, and denounce as ruinous, shall not be allowed.

A thing they regard as their enemy they have a right to destroy. So we have this day had our eyes opened by the gentleman from Massachusetts, that all these earnest promises of gentlemen on this floor about competition were unauthorized. They are here themselves to brush aside this masquerading before the country and to announce that competition is ruinous, and if we do not allow them to throttle it and destroy it they would accomplish the same thing by a system of deception and fraud, even to the adulteration of food.

It is an appeal to Congress to save their morals by allowing them to destroy competition, because if you do not they will be compelled to adopt a regular system of swindling the people, and the people have great confidence in their ability to do what they undertake.

Hennepin Canal.

REMARKS

OF

HON. BYRON M. CUTCHEON,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 24, 1890.

The House being in Committee of the Whole and having under consideration the river and harbor appropriation bill—

Mr. CUTCHEON said:

Mr. CHAIRMAN: I hope the amendment will not prevail. I look upon the construction of this water way to connect Lake Michigan with the Mississippi as a great national work. Not only so, but one of the greatest and most important national works that this Government has ever entered upon.

This discussion divides itself naturally into two branches: First, have we the power to do it and, second, is it expedient, if we have the power?

First, as to the question of power under the Constitution.

I suggest that there are three different provisions of the Constitution, at least, under which that power may be determined to exist in Congress, and I call your attention first to the power conferred under section 8 of Article I, which provides that—

> Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States, * * * and to regulate commerce with foreign nations and among the several States and with the Indian tribes.

First, Mr. Chairman, we have power to provide for the common defense. It is well known that under the treaty of 1817 with Great Britain we bound ourselves not to maintain a navy on the Great Lakes. We are keeping now one gunboat on Lake Ontario, and a single gunboat, carrying an 18-pounder, for the whole of the Upper Lakes. From the standpoint of the common defense, then, we have the power to construct this water way in order that naval vessels by passing up the Mississippi River may find entrance into the Upper Lakes to protect our frontier there and our commerce on the lakes.

Mr. POST. I would like to inquire how they could get into the lakes from the Mississippi.

Mr. CUTCHEON. We will find a way. There are various methods. The natural way would be through the Illinois River.

Mr. POST. The House on yesterday refused to survey the Illinois River for an improvement——

Mr. CUTCHEON. I must decline to be further interrupted. I have but a brief time.

Mr. Chairman, the lines of commerce on this continent run east and west. They do not to any great extent run north and south. The grain fields of the West seek the East upon parallel lines. They do not run north and south.

Mr. BLANCHARD. I beg the gentleman's pardon; a considerable portion of them do go south.

Mr. CUTCHEON. Some do, of course, where they have water ways, but the general rule is that they seek east and west lines, and, on the other hand, the manufactures of the East find their way on the same lines to the West. That is the law which governs our commerce.

Second, under the clause of the Constitution to regulate commerce adequate power is conferred on Congress to construct this great work, and I apprehend that, while there is nothing in the Constitution specifically about canals, yet this power exists. But, Mr. Chairman, neither is there anything in the Constitution about railways. When the Constitution was framed there were no railways. They had not yet been conceived in the mind of man, neither were there canals. But the Constitution gives all the powers necessary to carry out its manifest purpose to foster and regulate commerce. There is nothing about light-houses in the Constitution, and yet we have lined the shores of our country with light-houses; nothing about life-saving stations, and yet we have life-saving stations all along the coast; nor is there anything about harbors, and yet we have expended millions and hundreds of millions for the construction of our great harbors on all our coasts.

Third, the power exists under the "general welfare" clause. If the fostering and increasing of the means of communication between the several States tend to the general welfare of the Union, then that gives

the jurisdiction to Congress to make this connection between these great water ways. We have the power. The second question is, is it expedient to exercise the power?

Can any one doubt the expediency of opening this outlet from the great chain of lakes to the valley of the Mississippi?

As a matter of national defense it should be done. Our naval power would be doubled. Niagara Falls would be abolished. A fleet of gunboats could pass from the Gulf to the Lakes or from the Lakes to the Gulf. The farmer west of the Mississippi would find an outlet either to the Gulf or to the Lakes. His products would be worth more because he would have a choice of markets and cheaper transportation.

Of the power there can be no question, of the expediency there can be no doubt.

The interests of peace and the requirements of war alike demand it, and this work should be undertaken, prosecuted, and completed.

McDuffie vs. Turpin.

SPEECH

OF

HON. ROBERT P. C. WILSON,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 4, 1890.

The House having under consideration the contested-election case of McDuffie vs. Turpin, from the Fourth Congressional district of Alabama—

Mr. WILSON, of Missouri, said:

Mr. SPEAKER: I very much fear it will be out of my power to add anything to this discussion which will tend to impress upon my friends on the other side of the Chamber the gravity of the issues involved and to persuade them for once at least, in an election case, to give it a patient and attentive hearing and be controlled by the law and the evidence in making up their judgment. This case is now being heard on the theory that Alabama is equally sovereign with Massachusetts or Illinois and has the same right to prescribe the mode and manner of elections as any of the States of the Union.

In determining the rights of the parties the laws of the States should govern as to the mode and manner of elections, and the ordinary rules of evidence should be observed. Under these rules the burden of proof rests upon McDuffie, the contestant, to show a better title to the office of Congressman from the Fourth District of Alabama than he who now occupies his seat as the Representative from that district by the authority of a certificate, bearing upon it the broad seal of that State, declaring him the choice of a majority of more than 13,000 people of the Fourth district. Amazing, however, as it may appear, the majority of the Committee on Elections come here with a report not only overturning that majority, but actually figuring out a majority of nearly 5,000 on the other side. Now is this to be believed? If so, it presents one of the most remarkable cases known to the history of contests in this House. I assert that the law and the facts developed in this case do not bear the committee out in its conclusions. Although I grant that at first blush the majority of Mr. Turpin seems unusually large, yet it is easily accounted for if gentlemen will give the evidence in the case that scrutiny its importance demands at their hands, as judges or jurors called to consider a matter of this importance.

The minority of the committee in their investigations were very careful to give the benefit of every doubt to the contestant; in every instance in going through the various beats in the five counties of the district they have endeavored to disregard every technicality and give to the contestant the full measure of every claim having a color of merit. The result was Mr. Turpin's majority has been reduced 4,000 votes, though strictly and technically speaking he might well assert a claim to the whole majority returned for him by the legally qualified election officers in that district. How does the committee sweep away this majority? What modes and methods control them in transforming 13,000 majority for Turpin into 5,000 majority for McDuffie? It would seem that this wonderful transformation could not be brought about otherwise than by magic. Were they controlled by the laws of the sovereign State of Alabama? No, sir! Were they governed in their judgment in this matter by the ordinary rules of law and evidence as laid down by McCrary and Payne and in the various decisions of the courts bearing upon contested elections in weighing the evidence taken in this case? No, sir! Had they done so the judgment of the committee would have been unanimous in favor of the legally elected Representative of the Fourth district of Alabama, who now so ably and worthily occupies the contested seat.

Casting aside all the restraints of the rules of evidence, they proceeded to try this case upon the census of ten years ago, and, discovering from that census that the blacks largely predominated in that district and assuming that the Republicans, having freed the negroes and given them the elective franchise, really owned them, and of course their votes, it proceeded accordingly to make every black skin cover a Republican vote in the count. They generously conceded the right, however, of a few, very few of the black men to be Democrats. The argument and action predicated upon it, and the employment of the census, in the determination of the right of a member to a seat, as seems to have been done here, is simply monstrous. According to that doctrine, in a district having a majority of whites, though a colored man claiming to be a Republican should be returned according to law as elected, he is not entitled to his seat; and, on the other hand, in a district where the majority is colored, no white man claiming to be a Democrat can hold a seat, though he may have received a large majority according to the laws of the State in which the election might be held, as in this case.

I say this is simply outrageous, and should not, in this body, be tolerated, but meet the sternest condemnation. If this doctrine is to prevail, what is the use of holding elections, especially in the Southern States? Why not avoid all the trouble, excitement, expense, and bad blood attendant upon the elections in those States, and candidly say in a formal way to the white people of the South Your business is to pay taxes, to build school-houses for and educate our political slaves, and bear your proportion of the enormous taxes laid upon the people by the Republican Congress, but those of you whose lots are cast in districts where there are majorities of black men need not trouble yourselves about who shall represent you in Congress; we will appoint them at the proper time to suit ourselves, according to the census returns. I submit, Mr. Speaker, this would be the manlier course.

But I am here to deny that the color line is still intact in the old slave States. I denounce as untrue the claim that the black men of the South and the old slave States are the property of the Republican party and the assumption that the colored men are the abject and willing political slaves of the old carpet-bagger and the scallawag, roaming around on the hunt for office, with commissions from the Republican party in their pockets. The blight of slavery was removed from the old slave States more than a quarter of a century ago. With infinite sacrifice and wonderful energy the white people of those States have not only repaired, in a great measure, their incalculable losses, but have made generous provision for the free education of the black as well as for the white, and to-day the former stand upon a different and higher plane than they did when the Republican party beguiled them with the idea that it had alone fought the war which resulted in their enfranchisement and sought to take a political mortgage on their votes for ninety-nine years. Thousands of them in every Congressional district in the South resent the impudent claims of ownership advanced by that party and range themselves, as they did in this case, with their old neighbors and only true friends, those with whom they were born and raised.

The undisputed rule of law is, that in the trial of all cases, including those of contested elections, each party should be compelled to produce the highest and best evidence attainable. The character of evidence just indicated is the returns of the elections made up by the election officers appointed by virtue of the statutes of Alabama. Unless fraud is clearly shown in the conduct of those officers, there is no warranty for the report of the majority. The highest authority we have on contested elections, Judge McCrary, says in section 440:

> But of course the parol evidence offered to set aside a return on the ground of fraud must be such as to establish the fraud or mistake in the reception and deposit or in the count or return of the votes. The official acts of sworn officers are presumed to be honest and correct until the contrary is made to appear. It has accordingly been held that a return can not be set aside upon proof that a recount made by unauthorized persons some time after the official count had been made showed a different result from official count. This was upon the ground that the count made by sworn officers immediately on the closing of the polls was better evidence of the true result than a count made by interested parties not sworn at a subsequent period after the result of the official count had been made known. Such evidence comes far short of establishing either fraud or mistake in official count. Cites Gooding *vs.* Wilson, 42d Cong.

In section 303 he lays down the doctrine that in order to reject a poll or return "it must appear that the conduct of the election officers has been such as to destroy the integrity of their returns and avoid the *prima facies* which they ought to bear as evidence before they can be set aside and other proof demanded of true state of vote."

I assert nothing has been proven against the officers of the election in this case; that there is nothing in their official conduct to justify the conclusion that the officers were guilty of such fraudulent practices as would authorize the resort to outside evidence for the purpose of setting aside the returns of the election. But how do our friends proceed to justify their extraordinary action in ignoring the lawful returns? How do they overrule and set aside the *prima facie* case in carrying out the census plan; by what character of evidence? It is by stationing one or two colored men from fifty to one hundred and fifty yards away from the polls to give out contestant's tickets; another takes a list of the voters; the ticket-peddlers say they gave out 500 tickets, for instance; the man with the list says he got the names of all who got tickets; all then join in saying the faithful 500 went up and voted them, when in many instances they could not see the polling places from where they were standing, and in no case could they see the ballots in the hands of the judges or inspectors of election. By such miserable methods do

they seek to nullify the laws of a State and disfranchise the people comprising the fourth district of Alabama. I declare, Mr. Speaker, there is not a court of record in the United States that would tolerate for a moment the idea of such testimony being received in the trial of the most trivial case; there is not a respectable justice of the peace in Illinois or Missouri, in Iowa or Michigan, or elsewhere, who would not hoot out of his court the offer of such evidence. I am amazed at my friends of the majority, able lawyers as they are.

One of the main grounds of complaint, and which in the opinion of the committee bristles with badges of fraud, is in the appointment of judges of election, inspectors of election, as they are termed by the laws of Alabama. It is intimated that Mr. Turpin was instrumental in bringing about a change of judges in Lowndes County, for a fraudulent purpose, and to prove this, Judge A. E. Coffee is put upon the stand and in this connection testifies as follows:

Q. At what time or about what time did you make said appointment of said inspectors?

A. About the 25th or 26th of September, 1888.

Q. If there was any other appointments made of the inspectors by your board or any change made in said appointments, state about when that was done, to the best of your recollection.

A. The board of supervisors met again about ten days after the appointment of the inspectors and revised the list, making a number of changes.

Q. At whose instance or request was this second meeting of the board and at whose instance or for what reason were those changes made? Please state fully and particularly.

A. The sheriff and one of the Republican inspectors and other gentlemen, whose names I can not remember now, informed me that a number of the Republican inspectors who had been appointed declined to serve as such inspectors, on the grounds that they were school teachers and did not want to mix up in politics, and the board of supervisors was called together to remedy this defect in the list of inspectors.

Q. Was there no other reason or excuse made by those persons who communicated those facts to you why those changes should be made? If so, what reason or excuse was given by them? Please state fully.

A. No other motive prompted me to make the changes except as above stated.

Q. State whether or not Mr. L. W. Turpin was here just before or during the time of this session of the board at which the changes were made of the inspectors. Please state when it was relative to the meeting of the board, and how long he remained here. State fully.

(Contestee objects to this question on the grounds that it is illegal and irrelevant.)

A. Mr. Turpin was here on the 28th and 29th of September, 1888, which was two or three days after the appointment of inspectors and seven or eight days before the list of inspectors was revised and changed.

Q. Did you have any knowledge of the fact that Mr. Turpin made complaint to any of the board as to the inspectors that had been appointed at your first meeting and that he requested or solicited any member of the board to make any changes of the appointment of inspectors? If he did, please state all you know on the subject.

A. Mr. Turpin stated to me on his arrival here, on the 28th or 29th of September, 1888, that he was perfectly satisfied with the list of inspectors that had been appointed and that he desired that there should be a school-teacher or other intelligent Republican representative on the board of inspectors in every beat in the district and he did not solicit any changes through me or to my knowledge.

Here is contestant's own witness, who is unimpeached and unimpeachable, certainly so by contestant, utterly overthrowing the imputation, and yet strange as it may appear the charge is persisted in by the majority. Now let us contrast these gentlemen, contestant and contestee, and examine for a few moments their claims to the suffrage of the people of that district, both white and black, with the view of determining whether there is anything strange or unnatural in the reported majority for Mr. Turpin; whether it is to be wondered at that large numbers of the colored people voted for him in preference to McDuffie. Mr. McDuffie has written his own history in this case. He seems to be his own best biographer and is largely quoted by all hands on the other side. He testified, among other things, as follows:

Q. State what is your name, your age, and where do you reside, and have you been a resident of Lowndes Co.?—A. My name is John V. McDuffie; my age is 47 years old, and I live in Hayneville, Lowndes Co., Ala., and have lived in said county 23 years.

Q. How have you been engaged in Lowndes Co. during the time you have resided here? If you have held any office in this county, when were you elected to such office, and how long did you hold it?—A. I first engaged in planting when I first came into this county, in Feb., 1868; I was elected judge of the probate court of this said county and held the office for twelve years, having been re-elected in 1874; in 1875 I was elected from this county as a member of the constitutional convention; I was renominated in 1880 by the Republicans for said office of judge of probate, receiving a large majority of the legal votes cast, but was counted out.

Q. With what political party have you acted since you first came to Lowndes County?—A. With the Republican party, and have been a Republican all my life.

Q. If you have been a candidate for another position other than above stated while a resident of Lowndes Co., state what it was, and political career during that time in detail.—A. I was nominated and ran as the Republican candidate to the 50th Congress of the United States for the 4th district of Ala., this county being one of those composing one of said district. I have been chairman of the Republican executive committee of said county almost continuously since 1868; chairman of the Congressional committee of the district for several years, and chairman of the State executive committee for two years, and a member of it for several years. I was renominated by the Republicans of said district in 1888 for the 51st Congress, receiving the vote of every delegate in the convention; have been a delegate to the national convention twice and to every State convention held in the State since 1868.

It appears from his own testimony that he is one of the old carpet-baggers who descended upon the South soon after the war in search of "loaves and fishes;" that he was twenty-three or twenty-four years of age when he got there in 1868, and the same year we find that this patriotic gentleman becomes the chairman of the Republican executive committee of the county, then chairman of other committees, then probate judge, and he has been in office of some kind, or running for office, it seems, from the time he struck the county until the present time, which, of course, he had a right to do if he so desired. The colored statesmen were getting tired of carrying him about, and there seems to have been a general revolt against him; some of the colored leaders were opposed to him because he had supported the "Bourbon Democrats" in the county. W. H. Merritt, whose testimony is before me, says he had heard the leaders say "McDuffie was too close-fisted and they were tired of working for him for nothing." Cornelius Cracheron and other prominent colored men charge that he was not the nominee of the party; that he got his nomination from the district executive committee, who were his partisans; that there was a call to meet in the hall of the Daughters of Conference in Selma, to nominate delegates to the national Republican convention, and that after getting there the doors were locked and McDuffie was named as the candidate for Congress.

The evidence discloses that the action of McDuffie and his friends very much enraged many of the colored leaders, and it appears from the evidence that several of them took the field against him and stumped the district in opposition to his candidacy. It also appears from the evidence that there was a newspaper published in the district—The Cyclone—which was the organ of the colored people in that part of the State and had a large circulation. The columns of this paper indicated the greatest indignation, as will be seen by reference to numerous extracts to be found printed in the record, boldly denouncing the action of the contestant and threatening him with defeat unless he submitted his aspirations to a convention called for the purpose of nominating a candidate for Congress. It seems, however, no such convention was ever held, and the result was the paper bitterly opposed the election of contestant; consequently there were two independent candidates, both of whom withdrew, however, one in favor of Mr. Turpin and actively canvassed for him. Is not their opposition perfectly natural? More than twenty years of political sunlight and personal freedom has illumined many a dark place in the mind of the black man and wonderfully increased his intelligence, and to-day there are numbers of such in that district equally as competent as the contestant to fill a seat in Congress. How is it they are not preferred by their own color to white men? Is there anything strange in their manifestations of dislike to and their opposition to McDuffie under the circumstances?

Mr. Speaker, I do not believe there is a member upon this floor who is better acquainted with the character of the black man in this country than myself. I was born among this people and my whole life has been passed in their midst. He was the playmate of my boyhood and my trustful and trusted companion in early manhood and the close and devoted friend of my maturer years. I know every quality of his heart; I know him to be kind and sympathetic, confiding, and faithful to early attachments, never forgetting a favor and rarely an injury; I have often noted his gratitude and fidelity in peace and in war, under the most trying circumstances, and in the strife incident at times to public life; I have often been the recipient of his enthusiastic devotion and affectionate regard, and have never failed to acknowledge it when occasion demanded. Densely ignorant at the close of the war, his mind has wonderfully expanded and brightened under the warm sunlight of twenty-five years of personal liberty and the advantages of education given to him by the people of the old slave States, by such men as Mr. Turpin and other white men so uncharitably spoken of in the report of the committee.

Mr. Turpin bears similar relations with myself to these people. A native of the South, nearly his whole life has been spent among the colored people of his district; they have known him since childhood and have often experienced the most generous treatment at his hands when most they needed it, and consequently, I say, it would not be in keeping with the natural instincts of this open-hearted and grateful people to do otherwise than aid Mr. Turpin, their life-long neighbor and friend, when opposed by a white stranger, who is known to them only as an office-seeker. Under what obligations are they to the contestant that they should fall down in the dust and continually worship and struggle to exalt him even above his own equals of their own color, to say nothing of their life long friend, neighbor, and benefactor, Mr. Turpin. I repeat that the contestant has a right of course to go to Alabama with carpet-bag in hand and run for office as soon as he arrived there and as often as he please, but in so doing he had no right to aid and abet others in nullifying the laws of his adopted State in his fierce hunt for place. I say this investigation, on the part of contestant, has been a huge farce. The evidence upon which his hopes are based for Mr. Turpin's seat would not have been deemed competent in the court of any respectable justice of the peace.

Mr. COMSTOCK. I would like to ask the gentleman on what evidence the minority of the committee cut down Mr. Turpin's majority some 4,000 upon the same character of proof.

Mr. WILSON, of Missouri. His majority was cut down, as I have before stated, because the minority gave the benefit of the doubt, in every instance, to the contestant, in order that there might be no excuse for unseating Mr. Turpin. I think, Mr. Speaker, I am justified by the evidence in this case in charging this whole plan of election as adopted in that district to be the result of a conspiracy to override the laws of the State of Alabama, under a certain contin-

gency, and that contingency happened when a republican majority appeared upon this floor. If this was not the case, why is it that the outside polls were opened, simultaneously, over the district and large numbers of colored people induced not to vote at the legal polls, and in some instances Republicans refused to act as officers of election?

Am I not justified, in view of the facts, in charging that it was determined, long before the election of 1888, by the supreme Republican council that all over the South, in a certain event, contests should be inaugurated and tried here by the rule of the old census of ten years ago? Am I wrong in saying that this whole farcical trial, which results in overturning a majority of more than 13,000 votes and declaring the contestant entitled to the seat by 5,000 votes and the very excellent election law of Alabama with its registrar provided at the polls for the benefit of the ignorant, notwithstanding is merely intended to blaze the way for the passage of a Federal election law plainly designed to curtail the rights of the people under their State laws, consolidate additional power in the Federal Government, and thus with a Republican administration to administer the law, do so in such a way as to perpetuate power in the hands of that party, especially in the Southern States? If this be not the case, why is it that a member of this House, of that party, standing upon its highest plane points to this case, and another case yet to be tried here, to add force to an article he writes for one of the leading magazines of this country, advocating a Federal election law? When it is considered that that article appeared before this trial and when we are all supposed to sit here in the capacity of judges, I say it is significant and it would seem a prejudgment of the case.

Mr. KERR, of Iowa. I wish to ask the gentleman a question, with his permission.

Mr. WILSON, of Missouri. Certainly.

Mr. KERR, of Iowa. I understand you to state that it had been decided by a high official of this House that this man should go out in order to lay the foundation for legislation that is to follow.

Mr. WILSON, of Missouri. That is the inference I draw from it, and that this case is cited, and another which is to follow, as evidence of the necessity for the passage of such a bill.

You may, and doubtless will, deprive Mr. Turpin of his seat; if so, you will but add another stain to the already blemished record of the Fifty-first Congress, there to remain forever, a monument of the greatest injustice.

[Here the hammer fell.]

Treasury Notes and Silver Bullion.

SPEECH

OF

HON. PRESTON B. PLUMB,

OF KANSAS,

IN THE SENATE OF THE UNITED STATES,

Friday, June 6, 1890.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 2350) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. PLUMB said:

Mr. PRESIDENT: If my speaking would retard the vote of the Senate upon the silver question or any phase of it, I would not delay action for a single moment on any consideration. But there is an evident feeling that either the opinion of the Senate is not fully crystallized so that a vote can now be taken or there is perhaps some disposition to put the question over for a time, and I feel that in view of these facts I shall not by taking up a small portion of the time of the Senate be in any way impeding final action. I may also say that my hope that a bill would finally be passed at this session of Congress which would fairly come up to public expectation has not grown during the last two or three weeks.

There are two questions which it seems to me may be regarded in this matter of silver legislation as fundamental. One is as to the volume of the currency and the other is as to what the currency shall consist of. There is, or seems to be at any rate, a general consensus of opinion that the volume of currency ought to be increased. How much of this is sincere I may have occasion to remark upon before I conclude. The Secretary of the Treasury in his report recommends a measure which he says should be passed because of the necessity that there should be an increase of currency, which would, if enacted, effect an increase probably at the rate of $25,000,000 per annum. The Finance Committee have reported a measure which would accomplish about the same result.

The Senator from Ohio [Mr. SHERMAN] who spoke yesterday, recognized as the very highest authority among a certain school of financiers, also said that the increasing business and population of the country required an increase in the volume of the circulating medium. Occasionally some one is heard to say that no increase is necessary, but I believe that it is to-day the all but unanimous opinion of the people of the United States, certainly of those living west of the Alleghany Mountains, that a very considerable addition to the volume of the currency is necessary.

In this connection it is worth while recalling the action taken by Congress in 1878. In that year, the year preceding resumption, Congress, after long debate, determined upon a partial remonetization of silver. It restored to full money functions the silver dollar of 412½ grains, but limited its coinage by providing that thereafter there should not be less than $2,000,000 per month of silver coined, giving to the Secretary of the Treasury the discretion to increase that coinage up to $4,000,000 per month, a discretion designed to meet such contingency as might arise calling for an increase in the circulating medium which could not otherwise be promptly met.

At that time there were in circulation $346,000,000 of legal-tender notes—I speak now in round numbers—and $337,000,000 of national-bank notes. There were also outstanding at that time over $1,700,000,000 interest-bearing obligations of the Government, on which national-bank circulation might be based. It was not then anticipated that the circulating notes of the national banks would diminish; on the contrary, it was believed they would increase in volume. Any one who had suggested that during the succeeding twelve years the national-bank circulation would have nearly disappeared would have been regarded as visionary. At that time Congress, after long debate and by a measure which passed over the veto of the President, said that the currency of the country should thereafter consist of the $346,000,000 legal-tender notes outstanding, and not less than $337,000,000 of national-bank notes, to which should be added at least two millions of silver per month, to be coined thereafter indefinitely; and, of course, all that would result from the free coinage of gold.

At that time the volume of the business of this country, as measured by bank deposits and bank debts, by railroad debts, by private and municipal debts, by the sum of commercial transactions, and by all the other things which can be made use of in determining volume, was not over one-half of what it is to-day. In other words, the business of this country has at least doubled during the last twelve years. This increase in business necessitates a great increase in the volume of currency supply. Let us see how that need has been met.

The legal-tender currency has not increased, but remains as twelve years ago, except as it may have been diminished by loss or destruction, and the national-bank circulation, which shortly after the silver act of 1878 increased to $356,000,000, at which sum it remained only a short period of time, has receded until, on the first day of the present month, it was only $128,000,000. To cover increasing needs and fill the gap made by the disappearing national-bank notes, there has been only the coinage of $2,000,000 worth per month of silver and what has resulted from the free coinage of gold. There has, therefore, been a contraction of the currency, beyond the possibility of what was contemplated by those who legislated upon this subject in 1878, of nearly $240,000,000 since that date, and their expectations and those of the country have been defeated to that extent.

This is stating the case mildly, for it was confidently believed that, by reason of the organization of new banks and the enlargement of the circulation of the old ones from time to time, the national-bank currency would increase, and in addition the discretion vested in the Secretary of the Treasury to coin $2,000,000 worth of silver additional per month might be expected to result in something.

As I said, these anticipations have been defeated, and the circulation of the country is $240,000,000 less than the least which the framers of the act of 1878 and those who participated in creating that financial policy which put the country on a bimetallic basis supposed it would be; and no Secretary of the Treasury has purchased and had coined a dollar of silver beyond the minimum, notwithstanding the steady decrease of national-bank notes and the enormous increase in the business of the country. The Treasury Department has always contributed to the policy of contraction.

In 1878 the debts due banks were about $2,000,000,000, divided nearly equally between the national banks on the one hand, State and private banks and trust companies on the other. The deposits were about the same amount and similarly divided. To-day the debts due the banks of the country are four thousand millions and the bank deposits substantially the same in amount. The railroad mileage of the country has doubled and the railroad indebtedness has increased more than the mileage.

There is to-day more than $6,000,000,000 of railroad bonds outstanding, and the volume of private indebtedness not represented by these demand obligations due to banks is not less than an equal amount. To this is to be added State and municipal indebtedness, which can not be greatly less, or a total indebtedness of over $20,000,000,000.

It is one of the chief features of the national-banking system that the banks organized under it are required to keep on hand for the protection of their customers a certain proportion of their deposits. In redemption cities it is 25 per cent.; in all other places, 15 per cent. It may be more, but can not be less without bringing upon the bank the risk of the loss of its charter. The banks undoubtedly comply with the law, except in

rare cases. In the redemption cities more than the required reserve is usually kept. The excess kept by the national banks of the city of New York will be at least $6,000,000 on the average, and the average of all the national banks is undoubtedly over rather than under the requirement of the law. The example set by the national banks is of necessity followed by State and private banks as a rule. They must compete as to measures involving safe methods of business in order to hold their customers. The national-banking system has become the pattern in essentials which all banks are compelled to substantially follow.

It is safe, therefore, to say that private and State banks and trust companies keep in reserve as large a proportion of their deposits as the national banks do. The average per cent. of reserve to deposits, taking the country through, is probably not less than 20 per cent.; but suppose we call it for entire safety 17½ per cent., leaving out of account also the surplus reserve which, as a matter of extra prudence is retained in the reserve cities. The total deposits being $4,000,000,000, it follows that not less than $700,000,000 are constantly kept on hand in the shape of reserve funds, not to be used except in the greatest emergency, if at all, and then only temporarily. A national bank which gets out of line in the way of reserve would receive a sharp admonition from the Comptroller, and this would be followed by an order to go out of business if the deficiency was not immediately made good. It thus happens that the national-banking system, as one of the elements of safety which have commended it to the public, effects a very great contraction of the volume of the circulating medium.

And this brings me to the question of the total volume of money in existence in the United States. Upon this point there is great confusion. No one of the authorities in the Treasury Department agrees as to what this amount is. The Coinage Committee of the House states one sum, the Secretary of the Treasury states another, and the Treasurer of the United States another. The Senator from Ohio makes it entirely different from any of them, and the differences range from twenty-five million to one hundred and twenty-five million dollars.

My own estimate, which I venture to say in view of this contrariety of opinion is as good as anybody's, is that there is outstanding—that is to say, absolutely and only qualified as to the amount of gold coin in the country, about which I shall speak in a moment—$1,560,000,000, and in this computation I allow $14,000,000 for lost and destroyed notes, which is about the Treasury estimate, but far too low in my judgment. This sum total is made up as follows: Gold coin, $680,000,000; silver, including subsidiary coin, $420,000,000; Treasury notes, $346,000,000; national-bank notes, $128,000,000; total, $1,574,000,000. Deduct $14,000,000 for notes lost and destroyed and the total remaining is as stated, $1,560,000,000.

It will be observed that for the purpose of this total I accept the Treasury statement of $680,000,000 as amount of gold on hand. In point of fact there is not so much gold in the United States by at least one hundred millions, and the shortage is likely as much as $150,000,000.

I have in my hand the report of the Director of the Mint for 1888, which I use because of an article which was incorporated in it without comment. In that report it was stated that there was $227,854,000 of gold coin in the United States Treasury, $78,224,000 in the national banks, and $301,527,000 in other banks and in circulation among the people—that is, in "other banks and in general circulation," as the Director of the Mint phrases it. The amount has since increased. I only use the statement of 1888 for the purpose above indicated. Now, as is shown by the reports of the Comptroller of the Currency, the national banks do only about one-half of the banking business of the country; only one-half of the deposits are found in their vaults; they discount only one-half the commercial paper. It is not reasonable to suppose that they hold more than one-half the gold coin that is on deposit in banks in the United States.

The national banks are required by law to keep either legal-tender notes or gold or silver coin as reserve. The State banks and trust companies, being under no legal necessity to compose their reserve of these kinds of money, can, as they probably do, keep a considerable portion of it in the shape of national-bank notes. The probability is very strong, therefore, that the national banks have more gold than is kept by private and State banks and trust companies. But accepting that there is as much gold in the latter class of banks as in the former, that left on the 1st of December, 1888, $223,000,000 of gold coin to be accounted for as in circulation among the people.

Does anybody believe that? Does anybody believe that there is $223,000,000 of gold coin in circulation among the people of the United States as distinguished from that which is found in the banks of the country? That would be nearly $4 for every man, woman, and child in the country; nearly as much gold coin as of national-bank notes, of legal-tender notes, and of silver certificates afloat in the channels of trade and in use among the people. The statement is incredible. Gold coin is not used as currency to any extent. The suggestion that it is being hoarded in private safes and elsewhere is absurd. It is not in the country. There is a deficiency which causes, partly, the present monetary stringency. If any one doubts that there is a serious error, let him take account during the next month of all the gold coin he sees in circulation among his friends and the shopkeepers whom he trades with. The gold is not in circulation. The Treasury is, consciously or unconsciously, deceiving the people. It is most probable that when compilations came to be made they were based on a condition of things supposed to exist, but which had no foundation. It is significant that in the very report from which I quote the Director of the Mint publishes an article from The Commercial and Financial Chronicle, in which his own statement as to the amount of gold in circulation among the people is attacked and in which it is stated that no such sum is or possibly can be in circulation as is estimated by the Director. That article is published at length in this report and not challenged. If "silence gives consent," then the Director of the Mint was at least consenting that his estimate was subject to very grave exceptions.

It is impossible to say definitely how much gold is actually in circulation among the people. But I should say that there could not be over $75,000,000 in any event. Adding as much more as the amount in banks other than national, and about $150,000,000 will have to be subtracted from the total amount of gold in the country as estimated by the Treasury Department.

Let us see, therefore, how much money is available for actual use among the people. From the total of $1,560,000,000 arrived at as above must be first deducted an average of $260,000,000 which the Treasury always keeps on hand, and about which something has heretofore been said in the debate on this bill, and that leaves, as the maximum which can by any possibility be used, $1,300,000,000.

There ought, in fairness, to be deducted from this $150,000,000, error in estimate of gold in the country, which would reduce the money outside the Treasury to $1,150,000,000. From this is to be subtracted the $700,000,000 kept as reserve, as before computed, leaving a balance of but $550,000,000 which is available for delivery or other use in the transaction of the business of all the people, or a trifle over $8 per capita. But the force of my argument is not materially weakened by conceding the gold coin to be as estimated by the Treasury Department, which would leave in actual circulation $700,000,000. In order to make up this amount all doubt must be resolved in favor of the Treasury and against the people, both the doubt as to the amount of lost and destroyed notes and that as to the gold supply. If I were deciding this case upon what I considered the best evidence, I would be bound to say that I believed the money in actual circulation did not much, if at all, exceed $500,000,000.

Upon this narrow foundation has been built the enormous structure of credit of which I have spoken. It is the greatest of the kind that was ever built, because it was built by the best people who ever built anything. Over twenty thousand million of debts, the enormous and widely extended business of sixty-five million of people, all rest upon and must be served by a volume of currency which must seem to the most veteran financier as absolutely and dangerously small.

As I have before said, the business of this country has doubled during the past twelve years. All the business which requires the use of money has doubled. In other words, while the population of the country has increased 2½ per cent. per annum, the business of the country has increased 8 per cent. per annum. I am not going to say whether 2½ per cent. or 8 per cent. or a mean between the two would be the proper measure of the increase of the circulating medium. It would make little difference as to future transactions what the increase if only that fact could be foreknown by all who are doing business. They could not complain if the volume were insufficient, because they had due notice and should have governed themselves accordingly. But under present conditions instead of certainty there is uncertainty. The value of the national-bank currency is constantly shrinking, but the amount of this can not be foretold, and the capricious but nearly always contracting action of the Treasury is a constant menace to all legitimate business. But the currency volume does not alone or chiefly relate to future transactions. It measures time contracts executed in the past, absorbing profits and capital, taking away from the struggling debtor and giving to the idle creditor.

If there were but $1 in the world and nobody wanted it, that would be enough. If a dollar could be set up as a measure of value, as a scale or a yard-stick is set up in the county clerk's office in order that every man could go there and compare it with his own scale or yard-stick, and that was the only use it was needed for, one would be enough, and what it was worth to-day it would be worth during all time. But for dollars there is a constant demand; and, as the Senator from Nevada [Mr. JONES] said far better than I can say, the value of the dollar is in proportion to the demand for it. It will not do to say that the volume of the currency is a matter of indifference, that the amount of dollars outstanding which can be had for daily use and in an emergency cuts no figure because we make such great use of credit. If that were so, one dollar would be as good as a million, and a million as good as ten millions, and ten millions as good as one hundred millions, and so on. Nothing is better settled than that an adequate, a large supply of money advances prices, gives ease and volume to business, and especially benefits those of small means and consequently limited credit. It also prevents the "unearned increment" which contraction brings from overwhelming the debtor for the benefit of the creditor. In this connection consider what the present state of affairs is tending to, what it has brought about. The four thousand million of debts due banks are practically demand obligations; so also are the debts due by

the banks to their depositors of equal amount. Of course the men who owe the banks are in a considerable sense the depositors to whom the banks are in debt, but not wholly. The demand obligations growing out of banking operations can not be less than four thousand millions; they may be five thousand or six thousand million dollars.

Now, Mr. President, this structure of credit, built upon the narrow base of about $600,000,000 actual cash, must necessarily be insecure. Its continuance must depend upon the careful management of somebody, and to whosesoever management it is intrusted there is given an equivalent in the shape of power. The only human ambition worth mentioning in any arena where men contend is that of power, and the secret, in my judgment, of the opposition which great bankers in this country make to the increase of the circulating medium, as a rule, is because they do not want to be shorn of this enormous power which they have over the business of the people of the country and which they desire to keep. I do not say that it is an unworthy ambition. I do not mean to say that they will discharge their duty in such an event unworthily, but it is an enormous power for them to have. But the best of management sometimes fails, and the most elaborate structures are the ones which show the greatest weakness under strain.

A defaulting cashier, a faithless trustee, even the failure of an obscure brokerage firm, is often sufficient to precipitate a panic, as a consequence of which the most solvent and prudent, wholly disconnected except in a general way from the causes which led to the untoward results, may lose all. These are the most liable to occur in New York, and when they do occur the shock is felt throughout the entire country. Business may be good elsewhere, the banks all sound, but so long as there is disturbance and fear in New York there is a comparative suspension of business throughout the country, so far as relates to exchange and the making of loans. It may take weeks to ascertain whether the trouble is local and temporary or general and permanent. The structure is so vast, the foundation so slight, that the slightest trouble brings suggestions of a collapse which all know can not long be postponed. Crops may be good, mines, forges, and furnaces may be yielding as never before, and yet so overtopped and delicate is the structure of credit that the misdoings or misfortune of the most insignificant dealer in New York may destroy it all, and those who suffer most are those who are wholly innocent and oftentimes farthest away.

The moment there is fear the banks stop loaning. The amount of currency is so small that when loaning stops business dependent upon money stops also. Then commences the collection of debts, which means distress, and the end is at hand; margins disappear, property which was before valuable loses its value by comparison with that of money, which has enormously increased in value, and the man who is in debt is wholly sacrificed, while the man who is not in debt loses his earnings and anticipated profits. The wreck of thousands is complete.

The Senator from New York [Mr. HISCOCK] made a great exhibit on yesterday of the wealth of this country. It was no doubt a correct one. But he did not tell us whether the Finance Committee were debating whether they could not make it a great deal better by piling up the duties on imported merchandise from 10 to 300 per cent. in the tariff bill which is before them. If it is so good, if there is no complaint, no cloud in the future, if there is financial health, soundness, prosperity, and if it is all evenly and fairly distributed, why not let well enough alone in matters relating to the tariff as well as the volume of the currency?

The Senator thinks we do not need legislation increasing the currency, because of our great prosperity under the present system. If this is all true, why revise the tariff and especially impose new and increased duties? Or are we too prosperous, whereby the necessity arises for placing new burdens on the people?

I have a letter here from the president of one of the leading national banks in New York, whose name has not been mentioned in connection with this legislation and who has not written for publication, which throws some light on the present situation. It is dated May 16, 1890, and says:

> The pressure for credit continues very great, and you had better get together and do something that is fair and equitable for all interests; if not, somebody will get hurt the way things are going now.

A letter from a member of one of the leading private banking houses of New York bearing date perhaps a month earlier states that a panic was only averted last fall by what might be called "kiting" the drawing of time bills upon London by the larger houses, bills not drawn against money on hand or against merchandise in transit, but bills representing only the credit of the drawer.

Mr. President, there ought to be an increase of circulating medium in order to relieve from this great strain and also in order that the people who can not make satisfactory use of the device of credit may have a fair chance. In the great world of credit the laborer and the farmer have no place and little or no opportunity. It is money they want, money for manual delivery. The competition is now so keen for the few dollars there are in circulation that they do not get them; they go to the merchant and the banker and those who already have the better opportunity because they can make use of credit.

The money goes into the till of the merchant only to be deposited in the bank, whence it goes out in the shape of loans. But these do the farmer little good because he can not make quick returns in his business. He is therefore remitted to heavy loans upon mortgage, the money drawing interest when not in use as well as when it is, eating out the substance of the borrower, tempting to extravagance, and often the means of destruction.

So keen is competition for money for manual delivery, so constant and always is this demand, that no sooner does a dollar get out than every agency of the banks is set at work to bring it back, and so it happens that not only is this money not found in the outer periphery of things among the farmers and poorer people, but it concentrates itself in the great cities and hides in the vaults of the banks.

Mr. President, we ought to have more money. I am not certain now how much more. I know how inevitably some compromise on this subject will result; but if I were to express what I think ought to be done I should say that not only the vacancy in the national-bank circulation which has occurred during the last twelve years should be made up, and that, too, as speedily as can be, but there ought to be in addition at least as much as would result from the free coinage of silver. How shall we get it? For years there has been in this country a very powerful and growing sentiment in favor of paper money, paper money the value of which should be fixed by a limitation upon its amount, a legal tender for all debts, public and private, and redeemable only as it passes from hand to hand in the transaction of necessary business, divorced from both gold and silver, by reason of which the volume of it could be always steadily maintained, for it could never be made the subject of export, and which would, therefore, leave the people of the United States, with reference to their internal business based upon currency supply, free from the danger to which they are now subject by reason of the liability of the gold and silver currency to leave the country. This is called fiat money.

I know how some men grow pale and others furious at the suggestion of fiat money, how Senators and Representatives whose constituents are chiefly the owners of the fixed capital of this country call a proposition of this kind one of repudiation, and all that sort of thing, upon the assumption that Congress would keep increasing the volume of paper money until credit and property would be of little or no value and confusion and ruin would result. In thus prophesying they overlook the recent experience of this country and in fact lose sight of the fact that the Constitution as recently defined by the Supreme Court gives Congress full authority to do all I have named and even what is feared. And yet it has not been seriously proposed to exercise this authority, which shows that Congress is not disposed to enter upon the exercise of powers of doubtful utility or those not called for by the permanent public opinion of the country. If this public opinion existed, formed after full discussion, I should hope that Congress would provide just such a currency as I have outlined, believing that it would be for the best interests of all the people and one which would forever separate the question of the volume of money in circulation from the control of banks and other monetary institutions and from the accidents of our foreign trade.

No Congress representing the American people would ever enact a law which would scale debts or otherwise effect repudiation. There are no such debt-payers in the world as the people of the United States. Their treatment of the war debt shows this, as does the restraint which they imposed upon Congress during the war in relation to the promise made at the time of the first issue of the Treasury notes as to the maximum amount to be issued, and which was never exceeded. They have paid all but a fraction of the debt, much of it before maturity, at a large premium, and the terms of a considerable portion of which was so changed by law as to be more burdensome than when created. The American people will repudiate no obligation, nor perform any act not consistent with the highest financial honor. But it is fair to make such provisions that the holders of the contracts shall not have more than their contracts call for. The law should hold an even balance.

The Senator from Vermont [Mr. MORRILL] affects to see in the proposition to enlarge the volume of the currency to meet increasing population and business an element of repudiation, and, appealing against it, brings forward the New England widow, who did duty in opposition to the silver legislation of 1878 which has been attended with such valuable results for the whole country, as well as against all propositions for an increase of the circulating medium.

There is a story afloat, and it may have got into print, about some man who went to Tophet and succeeded in getting back, probably the only instance on record; and, when he was asked what he saw down there, replied that he saw a certain individual, or perhaps it was a party, holding the darkies between himself or itself and the fire; and so this New England widow, the holder of mortgages or bonds or of railroad stock, is brought in here and held before the fire, but behind her ample skirts are the holders of six thousand millions of dollars of railroad bonds, and a thousand millions of dollars of the funded debt of the United States, and other added millions of credits, who, by reason of the demonetization of silver and a constantly contracting volume of the currency, have had their securities made far more valuable than they would otherwise have been, and to the corresponding disadvantage of the debtor.

It remains to be seen whether this frugal widow with the cloud of rich

witnesses behind her, whose sole interest is to have their holdings increased in value by a contraction of the currency and the maintenance of the single gold standard, will prevail, or whether Congress will take into account the men who have put all they have got into the sea of venture rather than those who represent capital which has been taken out of the current of ordinary risk and put into the safe and permanent shape of bond and mortgage.

The feeling in favor of paper money instead of gold and silver has had the greatest hold in the West. It has been a part of a widely prevalent feeling in favor of such an increase of currency as should meet the needs of all current business, a feeling widespread and enduring. Lately this feeling has taken the form of a demand for the free coinage of silver. This is partly the sentiment aroused by the demonetization enacted in 1873 and partly the result of a conviction that the required increase in the currency volume can be more readily accomplished by that means now than in any other way, and more in common with the feeling upon the subject prevalent in the East. It is designed to be and is a thoroughly conservative movement. It aims at no scaling of debts, no repudiation, but does mean in the most emphatic way that the policy which is now being pursued, whereby the fixed capital of the country has unconscionable advantage over labor and capital, which is taking the risks of ordinary venture, shall cease.

When, however, it is proposed to accomplish this very proper object it is opposed on the ground that if more silver is used as money it will drive gold out of the country.

I agree that the subtraction of $680,000,000, the alleged amount of gold in the United States, from the currency of this country would be a misfortune, especially as in the absence of special provision for replacing it with some other form of currency it would mean a great contraction of the currency. But, Mr. President, can it not be seen by even a man who is blind that, if you make the $680,000,000 of gold in the country merchandise instead of currency, what is left of the currency will be enormously enhanced in value, so that it would at once close the gap by means of which the gold was driven out and gold would resume its old place? None of the currency of the country will be driven out unless there is too much for the proper service of the people. Being less than $600,000,000 in money actually in circulation among the people now, the subtraction of this entire amount, which would occur if all the gold should leave the country, there would be, as can well be imagined, a great demand for what remained! The strain would be greater than it ever has in any event been upon gold.

But, Mr. President, who can give a guaranty that we shall not lose of our gold? We apparently only keep it by the greatest effort. If the monometallists are to be believed, even the Treasury Department is in danger of losing the great stock of yellow metal there stored; that it will disappear in some occult way. The Cleveland Administration was affected by a mania on this subject, and at one time arranged with some New York bankers, anxious no doubt to keep up the delusion, for the exchange of several millions of gold for an equivalent amount of fractional silver, in order that the Treasury supply of gold might be in no danger.

The humor of the transaction escaped the consciousness of the frightened Secretary. He could not see the point of the joke of which he was the victim: the exchange of precious gold, dollar for dollar, for despised and depreciated silver! The present Secretary is in a similar condition. He hoards gold and deprives the people of at least one hundred millions of the money created by law for their use beyond any practical requirement of necessity, apparently fearing that the people of this country who are possessed of Treasury notes will drop the plow in the furrow and the yard-stick on the counter and rush down to Washington in order to present them for redemption in gold. It would be farcical if it did not involve a tragedy in which the people were the sufferers.

This fear ignores all facts and all common sense. The man who has paper money which is a legal tender for all debts and receivable for custom dues only wants that redemption which comes as he exchanges for that which to him for the moment is the more desirable, for the rent which is due, for the food which is to sustain life, for the property on which he hopes to make a profit. Gold redemption is not desired and has not been demanded.

The gold of the world is not in sufficient supply. There is a consuming demand for it. Nations which are upon the gold basis must keep up a continual and ample supply of the metal or suffer in consequence. It is like the struggle of two strong men in a cold night for a blanket too small to cover both. If we are to make sure at all times of a supply of gold which, added to our other currency supply, will be adequate to our needs, we must be prepared to struggle and perhaps even to fight for it. Circumstances may occur which will make our gold supply essential to foreign nations. They have the means of getting it, for they hold our stocks and bonds in large quantities which, if they return and dump on the New York market, we must buy. If war should threaten Germany or England the first step to be taken would be to increase their gold supply in order that the financial part of the preparation might not be inadequate. Suppose the balance of trade should, for a series of years, be against us; we should lose more or less gold, and neither of these contingencies would be affected by the presence or absence of silver. But if as is contended we should adopt the gold standard every dollar of gold we lost would still further narrow the base on which must rest, not only all our currency, but all our business.

The loss of even $100,000,000 of gold under present conditions would have a serious effect. How necessary, then, that we shall increase our currency supply, and especially that we shall widen the base of it by the free coinage of silver.

The Senator from Ohio said, in a brief speech which he made the other day on a minor clause of this bill, in a spirit of candor that did not characterize his speech of yesterday, that gold and silver had been created by the Almighty as money and had been such from the beginning of time. "What God hath joined let no man put asunder." If gold is money, then silver is money; if either is money by the designation of the Almighty, both are money; and if gold to-day is any more money than silver it is because the law has made it so, giving to gold the exclusive money function and degrading silver.

The American people are logical. Whenever it is settled that it is the law and not the designation of the Almighty, the fiat of legislation and not intrinsic value or a long course of business or a consensus of public opinion which constitutes money, they will not long halt on gold, or silver either for that matter, but go at once to paper as the only logical and proper representative of value, as the medium of exchange.

It will not take long to create a public opinion in this country in favor of discarding gold as well as silver if once we get away from the sentiment that these metals are precious and designed for money and better calculated than anything else for money, irrespective of legislation. The greenback is an encouraging example in this direction, which is dearer to the hearts of the people than any other form of currency. No party could live during a campaign that proposed to retire the greenback. It will stay where it is, undiminished in volume and a permanent part of the country's currency.

It is for these reasons that I say the proposition for the free coinage of silver is a conservative one and one which ought to be acceded to at once and without cavil.

The Senator from Ohio on yesterday had a good deal to say about the act of 1873 demonetizing silver and how practically nothing came of it because there was no silver in the country to be demonetized; that we never had had silver money, and consequently its final elimination produced no result.

Mr. Chase, who presided over the Treasury Department during the war and who is entitled to rank with the ablest men who ever occupied that great office, in his report of 1862 commending to Congress the adoption of the national-banking system, said:

> The Secretary recommends, therefore, no mere paper-money scheme, but, on the contrary, a series of measures, looking to a safe and gradual return to gold and silver as the only permanent basis, standard, and measure of values recognized by the Constitution.

Mr. Chase evidently thought the country was on a bimetallic basis when specie payments were suspended during the war and looked forward to a return to that basis. It had not occurred to him that silver was not a proper material from which to make money, nor that it was not a fit instrument of modern commerce. Ten years later the Senator from Ohio, according to his own statement, helped to enact a measure which he says he knew demonetized silver, which thereby increased the value of credits, added to the burden of the debtor, and perpetrated a fraud upon him, the effect of which has not yet disappeared. I do not care whether that act was passed by fraud or by mistake, it can only be characterized as the economic crime of the century, and it does not cut any figure in the case to say that there was then no silver or little silver in circulation. It destroyed one medium for the transaction of business and the payment of debts, and put all the burden upon a single metal which has steadily and rapidly ever since increased in value by reason thereof.

I am thoroughly persuaded that the demonetization of silver was brought about with full design and intention to produce the precise result which was accomplished, that of oppressing the producing and debtor classes for the benefit of creditors. It was a part of a scheme which had for its theater the world. Germany followed the lead of the United States, and the bondholders were put completely in the saddle.

In my judgment the people of the United States will never be satisfied until that act is undone. I know Mr. Lincoln said that the people would be satisfied when slavery was in process of extinction, and it may be that something short of the complete restoration of silver at this time might meet with a reasonable degree of acceptance, but the free coinage of silver, putting it on a complete equality with gold, is the goal which must shortly be reached if public opinion is to be satisfied and a fair equilibrium between the capitalist and the people be restored.

Economists differ somewhat as to the amount of gold produced each year throughout the world. They differ widely as to the amount which from this annual supply goes into the arts. But the outside estimate of the amount which is or can be spared for coinage is $30,000,000. Many maintain, and I think on the better basis of fact, that practically the entire yield is absorbed in the arts. But suppose that

$30,000,000 of the annual supply becomes money, what a beggarly amount to be added to the world's supply of money! And yet if we are to go to the gold standard, as the Secretary of the Treasury and those who act with him have determined, to be followed, as would probably be the case, by the nations which now have either silver alone as money or silver and gold conjoined, 1,500,000,000 of people must prepare for such terms as the possession of the gold of the world may impose.

Civilization is expanding. Regions of country that have heretofore known nothing about dollars or measures or standards of value are coming under the beneficent influences of christianity and civilization with the effect of creating a greater demand for money. Are new conditions to be harnessed to old ones? Is the world to be circumscribed in its development by the amount of gold which after the consuming demand of the arts is left for currency purposes? If not, with what is it to be supplemented? Those who advocate a gold standard must answer this. Those who propose the single standard must be prepared either to say only such growth can occur and such business be transacted as may with safety be based upon a comparatively decreasing medium of exchange, or else they must make perfect some plan for the enlargement of such medium of exchange.

I risk nothing in saying that things can not go on as they are. If the demand for a bimetallic standard is not granted, then either gold must be wholly discarded for paper whose value will be determined by volume and legal-tender quality or the amount of gold which constitutes a dollar must be from time to time reduced. The world can not do business upon the basis of extended credit if the measure of value is to constantly grow more valuable in proportion to property.

But we are told that silver money does not comport with modern ideas and modern civilization. The Secretary of the Treasury says that the gold dollar is the dollar of commerce and that he will indulge in no idea or plan which disputes its supremacy. It is the dollar of the money-changers, and they, not those whose labor creates value, are to be taken into account. The man who exchanges the fruits of labor is to determine what the measure of that value shall be, and not the farmer who raises the grain which is the subject of exchange. The producer is not to inquire as to the volume or character of the currency which fixes the value of his product, but is to leave that alone to the banker who lends the money and the commission merchants who act as agents in the matter of sale and exchange. The middle-man is the vital factor in modern business, so highly civilized that silver will not answer for money for its use, and the producer is a mere incident!

If he can not keep up with that civilization which demands gold alone as money, and which has contraction and falling prices for everything except the investment of fixed capital as an inevitable result, that is his lookout. He is simply crushed with the logic of the situation and must not complain. If it is pointed out that a crash will come when the financial pyramid of more than twenty thousand millions of public and private credit, all payable in gold and built upon a basis of less than $600,000,000 of available currency, shall become a little more top-heavy, the answer is in substance that this will not hurt the owners of bonds and mortgages, or of cash money, or of the middle-man, but its effects will fall upon the broad and willing backs of the patient multitude of producers, East and West, who must accept what comes as the verdict of a civilization so advanced that they are withdrawn from its purview.

Mr. President, I shall be surprised if the producers of this country are much longer content with this condition of affairs. They have a right to feel, as they do, that they and their interests should be taken into account. The functions which they exercise are superior to those of the money-changer or the commission man. They have a right to the fruits of their labor, and if the civilization of the period denies it to them they will pray to be remanded to a less civilized condition.

What is the proposition which so excites the ire of those who represent the fixed capital of the country and which if adopted is to bring ruin to the country and to civilization? According to the best data less than $55,000,000 worth of silver is mined in this country each year, and of this something over $30,000,000 is coined under the present law. More than $6,000,000 is the amount used in the arts, and only about $17,000,000 is left to become the subject of free coinage unless the stock of silver abroad comes to re-enforce our own supply.

Mr. COCKRELL. I call the attention of the Senator from Kansas to the fact that the Director of the Mint says that in 1888 $8,000,000 of silver was used in the arts.

Mr. PLUMB. I am taking outside figures as to the possibilities under free coinage. Not to exceed $17,000,000 could in any event be added as the result. It must be borne in mind also that about $15,000,000 of national-bank circulation will be retired this year. Practically there is no escape from it. We shall lose during the fiscal year 1890-'91, beginning on the 1st day of July next, $15,000,000 of national-bank circulation beyond peradventure.

Mr. FARWELL. More than double that.

Mr. PLUMB. The Senator from Illinois says more than double that. We lost $41,000,000 last year. The reason why we shall not lose so much this year is because, as I understand it—and yet I may be mistaken, but I think not, however—that the banks can not retire their circulation beyond the amount I have stated without losing their charters. Of course, if the banks should take a notion to quit the system, losing their charters, there would be a loss of $3,000,000 a month, the maximum permitted by law.

Now, Mr. President, supposing that the banks retain their charters and only reduce their circulation to the amount which they can without surrendering them, we should lose $15,000,000, or practically all we gained by free coinage. If we took everything that the American mines furnish we should only be making good the shortage created by the banks and a couple of millions over. Would that be an inflation of the currency such as would bring serious consequences? It would be the addition of the enormous sum of 3 cents per capita!

Take the next year, and supposing the banks did not retire any more currency and supposing also that the silver supply should increase 10 per cent., as it probably would not, and the extreme amount added to the currency for that year would be $25,000,000, which, for a population of 70,000,000, would be about 33 cents per capita.

It is additions like these which, according to those who oppose the free coinage of silver, are to make financial disturbance, upsetting values, destroying commerce, and turning back the dials of progress. Mr. President, the American people have made good use of every instrumentality of progress which they have been able to lay hold upon. They are the most enterprising and progressive people in the world. The more money they have the greater the number of their new enterprises, the greater their progress, and, above all, the more even and equitable will be the distribution of the results of labor and enterprise.

The American people would take five times 33 cents per capita of additional currency, yea, ten times that much, every year, absorb it, make use of it, extend their enterprise in consequence, distributing more evenly amongst the people the rewards of labor and enterprise than can by the existing volume be done, giving to labor better reward, to business better facilities, helping everybody, and hurting nobody except those who are indulging in the anticipation of the increase of the value of the bonds and mortgages they hold, and which the Senator from Nevada felicitously calls "money futures."

Everybody agrees that we can not have too much gold. If we were suddenly to acquire one hundred millions of the yellow metal we should be that much richer. It is said we shall have sent to us from abroad large amounts of silver, which will seek our mints for coinage, but no one knows where this silver is at present. The United States has constantly exported its surplus silver to London. That surplus would disappear from the market under the operation of free coinage, and why should Europe suddenly have silver to sell us after having readily for an indefinite period bought all we had to sell, many millions each year? But suppose Europe suddenly has silver to dispose of instead of buying, as heretofore, why should we fear for the result? We could only get it in the processes of trade. We should give something for it which was for the time being less valuable to us. It will not be given to us, though we could stand it, I think, even to take the $25,000,000 which the Senator from New York [Mr. HISCOCK] said on yesterday the Dutch were ready to give us. It seems to me we should be $25,000,000 better off without effort.

The average Yankee can be trusted to make a good bargain in trade, whether it be of silver or other commodity. There would be some active business going on as the result of the movement of silver this way.

But, Mr. President, I venture the opinion that when silver shall be coined free in this country Europe will not only keep all it has, but will strive assiduously to get all of ours it can, as heretofore. We overlook that silver has been degraded first by legislation and second by a powerful public opinion created by the banks of the great cities and by the newspaper press of the same localities. They have employed threats and villification to carry their point. But despite all this the sentiment for the restoration of silver has power stronger and stronger all the time, until now it is demonstrated that public sentiment demands action. The question now is, how little can be done and not run too far counter to this public sentiment?

We hear all the lugubrious prophecies which were uttered in 1873 as the result of a depreciated currency. But if silver be given free coinage it will appreciate in value and, what is more and better, gold will go down. Perhaps the two metals will not entirely come together, but a moderate difference in their respective value as commodities will do no more harm than it did in 1873, when silver was worth 3 per cent. more than gold.

And this brings me to the proposition which I was very sorry to hear my friend from Illinois [Mr. FARWELL] make, that the proper silver dollar was one which had silver enough in it to make it equal in value as a commodity to gold. This would of course make gold the standard. As that metal is constantly appreciating in value and as under this plan silver would fluctuate widely and probably further depreciate, becoming the prey of speculation, the silver dollar would have to be recoined every day in order to be kept at a parity with the gold dollar. The Senator from Illinois is too sensible a man to take up that absurd idea after the author of it, the Senator from Ohio [Mr. SHERMAN], and everybody else have abandoned it.

Mr. President, a return to the gold standard is precisely what we

most desire to avoid. I would rather to-day stop on the basis where we are of actual money in circulation if thereby we could maintain the double standard than to increase the currency ever so much upon the basis of a return to the gold standard. The burden of public and private credits is already as great as can be borne. To further increase it as would be the result of a return to the gold standard would be a greater crime than that of 1873. Pay-day is bound to come, and if the strain of additional credits be put upon gold the day is not far distant when the ruin of the debtors of the country, the most enterprising and deserving portion of its population, will be complete.

I want to widen the base in order that every man under the flag may feel that he has his feet on a solid foundation on which he can build with safety, whether his ventures be such as to call for credit or not, and whether they be large or small, and all the better if they be small, because the interest of the country is a great deal more with those whose business is small than with those whose business is large. Better less accumulation of wealth and a more even distribution; better more comfort on the farm and in the homes of those of small means than greater luxury in the palaces of the rich.

Mr. President, the sacred name of protection was invoked yesterday by the Senator from New York [Mr. HISCOCK] against the free coinage of silver. I was not surprised, because I had noticed with more concern than I care to express that for many weeks past the leading protection newspapers of the country have been denouncing the proposed free coinage of silver, and, in fact, all plans for adding to the volume of silver money as conspiracies, and impugning the motives of their advocates. According to them, only dishonest persons favor silver, and all the country needs in order to be prosperous is to increase the duties on articles of general consumption.

We have had rehashed the old talk about the 75-cent dollar, about repudiation, about the awful impropriety of increasing the value of silver because it would give profit to miners and mine-owners. What does protection do if it does not make profit for the manufacturers? And what about the demonetization of silver in 1873, by which the miners and owners of gold have been enriched, by which, according to the best authority, gold has been increased more than 30 per cent. in value in the last fifteen years? Anything which helps gold and adds to the fortunes of those interested in it is moral and God-fearing; that which would help silver is dishonest.

Mr. William H. Lyon, the oldest dry-goods merchant in the city of New York, has often told me that he had taken careful account of the purchases which his firm had made from time to time during the past twenty years in China, in Japan, in India, in Germany, in Russia, and in all the countries of the world, and he said to me that silver as merchandise would now buy more of all kinds of other merchandise than ever before; that the purchasing power of this degraded silver had increased by comparison with the prices of all other products of labor except gold. Enormous fortunes have been made out of the rise of gold and without effort or risk. Look at the premium on Government and railroad bonds and other similar investments. And yet those who merely say that they mean to so legislate as to prevent a repetition of this are accused of being repudiators.

The virtue which now cries out at the proposed remonetization of silver is very like that of a person who, having stolen all the horses of a neighborhood, should then become devout and announce that stealing must cease. Those who have got a 30 per cent. profit on the rise of gold now behold with alarm and indignation the proposition not to take away what they have improperly acquired, but simply to stop further accumulation of the same kind.

Can it be said that this is repudiation? Are we so bound in bonds to these our lending brethren that we are required to do that which will every day make them worth more than the day before without effort on their part and at the expense of the producers of the country? Is that the standard of commercial morality which we are to have here enacted into legislation or which is to be interposed to prevent legislation designed for the benefit of the great mass of the people?

Mr. President, I am a protectionist, and up to within a few days I have believed that protection meant the giving of value to any product the result of American labor on American soil. But now, in the sacred name of this—I will not call it a fetich, although I do not know what I may call it before I get through—but in the sacred name of this system we are asked to depreciate silver, notwithstanding it is an American product of much larger value than many which will figure in the new tariff bill with an increase of 200 or 300 per cent. of duties beyond those now provided by law. When my friend from New York [Mr. HISCOCK] got into the pathos and patriotism of his plea not to do anything which would deprive the country of gold wherewith to make settlement of our foreign balance, I wanted to ask him what he proposed to do about this same tariff bill, which, if enacted in its present shape, will cut off the greater part of our foreign commerce for the present, at least, and thus obviate the necessity or even the opportunity of our paying out gold in payment for imported goods. I hope I may interpret what the Senator said as a hopeful augury of his action upon that bill in such amendment as will prevent the proposed increase of duties upon articles of nearly universal consumption, whereby new burdens will be put upon the consumer.

Mr. President, I have occupied more time than I expected, but I have scarcely entered upon the threshold of this great question. I have gathered from time to time while this debate was going on data of different kinds which I thought would throw some light upon it. But the speech of the senior Senator from Nevada [Mr. JONES] covered the whole ground so thoroughly that nothing which I could say would be more than to add the flicker of a tallow candle to a subject illuminated by the brightest of electric lights.

I have spoken more to represent the convictions which will govern me in the vote which I shall give than to attempt to instruct any one else. I can not regard without fear the present condition of things, confronted by the danger of a great financial collapse on account of the great volume of credit built on a narrow base of money and the increasing burdens which are put upon the producing classes. But my chief fear grows out of the plans which have been proposed to meet these vicious conditions. The accord in certain quarters to the effect that more currency is needed is in itself suspicious. But when the means of providing this currency are inspected suspicion becomes alarm. The intention is quite apparent to concede an increase in the circulating medium on the sole basis that the double standard shall hereafter prevail and silver cease to be money.

I can not look upon the bill which came from the Treasury Department with the sanction of the Administration as calculated for anything else so much as to restore the single gold standard—no more silver coinage, no more silver dollars, $360,000,000 of them added to whatever gold we may accidentally possess to be the basis upon which 65,000,000 of people, increasing at the rate of 2,000,000 per annum, must hereafter do their business; silver to be used only as a commodity, as a basis for the issue of warehouse certificates. Mr. President, rather than to have that bill become a law I would willingly see this Congress adjourn without one line of legislation upon the subject and carry this question to the people and get their final verdict upon it. A return to the gold standard would be a far greater calamity than the continuance for a year or two longer of the present disastrous contraction of the currency.

I do not mean to say that in matters of this kind, where great interests are at stake and where there is perhaps room for difference of opinion, or, at all events, for difference of interest, there may not properly be some compromise between conflicting views in order that legislation may be had; but I want to say that whatever compromise I may consent to will never be one which limits the basis of the business of the country to the silver now coined, plus gold, such as we have and may get. Any legislation which I consent to must permanently widen the base, must either recognize both metals as money or must discard both and put in their place paper money, the value of which can be expanded so as to meet the increasing needs of increasing business. Archimedes said that if he had a place to put his fulcrum he could lift the world. Give the American people the base on which to plant their feet, with increasing breadth to meet increasing needs; give them the financial instrumentalities which they need for the development of their resources, room for the exercise of their intelligence, their enterprise, their courage, and they will not only move the world, but they will lead it. If, instead of being content to echo the opinions which emanate from bank parlors in London and Berlin, we take into account its real truth, the needs of our own people and that which concerns their well-being and happiness, put silver back to its rightful place, enthrone our American product, give to our people the opportunity which a fairly reasonable money supply would furnish, and put ourselves in accord with this hemisphere, inside of two years the United States would have primacy in the financial world and the money center of that world would be not London, but New York. I also believe that if we do not adopt free coinage of silver now Great Britain will shortly do that or its equivalent and we shall meekly follow as heretofore, not daring to do anything unless the mother country first sets the example. We seem to enjoy this kind of humiliation.

We are sixty-five millions of people, soon to be a hundred million, possessing a continent of immense resources, with more intelligence and enterprise than any other people in the world. The Anglo-Saxon race is bound to lead and the American people ought to have primacy in the councils of that race. We do not need to ask what London or Germany wants. Our opportunity and career is before us, and may consist in defying the policies of the older nations. Leadership is more the result of courage than of finesse. We need the courage now to take first place and mark out a policy which all the nations will be under constraint presently to follow. We need for our own use all the silver we have and all Europe dare to send us, and the more they give us the richer we shall be. The good sense no less than the patriotism of the Senate is appealed to to create the broad foundations on which we can safely build and which will make the opportunity which our people will gladly embrace.

Let us break whatever bands bind us to the body of death represented by that fixed capital which produces nothing, which shuns the sea of venture, which discourages enterprise, and which oppresses labor! It is joined to its idols; let it alone. Instead let us legislate for the majority, the people whom Lincoln called the common people, whom he trusted and upon whom the Republic rested during the fateful

period of the war, and who brought the country and liberty through triumphant. [Applause in the galleries.]

Mr. President, I wish to put in the RECORD a report by Mr. William P. St. John, who has considerable prominence in this matter, to the Chamber of Commerce in New York on the silver question, and also a supplementary report which he made, which I will ask to have appended to my remarks.

The PRESIDENT *pro tempore*. The Chair hears no objection.

The papers referred to are as follows:

To the New York Chamber of Commerce:

First report of a minority of one of the committee on finance and currency, submitted to the chamber May 1, 1890, on "pending silver legislation."

The silver legislation now pending in Congress, and entirely likely to be adopted, is best designated as the Republican caucus silver bill.

Details omitted, that enactment would require the United States to purchase monthly so much of four and a half million ounces of fine silver as can be obtained at $1 for the amount of silver in our standard silver coin, namely, $1 for 371¼ grains fine, or 412½ grains nine-tenths fine; *i. e.*, $1.2929 per ounce fine. Inasmuch, however, as the world's record of annual supplies and needs of silver in the past, to and including the year 1889, furnish me no warrant of facts for the suspicion that even with considerable increase of production the United States will be able to procure, as against the world's actual and prospective requirements, 54,000,000 ounces of fine silver annually at this fixed limit of our mint price, I deem it a fair conclusion that the proposition is fully the equivalent of reopening our mints to the free and unlimited coinage of our present standard silver dollars, and with even a little better convenience to the silver producer, who will receive Treasury notes in prompt payment instead of waiting for his silver to be coined.

Assuming that this bill, because hailing from the caucus of the ruling party in compliance with an overwhelmingly influential demand for an increased output of money, is reasonably certain of adoption, I now fulfill my duty to this chamber as I conceive it, although alone perhaps in my conclusions, to report, as from the minority of your committee on finance and currency, that I deem the proposition worthy of your approval, and therefore heartily commend its enactment as a wise and timely law. In support of this opinion I trespass as little as possible upon your patience, not attempting a complete argument, but respectfully submit in brief the following statement of facts for such influence as they may have with you.

THE IMPENDING AVALANCHE OF EUROPE'S SILVER IS A MYTH.

First, because Europe's only silver, other than an annual production of a little more than half her annual consumption in the arts, is Europe's silver money. The unsold remnant of Germany's accumulated silver, for sale after France had paid her indemnity in gold, has long since been put into circulation and is now afloat and in bank as a portion of Germany's current moneys. For continental Europe to ship us her silver money at our proposed mint price in exchange for gold or for our reminting into standard silver dollars for her account, she will need first to procure 3 per cent. additional silver bullion, and for that to tax her people about $28,000,000, and additionally for transit charges, for this seemingly purposeless exchange.

France I assume to be a fair criterion as to Europe's course with silver, she being possessed of six times as much silver money as any one other European nation, Germany excepted, and three times as much as Germany, at the same time that she possesses $300,000,000 worth more of gold than her only rival outside the United States, Great Britain; and France will not flood us with her silver:

First. Because in December, 1889, or January of this year, the opportunity was afforded her (as subsequent attempted explanations fully confirms) to procure gold for her silver to the amount of 300,000,000 francs at par, that offer being 60½*d.* per ounce in gold for $59,000,000 worth of her silver money, *i. e.*, in equivalence, 103 cents apiece in gold for our so-called "72-cent discs," our present standard dollars; and that offer was declined.

Second. Because under the Latin Union treaty, France might now, as during several years past, but does not, exact of Italy, Belgium, Switzerland, and Greece the redemption of their silver coins in France, for which at last estimates her claim on them in that exchange for silver at par, would exceed the sum of $80,000,000 gold.

Finally, as to France being every year indebted to India for supplies of wheat, cotton, indigo, etc., France might profitably rid herself of silver in the average sum of more than $40,000,000 annually, and elects instead practically to pay in gold, purchasing in London India council bills to remit in settlements. France, the criterion of criteria as to Europe's silver, neglecting thus to rid herself of $40,000,000 of silver annually by recoining it in India, as she might do, and seemingly with profit, is not to be feared as likely to choose to flood our mints in the constant certainty of a loss of 3 per cent. and transit costs additional.

THE ENACTMENT WILL NOT SERVE TO BANISH GOLD.

In the last analysis nations trade with commodities; and only in a balance of trade is title acquired to gold, or silver, esteemed as money. If Europe in any season shall establish a balance of trade against the United States, which others of our commodities will not acceptably make good to her, she may exercise her right to command our gold, uninfluenced by this proposed enactment or any other act of ours respecting silver. On the other hand, as from time to time the foreigner shall establish a title to a portion of our gold, it will be of prime concern to us that we have provided a sufficiency of money acceptable as legal tender here and abundant for our wants in our vast domestic trade. Twelve millions increase of population and the creation of four new States indicate domestic trade expansion in the last ten years.

THE ENACTMENT WILL TEND TO STIMULATE OUR IMPORTATION OF FOREIGN GOLD.

The act proposed, being in result the same as though we opened our mints to free coinage of the present standard dollar, will enhance the price of silver and maintain it at parity with our mint fixed price in all the markets of the world. British India's mints are open to her legal-tender rupees upon the payment of her seigniorage charge of 2 per cent. Therefore, to enhance the price of silver in all markets is by so much to increase the cost in gold to Europe of the commodities which, in the balance of trade, India's money buys. Thus to add about 30 per cent. to the gold cost in Europe of India's legal-tender rupees is, to some portion of that 30 per cent., to enhance the price at which Europe can profitably receive and pay for United States supplies of products now supplied by India. What this may mean may be surmised from the fact that India last year exported $32,000,000 worth of wheat as against our export of $44,000,000 worth of the same. Therefore the proposed enhancement of the price of silver will tend to increase our exports and establish for us a credit balance in trade with Europe; and therefore tend to establish for us a title to Europe's gold.

THE ENACTMENT WILL NOT IN ITSELF OVERFLOOD US WITH DOMESTIC MONEY.

The perilous inadequacy of new gold supplies, if gold alone is to be relied upon as the world's single full tender money, ought to be evident from the fact that all nations have supplemented their total volume of both gold and silver money with paper issues additional. The world's annual production of gold averages $101,000,000, and the annual coining and recoining of gold averages $140,000,000. Yet the world's art use of gold, absorbing over $70,000,000, leaves less than $30,000,000 annually as the sum of new gold from the mines applicable to the world's increase of money.

France, conspicuous among nations for her shrewdness in finance, has a total sum of money exceeding $2,030,000,000, or $500,000,000 more than our total sum of money afloat in bank and in the Treasury of the United States, and this for use of 27,000,000 fewer people than we count, and all embraced in a territory less than one-sixteenth the area of the territory of the United States. France has $270,000,000 more gold than we have, $100,000,000 more paper money, and $230,000,000 more of silver. Yet France is the natural accumulator of the dear gold of other nations, she importing last year (to February, 1890) a total net sum of gold exceeding $50,000,000.

In this connection note that in January, 1887—since when we have coined 100,000,000 additional silver dollars—the receipts at all United States custom-houses were then 69 per cent. gold, 15 per cent. greenbacks, and 16 per cent. silver. For the three months past to April 19, 1890, after a total silver coinage of $360,250,000 silver, all but eleven millions afloat in coin or by certificate, these customs receipts show about 3 per cent. greenbacks, 2 per cent. silver, and 95 per cent. in gold. This actual experience, opposed to all predictions of this chamber, and for some of which I am partly answerable, is not explained by the shrinkage of $150,000,000 of bank-notes in the period of an output, in coin and certificate, of $350,000,000 of silver money.

THERE IS NO ANNUAL SURPLUS PRODUCTION OF SILVER.

With China absorbing about half of Mexico's silver almost as rapidly as coined; with India still greedy to increase her hoard of treasure "gold and silver" upon an accumulation during the last forty-six years already exceeding in value $2,070,000,000, made up in part by silver imports in 1887, $26,000,000; 1888, $29,000,000; 1889, $40,000,000; with South America also frequently a buyer last year; with the United States last year consuming for coining about one-half the silver proposed in this enactment, it may astonish some to learn that after the year's production (calendar 1889), the greatest of any single year in the world's whole history, the great distributing silver markets, London, New York, and San Francisco, being asked in February last to state their supplies of silver, quoted "stocks of silver nominal."

It would appear fair to direct attention to a marked change in the public thought of this section on this and other features of the "silver question."

FREE COINAGE FOR OUR STANDARD SILVER DOLLAR WOULD NOT BE A FRAUD UPON THE PEOPLE.

Congress has the same moral right to thus reopen our mints to silver or to appoint Treasury purchases of silver as money that is deemed so commendable in the British statute which requires the Bank of England to purchase everybody's gold at 3*l.* 17*s.* 9*d.* per standard ounce, and her mints to pay 3 half-pence more per ounce for gold to any who will await its coining. Similar statutes as to gold are those of continental Europe and the United States.

The weight of pure silver contained in our present standard coin is the same as that prescribed for our dollar of 1792, the free coinage of which continued to be allowed until 1873. That this old privilege of free coinage was much neglected was due to Europe's overvaluing of silver, compared with gold, by which Europe's mints were a better market for our silver than our own. The closing of our own and Europe's mints to silver, and subsequent only partial reopening of ours, while all the time all mints have been open to gold, has increased the purchasing power of gold unquestionably. And the inference is fair that if, without any better treatment of silver by the world than now, the world's mints were closed to gold, the annual excess of about $28,000,000 of gold production more than the arts consume would soon depress the price of gold, measured in silver, to a point where gold would be cheap enough for a greatly extended use in industries.

CONTINENTAL EUROPE WILL BE LIKELY TO REOPEN HER MINTS TO SILVER.

Certain members of your committee are still urgent that our wisest course to enforce that act upon Europe would be to suspend our coining of silver altogether, and so let the ill results of that depression of the price of silver hurt Europe to the amending of her coinage laws. Inasmuch, however, as the United States is producer of almost one-half the entire world's annual production of silver, that result must be assured if we adopt the remedy. Argument already hereinbefore submitted points my expectation in the diametrically opposite direction. If to enhance the price of silver be indeed, as I conceive it, to increase the export of our products, particularly food products and cotton, that tendency at least, of all things, ought to be preserved; and out of it, if the facts prove to be more than tendency, they may by and by threaten, in our behalf, even to denude Great Britain of her gold.

One caution in closing I submit, namely: that we post a sentry to alarm us upon the reopening of Europe's mints to her legal-tender silver. Because thereupon, immediately, our sometimes denounced as "fraudulent" and "a 72-cent-discount," but I think full-value standard silver dollar becomes at once in European equivalence a 103-cent coin. Therefore, upon the reopening of Europe's mints to her silver, our Congress must offer to redeem our standard silver dollars at our own mints by the substitute issue of a 3 per cent. lighter weight silver dollar and the payment of 3 per cent. in cash to present holders in that exchange, or our 360,000,000 of silver dollars already coined and afloat principally by certificate, with more to follow, will be accumulated as a merchandise salable to bullion-dealers at a premium for reminting in Europe; and in their ceasing to circulate as money the contraction of our currency will assure us results beyond prediction in disaster.

Respectfully submitted,

WM. P. ST. JOHN.

MAY 1, 1890.

Supplement (May 29, 1890) to a report of a minority of one of the committee on finance and currency, submitted to the chamber May 1, instant, on "pending silver legislation."

To the New York Chamber of Commerce:

Silver legislation is still pending in Congress; and now, because my attention has been inquiringly directed to an attempt to explain away two minor statements of my recent minority report, although without attacking the main fact stated by me in that same connection, but especially because an eminent foreign statistician has lately proclaimed conclusions adverse to the inferences which I asked this chamber to gather from my still undisputed and indisputable facts, and the said adverse conclusions are used with effect in the Senate of the United States, therefore I respectfully submit the following, in rebuttal and as supplement to my said minority report:

My said report assumed it likely that Congress is about to enact a law practically the equivalent of unlimited free coinage for our present standard silver dollar. With this in view, statements of facts were thereupon submitted for warrant of inferences as to the result, which I now restate as follows:

The world's monetary conditions reasonably assure us that Continental Europe will follow our lead and reopen her mints to silver.

Free coinage for our present standard silver dollar would not be a fraud upon the people.

There is no annual surplus production of silver.

The enactment would not overflood us with domestic money.

It would not serve to banish gold. It would tend, instead, to stimulate our importation of foreign gold.

It would not serve to flood us with Europe's silver.

I reported that in order to conclude that nations of Continental Europe would flood our reopened mints with their silver money we must first assume that they will elect to make a sacrifice of over 3 per cent., due to our differing coinage valuations of silver and all transportation costs additional; and I now mention a further likely loss for light-weight coin.

My critic has replied: "They would not send the coin here to be put into dollars. * * * Those having it to sell would feed the London market with it. * * * We might subsequently receive it in the shape of bullion from London."

To rebut, I need only remind a merchant that all costs of circumlocution would be a charge upon present owners, as being taken into the account in the price obtainable for silver, in any market, governed—as is proposed—by our mint price. Hence if, as my critic avers, "they would not send the coin here to be put into dollars" directly, it can not be supposed that they will choose to send it indirectly at their own additional expense.

I instanced France as fair criterion for Europe's likely course with silver, because possessed of six times as much of silver money as any other European nation, Germany excepted, three times as much as Germany, and possessed of gold to the amount of $300,000,000 more than her only European rival, England. I thereupon reported that France had refused an offer of gold at par for about $9,000,000 of her silver money, and that "subsequent attempted explanations confirm the fact." Also, that France is careless of her right to exact from other Latin Union states the redemption of their silver coins in France, for which she has a present claim upon them for over $80,000,000 gold.

My critic, in reply, assumes the accuracy of one rumored explanation of the first of these two statements, namely, that the refused offer was for light-weight coin of other Latin Union states which is lying in the Bank of France, thus: "The offer was to pay 60½d. per ounce for this coin, and, as the coin is light weight, to just that extent it would have been a good operation for any government which is obligated to redeem it in gold at its full coinage value." He explains my second statement thus: "France forbears pressing the claim and embarrassing those nations * * * because Italy, Belgium, Switzerland, and Greece can not at present afford to redeem their silver coins in France."

To rebut, I need only ask you to demand the name of the obligated nation entitled to and enjoying the forbearance of France upon a supposition that she can not afford to redeem her light-weight coin at par, after the evident attempt at sharp practice assumed by my critic's explanation as the act of a nation able to present $59,000,000 of gold with which to redeem her silver money at a discount, that nation being assumed to be in law and equity obligated to redeem the same at par.

Again, a half per cent. being an ordinary limit of tolerance for light-weight coin, and therefore 1 per cent. an extraordinary estimate, assume this coin to be, say, 1 per cent. light weight and the entire resulting gain from the success of that assumed attempt at sharp practice would have been, at most, a saving of $590,000 only in a cash gold redemption of $59,000,000 worth of silver.

My main point at issue for any conclusion that France would flood our reopened mints with silver does not appear to be disputed, namely: France being annually a debtor in trade with India, at whose open mints she might rid herself of silver annually by recoining it into rupees at a margin of actual profit, less only transportation charges, India's coinage ratio valuing silver at about 15 to 1, the Latin Union at 15½ to 1, and the United States at about 16 to 1; and France, neglecting thus to rid herself of silver at a profit, need not be feared as likely to choose, instead, to flood our mints at actual loss of over 3 per cent. in addition to all transportation costs and loss on light-weight coin additional.

And now, as to proclaimed adverse conclusions of the aforesaid foreign statistician, I respectfully submit them and follow with rebuttal:

1. He announced that the Roumanian Government has advertised for sale about $6,000,000 of her silver money. But he does not say that this sum is all Roumania has of silver and that she possesses less than $1,000,000 gold. For just inference, therefore, I mention it with reminder that annually a debtor in foreign trade, for excess of imports over exports, her experience in the thirteen years of her existence warrants the assumption for this little nation of five million souls, Roumania, that "her poverty, not her will, consents" if she must sell the only specie basis for her state bank notes which are now outstanding to the amount of about $17,000,000, and which, if she does sell her silver, are hereafter to be kept afloat, if possible, as an irredeemable paper currency.

He threatens us with "millions and millions of dollars [of silver] this very day on the point of being sold," and "hundreds of millions to follow, should the United States be foolish enough to drive the price of the metal up to * * * a ratio of 1 to 16 or silver at 59*d.* per ounce." He intimates that Holland threatens us with $10,250,000 of her silver; Italy, with $9,250,000 of hers; and Belgium, with a fabulous sum of her silver five-franc pieces, "already counted, packed, ready for delivery to-morrow if you like, * * * to be received at the end of this year from the Bank of France."

To rebut, it must be said of these, as said of France, that for any of their silver money attracted to our reopened mints they must suffer a loss of over 3 per cent. and transportation charges, and with additional loss for any light-weight coin. That they, like France with her $40,000,000 for one year's dues to India, are likewise debtor annually to India, where they might recoin their silver at a profit, less only transportation charges, but do not, and for such annual settlements as for Holland $2,250,000, Belgium $13,000,000, Italy $18,000,000, each, for the last reported year.

2. But, urges this eminent foreign statistician, "Let America beware of India at the very outset." Next, he instances a recent date upon which a profit would have resulted from an operation directing silver from India to New York. Inasmuch, however, as the gentleman is not more eminent as a statistician than excellent as a bullion-dealer, he might more wisely have availed of that opportunity to profit than proclaim it in the press.

To rebut, and seriously, we ask: For what shall "America beware of India at the very outset?" India will not bestow her silver gratis. She owes us nothing. On the contrary, we owe her continually, being actually her debtor annually to the average amount of $15,000,000. With our mints reopened and her mints open, our coined money could be recoined in India at a profit, while her coined money recoined here would no less constantly result in loss.

But if we are to assume that our proposed enhancement of the price of silver is to turn the tide of it in our direction, away from India, I rely upon statistics, which he of all men will not carelessly dispute, to assert that the very largest annual net import of silver into India during any one of the last twenty years was in the year ending March, 1878, and while the average price of silver was $1.20 per ounce, the net sum of silver absorbed by India that year having exceeded in value $70,000,000.

But in further instance as to India and the silly dread of any foreign silver as threatening to flood our own reopened mints, let me report of India, with her $1,200,000,000 of silver money already, that for the ten months ending with December, 1889, while absorbing $35,000,000 net of the world's spare silver at her wide-open mints, India at the same time accumulated $20,300,000 of the world's so precious gold. This, then, is my text for denouncing all fears of banishing our gold as the result of the reopening of our mints to unlimited free coinage for our present silver dollar.

3. The said foreign statistician would have us next assume that Germany is to threaten us with silver, and that because of certain seeming incongruities of her coinage laws as to her legal-tender moneys, and because to reorganize those laws he thinks will necessitate Germany's selling off her silver money.

To rebut, I instance parallel incongruities in the money statutes of the United States, whose silver money is not for sale nor will it be, and where we have afloat at par six differingly potential moneys in addition to our subsidiary silver and minor coins. Our gold and silver coin are alike full tender money here, but are not esteemed alike to-day in all the world.

Our gold certificates and silver certificates are government warehouse receipts for these respective coins; but neither gold certificate nor silver certificate is a legal tender for money in a contract between individuals, although accepted for customs and other public dues. Our national-bank note is a legal tender between these banks and for certain dues to Government, but is not a legal tender between individuals; and an individual need not accept it in any payment, although he can compel its acceptance by any national bank. The United States note, "the greenback," is a full legal tender between individuals and banks and for public dues, excepting customs. And, if honorable intent should be held as of no account, the collector of our port might be successfully impeached, if then in office, if the result of his now daily accepting greenbacks for customs dues should leave the Treasury by and by unable to pay its principal and interest of the Government bonds in coin.

With all this in view at home for incongruities of law, an instance of the like in Germany will not occasion us a fear that Germany will flood us with her silver money. And let it be further observed that any safe prediction of "millions and millions of dollars" of Europe's money as about to flood us here will at the same time threaten Europe with an overwhelmingly disastrous contraction of her circulating medium, which she, as we, perhaps, has learned to dread much more than too abundant money.

(4) Finally as to this eminent foreigner, he questions all assertions of insufficiency of gold upon which to base the whole world's money by presenting figures of certain prominent banks' accumulations of gold reserves during three recent years.

To rebut the inference which he would have us thus adopt, I submit that bank accumulations are meaningless in this connection, except as we are intelligent upon associate conditions; and confirming his next unconsciously presented evidence of a scarcity of gold, namely, his figures of annual excess of gold coinage over gold production, I seize upon his statement of these bank accumulations as additional evidence of a scarcity of gold, because they indicate the suffering under which these nations labor in such a struggle to obtain and keep a share of the less than $30,000,000 of gold annually retainable from the arts, for money, out of the year's new product of the whole world's mines.

One fact, *in finis*, should influence opinion, namely: Germany's closing of her mints and sale of her silver were not effectual to disturb the long-established commercial parity of gold and silver. The closing of the Latin Union mints effected that disturbance. The closing of the Latin Union mints did not follow as a consequence of these acts of Germany. The chronological order and *interim* of these experiences, and consequent conditions severally, will altogether make this truth clear.

It was the closing of the mints of the United States, which served to close the Latin Union mints, which thus indirectly effected the disturbance of the commercial parity of gold and silver, now so much deplored.

Inasmuch then, as the United States thus (intentionally or unconsciously) dictated Europe's course to that disturbance, my conviction is that present conditions in the world at large warrant the assertion now of our ability to dictate Europe's immediate future policy for the restoration of that parity. Under this conviction, I therefore without the slightest hesitation commend as wise and timely and eminently patriotic the immediate adoption by our present Congress of unlimited free coinage for our present standard silver dollar.

Nevertheless I concede the right of every man to his own, if different, opinion, and therefore I am for compromise which shall lead, with evident safety, to exactly like results: Say, require a Treasury purchase of 4,500,000 ounces of fine silver monthly at not exceeding $1 for 371¼ fine grains; the notes to issue for the same to be lawful money and receivable for customs and other public dues; the amount of said notes at any time outstanding not to exceed the cost of the silver coin and bullion reserved on hand for which the notes were issued; the notes to be redeemable in coin; and of the purchased silver not less than 2,000,000 standard silver dollars monthly to be coined; but the remainder of the silver to be hoarded as bullion, at the discretion of the Secretary. Minor points of Treasury convenience are not necessary here to state.

A fair remark as to this proposition is this, namely: If, upon the proposed reserve of silver and possessing a hundred millions of gold, the United States can not maintain at par her own notes issued as lawful money, and redeemable in gold or silver coin at Government option, then and in that case the United States can not be assumed to be able to maintain its notes at par under any other promise, be that promise their redemption in bullion at market price or something more attractive.

Respectfully submitted.

WM. P. ST. JOHN.

May 29, 1890.

To the PRESIDENT OF THE
NEW YORK CHAMBER OF COMMERCE.

McDuffie vs. Turpin.

SPEECH
OF
HON. LOUIS W TURPIN.
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 4, 1890,

The House having under consideration the contested-election case of McDuffie *vs.* Turpin, from the Fourth Congressional district of Alabama—

Mr. TURPIN said:

Mr. SPEAKER: By profession, occupation, and choice, I belong to that class little accustomed to speaking in public. I am and have always been a tiller of the soil, and have never attempted to argue a case. But I have thought, sir, that I ought not to sit idly by and see my people maligned, abused, and villified, and myself even placed in a false attitude, and say nothing whatever. Not that I expect to change a single vote on the other side; oh no, I have no such arrogant expectations, but I want the RECORD to show the facts, as many of them as can be stated in the short time allotted me, that the people may know the great wrong that is about to be perpetrated upon them.

Therefore, I simply desire, briefly and plainly, to state to the House what I know about this case, and I am perfectly familiar with it. This most unholy and unrighteous persecution is waged upon me by a man accustomed by long usage to conduct such partisan schemes. Years ago he assisted Judge Smith when he contested General Shelly's seat in the Forty-seventh Congress; he was attorney for George H. Craig, in a contest in the Forty-eighth Congress, and this is the second contest he has made himself—why, Mr. Speaker, he is a professional in this business, a real Tichborne contestant. He never expected to be elected, and made no effort to get votes, but being familiar with the details of contested-election cases he prepared, long before the election, to contest my right to a seat in the Fifty-first Congress, and the record shows all the way through a deep-laid conspiracy for this purpose.

But it seems from the majority report this case is to be tried by the history of the district and upon the census, and it is claimed that the Fourth district of Alabama was set apart as a Republican district. No one, sir, denies that; but does it follow as a matter of fact because it was Republican sixteen years ago it is so now? History is full of cases where a Congressional district has been made for the purpose of electing a candidate of certain politics which almost from the start has disappointed the expectations of its makers. People change their politics, and change the political condition of districts, States, and this great Government itself.

This is true not of the white man alone, but of the negro also, and in this district we find that in 1874 the Republican majority was 14,946; in 1876 it was 9,446, but in 1880 it was Democratic by 2,651 majority. Or, being a Republican district, does it follow that the Republicans would vote for a man to represent them in Congress who was not considered true to the party, one that had betrayed their confidence only two years before, and at a time when there was a serious breach in the ranks of the Democratic party in his own county, the most serious that we have had in our State since it was redeemed from the possession of the scallawags and carpet-baggers in 1874?

When opposition to the regular Democratic nominees was so bitter as to array father against son, and brother against brother, then where was this contestant? Do we find him on the side of the bolters from the Democratic county convention trying to aid in electing the independent ticket, or heading a Republican movement to defeat them both? Not at all. Why, we find him espousing the cause of the regular Democratic ticket, stumping the county in its interest. I mention this because the majority of the Committee on Elections seems to lay great stress upon his popularity with the Republicans in the district.

He attempts to prove that he is popular with his party, but with the most signal failure, as the record shows. Why, who ever heard of an honest man going around proclaiming his honesty in order to prove the same? "By their fruits ye shall know them." He was nominated in the dead of night with bolted doors by a convention called, not for the purpose of nominating a candidate for Congress, but for the purpose of nominating two delegates to the national convention at Chicago, and which was long before the assembling of the Republican State convention in Alabama, an unusual and heretofore unheard-of transaction.

This transaction occasioned bitter and widespread dissatisfaction all over the district, and Republicans, white and black, refused to support McDuffie. There were two Republican newspapers published in the district, both owned and edited by colored men, one of which never supported McDuffie, but opposed him throughout the whole campaign. The leading colored men in the Republican party in the district opposed his election, and although they canvassed the district for Harrison and Morton, they denounced the contestant as a trimmer and a trickster unworthy the support of Republicans, and urged their people wherever they went to vote for me.

James K. Green, a colored man and a Republican, was an Independent candidate, and the testimony shows he withdrew about a week before the election, and withdrew in my favor; that he wrote all over the district beseeching his friends to vote for me. This man is an ex-member of the Alabama State senate, and, as my colleague, Mr. OATES, has said, one of the brightest men of the negro race in the State.

J. J. Carmichael (colored Republican), a school-teacher and an intelligent man, canvassed the district for me; went all over it, except one county, which he was prevented from canvassing by sickness. He, like many other Republicans, voted for the Harrison electors, but voted for me for the Fifty-first Congress. He was one of the witnesses in this case, and I read part of his testimony:

Q. What is your occupation, and what is your politics?
A. I am a school-teacher, and I am a Republican.
Q. Did not the majority of the negroes in Richmond beat vote for Turpin at the last election?
A. They did.
Q. Upon what do you base your last answer?
A. For the reason that Alfred Hatcher, M. E. Edwards, W. C. Coleman, and myself canvassed that beat and voted and supported the Turpin ticket, and the men mentioned are the leading colored men in that beat, Coleman being the chairman of the Republican party in the beat, and I am secretary.
Q. Why did Coleman and yourself, being Republicans, work for Turpin and vote for him instead of McDuffie?
A. The first reason is that Mr. Turpin was favoring free schools for colored people; second, because he was a high-tariff man; and third, because we didn't consider that McDuffie was nominated at all; and fourth, he, McDuffie, supported the regular Democratic ticket in Lowndes County two years ago, and the Republicans thought that he ought to have supported the Independent ticket.
Q. Did you canvass the Fourth district before and up to the time of the last election and mingle largely with the colored voters all over the district, and have an opportunity to find out how they felt as between Turpin and McDuffie, and how they expressed themselves as intending to vote?
A. I did in all the counties in the district except Lowndes County.
Q. Was there not a general dissatisfaction throughout the entire district with McDuffie, and did the colored people express themselves as intending to vote for Turpin?
A. I found it this way in all of the counties that I went to.
Q. What reasons did they give for this?
A. The reasons that I have given above.
Q. You have stated that Mr. Turpin was a high-tariff man, and it was so understood among the colored people. Where did you get that information?
A. For the reason that he was a candidate for the nomination for Congress in this district in 1882, and it was so announced in the Selma Times paper, and I have never seen it contradicted, and Hon. James K. Green, a prominent Republican who lives near Mr. Turpin, told me so, and it was told by us to the voters wherever we canvassed.
Q. How many Republican newspapers are there published in the Fourth Congressional district at Alabama; give their names; and are they published by white or colored men?
A. There are two; their names are The Selma Cyclone and The Independent, and they are both published by colored men.
Q. Does the Cyclone circulate all over the Fourth district among the colored people, and does it have a large influence throughout the district?
A. It does; it is a popular paper; circulates extensively.
Q. Did the columns of this paper throughout the campaign show that there was widespread dissatisfaction with McDuffie among the colored people of the district?
A. It did, clear up to the election.
Q. If you have any of these copies of the Cyclone, please attach them as exhibits to your answer.
(The witness now puts in 17 copies of the Cyclone, dated as follows.)

* * * * * * *

Q. State whether there was any Republican ticket in the field on the said 6th day of November, 1888, except that with J. V. McDuffie's name on it for Congress from this district. If there was any such ticket, state whose name was on it and how many were voted at your precinct?
A. All the ticket that I used was headed with the Harrison electors for President, and for Representative, L. W. Turpin. I only saw about five or ten tickets with J. V. McDuffie's name on them. I issued seventy-five or eighty tickets.

* * * * * * *

Cross-questioned:

Q. During the said canvass did you not write a letter to J. V. McDuffie, and sign your brother Daniel's name to it, in which you offered to go to Wilcox County and canvass in his behalf, stating that you had everything solid in Richmond beat for him?
A. I did not. My brother Daniel and Peter Palmer came to my house at Richmond and presented to me a letter written by J. V. McDuffie, saying, please see J. J. Carmichael, at Richmond, and tell him to hold Richmond down for him. My reply to them was, "I am not a J. V. McDuffie man; there was nothing in Richmond I could hold down for him." Daniel said to me that J. V. McDuffie said to tell you that he would "give you $50 to canvass Allenton beat and Bonham beat," and I refused.
Q. Who did write the letter, that to which I have called your attention, and who was present at the conversation that you have related besides your brother?
A. I don't know who wrote the letter, and W. C. Coleman was present at the conversation you ask about.

J. H. Hawkins, another intelligent colored man and a Republican, testifies to the dissatisfaction with McDuffie, as follows:

Q. What is your name, age, color, politics, and residence?
A. J. H. Hawkins is my name; I am about 30 years old; am a black man; I am a Republican, and I live in Selma.

* * * * * * *

Q. Did you have any connection with the Republican party organization in 1888; if so, what?
A. I did; I was a delegate to the county convention.
Q. Were you a member of the executive committee?
A. Yes, sir; until the 9th of May, when my time expired.

* * * * * * *

Q. Were you selected as a delegate to the district convention?
A. I was not.
Q. Where was that district convention held?
A. At the hall of the Daughters of Conference, in Selma, on Sylvan street.
Q. Were you there?
A. I went to the door.
Q. Why did you not go in?
A. I couldn't get in unless I had a ticket.
Q. Were none admitted except those who had tickets?
A. That is what I was informed.
Q. Were there not a great many there who had no tickets demanding to go in?
A. Yes, sir; a good many.
Q. Were any of that number delegates who had been chosen to the district convention?
A. I don't know.
Q. Didn't you hear them claiming that they had a right to go in as delegates, and were excluded because they had no tickets?
A. I heard them say they had a right to go in and couldn't because they had no tickets.
Q. How long was that convention in session before they announced that McDuffie had been nominated?
A. I don't know.
Q. Wasn't it talked in the crowd that it was an attempt to nominate McDuffie secretly, and that was the reason you all was excluded; and did not many of them declare then that if he was nominated that the Republican party wouldn't support him because it was reported among and believed by a large majority of the Republicans of the district that he had gone back on the Republicans in the State and county elections in Lowndes County?
(Contestant objects to the above question.)
A. It was talked then and is talked yet that it was an attempt to nominate McDuffie secretly, and that was because we were excluded; and they did say that if he was nominated that the Republican party would not support him on account of the Lowndes County matter, as mentioned above.
Q. When the nomination of Judge McDuffie was announced, didn't it give widespread and general dissatisfaction among the Republicans voters of the county and district in which you live, and didn't such dissatisfaction continue throughout the canvass for Congress in the district, and does it not still continue?
A. When the said nomination was made it did give such dissatisfaction as

above stated in the question, in my beat and in Selma, and it continued through the canvass, and still continues with some.

Q. Were you at the election on November 6, 1888, held in Selma; if so, who were the candidates for Congress?

A. I was at said election, and Mr. Turpin was the Democratic candidate, and Mr. McDuffie was the Republican candidate.

Q. Did you distribute tickets to the colored voters there that day?

A. I distributed them from Mabry street down to Church street.

Q. That is in one ward in the city, is it?

A. Yes, sir.

Q. Now, whose name was on the tickets for Congress that you distributed?

A. Mr. Turpin's.

Q. Was there any other colored man distributing the same kind of tickets that you distributed?

A. One to my knowing.

Q. How many tickets did you distribute?

A. I distributed 260.

Q. After you went to the polls that day did you see any of the voters to whom you distributed tickets vote them into the ballot-box; if so, about how many?

(Contestant objects to the above question.)

* * * * * * *

Q. Then you believe the most of the voters to whom you issued those tickets, from the way they talked to you, voted them, do you?

(Contestant objects to the above question because the answer calls for the opinion of the witness, without showing any fact to base said opinion on.)

A. I do.

Q. Did you have a conversation with J. H. McIlwain, chairman of the Democratic executive committee of the Fourth Congressional district of Alabama, before the election in November last; and, if so, did you not advise him to have tickets printed with the names of the Republican electors on them, and L. W. Turpin's name on them, for Congress; and did you not tell him that on account of the dissatisfaction existing in the Republican party against McDuffie you believed that a great many Republicans would vote such a ticket?

A. I had a conversation with Mr. J. H. McIlwain, as stated above; and I gave him the advice as further stated in the question.

And here is the testimony of another intelligent colored man, a Republican and a leader amongst his people.

Cornelious J. Crocheron:

Q. What is your name, color, and politics, and in what beat did you reside on the 6th day of November, 1888?

A. My name is Cornelious J. Crocheron; I am a colored man and a Republican; I resided in Valley Creek beat, Dallas County, on the 6th of November last.

Q. Was there an election held in said beat for a Congressman from the Fourth Congressional district of Alabama; and if so, who was the Democratic and Republican candidates, and what part, if any, did you take in said election?

A. There was such an election; L. W. Turpin was the Democratic candidate and McDuffie was the Republican candidate, and I issued tickets to colored voters on that day.

Q. Did you not issue tickets to the colored voters on that day; and were not the names of the Republican Presidential electors printed on said tickets and the name of L. W. Turpin as a candidate to the Fifty-first Congress from the Fourth Congressional district of Alabama; and, if so, state how many of said tickets you issued to the colored voters of said beat, and whether or not you issued them to the said colored voters at their instance and request, and if there was not a great eagerness on the part of said colored voters of the beat to vote said ticket as a means to express their dissatisfaction with the manner of and means by which McDuffie captured the nomination and their displeasure at his political trades and methods in Lowndes County?

A. I issued tickets to the colored voters on that day, and the Republican Presidential electors and L. W. Turpin's name were printed on said tickets; I issued about five hundred of these tickets, and I issued them to the said voters at their request, because they did not want to vote for McDuffie at all on account of the way he had acted in Lowndes County; they were dissatisfied; and that is why they voted for L. W. Turpin.

Q. Is it not a fact that the said J. V. McDuffie's support of what is known as the Bourbon wing of the Democratic party in Lowndes County created dissatisfaction with him as a leader of the Republican party throughout the district, and is it not a fact that his support of the said Democratic wing in Lowndes County created a split in the Republican party in Dallas County, one wing of which were his supporters and the other being unalterably opposed to him, and was not the opposition composed of the rank and file of the colored members of the Republican party, and was not the wing supporting him composed chiefly of so-called leaders and men who are in politics for the purpose of making money?

A. It is a fact that the said J. V. McDuffie's support of what is known as the Bourbon wing of the Democratic party in Lowndes County created great dissatisfaction throughout the district, and it also created a split in the Republican party in Dallas County, one wing of which supported him and the other wing was unalterably opposed to him, and the said opposition was composed of the rank and file of the colored members of the Republican party, and the wing supporting him was composed of so-called leaders and men who are in politics for the purpose of making money.

Q. Have you not been a life-long Republican, and are you not a leader of influence among your people, representing them in conventions and at times being a member of your county and district executive committees, and are you not well acquainted with the political sentiment and feelings of the colored people of your county and district?

A. I have been a life-long Republican, and am a leader of influence among my people, and I have represented them in conventions and have been member of the county executive committee, and I am well acquainted with the political sentiment and feelings of the colored people of my county and district.

Q. Are not the Selma Cyclone and the Southern Independent the leading organs of the colored people and the recognized exponents of Republican doctrines in this section?

A. They are.

Q. Has not the Cyclone a large circulation among the colored people in this district, and does it not have great influence in shaping the political sentiment of the colored voters of this district; and, while Republican in politics, did not the said paper during the recent canvass oppose the election of J. V. McDuffie and counsel the colored voters of said district to vote the Republican national ticket, but to vote for the best man for Congress regardless of what political party he belonged to; and did not the said paper support Turpin and advise the colored people to vote for him?

A. It has a large circulation in this district and it has great influence in shaping the political sentiment of the colored voters of this district; and, while Republican in politics, that paper did oppose the election of J. V. McDuffie and counsel the colored voters of the district to vote the national Republican ticket, but to vote for the best man for Congress regardless of what political party he belonged to; and I don't know whether it supported Mr. Turpin or not, but it did not support J. V. McDuffie.

Q. Is not the editor of that paper a Republican, and has he not been a life-long Republican; is he not recognized by all classes, black and white, as being a representative man of his people in virtue and intelligence?

A. The editor is a Republican and has been all his life; and he is so looked upon by all classes.

* * * * * * *

Cross-examined:

Q. You have said that you were a member of the Republican county executive committee of Dallas County. What beat did you represent, and what time did you so represent it?

A. I represented Valley Creek beat, and it was in 1888.

Q. How long were you on that committee?

A. Two years.

* * * * * * *

Redirect examination:

Q. Is it not a fact that nearly every colored Republican of influence, ability, and respectability in Dallas County was opposed to the nomination and election of J. V. McDuffie for Congress?

A. It is a fact that nearly all good and intelligent Republicans opposed McDuffie in the way that he was nominated in a dark convention, and it is a fact that they are to-day opposed to the steps that he has been taking with the Democrats in Lowndes County.

The record bristles with such testimony, and yet the chairman of the Committee on Elections insists that all the colored men supported McDuffie, and tries this case by the history of the district and by the census.

Why, the report of the majority of the committee begins by quoting not only the vote of the Fourth district but also the Tenth Census, and the chairman of the committee who made the report, not being satisfied with the Tenth Census, anticipates, with the wisdom of Solomon and the foreknowledge of a sage, the Eleventh Census also, and proceeds to enlighten the House by informing it how many more white and how many more colored men live in that district now than ten years ago. Now, Mr. Speaker, any man who knows anything about the development of the great State of Alabama knows that the negroes have removed from the Black Belt by thousands to North Alabama, where they have gone to engage in making iron and digging coal in that portion of the State.

Mr. STOCKDALE. A good many of them have gone to Mississippi.

Mr. TURPIN. Yes, great numbers of them have gone to Mississippi. When we are afflicted by bad crops hundreds of them go off to Mississippi and Louisiana.

Now, Mr. Speaker, if this case is to be tried by the Eleventh Census——

Mr. CRISP. If it is, you had better postpone it until after we get the census returns. [Laughter.]

Mr. TURPIN. Why, yes; it would seem at least a little fairer, but what is the use? The Committee on Elections have made it to suit themselves and the occasion.

But, Mr. Speaker, inasmuch as it is to be tried by the census—and the Eleventh Census, at that—I submit some figures from statistics sent me a few days since by the register of vital statistics of the city of Selma, Dr. J. A. McKinnan (who, by the way, is a Republican), showing the ratio per thousand, annual, of births and deaths for the months of January, February, March, and April, of the present year, of the two races in that city:

BIRTHS.	Per cent.	DEATHS.	Per cent.
Whites	104.45	Whites	31.14
Colored	72.71	Colored	91.46

How would those proportions affect the census in ten years? I leave it, sir, for the sage of Bloomington to figure on, and then, perhaps, he will abandon the idea of trying this case on the Eleventh Census. But enough, sir, of the general testimony of the district. Let us review briefly the action of the contestant at some of the precincts in the various counties, which shows conclusively the existence of this conspiracy with which I have charged him. Take my own county, Hale, with which I am familiar, at my home box at Newbern, where I live. He charges, in his notice of contest, as follows:

66. That at precinct No. 5, called Newbern, in said county and district, at the day and at the election aforesaid, all the inspectors were your friends; that the Republicans in said precinct refused to vote and did not vote; that there are not over sixty Democrats living in the precinct, and that there were not that number (sixty) of ballots cast there that day; yet these friendly inspectors of yours, in order to advance your interest and to defeat me, certified you had received at this precinct 215 ballots and myself none.

I shall, in this contest, insist that the vote as returned and counted for you from this precinct be thrown out and counted for nothing.

The returns gave Turpin 215 votes and McDuffie none, the Harrison electors 83, the Cleveland electors 131, and 1 for the Prohibition ticket.

Now here is a direct charge of stuffing the ballot-box by the inspectors right at my home, the place of all others I should certainly attack if I was contesting a member's seat and had made such gross charges against it. But what does he do? The law allowed him forty days to take direct testimony, and ten for rebutting testimony. He took testimony during the first forty days at Greensborough, only 9 miles from Newbern, at Uniontown, 10 miles distant, and at Marion, 14 miles distant, but examined not a single witness as to Newbern. Is it not reasonable to suppose that if there had been any truth in his allegations that he could have found at least one witness who would have testified he voted for him? The poll-list was at his disposal.

I ask you, gentlemen of the other side, what you would have done had you been in contestant's place? After the eighty days had expired and during the ten days allowed him for taking rebutting testimony he puts one witness on the stand, Jack Saunders, a man that did not

vote at all, and he is made to swear that the colored people opened a separate poll of their own; that two colored men took down their names, but does not say who they were. I shall insert all of this man's testimony in the record.

J. H. Saunders, being called by the contestant and sworn, deposes and says as follows:

Q. What is your name, age, occupation, and where [were] you on the 6th day November last?

A. My name is J. H. Saunders; I am thirty-four years of age; I am a school-teacher; I was in Newbern, Hale County, on the 6th day of November last.

Q. Was there an election in Newbern on that day; and, if so, for what purpose?

A. Yes, sir; there was an election in Newbern for Congressman.

Q. Were you present at the polls or near there; if so, how long?

A. I was present at the polls where the colored people voted that day; I was there an hour or two.

Q. Were you not around there nearly all day?

A. Off and on nearly all day.

Q. About how many white voters are there in Newbern precinct?

A. I can not tell; I do not know.

Q. Is there over 75 voters? Give me your best judgment as to the number.

A. There might be 75 and there might be over.

Q. Did the white folks open a poll there that day?

A. Yes, sir; they did.

Q. Did the colored voters vote at the polls opened by the white folks?

A. There might have been some voted there, but the largest crowd voted below Louder's store; two colored men took down the names.

Q. What did the colored people say about voting at the other box?

A. They got mad because there was no supervisor there and would not vote at all.

Q. For whom did the colored voters of that precinct want to vote for, McDuffie or Turpin?

A. A large majority wanted to vote for McDuffie.

Q. About how many colored voters do you know voted at the Democratic box?

A. There was not many that I saw.

Q. Did you see any vote there?

A. I did not see any vote there.

Q. Is it not a fact that a great majority of the colored voters of Newbern beat are Republicans and vote the Republican ticket; and was not J. V. McDuffie their choice as Congressman?

A. They were on the election day.

Q. About how many colored men do you [know] who live in Newbern beat who vote the Democratic ticket?

A. I do not know exactly how many are there in all; I do not know of more than five or six.

J. H. SAUNDERS.

Mr. HOLMAN. Did the Harrison electors receive any votes at that precinct?

Mr. TURPIN. Yes; 83 for the Harrison electors and 131 for the Cleveland electors, 215 for Turpin, and none for McDuffie. My recollection is that in the whole district McDuffie ran about 3,000 votes behind the Harrison electors.

Mr. Speaker, do you not know and does not every honest man know that if the ballot-box at Newbern had been stuffed with 150 or 160 fraudulent ballots it could have been proven by summoning some of the parties named on the poll-list, who, if they had not voted, would have said so?

The testimony of Jack Saunders is all there is about this box, yet the majority report of the committee says: "At this box there was no Republican inspector or supervisor and the Republicans refused to vote, but the Democratic inspectors counted them as if they had voted." Where did the writer of that report get that information?

I know the three men who acted as inspectors at that election. P. C. Jones is a colored man, and he is a Republican—a leading one at that—he is a man of influence in his party and a good stump speaker; I have heard him make many a Republican speech. He voted for the Harrison electors, so he told me, but said he could not and did not vote for McDuffie. If there was no Federal supervisor it was the fault of the contestant, for the chief supervisor is a Republican and has always made appointments to suit his party friends in this district. But this most wonderful report in many places says, "The inspectors were all Democrats," when there is nothing more to sustain such allegations than there is at this precinct.

I call your attention to the strange conduct of the contestant in another precinct with which I am familiar, Scott's precinct, Perry County, where I was raised. The contestant in this case took the stand twice in his own behalf, and he swore that he was unusually strong and particularly popular in this precinct, giving as a reason that a great many colored people had, a few years ago, moved over there from where he lived in Lowndes County, with Judge Smith. It is a fact that a great number of colored people came with Judge Smith over there from Lowndes County, and they are there yet. It is also a fact that they all voted for me. Now, what does he do at this poll, after all this swearing in his own behalf? He claims 261 votes more than the returns give him; he examines several witnesses, but *not one* of his *friends* from Lowndes. Uniontown is another precinct near where I live and with which I am familiar.

At this precinct the legally appointed inspectors were T. G. Fowler, T. S. Heylton, and Peter Jackson; two Democrats and one Republican. They were all present, and opened the polls promptly at 8 o'clock on the morning of election at the office of 'Squire Christian, in the business part of the town, where elections had been held for a dozen years or more. The election was regularly conducted according to law and returns correctly made to the sheriff of the county, showing the vote to be 2 for McDuffie, and 201 for me. No dispute about the honesty of the returns from this box, yet the committee count 953 votes for McDuffie. Where do they find them? Why, just as they have found many more and counted for the contestant in this case.

Dr. J. H. Houston and two or three negroes testify that they held another election (an election of their own) at Houston's office, an out-of-the-way place in the suburbs of the town. They had no more right to open polls or hold an election there that day than citizens of France or Portugal had, and any tickets or ballots handed in at that office can no more constitute a legal vote than if thrown upon the ground.

But the committee say there is some dispute about the hour of opening the polls. The laws of Alabama require the inspectors to be on the ground promptly at 8 o'clock in the morning, and that the polls shall be opened at each voting place between the hours of 8 and 9 o'clock.

Let us see what the record says about this. There were six witnesses examined by my attorneys. Colonel Fowler, T. S. Heylton, and Peter Jackson, the three inspectors, all testify that the polls were open exactly at 8 o'clock. J. J. Brown, J. M. Jeffries, R. W. Nicolson—I will not read all this testimony——

[Here the hammer fell.]

Mr. TURPIN. I ask unanimous consent to proceed.

Mr. COMSTOCK. I hope unanimous consent will be given.

Mr. ROWELL. How much time does the gentleman want?

Mr. TURPIN. About fifteen minutes, possibly twenty minutes.

Mr. ROWELL. I ask unanimous consent that the gentleman have fifteen minutes more in which to close his remarks.

There was no objection.

Mr. TURPIN. Mr. Speaker, as I have said, I will not read all this testimony, but without objection will insert it in the RECORD.

Testimony of Col. T. G. Fowler:

Q. What is your name, age, occupation, and residence, and how long have you resided there?

A. My name is Theophilus G. Fowler; I am sixty years old, and I am a life and fire insurance agent; I reside in Uniontown, and have resided there since 1860.

Q. State whether or not you held an official position in general or national election held in Uniontown on the 6th day of November, 1888, and, if so, what position did you hold?

A. I did hold an official position in said election. I was one of the inspectors of said election. I, Peter Jackson, and Thos. S. Hylton were the three inspectors appointed by the officers authorized by the laws of Alabama, namely: The judge of probate, sheriff, and clerk of the circuit court, of the county of Perry, to appoint inspectors. I and the others were duly notified according to law of our appointment as such inspectors. Ed. Glass was appointed returning officer by the authorities hereinbefore named, whose duty it was to appoint such returning officer, and as such he acted in that election.

Q. Who were the other election officers?

A. They were Thomas S. Hylton and Peter Jackson were the other inspectors; John M. Jeffers and Bernard Harwood were clerks, and Ed. Glass was returning officer.

Q. State if any of the inspectors were Republican. If so, who?

A. Peter Jackson was the colored inspector and he was a Republican.

Q. At what hour was the polls opened on the morning of the 6th of November, 1888, and at what place?

A. The polls was opened punctually at 8 o'clock at the office of J. B. Christian.

Q. Where is said office located?

A. Near the center of the business portion of the city.

Q. State whether or not said office is the usual voting place in said city.

A. All the general elections within my memory have been held at that place, with one or two exceptions.

Q. State all the circumstances in reference to opening the polls on the 6th of November last.

A. When I first reached the polling place that morning I went across the street and compared my watch with the regulator of J. C. Walsh, the city jeweler; it was one-quarter to 8 o'clock; in a few moments the other election officers were on the ground together; we roped up a rope barrier leading to the window through which the ballots were delivered, which was completed a few minutes before 8 o'clock a. m.; punctually at 8 o'clock a. m. the polls were opened by proclamation. I know this to be a fact, for I had my watch in my hand at the time.

Testimony of T. S. Hylton:

Int. What is your name, age, and occupation, and where did you reside on November 6, 1888?

A. Thomas S. Hylton; age forty-two; am a farmer; I resided in Uniontown, Perry County, Alabama, on November 6, 1888.

Int. Were you a qualified elector of Uniontown beat at that time?

A. I was.

Int. Was there a general or national election held in Uniontown on that day; and if so, were you ever one of the officers of the election?

A. There was a general election held there on that day, and I was one of the inspectors of the election.

Int. Were you or not appointed inspector of election for Uniontown beat by the officer authorized by law to appoint inspectors?

A. I was.

Int. At what time was the polls opened in Uniontown on that day, and where were they opened?

A. They were opened in Uniontown promptly at 8 o'clock a. m., on November 6, 1888, and were opened at the usual voting place, namely, Christian's office.

Int. Now, are you certain that the polls were opened there promptly at 8 o'clock a. m.?

A. I came by the jeweler's, Mr. Walsh's, store on my way to open the polls, and then examined his regulator, finding that it was five minutes before 8 o'clock. I then went across the street to Christian's office, where the polls were to be opened, which office was about 75 feet from the jeweler's, and the polls were immediately opened. I am certain the polls were opened there at 8 o'clock a. m. The ropes were stretched around the polls when I got there.

Int. Who were the other inspectors appointed by the officers authorized by law to appoint inspectors?

A. T. G. Fowler and Peter Jackson, colored. Ed. Glass was the appointed returning officer.

Int. Were all the inspectors present at the polls at 8 o'clock a. m. on November 6, 1888, at Christian's office?

A. They were.

Int. Did not all of them act on that day?

A. They did.

Testimony of J. J. Brown:

Int. What is your name, age, occupation, and residence, and how long have you resided there?

A. My name is James J. Brown; my age is forty-three years; my occupation, merchant and postmaster; reside in Uniontown; resided in Uniontown beat ever since 1880.

Int. Was there a national election held on the 6th day of November last; and, if so, who were the candidates for Congress at that election?

A. There was such an election held there on that day. J. V. McDuffie, Republican, and L. W. Turpin, Democratic candidate, were candidates for Congress.

Int. At what place in Uniontown was said election held on that day, and how far was it from your place of business to the post-office?

A. Said election was held at Christian's office on that day, which place was about 75 feet from my place of business and the post-office.

Int. At what hour on the 6th of November last was the mail train going east due at Uniontown?

A. It was due at Uniontown at 8.50 a. m.

Int. At what hour that morning and under that schedule was the mail-bag delivered by you to the carrier, whose duty it was to deliver it to the route agent on the train?

A. We delivered it to the mail-carrier on that day at 8.20 a. m.

Int. When the mail was delivered by you to the carrier on that morning were the polls open in Uniontown at Christian's office, and was the election progressing?

A. Prior to the time I delivered the mail-bag to the carrier on that day I heard the announcement made that the polls were open.

Int. When did you reach the post-office on that morning?

A. I am certain that it was by or before 6 o'clock a. m.

Int. Did you or not on that morning, prior to 8 o'clock a. m., see T. G. Fowler, Peter Jackson, or Tom Heylton at or about Christian's office?

A. I saw T. G. Fowler prior to that time; he came to my store to get some small rope, he said, for the purpose of making a rope barrier around the polls.

Int. State whether T. G. Fowler asked you to allow your porter, Robert Smith, who was the mail-carrier, to assist him in making the rope barrier around the polls; and, if so, did he assist him?

A. My recollection is he did ask him, and that he did so assist him.

Testimony of J. M. Jeffries:

Q. At what hour were the polls open on that day?

A. The polls were publicly declared open at 8 o'clock a. m.

Q. Do you know when the oath was administered to John Smith, as supervisor for the United States, by Esquire Nicolson, notary public, on the morning of the 6th of November, 1888?

A. I did not see John Smith myself, but heard him in Esquire Nicolson's office about 9 o'clock a. m., after the polls were open and the voting was going on. Esquire Nicolson's office adjoins the room in which the election was being held.

Q. Where was the election held on the 6th of November, 1888?

A. At J. B. Christian's office, in the business portion of the town, and on the main street.

Q. Where are the elections usually held in said precinct?

A. At the said Christian's office.

Q. Where is the office of Dr. J. H. Houston situated?

A. It is situated in the extreme eastern portion of the city, just within the corporate limits.

From testimony of Peter Jackson:

Personally appeared before me, R. W. Nicolson, notary public and commissioner, Peter Jackson, who being first duly sworn to speak the truth, the whole truth, and nothing but the truth, says as follows:

Q. What is your color, name, and age, and where do you reside?

A. I am a colored man, and I am forty-two years old, and my name is Peter Jackson; I reside in Uniontown beat.

Q. Were you or not an inspector at the general election held in Uniontown precinct on November 6, 1888; and, if so, were you or not appointed by the county officials?

A. I was an inspector at such election, and was appointed as the Republican inspector by those authorized by law to appoint the election officers.

Q. Are you or not a Republican?

A. I am a Republican.

Q. At what time did you, with the other inspectors, reach the polling place or the place where the election was held?

A. I was there and so were the other inspectors at ten minutes before 8 a. m. on the morning of the 6th of November, 1888. We then put up the rope barriers, which occupied five or six minutes.

Q. How long after the ropes were put up before the polls were opened?

A. The polls were immediately opened, it being then 8 o'clock a. m. exactly. The announcement that the polls were open was made promptly at 8 o'clock a. m. on the public street in front of the polling place.

Q. At what place was the polls opened on that day?

A. At the place where elections are usually held, namely, at the office of Squire Christian, on the main street of the town.

Q. Are you positive that the polls were declared opened promptly at 8 o'clock a. m.?

A. I am.

Q. State whether any voters were rejected on that day. And if so, were they white or black?

A. Yes; several white men were rejected because they had not been in the beat quite long enough. They declared themselves Democrats.

Q. State whether any colored men who offered to vote on that day were rejected.

A. There were none; all voted without objection.

Q. Was it not known to all that the polls were opened at Christian's office on that day?

A. All knew it; a great many colored people were on the streets in hearing when the announcement was made that the polls were opened; everybody knew it.

Q. What part of the city was the voting or election held?

A. At the most public place in town; in the business portion, and on the main street of the city.

Q. Did you or not know that the polls were opened elsewhere in said city?

A. I did not until late in the day.

Q. Did J. H. Houston, John Smith, offer to vote at the polls where you were an inspector, or did you see any of them about the polls on that day?

A. They did not offer to vote on that day, nor did I see any of them about the polls on that day. I heard that John Smith was there to be sworn about 9 o'clock, but I did not see him.

Q. Do you know Col. T. G. Fowler, of Uniontown; and if so, how long?

A. I do know him and have known him about thirty years.

Q. Has he, or not, occupied a prominent place in the county since you have known him?

A. He has been a public man, and prominent for many years; he has represented Perry County in the State Legislature, and has been a member of several State conventions.

Q. In what part of the city is Dr. J. H. Houston's office situated?

A. He lives and his office is located on the extreme eastern limit of the town, just inside of the corporate limit.

Q. Have you ever known an election to be held at Dr. J. H. Houston's office?

A. I have never known an election to be held there; all of the elections have been held at Christian's office.

The holding of this outside poll by Houston and a few unreliable negroes, without warrant of law, was a part of the programme, part of the conspiracy to assist McDuffie in this contest. Why, sir, this same Dr. Houston was appointed one of the United States supervisors of election for Uniontown precinct and resigned. I do not remember whether the record shows this or not. I had considerable difficulty in getting transcripts of the appointment of United States supervisors and my recollection is I received them too late for this to appear with the testimony.

But I have it here on my desk and it shows that Houston resigned on the 29th of October; refused to serve, and notified J. W. Dimmick, chief supervisor, who then appointed John Smith in his place. On the 6th of November, about a week after this, we find him acting as self-constituted inspector and judge of election, with no commission, no authority to act in that capacity whatever. A few months later we find him on the stand a witness in this case, and he swears that at his box McDuffie received 953 votes. J. W. Stewart, one of the negroes who assisted Houston at this election, swears McDuffie received 1,153. A few days later we find him neglecting his practice and acting as attorney for McDuffie in this contest, and later on we find his son is made postmaster at Birmingham, Ala.

Why, gentlemen, before I came here I had thought this contest an insult to the Republican party, but about this it seems I was mistaken. [Laughter.] It is truly said, "bought knowledge is the best." By such counting as this, as my distinguished friend from Georgia [Mr. CRISP] has said, "you can overturn 50,000 as easily as you have set aside 13,000 majority." Chief Supervisor Dimmick can revise his list of supervisors and nothing is said about it. Oh, no! nothing whatever. He is a good Republican. But when the same thing is done (the list of inspectors is revised) by the county board in Lowndes you howl and say it is an unheard-of proceeding. "First pluck the beam out of thine own eye." The Lowndes County board give good and sufficient reasons for the few changes made in their revision of inspectors (because they declined to serve, or said they preferred not to serve).

The same reason is given by Mr. Dimmick, in this transcript I now hold in my hand, for the changes made by him in supervisors. And the same, the very same, reason that prompted Dr. Houston to decline to act as a United States supervisor at Uniontown is the reason that prompted the negro school-teachers in Lowndes not to act with the regular and legally appointed officers of election. That was, that they might go off and hold elections by themselves, as Houston did in Perry County, and as these negro school-teachers did all over the county of Lowndes, and return thousands of illegal votes for McDuffie. I call your especial attention to one of these outside boxes, because it was at a county seat, and the laws of Alabama designate and provide a place at county seats where all elections are to be held. At Hayneville, the county seat of Lowndes County, the Republicans held one of these outside elections, and the committee count 272 of these kind of votes for the contestant, although the law of Alabama is explicit and says elections held at county seats are to be held in the court-house.

All this was done by partisan friends to support a weak candidate. In order to bolster up his case and make something like a show of his vaunted popularity this contestant took testimony in this county and near his own home surreptitiously during the forty days allowed me for taking testimony, and when the ten days allowed him by law for taking rebutting testimony only, he puts two or three notaries public on the stand, and they produce a number of printed forms, affidavits signed by as many ignorant negroes, who could not read a ballot, as evidenced by their signing their names to these ready-made affidavits by a cross-mark, giving me no opportunity to cross-question them, or even to ask if the affidavits had ever been read to them. How was this contest conducted in the county of Wilcox—a county of more than 5,000 qualified electors?

I cite a few instances. Take the precinct of Prairie Bluff in that county. The returns give Turpin 245, McDuffie 14 votes. He claims at this box 241 votes. He examined two witnesses from there—L. J. Sykes and Granville Bennett.

Now, I will ask any honest man on the other side of the House: If you were contesting for a seat in Congress, and claimed 241 at a precinct where the returns only gave you 14, would you, could you, be satisfied with examining only two witnesses? Would you not try to get at least fifteen electors to swear that they voted for you, and thus show a falsification of the returns? But the chairman of the Committee on Elections says we expected them to examine 18,000 voters. We did not expect anything like that, but where the returns gave the contestant only 9 or 11 or 13 and he claimed from 188 to 245 (and as the Committee on Elections have counted for him, and the majority in this House intend to count for him) he would at least have found a reasonable number of electors to swear they voted for him.

These two witnesses testify that they distributed and saw voted 240 McDuffie tickets. My attorney examined all three of the inspectors (two Democrats and one Republican). They swear the election was

fair, legal, and honest. They also prove that, within their knowledge, Sykes and Bennett did not distribute tickets that day; and yet, in the face of this testimony, the Committee on Elections change the returns and give McDuffie 241 and graciously leave me 13 votes. Verily, it seems that the other side of this House concede to the majority of the Elections Committee "that divinity which doth hedge a king."

Here is another instance of the gross mistakes of the committee: Geese Bend precinct returns give me 190, and McDuffie 15 votes. He claims 192, and examined only two witnesses, who swear to the "same old story"—they issued and saw voted 192 McDuffie tickets. These witnesses were examined in the absence of my counsel, and swear this in answer to leading questions, and the Committee on Elections count 172 votes for contestant, and, with charity that "surpasseth all understanding," give me 9. Cardinal virtues, "Faith, Hope, and Charity." Faith in the "nigger," hope in the Committee on Elections, and charity enough to vote a Democrat out whenever opportunity offers. Truly is it said, "But the greatest of these is charity."

I cite you only one more in this county, but the record is full of them. Canton precinct returns give to McDuffie 11 votes, and to me 223. McDuffie claims 188; examines only one witness, J. W. Durgans. He swears in his examination that McDuffie received 188 votes and Turpin about 25; that he was 75 yards away from the polls; that he kept a tally and saw the voters deposit McDuffie tickets with the inspectors.

On cross-examination he was asked:

You can not swear, then, that the electors who had shown you their tickets deposited a single one of them, either in the hands of the inspectors or in the ballot-box?

A. No, sir.

Q. You can not swear, then, that J. V. McDuffie received more than one vote on that day, can you?

A. No, sir.

And on this testimony the Committee on Elections give contestant 188 votes, and with proverbial magnanimity give me 11.

Why, Mr. Speaker, in this county even the carpet-baggers and scalawags would not support McDuffie.

W. J. Bonner swears there are ten or twelve white Republicans living in the county; that half of them live in Camden (the county seat), and that they not only made no canvass for McDuffie, but not a single white Republican in the town voted for him.

If there is no objection, I shall insert Mr. Bonner's testimony in the RECORD:

TESTIMONY OF W. J. BONNER.

Q. What is your age?

A. I am twenty-nine.

Q. Where do you reside?

A. I reside in Camden, Ala.

Q. What official position do you now hold in Wilcox County, Ala., and how long have you held it?

A. I have been clerk of the circuit court ever since the August election, 1880.

Q. Have you not always been a pronounced Democrat?

A. I have.

Q. Were you or not re-elected as clerk of the circuit court at the August election, 1886?

A. I was.

Q. What vote did you receive at the August election, 1886, as said clerk?

A. I received over 4,600 votes at said election as said clerk.

Q. Do you or not as said clerk assist in selecting the inspectors of all elections held in Wilcox County, Alabama?

A. I do.

Q. Have you not as a candidate for clerk of the circuit court of Wilcox County, Alabama, canvassed the county?

A. I have canvassed said county on two occasions.

Q. Are you not well acquainted with the citizens of said county from holding the position that you now hold and have held for the last eight years?

A. I am. I know nearly every respectable citizen in Wilcox County, Alabama.

Q. Please read the list of inspectors at the November election, 1888, that is attached to the deposition of J. J. Hawthorne, and marked Exhibit —. Have you done so?

A. I have.

Q. What is the character of the Democratic inspectors on said list and their social standing?

A. It is the very best.

Q. Are they or not among the best men in their respective communities, and do they not stand above reproach as law-abiding citizens and honest men?

A. They are among the best citizens, and they do stand above reproach as law-abiding citizens and honest men.

Q. About how many white Republicans are there in Wilcox County, Alabama?

A. Not over ten or twelve.

Q. Do not about half of said white Republicans live in Camden beat?

A. Yes.

Q. Did or not the white or colored Republicans make a canvass in Wilcox County, Alabama, for McDuffie?

A. They did not.

Q. Did or not the white Republicans in Camden beat vote for McDuffie on the 6th day of November, 1888?

A. Not a single white Republican voted on the 6th day of November, 1888, for McDuffie in Camden beat.

Q. Who is the leading colored Republican in Wilcox County, Alabama?

A. Elbert W. Lock.

Q. Was Elbert W. Lock a delegate to the national Republican convention in Chicago that nominated General Harrison?

A. He was.

Q. Was he or not on the Republican electoral ticket in this State in 1884, when Mr. Blaine was the Republican candidate for President?

A. He was.

Q. Did the said Elbert W. Lock vote for said McDuffie at the November election, 1888?

A. He did not.

Q. Did you have any conversation with said Elbert W. Lock on the 6th day of November, 1888; if so, where was it and what did he say?

A. I did have a conversation with him at his shoe-shop on the 6th day of November, 1888, and he said he was not taking any part in the election; that he was occupying his time making shoes.

Q. Was it not generally believed by the white people and the colored people in Wilcox County, Alabama, that Cleveland would be elected President and Turpin would be elected Congressman from the Fourth Congressional district in November, 1888?

A. It was.

Q. In what place was the election held in Camden beat at said November, 1888, election?

A. In the office of circuit clerk.

Q. You were out of your office all day November 6, 1888, were you not?

A. I was.

Q. Were you near the voting place?

A. I was.

Q. Did you see Henry Fairly and John Montgomery distributing tickets on that day?

A. I did not.

Q. Are not the colored voters allowed to vote as they please?

A. Yes.

Q. How many white Democratic voters in Camden beat?

A. Between 165 to 175.

Q. Have there not always been a large number of colored Democratic voters in Camden beat?

A. Yes.

Q. Have not the number of colored Democratic voters increased from year to year since the Democrats elected their ticket in 1880?

A. Yes.

W. J. BONNER.

This testimony shows that the white men who had before this been acting with the Republican party not only failed to vote for McDuffie, but refused or neglected to vote for Presidential electors.

They know, sir, and the intelligent colored men in the South have learned to know, what party is responsible for the money famine that has so long impoverished the American farmer; they know what party has legalized fraud by contracting the currency; they know what party is responsible for the constant increase of millionaires and paupers—the great enemies of republican institutions; they know that the Republican party has never been the poor man's friend. They have turned from you and will continue to turn away from you, because they not only know, but they realize the truth, and know what is to their best interest.

Wilcox is not the only county in the district where white Republicans have changed; it is so all over the five counties that compose the Fourth Alabama district. In Hale, my own county, I know of only one white man that votes the Republican ticket, and he is perfectly incompetent to organize a beat meeting.

I read from the testimony of one of the witnesses for the contestant, a colored man, Dick Crook, who in the good old days of carpet-bag rule was himself quite an active politician:

Q. How many white Republicans are there living in this county?

A. Bill White Jones is one; the only one that I know.

Q. Were you living in this county some years ago, when Dr. Blackford was judge of the probate court, and George M. Duskin was solicitor, and Bill White Jones tax assessor, or not?

A. Yes, sir.

Q. State how many white Republicans were living in this county at that time, as well as you can remember.

A. I know of thirteen or fourteen Republicans at that time.

Q. What office did Mr. Joseph Adkins hold in this county at that time, and what office did Mr. Frank Harris hold, and what office did Mr. Burrel Johnston, Mr. V. Gayle Snedecor, Mr. Sam Briggs?

A. Mr. Joseph Adkins, was county treasurer, Frank Harris was high sheriff, Mr. Burrel Johnston was tax-collector, Mr. Snedecor was register, Mr. Sam Briggs was deputy sheriff.

Q. Were they all elected on the Republican ticket?

A. To the best of my judgment, they were, except Sam Briggs, appointed by the sheriff, and V. Gayle Snedecor, appointed.

Q. Is it not a fact that after the Democrats redeemed the State by the election of George S. Houston governor that all of the above-named parties went over to the Democratic party?

A. Yes, sir; they all went over to the Democratic party.

Q. Is it not a fact that Mr. Ike Ryan, John Ryan, Mr. Stevens, and Marion Johnson went over to the Democratic party, too?

A. Yes, sir; they went over to the Democratic party.

Q. Is it not a fact that George M. Daskin, Dr. Blackford, and Major Spann moved out of the county after George S. Houston was elected governor?

A. Yes, sir; they moved away.

Where, then, is the Republican party of the Fourth Alabama district if the same percentage of change from Republicanism to Democracy is applied to the colored vote?

You gentlemen of the other side figure and count it as you please. You have already determined to count me out, but I shall appeal to the people, and the people will vindicate and return me to the Fifty-second Congress. [Applause.] One of the illustrious characters of this country has said, "You can fool all the people part of the time; you can fool part of the people all the time; but you can not fool all the people all the time." You can, as you are going to do, count for the contestant the illegal votes at precincts where double elections were held in violation of law, but in pursuance of the plan of conspiracy adopted by the contestant and his partisan friends. Count the so-called votes returned by men not officers of the election—in no manner officers—men in no way authorized to open polls, to receive or count a ballot, accept as proof witnesses clandestinely examined for contestant in the time allowed by law for me to take my testimony—do all this, as you are about to, and will do. Then announce to the world that the American Congress enact, but do not obey the law, and the people will read your decision with the same degree of consolation that the farmers of the Northwest now read the mortgages on their homes by the light of burning corn.

One more point, Mr. Speaker: It is alleged as a reason for contestant's not examining more witnesses that time was consumed by attorneys for me in cross-examining his witnesses at great length. The lamest of excuses. Why, sir, in none of these precincts in Wilcox County to which I have alluded did he ever *summon* more than three or four witnesses. The record shows he had a legal right to commence the taking of testimony after the 14th day of January, of which he availed himself in Dallas County, yet he never examined a witness in Wilcox until the 31st of January, seventeen days after. He did not commence in Hale until the 25th day of January, and in Perry even later than that. This argument of want of time is as flimsy and unsound as many others that have been advanced here, and if this case could be tried before a jury of disinterested men the whole case would fall of its own weight.

This case, Mr. Speaker, was born in fraud, conceived in conspiracy, and nurtured by suborned witnesses paid by the Federal Government, as the archives in the various Departments in this city will verify. [Applause on Democratic side.]

It has been reiterated on this floor that my friends inaugurated a row at Snow Hill, Wilcox County, for the purpose of suppressing testimony in this case and that one negro was killed and others wounded.

The facts as proved dissipate this charge and show that the deputy sheriff who committed the homicide was acting under orders of the sheriff, and the homicide was committed in self-defense and under circumstances which justified him, to save his own life.

It is submitted that no man on the floor of this House would have acted otherwise if he places any value on his own life. The testimony of contestant does not give the circumstances which led to this unfortunate homicide. A part of my evidence is given to show it was absolutely unavoidable. It is as follows:

N. O. Knight, sworn:

Q. What is your name, age, and in what beat and county in this Congressional district did you reside on the 6th of November, 1888?

A. N. O. Knight is my name; am thirty-three years old; I lived in Wilcox County, Snow Hill beat.

Q. Was there an election held in said beat on the 6th day of November, 1888, for a member to represent the Fourth Congressional district of Alabama in the Fifty-first Congress of the United States; and, if so, who was the Democratic and who was the Republican candidate?

A. There was such an election held; Turpin was the Democratic candidate and McDuffie was the Republican candidate.

Q. Was there an attempt on the part of colored Republicans, or a committee of such, to intimidate the voters of said beat or to interfere with the free exercise of the ballot or prevent the colored voters of said beat from voting for Turpin?

A. I think there was such an attempt made.

Q. If there was any disturbance at said polls in which any of the colored Republicans got shot, state what it was, how it came about, who did the shooting and who got shot, and give all the facts that you know about the shooting.

A. The deputy sheriff, acting under the instructions of the sheriff of the county, went to arrest the negroes who were keeping an outside tally-sheet, and was carrying the man that he had arrested off, and Mose Davis, a colored man, interfered and said that he was going to make the deputy turn him loose, and went up behind the deputy with a fence rail, and I hallooed to Mr. Harris, the deputy, to look out, the negroes would kill him. The negroes then knocked Harris, the deputy, down, and then another negro by the name of Banks jumped, together with a dozen or two others, on Harris; they were beating him with sugar-cane stalks, etc., and I again hallooed to Harris to shoot Banks, who was on top of him. Harris then threw Banks off, and when he started towards him again he shot him. After being shot the negro jumped on Harris and got him down again, and in the scuffle on the ground the negro got shot again, and at this time a young man by the name Moore pulled Banks off of Harris, and Banks ran off a few steps and fell dead.

Q. Was the rail with which Mose Davis hit Harris a weapon capable of inflicting death?

A. It was.

Q. Would not Harris, in your judgment, have been killed by the negroes if he had not fired?

A. Yes, sir.

Q. Is it not a fact that the negroes were a loud, threatening, and dangerous mob?

A. It is a fact.

Q. Do not some of the negroes of said beat vote the Democratic ticket?

A. Yes, sir.

Q. Was not Mr. Harris a regular deputy sheriff of Wilcox County?

A. He was.

Q. Did not Mr. Harris refrain from shooting on that day until it became absolutely necessary for him to shoot to preserve his own life being taken?

A. He did.

Q. Was not Mr. Harris very badly abused in the scuffle?

A. He was.

Q. Did not Mr. Harris in the melee receive a painful wound that was some time in healing, and has left his head bare of hair in that place?

A. Yes, sir.

N. O. KNIGHT.

Witness:
S. W. JOHNSTON,
Notary Public and ex officio Justice of the Peace.

Robert Hall, sworn:

Q. What is your name, age, and in what beat and county did you reside on the 6th day of November last?

A. Robert Hall is my name; am thirty-three years old; I resided in Wilcox County, Snow Hill beat.

Q. Was Deputy Sheriff Harris a man of good character and of peaceable disposition?

A. Yes, sir; so far as I know; I have never heard anything to the contrary.

Q. What was the reputation of the negro man who was killed?

A. It was very bad, from what I can learn.

Q. State what you saw of the circumstances of the killing.

A. When I first went to the door at my store I saw the deputy sheriff have a man by the collar, and backing from the crowd of negroes that was pressing up to him and waving to a man to keep back who was coming after him with a fence rail; the man raised the rail and as it was descending upon the deputy sheriff he fired; sheriff had backed away about 15 feet while I saw him; the rail hit the sheriff about the back of the head or neck and he fell and the crowd of negroes rushed in so that I could not see; after the crowd rushed on to him I heard two more shots.

Q. Was there any intimidation of colored voters there that day?

A. None that I know of.

Q. Do not the negroes at Snow Hill beat largely vote the Democratic ticket?

A. I have heard them say so.

Q. Were the Democratic inspectors at said place men of good character?

A. I think they are regarded as men of good character.

Q. Would you believe Nathan Scott, Daniel Carmichael, Mike Hunter, and Henderson Gully on oath?

A. I don't know anything at all about Mike Hunter, and the other three I would not believe on oath.

Q. What is your occupation at Snow Hill?

A. I am a merchant.

ROB'T HALL.

Witness:
S. W. JOHNSTON,
Notary Public and ex officio Justice of the Peace.

Judge John Purifoy, sworn:

Q. What is your name, age, and in what beat and county did you reside on the 6th of November last?

A. John Purifoy is my name; am 47 years old; I resided in Wilcox County, Snow Hill beat.

Q. What public positions have you held in Wilcox County?

A. Was judge of probate for six years; am now notary public and *ex officio* justice of the peace in my precinct.

Q. Do you know where Daniel Carmichael and Richard Palmer were when they were keeping a list of the voters on election day; from where they were would it have been possible for them to have told how any person voted or whether or not they voted the identical ticket they had received?

A. I know where they were; they could not have told.

Q. Would you believe Palmer and Carmichael on oath in this contest?

A. I would not.

Q. Were you present at the time the riot occurred?

A. I was not.

Q. What is the character of the negro man that was killed (William Banks)?

A. He was noted as having a turbulent character, particularly with white people; always ready to raise a disturbance.

Q. Were the Democratic inspectors and the deputy sheriff men of good character?

A. They were; all of them.

JOHN PURIFOY.

Witness:
S. W. JOHNSTON,
Notary Public and Justice of the Peace.

I would be glad to follow this case in all the precincts in my district, but my time has expired. I beg to say in conclusion that from the evidence on both sides it must appear to any unprejudiced mind that I was fairly and legally elected as the Representative of the Fourth district of Alabama, according to the laws of that State; that the committee did not and could not arrive at any other conclusion without doing violence to the evidence; that if the report of this committee is adopted by this House then my competitor will occupy a seat on this floor for the residue of this Congress which the people of Alabama did not give him, but which is awarded him by this House without a show of reason or propriety. [Applause on Democratic side.]

Silver-Bullion Certificates.

SPEECH

OF

HON. JAMES H. BLOUNT.

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. BLOUNT said:

Mr. SPEAKER: From 1792 to 1873 we had the bimetallic standard of gold and silver in our financial system. In 1873, without any agitation of the question in the press, in official utterance, or public debate in either branch of Congress, silver was demonetized. The act was so craftily drawn as to conceal the purpose from Representatives, Senators, and President, and was not known by them until some time after its passage.

The downward tendency in the value of the products of labor, the increase of all the indebtedness, public and private, throughout the land, was comprehensive and sudden. The scarcity of money clogged the wheels of industry, labor ceased to find proper remuneration, insolvency unprecedented came to the most careful in all the vocations of trade, manufacture, mining, and agriculture. A blighting curse came over all save the capitalist whose investments were in the public or private debts of the country. To him there came almost untold wealth without toil, or sagacity, or ordinary prudence. For five years the depression in values, the straitness of the masses, and the increased wealth of the moneyed classes grew side by side. Slowly the truth dawned on the public mind that silver demonetization had been the wand used by the magician of avarice to accomplish this cruel and fiendish situation.

In 1878 some measure of relief came by its partial remonetization. The Secretary of the Treasury was authorized to purchase bullion and coin not less than $2,000,000 per month nor more than $4,000,000 per month. The unused silver coin came forth again to animate in some measure the hopes and energies of men. The new though limited coinage contributed to the work of beneficence.

In 1880 we began to emerge from our situation. Who shall tell the story of penury, bankruptcy, and despair that marked this period of desolation? Our great civil war, with its destruction of life and property, was a pastime compared to it. When it had done its worst men took heart again, business revived, and a measure of prosperity appeared.

Why did this silver demonetization remain absolute until the act of 1878? Was there any disposition manifested by the money power to release its hold on the happiness and prosperity of the country? Did they not endeavor to maintain their advantage? Why was there not complete remonetization in 1878? This same power was able to say, "You can take this modicum or nothing." By some subtle influence over the legislative and executive departments of the Government, up to this hour nothing better has been attainable. Ay, from the date of that act until now we have been urged to repeal it because it would drive gold from the country, contract the circulating medium, and repeat the disasters of 1873 to 1880. Was avarice ever more impudent, audacious, cruel? Ye authors of all the woes of that period, swollen with ill-gotten gains, will ye, under the guise of patriots, with the soft tones of humanity, seek to lure your countrymen into your deadly coils again?

You tell us Germany demonetized silver in 1871. Well, what harm came to us from that? It touched not our prosperity. You tell us that France stopped silver coinage in 1874. But our disasters had then fully set in by reason of the same action antecedently on our part.

You tell us that bimetallism is right, but we must reach it by cooperation with Germany, England, and France. We have tried this to no purpose. England has had the single standard since 1816. Germany's demonetization never affected us. Ours preceded that of France, and therefore the action of the latter country proves nothing. Silver there is worth 15½ to 1; here it is 16 to 1. It is worth more in France than here. Why should it leave a higher market to come to a lower one? The same observation applies to Germany and Great Britain. Seven hundred million people have adopted silver as the sole standard of money; 187,300,000 have the double standard, gold and silver, and 92,800,000 have the gold standard. Nations move slowly. The sharp, sudden movements of the trader or of the commander of armies is not theirs. Especially is this true in relation to financial operations. I admit that the demonetization of silver in this country seems a singular exception. A close survey proves it a fraud in legislative proceedings and that it has occurred only once in our national life. It is not probable that the great populations using silver, seeing our country remonetize it, will part with it and place it on our market. The sudden contraction of their currency with its attendant disasters, illustrated after the act of 1873 among us, surely would admonish them otherwise. From 1792 to 1873 silver was our standard of value, but it did not tempt the silver from other lands. The demonetization of silver or gold by any country has never affected our legistative action hitherto. It ought not to do so now.

The crushing contraction of the currency by the demonetization of silver in 1873 and the partial relief by the remonetizing act of 1878, is not the end of this story. The Director of the Mint of the United States, December, 1883, gives us this information: In 1880 the population of the United States was 50,155,783. Its paper money, $884,002,074; its gold, $606,197,000; silver, full legal tender, $159,479,000; silver, limited tender, $80,920,000, total paper currency and specie, $1,730,598,074. Paper per capita, $17.63; specie per capita, $16.88; total per capita, $34.51. The population in 1890 we will assume to be 65,000,000. The Committee on Coinage, Weights, and Measures, in the report accompanying House bill 5381, say that the total volume of money of all kinds in circulation in this country March 1, 1890, was $1,426,104,391. From these data in 1890 the per capita circulation is less than $22. Our per capita circulation has fallen from $34.51 in 1880 to $22 in 1890. In ten years we have contracted our currency per capita more than 33 per cent.

This same committee in this same report tell us that last year our national-bank circulation was reduced by redemption of notes to the amount of $37,599,229. The currency contracts; the prices of wheat, corn, meat, cotton, fall. Could it be otherwise? The farmer toils, economizes, diversifies his products, improves his agricultural implements, utilizes the suggestions of science in fertilizing, etc. To his increased energy, his enterprise, his higher intellectual methods, there comes no adequate reward. The price of his products is constantly decreasing. His capital, his industry, yield him no satisfactory return. He seems to be toiling in vain, toiling for another. The semblances of freedom only seem to be his. His child is put to inexorable toil. His education is restricted, his hopes are depressed. From the independent farmer we have in the past been drawing the best brain, the intensest energy, the highest courage, in all the callings of life. The pitied peasantry of Europe has hitherto had no parallel here. It has had its discontents, commotions, revolutions, bloodshed. The American farmer has been the spring of conservatism, the guardian of law, the pride and hope of our free institutions. To-day he is in debt, to-day he is murmuring, to-day he is angry, and yet his natural love of peace and his habits of industry restrain him. Let me say, too, he is organizing. This is a novelty. It was once thought impossible. What will this organization do? It will become informed on public questions, it will learn the causes of the depression of its brotherhood, it will see its power, it will seize and exercise it. Already has this currency curse commenced to agitate it. Its injustice is felt. Extreme remedies are suggested. They are not as extreme as the evils of past legislation.

Let us not treat this as the story of an idle hour. The only safety for our political institutions, for our civilization, lies in just laws. With these and our pleasant land, peace, happiness, and high hopes shall sing eternally in every American home. Let us not say, "Your corn, wheat, cotton, and other products are low because of overproduction." Let us not say to the farmer, "You ought to diversify your industries," or make some other suggestion for his business conduct. Seeing the ever-contracting volume of the currency and knowing that this cause of itself is sufficient to produce a continual decline in prices, our first duty is to acknowledge this truth. The very next is not only to arrest this contraction, but to increase the per capita circulation until we shall revive not only agricultural but all other industries. Until you have done this you can not bring content to the people.

The Secretary of the Treasury seems profoundly blind to our financial situation. The following measure is recommended by him:

Issue Treasury notes against deposits of silver bullion at the market price of silver when deposited, payable on demand in such quantities of silver bullion as will equal in value at the date of presentation the number of dollars expressed on the face of the notes at the market price of silver or in gold, at the option of the Government, or in silver dollars, at the option of the holder. Repeal the compulsory feature of the present coinage act.

This is intended to stop the further coinage of silver. The present silver dollar is denounced as a 72-cent dollar. As no other can be coined under existing law, then the coinage of silver, according to the Secretary, with due regard to honesty, must cease. Only when silver reaches the value of gold can we expect the revival of its coinage. We have free coinage of gold and it is a legal tender for all public and private debts. This use bestows its chief value. Take this away and it would be worth very much less than silver. Give this function to silver and its value will be nearly on a par with gold. Under such conditions it will be worth sometimes a little more, sometimes a little less. In 1873, prior to its demonetization, it was worth more than gold. Until it is fully remonetized it can never be equal in value to gold.

Let us suppose the policy of the Secretary of the Treasury to be the law. Now he must buy and coin at least two millions a month. This gives it value, but it is to be abandoned and a downward drift given to silver. Its coinage into money is to cease. The owner of silver may deposit his bullion and get a "so-called Treasury note" for an amount of silver equal in the market to its gold value. This gold value of silver varies. To-day it has one price, to-morrow another, and so on to infinite uncertainty. When the note is taken for redemption the owner then finds out how much silver he can get for it on that day. What can he do with it? He can not use it as a medium of exchange. Sell it for gold? He may not find a ready purchaser or he may have to sell it below its value. He can not pay his debts with it. Is this money? Who wants it? Why should any one want it? Do you say he will take it because it is the best he can get? Can the Government justify itself thus? Will you tell me he can get silver dollars for his notes? How much? This depends upon the market for silver bullion. It may rush down or up at the beck of bulls and bears. You launch him on a restless sea, sometimes gentle in motion, then storm-beaten, but never at rest.

You say these notes shall be receivable for customs, taxes, and all public dues. This will answer the importer in paying customs, and the tax-payer once a year or as often as he pays taxes. This is a small money function. You say that these notes when held by any national-banking association shall be counted as part of its lawful reserve. They are then to be a legal tender for the banks. But why not for the people? Why not for the people, too? Why thus limit the money function of this note? Will you say you doubt the power to make them legal tender? This has been done and sustained by the Supreme Court. You admit the wisdom of making them legal tender if you had the power. The latter you can not deny, but will not use. Why? Because to give a legal-tender quality to these notes would decrease the value of gold. The monopoly by it of the money function would cease. The indebtedness of the debtor would be lighter, the owner of credits would encounter a decline in values. The silver dollar is denounced as a dishonest dollar. You issue a note based on silver worth par in gold and yet you refuse to make it a legal tender. This, too, when you know this function will insure the advance of that same silver and make silver worth more in the market than gold. Then your last argument, silver as a dishonest currency, will disappear, and free coinage of it is inevitable. This is the sticking point of the dealer in money.

It is proposed by the Secretary of the Treasury to redeem these silver notes in bullion by the issue of a certificate of deposit for the sum

of notes so presented, payable at one of the mints of the United States in an amount of silver bullion equal in value, on the date of said certificate, to the number of dollars stated therein, at the market price of silver in the leading markets of the world, to be determined by the Secretary of the Treasury; or such notes may be redeemed in gold coin at the option of the Government, provided that upon demand of the holder such notes shall be redeemed in silver dollars.

Why redeem in bullion? The only idea of redemption hitherto has been in coin or its equivalent, to make good the note by the assurance of its convertibility into the standard of value. The strain of war has been sufficient to change the rule as to the greenback, but in that case it was a legal tender for private debts and it was supported by the pledge of the Government for its final redemption in coin. In the plan of the Secretary the Treasury note is to be redeemed by payment in bullion. Its value varying daily in our market is not a standard of value. It is a commodity of merchandise. Why not issue notes on other commodities? Why not on corn, wheat, cotton, cotton goods, woolen goods, diamonds, etc.? This variableness of value makes it useless in the business transactions of life.

You tell me the Government can redeem in gold or the holder may demand silver. How much? Whatever silver bullion is worth at the time. So at last we redeem in an uncertain quantity. It is contrary to common sense, contrary to all just financial ideas in a country of unbounded resources and free institutions to create such a financial system. It is a Wall street conception. It is an emanation from the money power hostile to silver coinage. It is the scheme of the old enemy of the people, who demonetized silver. It rests upon the same pretended fears with which it has been sought to alarm the country for years with prophecies of evil over our meager coinage of silver. Their false prophecies in the past do not abate the oracular pretensions of the same persons to-day. I would as soon trust a sweet babe to the care of the ravenous lion, virtue to crime, christianity to infidelity, as the financial interests of the struggling masses of my country to those who build their palaces and burnish splendors upon their misfortunes.

On the 26th of March the chairman of the Committee on Coinage, Weights, and Measures reported from that committee favorably House bill 5381, substantially the proposition of the Secretary. On the 24th of April he introduced House bill 9678 and had it referred to the same committee. This bill seems to have emanated from a Republican caucus, which was not content with that reported by direction of the committee. It provides that the notes shall be redeemable on demand in lawful money; that no greater or less amount of notes shall be outstanding at any time than the cost of bullion then held in the Treasury purchased by such notes. Had the bill stopped here these Treasury notes would not only be worth par, but the Treasurer would have been compelled to keep them in circulation. By the amount of silver deposited we should have added so much permanently to the currency of the country. Two qualifications are added. First, the notes are not a legal tender for private debts, only for customs taxes and public dues. Second, upon demand of the holder of any of the Treasury notes herein provided for, the Secretary of the Treasury may at discretion, and under such regulations as he shall prescribe, exchange for such notes an amount in silver bullion equal in value at the market price thereof on the day of exchange to the amount of such notes. Why lawful money? All other forms of currency are redeemable only in gold and silver. There is a vague discredit thrown over the Treasury note by this distinction, which is wanton and useless.

You tell me this so-called Treasury note is redeemable in legal tenders, and these in turn in gold and silver. Then why not make them primarily redeemable in coin? If tendered to a creditor, he may decline them, and the debtor be placed at a disadvantage sometimes ruinous. You have not, then, made it good money. The fixedness of the amount of this new currency is destroyed by permitting owners of these notes to take the bullion from the Treasury in exchange. The silver-coinage countries buy our Treasury notes and take our silver from the country. The Treasury is a convenient mart for their agents. The domestic enemies of silver may buy it, not only for foreign markets, but to appreciate gold and public and private obligations in their hands. A distinct scheme for contraction is here well laid, and its consummation easily accomplished. Coin silver and make it a tender, and this can not happen.

A second Republican caucus bill is now brought forward by the gentleman from Iowa [Mr. CONGER]. It provides for the monthly purchase of $4,500,000 worth of silver bullion to be paid for in silver-bullion Treasury notes; that they shall be redeemable in coin on demand; that they shall be a legal tender for all debts, public and private, except where otherwise stipulated in the contract, and shall be receivable for customs, taxes, and all public dues, and when so received may be reissued. Up to this point the measure has merit. The legal-tender character of the note and its redemption in coin makes a good currency. The coin on hand may be sufficient for redemption purposes, and this, taken in connection with the compulsory silver-coinage act of 1878, will probably end silver coinage in this country, and slowly discredit it as a standard of value and create a situation favorable to a return to the gold standard.

This last bill also provides—

That upon demand of the holder of any of these Treasury notes the Secretary of the Treasury may at his discretion and under such regulations as he shall prescribe, exchange for such notes an amount of silver bullion equal in value at the market price thereof on the day of exchange to the amount of such notes presented.

Why shall the Government sell this bullion? The holder of the note is entitled to gold or silver coin. This is specie payment. This gives to the Government note its highest money value. It is manifestly intended to open the way for a contraction of the currency. Section 2 of this act declares that no greater or less amount of such notes shall be outstanding at any time than the cost of the silver bullion then held in the Treasury purchased by such notes. So when the Government sells bullion the Treasury notes in circulation are to that extent diminished. The demand for silver in other lands and the schemes of speculators may at any time reduce the silver bullion and the amount of Treasury notes in circulation. Will you tell me the Secretary of the Treasury will restrain sales? He may be hostile to this scheme and advance them. Why put the business of this country, so far as the amount of its circulation shall be, in the hands of any man? Why not fix it by law?

Why have we had so many propositions for a silver currency? Why has the Republican party in the Senate caucused so much? Why have our Republican brethren of the House discussed and caucused so much on this question? And why is there such a steady purpose to defeat the coinage of silver in any amount, even repealing the law of 1878? We are told that if this is not done the President will veto any bill that may be sent to him. He has determined against silver coinage, and his party in the House and Senate, to avoid differences with him, acquiesce in his position. He determined to stand against silver coinage of any kind. He has allied himself with the money power. His party, free from his opposition, would coin silver on some terms. Under it the Representatives of 65,000,000 people and the Senators from forty-two States quail into conformity with his wishes and the Wall-street influence. Where is our boasted freedom? Where is the power of public opinion? Where is the boasted equality of freemen? Congress under the control of the executive department! The President elected on a silver-coinage platform and fighting in the ranks of its enemies! The forces of the Government are tremulous, irresolute, submissive in their presence.

What a situation for popular discontent! What a mockery of our republican form of government! How instructive of the fallibility of all forms of government! How fertilizing to communism and anarchy! Our institutions can only be preserved on the foundation of justice and of laws begotten of regard for the people. Let us all rise to the emergency of the general discontent. Let us give assurance to our countrymen that we mean to be true and loyal representatives. Let us refuse to barter legislation with any interest for success in elections and follow the plain, straight ways of truth and justice. This done it matters not what party is in power. Hold up always the best thought and trust to right.

Much has been said by the majority side of the House against putting American laborers on a par with the pauper labor of the Old World. In this connection I quote the following extract from the speech of Senator TELLER on May 17 (CONGRESSIONAL RECORD, page 4987):

The low price of silver has stimulated the export of wheat from countries using silver or having a depreciated paper money, notably India, a silver-using country, and Russia, with a depreciated paper currency.

In 1880 India exported 4,000,000 bushels and Russia exported 36,000,000 bushels; total of 40,000,000 bushels.

In 1888 India exported 32,000,000 bushels and Russia 126,000,000 bushels; total, 158,000,000 bushels.

In 1880 the United States exported 180,000,000 bushels, and in 1888, 119,000,000 bushels; difference between 1880 and 1888, 61,000,000 bushels.

In 1889 we exported 88,000,000 bushels; difference between 1880 and 1889, 92,000,000 bushels.

During the last six years the average export of India wheat has been about 35,000,000 bushels. The increased export of India wheat is not due wholly to cheaper transportation, as is sometimes asserted, nor to cheaper wheat in India. The price of wheat in India is substantially the same that it has been for years. The India mints coin silver at a ratio of 1 to 15, and at that ratio the mints are open to all the silver offered for coinage. The purchasing power of coined silver is as great in India to-day as it was when silver sold in London for 62 pence per ounce.

An ounce of pure silver at the ratio of 1 ounce of gold for 15 ounces of silver is worth $1.376, and that is its mint value, less the small amount charged for mintage.

During the last year silver has sold in London for 92 to 95 cents per ounce. The holder of India wheat, selling his wheat in Liverpool for gold, buys silver bullion at 92 to 95 cents per ounce, takes it to the mints of India, coins it into rupees, and thus clears not less than 38 to 45 cents on each ounce. If he sells his wheat for enough per bushel to buy one ounce of silver, he has in fact received the value of the ounce of silver, after mintage, less the small charge for mintage and transportation; say, from $1.35 to $1.36 per bushel for his wheat.

The American wheat-grower must sell his wheat at the same price that the India merchant does and take his pay in the same metal, gold; but if he buys silver with the price of his wheat he can not coin it, and he can make no profit. So the India wheat-grower has the advantage over the American wheat-grower of from 38 to 45 cents on a bushel.

The business of Russia being conducted on a depreciated paper, the premium on silver in that country is a bounty to the Russian wheat-grower, and that is the cause of the large increase in Russia's export of wheat. This is true of Chili and other South American silver-using countries, who buy cheap silver and coin it into dear money.

Our financial policy applied to silver (a policy that we borrowed from Eng-

land) has put our farmers in competition with the ryot of India, the serf of Russia, and with the labor of all the countries of small wages and poor living.

It has put the farmer (outside of the vicinity of great cities) in the position of farming "not for profit, but simply for bare subsistence."

It compels him, in order to meet obligations assumed under different and better conditions, to raise and market from 40 to 60 per cent. more to discharge his obligations than he was required to raise at the time he incurred such obligations.

This illustrates the condition of the American cotton-grower too.

These suggestions are unheeded by the party in power. Let us take them to the people. Let us cast our fortunes with them in their struggle against class legislation. That may be called demagogism. So be it. Men have been struggling upward against avarice and tyranny. They have advanced more in the present century than in the ten preceding. The bonds are breaking; the clouds are rifting; the cheering light floats in the atmosphere around us; mind quickens and truthful inspirations call us to a higher plane of equal laws, honestly interpreted and fearlessly executed.

Silver-Bullion Certificates.

SPEECH
OF
HON. WILLIAM F. PARRETT.
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890,

On the bill (H. R. 5991) authorizing the issue of Treasury notes on deposit of silver bullion.

Mr. PARRETT said:

Mr. SPEAKER: My time is limited and I shall aim to be brief. There has been so much discussion and so many cogent reasons have been offered in favor of the remonetization of silver that it would seem to be almost a work of supererogation to attempt to say anything new on the subject.

The most prosperous ages of the world and the most prosperous periods under our own National Government have been times when there was the largest amount of substantial currency in circulation, and when the mines of the precious metals were yielding the largest quantities and the volume of this kind of currency was being most rapidly increased and put in circulation among the people. And in so far as the Committee on Coinage in their report express this view I fully concur with them; but I can not concur with them in the proposition that the principles contained in either the bill or the substitute before the House tend to the accomplishment of the end desired.

The currency of the world does not consist in sovereigns and pence, doubloons and francs, crowns and guilders, dollars and cents. Coins of any description are only used as representative values for convenience in the local governments or kingdoms where by law they are adopted, and their exchange value is fixed by the quantity of gold, silver, or copper they contain, that is, only by their intrinsic value. They are made legal-tenders according to their denominational values by force of the laws of the countries in which they circulate as currency; and in this respect the legal-tender quantity and quality of every piece of coined metal depends upon the fiat of the government which issues it. To this extent all money or currency is fiat money, that is, money because it is declared by the supreme power of each particular nation to be such; and it is treated as money only within the boundaries of the state or nation where it is coined. Everywhere else it is treated as bullion. In other words, the coins used for circulating as currency among the different nations of the earth are local in both their origin and intended use, and in no sense cosmopolitan. Their true locality and home is as much fixed as that of the citizen of any nation; and they rarely if ever go outside of their own territorial limits, all balances of trade with other nations being settled either by the exchange of commodities or in bullion. So that neither our gold nor silver coins are or could be intended for extensive circulation abroad; and when they do circulate beyond the limits of our own country, it is only according to their bullion value.

But in the locality in which the money coins are fixed and sanctioned by the government, the coin so set apart and named as money becomes a part of every contract, duty, or obligation to pay or receive dues of any kind, either by the government or by any of its citizens, and such coin, thus fully monetized, is all that the creditor has a right to require from his debtor.

Mr. Speaker, when the Government of the United States determined upon the resumption of specie payment and authorized a new issue of bonds, both principal and interest payable in coin, and declared all bonds previously issued payable in the same manner, the people became bound in good faith to carry this new agreement into effect.

To find out how much they had been swindled in the first instance by receiving for these bonds a currency averaging in value about 60 cents in coin, which had been disbursed to the laboring masses and soldiers for full dollars, and upon the basis of which millions of dollars of indebtedness among the people had been contracted, necessarily to be paid in coin or its equivalent, involves, no doubt, a mere arithmetical calculation.

But it is beyond the range of human ingenuity to devise any scheme or plan by which the millionaires who so greatly profited by this financial policy shall ever be compelled to make restitution to the impoverished masses of the American people. And while I am willing to let the iniquities of the past bury themselves, followed to their resting place only by the thousands of bankrupt and desolated households of the nation, so relentlessly destroyed by the lash of the monetary power, I yet earnestly desire to attract attention to the present and the future, and, if possible, to prevent any new wrongs from being perpetrated.

As I have said, it was settled that all debts, both public and private, were thereafter to be paid in coin consisting of gold and silver, and the constituent parts of a dollar in each of the money metals had been and was equally well fixed and determined; for at that time and during the long period of the free coinage of a bimetallic currency the two metals had maintained a substantial parity of value and the only result ever aimed at by the continuation of this system of coinage had been a liberal supply of money to the people.

Open mints and free coinage, under the bimetallic system, withheld from the Secretary of the Treasury many discretionary powers which he now exercises, and obviated for him much of his present trouble in the management of the finances of the Government. They also had a strong tendency to check, if not to prevent, the ideal Wall street from much of its intermeddling; and through them we gave the English financier and all his subservient adherents to understand that the United States had sufficiently maintained her independence since the war of the Revolution to declare and maintain her own national and financial system without the aid of Great Britain. And, had open mints and bimetallism been adhered to as our unalterable policy, the powers of Europe would have been constrained to follow our lead and to reopen their mints to the coinage of silver and gold upon equal terms until silver at 1 to 16 would have regained the position as a money metal heretofore occupied by it, if it did not at that ratio command a premium over gold.

In the name of common honesty and fair dealing I hold that the free coinage of our present silver dollar would not be a fraud upon any class of our people, but an act of simple, unmixed justice to all; and that instead of overflooding us with domestic money it would simply supply the volume of currency so earnestly demanded and so much needed by the people to infuse life, energy, and activity into the waning and drooping business of the whole country.

We all recognize the value of good character in the presence of calm and deliberative justice. Let us look for a moment at the history and character of the American silver dollar. Its intrinsic worth and purity have undergone no perceptible change since its introduction among the people as a circulating medium to assist them in the exchange of their diversified products. Under the act of Congress passed April 2, 1792, this dollar was made to contain 371¼ grains of pure silver, and whenever it has contained more than this the residue has been made up of alloy or baser metal.

The United States silver dollar was first coined in 1794 and weighed in gross 416 grains, but contained only 371¼ grains of pure silver. The act of 1837 reduced the gross weight to 412½ grains, being substantially the present weight, but it left the silver dollar containing the same quantity of pure silver that it had contained from the beginning. And after the lapse of nearly a century, certain it is that no one can for a moment be tolerated in saying that there either is or has ever been any deception about the value of the American silver dollar.

Facts are chiels wha dinna ding,
And downa be disputed.

And I assert that the demonetization of silver in 1873, an act which has deen denounced as the trick of greedy conspirators to double the value of their own possessions, was an unjustifiable invasion of the rights of the people and perhaps the greatest financial calamity that has ever befallen mankind.

And I assert, furthermore, that both the bill and substitute which are now under discussion are, in effect, nothing less nor more than a thinly disguised attempt to make what was then claimed to be an accident the perpetual policy of this Government; in fact, an attempt to demonetize silver for all time by making it a mere commodity, in spite of the clamor of the people for its complete remonetization; that the real intention is, in conformity with the views of the gentleman from Massachusetts [Mr. WALKER], to make less money, and so at once to make all debts, both public and private, payable in gold or its equivalent. Gold appreciated in value by being made the only standard of value as money and then measured by itself alone as to its value, and as a necessary sequence every other product and commodity, even including silver, correspondingly depreciated; in other words, to make the rich richer and the poor poorer.

Mr. Speaker, the demonetization of silver in the first instance was not the result of any necessity, either real or apparent; nay, it was the outgrowth of simple, naked cupidity. That policy was instigated by

the treachery and accomplished by the legerdemain of the millionaires here and elsewhere, who had already grown fat out of speculations in Government bonds and other forms of wealth drawn from the blood and sacrifices of all other citizens of the Republic in the day of its peril.

An opportunity was presented for converting their bonds and other accumulations into a form representing over twofold the actual amount of property and labor which, under an honest system of financiering, they had represented or ever could represent; and this opportunity was seized with the avidity of a hungry beast of prey.

By a system of rapid and unnecessary contraction the greenback legal-tender currency had already been substantially withdrawn from circulation and stricken out of existence. Moderate fortunes and accumulations had thereby been made great, and by a logical sequence the owners of these fortunes conceived the idea that by another and still more reprehensible and nefarious stroke their wealth might be increased more and more; and that by continued manipulation of the same kind it might be developed into colossal proportions. And so, by the demonetization of silver, one-half or more of the remaining currency of the country was eliminated in subserviency to their wishes.

It mattered not that the legitimacy and utility of this kind of money had been recognized by the organic law of the land and its exact relation to gold remained unquestioned and seemingly unquestionable from the day of the nation's birth; it mattered not that it had been co-existent as money with the beginning of civilization among men, and retained its position alongside of gold through all the stages of social development, Patriarchal, Egyptian, and Judaical, Oriental and Western; it mattered not that it landed on the shores of North America with the crew of the Mayflower at Plymouth Rock and had been recognized in every settlement by civilized men and women throughout the colonial period as a precious metal, designed by its very nature to be a medium of exchange co-equal and co-extensive with gold in every particular; it mattered not that it had been regarded and treated as such in the Book of Books from the earliest recorded exchange of values in the history of our race down to the closing chapters of the inspired writers, where we read the expression, "Silver and gold have I none;" it mattered not that the great mass of the people in this land of ours—the laborers, farmers, and merchants—had contracted debts in the light of all history as to the nature of the money with which those debts should be paid and in firm reliance upon the good faith and justice of their Government for the preservation of the historical and normal equality between the money metals. Blinded by avarice, the gold-bugs disregarded all this and by mingled fraud and deceit perpetrated the outrage of demonetizing silver. For, as it occurs to me, this was not the result of honest, broad statesmanship for the benefit of the whole people. There was no necessity for it confronting the country at the time. It can be justified only upon the supposition that laws may be enacted and repealed exclusively in the interest of the rich and for the further upbuilding of their colossal fortunes, even though by so doing all other classes are crushed, impoverished, and reduced to the condition of menials and slaves. If this be true, then that was good financiering. At all events, the effect of the act of 1873 was simply that the debtor class, comprising the producers and merchants and constituting, in effect, the people at large, were forced to gather up for their masters, the monetary powers, as quickly and as much from a half supply as from a full supply, the means of liquidating their debts, for the value of the currency was doubly appreciated, while the value of all the commodities in exchange for which it could be obtained was in a like ratio depreciated. The farm worth $5,000, which had been mortgaged for $2,000, must go, or else the owner must become virtually the tenant of his creditor and work on through his whole life, netting barely enough to keep down the interest, with the terrible certainty ever present to his mind that if he did not outlive his wife and children they would at his death become homeless beggars.

In this way, where it before took one horse to pay a debt it now took two; where it before took one cow or pig it now took two; where it took one bushel of wheat, corn, oats, or other farm products it now took two, and so on through the whole catalogue. No wonder that the farmers and other toilers, after an experience of seventeen years under this system, which has resulted in the constant depreciation of everything they owned or produced, are now showing not only a spirit of unrest, but almost a spirit of rebellion in respect to the course and policies of their would-be leaders, or that their attitude is especially threatening towards the money oligarchy!

No wonder that we hear an ominous growl, like that of an earthquake, rumbling through the land! History sometimes repeats itself. Like causes will always produce like effects, and we may well look into the past for a fitting interpretation of the present. Let us take a parallel case and see how the sleeping masses may be aroused by injustice till they resemble an infuriated lion that has broken his chains and scattered his keepers. And let us see how the oligarchy of wealth has been forced to deal with them.

At the end of the first Punic war the debtor class of Rome were in about the same situation that they are in here to-day. They were practically enslaved, but they had not forgotten that they had once been free or that they still had power enough to bring their oppressors to terms. They began to agitatate, to educate, to organize, as the masses of our own people are doing now, and their clamors against the oligarchy, which had, by reason of its wealth, usurped the political powers of the Republic, were so alarming that the Roman Senate was compelled to give them financial relief.

That body ordered the coin to be clipped to such an extent as to reduce the as, which was the standard by which the value of all other coins was computed, from 12 ounces of copper to only 2 ounces. In this way the Republic and the people were enabled to pay the debts which had been previously contracted; and in presence of the fearful clamors and bloody threats of the people this process was repeated until at the close of the second Punic war the same coin, bearing the same name and paying the same amount of indebtedness, contained in actual bullion only one twenty-fourth part of its original value. On this point I will quote a few lines from that great book, The Wealth of Nations, by Adam Smith:

In Rome—

Says he—

as in all other ancient republics, the poor people were constantly in debt to the rich and great, who, in order to secure elections and other favors, used to lend them money at exorbitant interest, which being never paid soon accumulated into a sum too great either for the debtor to pay or for any one else to pay for him. And in order to satisfy the people the rich and the great were often obliged to consent to laws both for abolishing debts and introducing new tables.

Let me warn the American plutocracy that the lessons of history are the laws of God, which can not be ignored with impunity.

When demands for relief come from the people, when we hear cries from the quivering lips of children for bread and from despairing wives and mothers for shelter, when the old-time roof of the American laboring man has been sold from over the heads of his family to satisfy taxes and mortgages which, but for legislation like this, he would have been able to pay, and the laborer himself, the real arbiter of the nation's destiny, turns like an exasperated lion at bay to defy his oppressors and persecutors, it is time to pause and reflect, to remember what responsibilities rest upon us, to consider whether we may not, in order to avert the evil consequences of laws, like the one now proposed, be driven to adopt that opposite and equally dangerous expedient referred to in the passage I have quoted; for I tell you that, as the world has always required a circulating medium co-extensive with the supply of both gold and silver, if we destroy one as a money metal, it will be necessary to supply the deficiency thus created by debasing the coinage of the other; and nothing ever proved more demoralizing to the people, and hence more disastrous to the rich and to society in general, than such a system of repudiation.

The province of wise statesmanship is, therefore, to remove all legislative restrictions upon coinage, to put gold and silver upon an equal footing, as they were in former times, without unfair discriminations against either. Do this and they will regain their normal equality of value. The small fluctuations occasioned by supply and demand and by other causes will become wholly inconsiderable, and I maintain that, without either disturbance or impairment of their mutual relations as the dual basis of a sound circulating medium, the coinage of both metals may be made perfectly free and that in this way, and in this way only, the much-needed increase in the volume of our money can be safely or honestly brought about.

Free Coinage of Silver.

SPEECH

OF

HON. ALEXANDER B. MONTGOMERY.

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. MONTGOMERY said:

Mr. SPEAKER: There is a widespread demand for the restoration of silver to an equal dignity with gold in the monetary system of our country. Throughout the entire South and West, where a different policy has brought the greatest suffering, this demand is well-nigh universal. It becomes us then to inquire whether the substitute offered by the gentleman from Iowa [Mr. CONGER], which a Republican caucus has determined shall be enacted into law, meets this demand, or whether, on the contrary, its effect will not be to leave these people wholly at the mercy of a Secretary of the Treasury hostile, not only to free coinage of silver, but to its use as money at all.

Previous to the passage of the act of 1873, which suspended the coinage of the silver dollar, silver had through all our history occupied a position of equal dignity with gold in the currency of our country. At that time statistics show that the aggregate indebtedness of

the world was greater than at any other period of its history. It seems then to have occurred to the owners and holders of the obligations representing this great indebtedness that if by legislation silver could be stricken down and driven from use for debt-paying purposes over one-half of the coinage of the world would be destroyed and the value of what was left correspondingly increased. They could thus secure payment in a dearer because scarcer and more valuable money.

In this country the holders of the bonds representing an enormous national debt incurred in the prosecution of the war had already secured legislation requiring the payment of their bonds in coin, a requirement not contemplated in the original contract when they purchased these bonds with depreciated greenback currency worth less than 50 per cent. in such coin. But they were not satisfied with more than doubling the value of their bonds. Hence they joined in the general conspiracy of the creditors of Europe to strike down silver so as to secure the payment of these debts in gold alone. Their part in this conspiracy was to secure the passage of the act of 1873, completely changing our monetary system by omitting the silver dollar in our coinage laws. The important provision which accomplished this was concealed in a long act, the title to which led to no suspicion that such an outrage was being attempted. So far as I can learn, every member of both Houses of the Congress which passed this act, who has discussed it, with the single exception of the Senator from Ohio [Mr. SHERMAN], has repeatedly, and I believe truthfully, denied any knowledge that it contained such a provision.

This act, however, did not fully satisfy those who had determined on the destruction of the silver dollar. It prohibited its further coinage, but it did not destroy those already coined and in use. When our statutes were revised in 1874 a clause was inserted that the silver dollars then in existence should cease to be a legal tender for any amount exceeding $5. This completed the demonetization of silver and drove it into the markets of the world to take its chances with other commodities, and to be cheapened as they were by the scarcity of money resulting from its own disuse as such. As soon as it was discovered that this fraud had been so mysteriously perpetrated and as soon as its ruinous effects on the debtor classes and the productive industries of the country began to be understood and felt, the struggle began and has ever since been kept up for the repeal of these laws and the restoration of the free coinage of silver.

In 1878 a partial advantage was gained for silver when the act of that year was passed, providing for the purchase by the Secretary of the Treasury and the coinage into silver dollars each month of not less than two million nor more than four million dollars' worth of silver bullion, and for the restoration of the legal-tender character of all the standard silver dollars then coined, and imparting this character to those to be coined under that act. This has been the law for the last twelve years, and under it the successive Secretaries of the Treasury have purchased and coined just as little silver as possible, limiting the amount to the minimum under the law of two millions a month.

It will be observed that this act of 1878 has none of the elements of free coinage, but forces the Secretary to coin not less than two and not more than four million dollars' worth monthly, and has been well denominated limited compulsory coinage. It is hardly necessary to call attention to the fact that, while under this law the Secretary of the Treasury has now and has had for the last twelve years the power to purchase and coin $4,000,000 worth of silver bullion monthly, he has during all this time purchased and coined only two millions per month, the amount the law forced him to buy and coin, thus availing himself of the discretion unfortunately left him in the law to furnish the people only half the silver money that he could have furnished.

Now, in order to see if we will be in a better or worse condition if we pass the proposed law, let us examine its leading provisions.

It provides in the first section that the Secretary of the Treasury shall purchase silver bullion to the aggregate amount of $4,500,000 worth monthly at its market price and issue and pay for the same Treasury notes of the United States.

The second section provides that the Treasury notes issued to pay for this bullion shall be redeemable on demand in coin and shall be a legal tender for public and private debts. But it does not stop here; it provides further—

That, upon the demand of the holder of any of these Treasury notes herein provided for, the Secretary of the Treasury may, at his discretion and under such regulations as he shall prescribe, exchange for such notes an amount of silver bullion which shall be equal in value at the market price thereof on the day of exchange to the amount of such notes presented.

So important is this section and so effectually can and in my judgment will the Secretary of the Treasury, under this provision, reduce if not destroy our present rate of coinage of silver that I have taken the liberty to quote it in italics.

Section 3 requires the Secretary of the Treasury to coin such portion of the bullion purchased under this act as may be necessary to provide for the redemption of the Treasury notes exchanged for this bullion. In other words, if he can not redeem these notes with money already coined, or, on the request of the holder of the notes, in the same bullion for which they were given, then he must coin silver to do so. And this is the only contingency in this bill where the Secretary of the Treasury is required to coin one dollar of silver. And this contingency may never arise and can successfully be prevented from arising by the Secretary of the Treasury, who has assured us in his last report that no more silver ought to be coined.

But the fifth section indicates the fearful price which we are to pay for this legislation:

SEC. 5. That so much of the act of February 28, 1878, entitled "An act to authorize the coinage of the silver dollar and to restore its legal-tender character," as requires the monthly purchase and coinage of the same into silver dollars of not less than $2,000,000 nor more than $4,000,000 worth of silver bullion, is hereby repealed.

This is the specific repeal of the act of 1878, which is now the law.

The sections referred to and quoted contain the substance of the bill under consideration. When taken together they propose that we shall repeal the law which now forces the Secretary of the Treasury to buy and coin monthly $2,000,000 worth of silver bullion and gives him full power, which he ought to be exercising, to buy and coin monthly $4,000,000 worth, and substitutes therefor a law requiring him to buy four and a half million dollars' worth monthly with Treasury notes, to be redeemed with coin or with silver bullion whenever he and those who own and control large volumes of our money and are in sympathy with him in their opposition to silver coinage may think it desirable to contract the currency in that way.

It will be readily seen that for the paltry privilege of buying half a million more per month than is now authorized to be bought we are asked to surrender the law which compels him to buy and coin $2,000,000 worth and gives him full power to buy four millions' worth and compels him to coin all he buys. He may, as we shall show, substantially evade either the purchase or coinage of silver under this bill. This law when passed enables him to exercise substantially unlimited power in contracting the currency. Experience and his own official utterances leave nothing to surmise as to how he will use this power. He may, to delude the people for political purposes and to keep the party in power that is willing to turn over into his hands their monetary interests, give temporary and partial relief. But he will never be willing to do anything which will tend to secure to the people a stable and sufficient currency based on the restoration of silver to its legitimate equality with gold in our monetary system.

Now, Mr. Speaker, to the people whom I represent, and, in my judgment, to the people of the whole country, there is but one question—the question of the measure and manner of levying tariff taxes—of more importance than this subject. It is conceded on all sides that there is great depression in all productive enterprises, and consequently great suffering and discontent amongst the laborers engaged in these enterprises. So serious has this condition become that it has awakened in the minds of the whole people, and especially in the minds of the farmers and laborers, who are the greatest sufferers, anxious inquiry as to the producing causes and the adequate remedies for this evil.

A careful investigation has disclosed to the thinking toiler, whether on the farm or in the factory, that, keeping pace with the contraction of the currency, which has been going on for the last quarter of a century, his condition has become worse; he has become poorer and less able to secure the necessaries and comforts of life. At the same time he has seen the same policy of contraction correspondingly enrich the bondholder and capitalist, who relies upon neither labor nor production, but upon fixed incomes, interest, or speculation for his profits. He has seen that two classes only of our people have prospered and grown rich under our laws as they now exist, the class who have been enriched by the contraction of the currency and the demonetization of silver, thereby doubling the value of their bonds and securities, and that other class who have been enriched by bounties levied on consumers under an iniquitous system of tariff taxation. He has seen that both of these classes have alike built up their fortunes by unjust exactions levied under the forms of law on the proceeds of his toil.

Having discovered the producing causes, he demands the very simplest remedies. He demands tariff reduction to the end that less of his earnings be taken for taxes and bounties. This his Republican representatives on this floor have a few weeks ago not only refused him, but instead have passed a law increasing his tariff burdens. And nothing now stands between him and the ruinous exactions of that law except the slender hope that there may be enough Republicans in the Senate who will not surrender their convictions, but will join the Democratic minority to defeat the unjust demand that the money advanced by the manufacturers to purchase the Presidency two years ago shall be levied upon their constituents. He demands that the policy of legislating for the contraction of the currency, making money dearer and harder to obtain and those who own and control it wealthy, and those who have to purchase it with labor or its products poorer, be reversed, and that we begin to legislate in the interest of the many poor instead of the rich few who have for the last twenty-five years been the sole recipients of the fostering care of those who have controlled our legislation.

And, Mr. Speaker, I desire to warn members on the other side who represent farming or laboring constituencies that, however they may cling to the hope that they may yet further deceive some portion of their people with the fraudulent pretense that they can better their condition by increasing their burdens of taxation, they need not delude

themselves with the expectation that they can on this subject deceive these people, who are a unit in their demand for complete remonetization of silver and its complete restoration to the position of perfect equality with gold, which it held under the Constitution and the laws of the country during our entire existence till it was stricken down by the passage of the act of 1873.

This act, which has been fitly denounced in this debate by Republicans and Democrats alike as the greatest legislative crime of the age, both in the manner of its perpetration and its disastrous effects on the farming, laboring, and debtor classes of our people, and which no man on this floor would have the hardihood to defend or condone, stood upon the statute-books completely outlawing silver as money until it was partially remonetized by the act of 1878. This act of 1878, containing all the reparation that has ever been made for the criminal desecration of our silver coinage in 1873, this Republican Congress by the bill we are now considering proposes to repeal.

If it was a crime in 1873 to demonetize silver and degrade it from the position it had always held in our system as the equal of gold for monetary purposes, and if it was wise legislation to partially restore it by the act of 1878, why will it be less a crime now than it was in 1873 to demonetize and strike it down again, as you propose to do in this bill by the specific repeal of the act of 1878?

Section 5 of the substitute which a Republican caucus has decreed shall pass this House at 3 o'clock to-morrow as completely demonetizes silver, as I have already shown, as did the act of 1873. Is it less a crime to do this now boldly and in defiance of the demands of the people than it was to do the same thing in 1873 surreptitiously or by fraud and conspiracy? Is the crime less now because it is done at the dictation of one man, who cracks the party whip over a caucus and compels Western and Southern Republican members, who say that they will be left at home if they thus betray their constituents? Is it less a crime because the bill is brought into the House under a special rule which gags the Democrats and a large majority of the Republicans, which cuts off all amendments and greatly excels in its vicious character the notorious code of rules adopted at the beginning of this session?

The boast of the author of those rules was that they enabled the majority to legislate. The boast of the same author of this rule may well be that it enables a minority to legislate; that it enables less than two-fifths of the members of this House to stifle the demands of the other three-fifths, backed by the almost unanimous demand of all the people, outside the influence of Wall street, for free coinage of silver, and give them instead a law completely debasing and destroying silver as a money metal and placing it among the commodities whose value is to continue to be measured and cheapened, as cotton, corn, wheat, oats, and labor have been and will continue to be by the single standard of the gold dollar, made dearer by its necessary scarcity and consequent insufficiency to supply the demands of the people.

But some of the apologists for this bill say that the Secretary of the Treasury must coin "such portion of the silver bullion purchased under the provisions of this act as may be necessary to provide for the redemption of the Treasury notes" used in the purchase of the bullion. Who is to judge of this necessity? The Secretary of the Treasury. This leaves it to his discretion to coin or not to coin. He is left ample room to evade the coinage of a single dollar. Indeed, he is left ample room, with the aid of the gold men, who share his views and are therefore his natural allies in controlling and contracting the currency of the country, to evade the purchase, even under this bill, of a single ounce over four and a half million dollars' worth of silver in the next century, if this bill should remain the law for that length of time.

The bill requires him to buy at the market price, in gold, four and a half million dollars' worth of silver bullion each month and pay for it in the notes of the Government. But he is given the discretion to redeem the notes he pays for this bullion in the same bullion for which they were exchanged at its market price if the holder of the notes demands it. So that every requirement of this bill can be met each month by the purchase of four and a half million ounces of silver bullion and the redemption of the same bullion during the same month by a return of the same notes to the Treasury. And this operation can be repeated month after month indefinitely, thereby not only effectually defeating any expansion whatever of the volume of currency, but destroying all further use of silver bullion, even as a commodity on which circulation can be based. Thus the Secretary of the Treasury and his confederates in Wall street, who insist that we have money enough and that silver is not fit for money, can under this bill defraud and deny to the people their just demands for more money as effectually as they are being defrauded by the Republicans of this House of their just demands for free coinage of silver.

My Republican friends from the South and West who are subserviently complying with the demands of Wall street and the bondholders, dictated through the Secretary of the Treasury and a Republican caucus controlled by the Speaker of this House, are ready to answer that the Secretary would not dare to thus defeat the demands of the people for an increase of the currency. Why? Do you suppose he is better than you? Do you suppose he will deal more honestly and more liberally with your constituents than you are doing, when by voting for this bill you not only refuse them free coinage of silver, but rob them of what little compulsory coinage they have? Will it be more daring or more shameful for him whose interests and convictions are in full sympathy with those who believe that nothing but gold should be used as a money metal and that we have enough if not too much money now, to so execute this law as to defeat both the expansion of the currency and the coinage of silver than it is for you to vote for this bill, thereby not only refusing your constituents free coinage of silver, but putting it in his power, not only to deny any increase, but to largely contract our present insufficient circulation?

All right-thinking people would have infinitely more respect for him executing the law in accordance with his known and avowed convictions to thus contract the currency far beyond what is possible under the existing law than it will be possible to entertain for you who, betraying the trust your constituents have confided in you and surrendering your boasted convictions, cringe beneath the party lash and vote to put this power in his hands.

The Secretary of the Treasury is not in sympathy with the demands of the great agricultural and laboring classes of this country for more and cheaper money and consequent higher prices for labor and the products of the farm. The policy of the Secretary is and will continue to be, so far as lies in his power, to so interpret and enforce all our laws and make such regulations pertaining to our finances as to contract the currency, make money dearer, and consequently more valuable to those who hold it or have fixed incomes from its loan or investment in interest-bearing bonds and securities. We are accustomed to complain that labor and farm products have fallen in price till they have become so cheap that the laborers and farmers receive no return for their toil and products; that the farmer is unable to realize the money with which to pay even the interest, much less the principal, on the mortgage he has been compelled to place upon his farm.

A little thought will convince us that we are not suffering from cheap wheat, cheap corn, cheap cotton, and cheap farm products of all kinds. These when compared with or exchanged for other untaxed commodities, silver included, have maintained a substantial equality in values. It is only when we come to exchange them for money that the great disparity in the amount received now as compared with the amount received twenty years ago, before contraction of the currency and demonetization of silver had wrought ruin to the agricultural interests, is fully appreciated. We are too apt to lose sight of two facts in the confusion of terms which we commonly use, first, that when the farmer or laborer needs money to pay his debts or clothe his family he must purchase the money with his labor or the produce of his farm; second, that when he goes out to purchase the money he will find it cheap or dear, accordingly as it is plentiful or scarce. In other words we overlook the fact that money like every thing else is cheap or dear as the volume in circulation is great or small.

The quantity purchased with (obtained for) a bushel of corn or wheat depends equally as much on the quantity of money on the market to be purchased with wheat or corn as it does on the quantity of wheat or corn on the market seeking exchange for money. If we will rid ourselves of the idea, which is the result of our customary methods of thought and expression, that money of any kind has a fixed, intrinsic, unchangeable value, much of the sophistry in which a simple question has been shrouded will disappear. A dollar, like everything else, has only a relative value. Its value is fixed and controlled, exactly as the value of a bushel of wheat is fixed and controlled, by the amount of other things for which it can be exchanged. If the amount of wheat in existence and seeking exchange for other things, money included, is small, wheat will be dear and in demand; that is, it can be exchanged for a large amount of money in the market. So, if the amount of money in existence and seeking exchange for wheat is small, money will be dear and in demand; that is, it can be exchanged for a large amount of wheat in the market.

Alison, in his History of Europe, has forcibly stated this relative value of money, and graphically describes our condition under a contracted and insufficient currency when he says:

> To perceive how this comes about, we have only to reflect that money, whether in the form of gold, silver, or paper, is a commodity and an article of commerce, and that, like all similar articles, it varies in value and price with its plenty or cheapness in the market. As certainly and inevitably as a plentiful harvest renders grain cheap, and an abundant vintage wine low priced, does an increased supply of the currency, whether in specie or paper, render money cheap as compared with the price of other commodities. But as money is itself the standard by which the value of everything else is measured and in which its price is paid, this change in its price can not be seen in any change in itself, because it is the standard; it appears in the price of everything else against which it is bartered.
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> An increase in the currency when the numbers and transactions are stationary or nearly so is immediately followed by a rise in the money price of all other commodities; and a contraction of it is as quickly succeeded by a fall in the money price of all articles of commerce and the money remuneration of every species of industry. The first change is favorable to the producing classes, whether in land or manufactures, and unfavorable to the holders of realized capital or fixed annuities. The last augments the real wealth of the moneyed and wealthy classes and proportionately depresses the dealers in commodities and persons engaged in industrial occupations.
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> But if an increase in the numbers and industry of man co-exists with a diminution in the circulating medium by which their transactions are carried on, the most serious evils await society and the whole relations of its different classes to each other will be speedily changed; and it is in that state of things that the saying proves true that the rich are every day growing richer and the poor poorer.

But members on the other side urge, in the interest of gold as the only money metal and standard of values, and the consequent limitation and contraction of the currency which have resulted from that policy, that the depreciation in the price of farm products results from their overproduction. They cite to sustain this argument the vast improvement in agricultural implements and farming methods as resulting in great saving of labor and great increase in productive capacity. Comparing statistics showing at the same time great increase in the crops raised and great decrease in the prices realized, they argue that to overproduction is due the depression in the prices of these products. If this argument, which I admit is well calculated to deceive, was founded on facts, it would lead to the conclusion that improved machinery, improved methods of farming, and increased production had proved to the army of our people engaged in agriculture a curse instead of the blessing we have been taught to consider it. But is there any surplus of farm products? If not, the argument fails.

What do these gentlemen mean by overproduction? No man would be so rash as to assert that more cotton, wheat, corn, beef, and pork are produced than are needed to comfortably clothe and feed the people of the world to whom they might be sold and who if they had the money would like to buy and use them. Want and poverty—the half-fed and half-clad laborers at home and abroad—rise up to confute such an assertion. What do they mean then by overproduction, of which they talk so glibly? They mean that the farmers produce more than the consumers, upon whom they must rely for a market, can obtain the money to buy at prices which will remunerate the producers for the labor and expense incurred in production. The result is that the farmers must, in order to sell, or rather in order to enable their customers to buy, all their products, reduce their prices to meet the money ability of those to whom they sell. They must sell wheat at 70 cents per bushel for which they formerly received $1. They received the $1 then because their customers had that much money to pay. They receive only 70 cents now because their customers have only 70 cents to pay.

The volume of the currency, by adverse legislation, culminating in the demonetization of silver and striking down more than one-half of the money metal of the world in 1873, has been contracted until its scarcity easily accounts for this disparity of the purchasing capacityof their customers. Instead of an overproduction of crops, there is an underproduction, so to speak, of money. By this I mean that the money supply has been contracted and decreased. It is agreed on all hands that exactly the reverse of this ought to have occurred. All reliable authorities on finance and all men who are interested in the prosperity of the country under a safe financial policy agree that the volume of the currency ought to keep pace with the combined increase of our population, commerce, and productive development. Low prices to the farmer result, not because he can and does produce more, but because vicious legislation has prevented an increased volume of currency from keeping pace with the growth of our population and productive power.

But it is again urged that, aided by this improved machinery and better methods, the farmer can as cheaply raise 100 bushels of wheat now as he could raise 70 fifteen years ago; that the 100 bushels now at 70 cents per bushel will bring him as much money as the 70 bushels then brought him at $1 per bushel. I deny the proposition that the farmer can as cheaply raise 100 bushels of wheat now as he could 70 then. Admit that he can raise the one hundred with the same labor and on the same land on which he raised the seventy then, he does it by the use of costly fertilizers and costly machinery; in other words, by investing more money in his farm and farming implements.

But, waiving this fact of increased cost and for the sake of argument admitting that the improvements in farming machinery and methods have enabled the farmer to so increase his yield as to counteract the decrease in the prices, who is entitled to reap the benefit of this increased production and who does reap it? Is not the farmer entitled to all the increase in production resulting from better machinery which he buys and uses and the advanced methods which he adopts? If he increases his crop in this manner is he not entitled to the increase? If he only gets the same amount of money for the increased crop that he received before he bought machinery and bettered his methods he is certainly no better off, even leaving out the extra cost. What inducement to him to make more if he gets no more for it?

But who has in fact received the benefit of this increase? It is manifest that the man who lives on a fixed income or loans money and owns bonds receives all the benefit. His income does not change; his Government bond or mortgage on the farmer's land is for the same amount of money and yields the same interest as before; but $70 of his property, which is money, has increased in value till it is equal to one hundred, instead of 70 bushels of the farmer's property, which is wheat. So that, compared with all that the farmer raises, he is $30 on every hundred richer and the farmer $30 poorer. Why is this? Manifestly it has resulted from a failure of an increase of money to keep pace with the increase in production; and this not because the production of silver and gold from the mines has not kept pace with the productive energies and enterprise of our people, but because adverse legislation has limited and curtailed the volume of our currency.

We produced from our mines silver of the coinage value of $40,800,000 in 1879 and $64,646,464 in 1889, an increase in ten years of over $24,500,000, or over 60 per cent. Comparing the production of gold for the same ten years, we find a decrease of over $3,000,000. Our production of gold for 1889 was $32,800,000. These figures, taken from the last report of the Director of the Mint, show that while the output of our silver mines increased over 60 per cent. in the last ten years, the output of our gold mines actually decreased during the same years about 9 per cent. They show further that our production of silver was within a fraction of double our gold production, the coinage value of the silver output for the year 1889 being $64,646,464 and that of gold $32,800,000.

Can any one with these facts before him fail to see the manifest advantage, indeed, the absolute necessity, of our using our vast production of silver as it has been used through all the ages, for money purposes? Two reasons impel to this: First, as I have shown, we are producing twice as much silver as gold. Second, the increased production of silver in our country is keeping pace with the combined increase of population and production so as to furnish, if permitted by free coinage to flow into the channels of commerce, as a standard of value and medium of exchange, that natural and constant increase which I have shown to be necessary to secure to productive industry fair prices and to labor just compensation.

But there is a still more important phase of the ruinous effects of this contraction of our currency on the farmers, especially of the South and West. In 1865 the victorious soldiers who had filled the ranks of the Federal Army and the young men of the North began without capital to settle and develop the fertile lands of the great West. The soldiers who had laid down the Confederate flag and buried their lost cause at Appomattox without money undertook the task of building up their cities, homes, and farms in the war-wasted and impoverished South. All the money needed for these herculean undertakings had to be borrowed from that class who had hung about the Treasury of the Federal Government during all the years of the war to feast and fatten on its necessities till they owned and controlled the bonded indebtedness on which, through a national-banking system, they secured the currency of the country to be based. So that these bondholders, who owned and have ever since the war controlled the currency of the country, became the creditor class to whom the struggling South and West became debtors.

Our money in circulation then averaged from $45 to $50 per capita for our entire population. It was cheap and plentiful, which implies the converse that all other property was high. On this basis was contracted not only the enormous national debt, rendered necessary to prosecute the war, but that even greater aggregate indebtedness, State, county, municipal, and individual, which after the war fed the cormorants of reconstruction in the South and built up our great railroad systems, cities, homes, and farms in the South and West. These debts were contracted and this money was borrowed with a view to the volume of money and prices of products then prevailing.

Who doubts that if the ratio of our circulating medium to our population and business had continued, maintaining for products the prices then existing, all these debts would have long since been discharged with the money realized from much less property than has been exhausted in the futile effort to lessen debt by payment as fast as vicious legislation increased it by contraction of the currency? The result to this debtor class, which is made up of the great body of the farmers of the South and West, has been that when by persistent industry and economy the interest has been met and half the nominal amount of the debt paid it will still take more of the products of the farm, cheapened as they are by the scarcity of money, to pay the other half than it would have taken to pay the entire debt at the prices prevailing when it was contracted.

It may seem a paradox, yet such has been the shrewd manipulation of our currency by the wealthy creditor classes that the more the debtor pays the more he owes and the more the farmer raises the less money he gets and the poorer he becomes. From a circulation of $45 or $50 per capita in 1865 we are reduced to a circulation of $20 per capita in 1890. And this notwithstanding the fact that during this period the volume of production, business, and commerce has increased more than twice as rapidly as our population.

Is it astonishing that under such a financial policy, supplemented by the exactions which tariff legislation enables the manufacturing interests to levy on them, there should be widespread dissatisfaction and distress throughout our agricultural communities? They are demanding through their organizations and through their representatives on this floor that no more such subterfuges as are attempted in this bill be resorted to, to cheat and deceive them, and turn them and their currency over again to the tender mercy and discretion of the Secretary of the Treasury. They have learned by sad experience that this means to turn them over to Wall street. They demand that you open the mints to the free coinage of the silver our mines are producing so bountifully and thus give them more money of the kind which history, experience, and reason have taught to be the best.

Mr. Speaker, the people demand that we shall pass laws giving them a sound currency sufficient in volume to transact the business of the country at remunerative prices for labor and production; that in order to do this you open the mints of the country so that all the silver we

produce can be coined into money for their use, as it was during all our history till 1873. They have sent representatives enough to this Congress pledged to do this to pass a free-coinage act by good majorities through both Houses.

But they made one mistake which, if you refuse them free coinage and pass this bill, they will speedily correct. A portion of these they sent here, relying on their pledges to do this, were Republicans. These cower beneath the Speaker's scowl and the party lash and betray their constituents into the hands of the Secretary of the Treasury, to be further fleeced by the policy of a contracted currency. We must suffer two years longer. The ground must be fought over again before the people in the fall elections. And if I mistake not the temper of the South and the West they will profit by this experience, be deceived no longer by Republican professions for free coinage, but send to the next House a clear majority of Democrats, pledged to the full restoration of our silver coinage, upon whom they know they can rely.

Silver-Bullion Certificates.

SPEECH

OF

HON. EDWARD LANE,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. LANE said:

Mr. SPEAKER: The measure under consideration affects the people I have the honor to represent more than any question that has come before this Congress. It is a measure cognate with the tariff. By this and kindred acts the money is passed from the Government to the people and by the tariff it is returned from the people to the Government, the protected industries, however, getting about $6, while the Government only gets $1 under our present system. Money is as old as civilization and its existence is necessary to society. The use of money is all the advantage there is in having it, yet money makes up in a measure all other wants in man. The greatest want of the commercial and business life of this country to-day is money. It is needed alike by the merchants, farmers, and laborers. The demand is more money, and of course it should be of the best.

Money is power, and so acknowledged the world over. It is the force that underlies our civilization and pushes it to the greatest possible activity. Money impels the merchant to his most venturesome daring, the mechanic to exploiting his most inventive genius, the farmer to endure the summer's heat and the winter's cold, and the toiler in every direction to the accomplishment of the most earnest effort for success. The power of money and the hope of its attainment is the incentive to nearly all humanity's most earnest and most honorable exertion.

What, then, is money and what are its uses? It may be stated in general that money is crystallized labor, labor accumulated and massed, and when so accumulated and massed it has the power of labor, or, in other words, money is a medium of exchange created by law by which the value of all commodities produced by labor is represented and exchanged. Labor creates wealth and money represents labor, but the value of money must be fixed by law.

I will repeat that nearly all wealth is produced by labor and the laborers would possess it if something did not exist to prevent this natural result. In this country, where the reward of labor is greater than in any other, some cause is operating with continued and growing effect to separate production from the producer. It is admitted on every hand that we are the most powerful country on earth; no ancient or modern empire can compare with our Republic in resources or extent. It is occupied by 65,000,000 of bright, brave, free, intelligent, industrious, and energetic people. It is filled with the natural resources of every zone: Gold, and silver, and copper, and lead, and iron from the mountains; cattle and sheep from the plains; cotton from the South; corn and wheat from the West.

Our farmers ought to be the most happy and prosperous in the world, as they under the circumstances ought to be the wealthiest. But do the people share in this bounty? Are the laborers of the land satisfied with existing conditions? Are they free from apprehension of the future? Does the farmer find his brow unfurrowed by the plow of care? Are the highways free from tramps and the poor-houses and prisons tenantless? Is the tax-collector driven from the door and want from the home? Alas! no; and what is the reason? Mr. Speaker, the wrong is evident and as a plain business man I wish to trace what I believe to be the cause to its proper source. The money of the United States on October 1, 1889, is shown by the following table, furnished by the Secretary of the Treasury:

The amount and kinds of money in actual circulation on certain dates from 1878 to 1889.

Year.	Date.	Total circulation.	Gold coin.	Standard silver dollars.	Subsidiary silver.
1878	March 1	$805,793,807	$82,590,163	.....	$53,573,833
1879	October 1	862,579,754	123,698,157	$11,074,230	54,088,747
1880	October 1	1,022,033,695	261,320,920	22,914,075	48,368,543
1881	October 1	1,147,892,435	328,118,146	32,230,038	47,859,327
1882	October 1	1,188,752,363	358,351,956	33,801,231	47,153,750
1883	October 1	1,236,650,032	346,077,784	39,783,527	48,170,263
1884	October 1	1,261,569,924	341,485,840	40,322,042	45,344,717
1885	October 1	1,286,630,871	348,268,740	45,275,710	51,328,206
1886	October 1	1,264,889,561	364,894,599	60,170,793	48,176,838
1887	October 1	1,353,485,690	391,090,890	60,614,524	50,414,706
1888	October 1	1,384,340,280	377,329,865	57,959,356	52,020,975
1889	October 1	1,405,018,000	375,947,715	57,554,100	52,931,352

Year.	Date.	Gold certificates.	Silver certificates.	United States notes.	National-bank notes.
1878	March 1	$44,364,100	.....	$311,436,971	$[illegible]8,888,740
1879	October 1	14,843,200	$1,176,720	327,747,702	329,950,938
1880	October 1	7,480,100	12,203,191	329,417,403	340,329,453
1881	October 1	5,239,320	52,590,180	327,655,884	354,199,540
1882	October 1	4,907,440	63,204,780	325,272,858	356,060,348
1883	October 1	55,014,940	78,921,961	321,356,596	347,324,961
1884	October 1	87,389,660	96,491,251	325,796,143	324,750,271
1885	October 1	118,137,790	93,656,716	318,736,684	311,227,025
1886	October 1	84,691,807	95,387,112	310,161,935	301,406,477
1887	October 1	97,984,683	154,354,826	329,070,804	269,955,257
1888	October 1	134,838,190	218,561,601	306,052,053	237,578,240
1889	October 1	116,675,349	276,619,715	325,510,758	199,779,011

These figures show that there should be $21.75 per capita in circulation, and this may be true averaging the whole country over, but as a matter of fact there is not $10 per capita in circulation in the West, and I think that amount much too small.

Why is this? Has any one ever observed any calamity resulting from the circulation of too much money? Is there any locality or era where there was too great activity among the producing classes? I never knew or read of any country where there were too many houses in process of erection, or too plentiful raiment, or too abundant food, nor where transportation of products was too cheap and rapid. Does any one recognize high prices of labor as leading to disastrous results anywhere? I presume no one would question the fact that if we had more money now in circulation among the people we would have much better times. Who, then, is to blame for the scarcity of money? Clearly Congress; and, if so, the Republican party, for the Democratic party has not had full charge of the Government for many years.

The market prices of land, of labor, and of commodities are regulated by the amount of money in circulation. When money is plentiful prices advance, and when money is scarce prices recede. The leading economic thinkers of the nineteenth century agree that a decrease in the quantity will always cause the wages of labor and the prices of land and all commodities to sink in proportion.

The law which experience has graven upon the tablets of time is that values must be measured by money and money must be measured by its own quantity in relation to values.

John Stuart Mill, the greatest economic thinker of Europe, says:

If the whole money in circulation was doubled the prices would double. If it was only increased one-fourth prices would rise one-fourth.

One of the greatest American writers on this subject has said:

The truth is that the most enormous power ever known to man or that ever can be his lies in money, in the increase or decrease of its quality.

The Report of the Silver Commission, Forty-second Congress, page 49, says:

By the end of the fifteenth century the currency had shrunk to less than $200,000,000. During this period a most extraordinary and baneful change took place in the condition of the world. Population dwindled and commerce, arts, wealth, and freedom all disappeared. The people were reduced to poverty and misery, to the most degraded condition of serfdom and slavery. The disintegration of society was almost complete. The conditions of society were so hard that individual selfishness was the only thing consistent with the instinct of self-preservation. All public spirit, all generous emotions, all the noble aspirations of man shriveled and disappeared as the volume of money shrunk and as prices fell.

Mr. Speaker, I could furnish a hundred or more such testimonials if I had the time; but it is wholly unnecessary, as every man who has been in business for the last twenty-five years is a witness for himself, and if he will divest himself of prejudice he will admit the truth of all I say.

There is no instance of commercial and industrial adversity within the last fifty years that has not been preceded and produced by a prodigious contraction of the operations and volume of the money power and no instance of prosperity that has not been preceded and produced by its expansion.

Wild speculation and disaster to the speculators may follow extreme

inflation of the currency, but extreme contraction distresses an entire people and makes them suppliants at the feet of the wealth-owners.

An instance can not be found in the history of civilization of an injury to commerce or to productive industry resulting from an increase of money. Inflation based upon an increase of standard money is an inflation which can be sustained, an inflation which has no refluent wave, and which must benefit producers. But inflation of the currency by issuing depreciated money, as was done during the war, which was good enough to pay the labor of the country, but which was not good enough for the bondholder, may sometimes work disaster. It was claimed, however, to be a war measure and was justified by the exigency of the war, and the people were humbugged into believing such a monstrous fallacy. But in 1873 we were visited by a financial panic largely due to the demonetization of silver by Congress, which was a bastard act, and no person in or out of Congress has ever yet been found who is willing to father that act. But I will speak of this hereafter. We should have more money, and what then should be the character of that money? Shall we adopt the doctrine of Thomas H. Benton and have no money but gold and silver, and will the unlimited coinage of silver supply a quantity sufficient?

Mr. Edward Atkinson, the economist and statistician, claims that if we keep the quality of our money good we may be sure that the quantity will take care of itself. It is very true that he sustains this proposition with some very sound argument. He claims that from July 1, 1879, to July 1, 1887, the value of our net imports of merchandise was $5,640,261,758, and in the same period the value of our exports of merchandise was $6,764,311,704. And he then urges that such an enormous volume of exports could not have been sold for payment in money only, since the standard of international commerce is coin or bullion. He claims that such a demand for gold or gold bullion in sole payment for our exports would have drained every bank in Europe, and we would have no domestic use for such an amount of coin, and therefore unless an exchange of domestic for foreign products had been possible the export could not have been made. The result of this argument is simply that a great percentage of international as well as domestic trade must consist in exchange of goods for goods, the balance being settled in gold or on credit. But this does not detract from the necessity of a sufficient quantity of money to do the business of the country.

It may be an admitted fact that four-fifths of the business of the country may be transacted on credit or by bill of exchange, bank-checks, or promissory notes, but the experience of the civilized world is that there must be money to carry on the commerce of the world; and why should we in this country have less money than those in other countries? For example, the French people have $14.67 in silver per capita while we have but $2.72, while we produce nearly one-half of the silver of the world. France has now $57 per capita in money, while we have but $21.75. Why should this be? I think, therefore, that the time has come when the people should declare through their Representatives what amount of money should be in circulation, how created, and the character of that money.

Is the present national-banking system to be a part of the financial system of our Government? I think every intelligent thinker must acknowledge upon a moment's reflection that our national-banking system in its present form should not be continued, for the reason that it rests on a national debt, while the holders of that debt are exempted from taxation on the money so invested and the people are taxed to pay the interest on such debt.

The solvency of the national-bank notes is based on the ability of the Government to liquidate the debt, and no sane person will contend that it is good policy for a nation or individual to postpone the payment of a debt after they acquire the ability to pay it; hence on true principles of financial economy we can not in justice to the people continue our national-banking system, for the reason that we should day the debt upon which it is based.

On the 28th of January last I submitted some remarks to the House on the question of the national-banking system and whether or not it should be continued.

The subject is not at all exhausted, but the people are becoming more convinced every day that the system in its present form should cease. In fact they are now fully convinced that the system was a fraud on their rights from the beginning and never should have been adopted. I do not care to repeat what I said before, but I will submit some figures before I conclude, which I think will convince any candid mind that the national-banking system, with its ally, Wall street, has robbed the people of millions of dollars in the last twenty years.

What are the facts? The Government issues its bond payable in twenty years, say for $100,000 bearing 6 per cent. interest payable semi-annually. Now, who is responsible for the payment of this bond? Clearly the Government, or, in other words, the people. Some capitalists, five or more, desire to organize a national bank, and what do they do? They take $100,000 in greenbacks or national currency and purchase the Government bond and then get a charter to commence the banking business, and when they deposit the bond with the Secretary of the Treasury he gives them $90,000 in national-bank currency that they may loan to the farmers and laborers of the country, in some of the States at a rate of interest as high as 10 to 12 per cent. per annum, and in addition to this the Government pays them 6 per cent. interest semi-annually on the $100,000 bond deposited with the Treasurer. Now, who was responsible for the payment of the greenbacks or currency which was used to purchase the $100,000 bond as well as the bond itself? Clearly the Government. That was the promise of the Government. Then who is responsible for the payment of the $90,000 national-bank currency given to the national bank? Clearly again the Government. It is the responsible party in all the transactions and must see that the bond, greenbacks, and currency are paid, and it is on the faith of the Government they are all issued and based, and the national bank is simply a middle-man between the Government and the people to put the people's money in circulation, for which they receive large interest at both ends of the line.

Thus national-bank corporations invest $100,000 in bonds and they are permitted to draw interest on $190,000. Is this just or right between man and man or the Government and its citizens whom it should protect? Under the law national banks are machines of robbery, and their issues are instruments of national death. They have raided the fields of industry and will pauperize labor. They contract and expand the volume of money at their will and thus fix the rate of interest and rent, the value of land, the price of wages, and products of labor, and are armed with full power to increase their wealth at will. The national banks should be changed at once from banks of issue to simply banks of discount and deposits. The Government should issue its own money without the assistance of middle-men. Thomas Jefferson was right when he said:

> And so the nation may continue to issue its bills as far as its wants may require and the limits of its circulation will admit. * * * Put down the banks and if this country could not be carried through the longest war against her most powerful enemy, without ever knowing the want of a dollar, without dependence on the traitorous classes (the capitalists) of her citizens, without being hard on the resources of the people or loading them with an indefinite burden of debt, I know nothing of my countrymen.

The Government should never have adopted the policy of farming out the right to issue money to national banks. The Government should issue the money direct to the people and thus save both interest and discount. Not only this, but the national banks, with the assistance of the gold bugs of the country, devised a scheme by which they depreciated the money of the country to less than 50 cents on the dollar, so that at one time a dollar in gold was worth $2.85 in paper money.

Looking back from this period we can hardly conceive how the law-making power of the Government was ever deluded into tolerating such an outrageous system.

I am unalterably opposed to allowing national banks to issue money to pay their debts or loan to the people. Such a policy makes it necessary to have a perpetual bonded debt, on which the people will be taxed to pay the interest. Such a policy gives them the power to inflate or contract the currency at will as the law now stands. They are now contracting the currency to allow moneyed men to secure the property of the farmers at half price. I think they are now preparing to inflate and unload at 50 per cent. profit. Banks have always robbed the people in this way and always will if allowed to issue currency in violation of the Constitution, which makes it obligatory on Congress to do and fix its value. The Government should issue all money, whether of metal or paper, and make it all a full legal tender. The people should have the right to demand full legal-tender paper money, in exchange for anything that now passes as money, with the free coinage of silver on the same terms as gold. Every Government bond can be paid as fast as it matures in coin, for no one would cast away silver nor take away gold when they could exchange it for greenbacks. Let us have banks of discount and stop paying interest on the banks' promises to pay.

Give us a new financial American policy of this character and no more panics can occur and no more hard times will ever curse our country.

That the demonetization of silver greatly depreciates the value of property as well as the wages of labor I think is now a conceded fact.

I find the following statement in one of the leading trade journals of the country:

> Ever since silver was demonetized in 1873 values have been falling. This fall of values will lead to bankruptcy and ruin, and the only remedy seems to be to restore free coinage, or, in other words, to right the great wrong. Let us look for a moment at the prices for wheat, corn, mess pork, and raw cotton in 1873 and in 1890.
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> The average price of wheat in 1873 per bushel was $1.20; to-day it is 88 cents. Corn averaged in 1873 63 cents per bushel; to-day it is 32 cents. Mess pork in 1873 averaged $16 per barrel; to-day it is $11.55. Raw cotton in 1873 averaged 17 cents per pound; to-day it is 11 cents. Although the corn, wheat, and oats crops were much larger in 1889 than in 1888, yet prices keep falling so that the corn crop of 1889, although 125,000,000 bushels greater than that of 1888, brought $80,000,000 less money. The wheat crop of 1889 was greater by 75,000,000 bushels than that of 1888, yet it brought forty-three millions less money. The oats crop, although 50,000,000 bushels greater in 1889 than in 1888, yet it brought $23,500,000 less money.
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> Is it any wonder the farms of the West are plastered over with mortgages and that the value of farm land has fallen all over the United States? And yet this is only one of the great miseries that the demonetization of silver has caused. Is it not strange that any American can be found to help England rob us in this way? And yet Wall street is full of them, and they live and fatten all over the land. They are traitors to American prosperity and they are all gold bugs.

The following table, compiled by the Bureau of Statistics, will more fully show the facts.

Annual average export prices of commodities of domestic production for each year from 1873 to 1889, inclusive.

Year ending June 30—	Corn per bushel.	Wheat per bushel.	Wheat flour per barrel.	Cotton (upland) per pound.	Leather per pound.	Illuminating oils, refined, per gallon.	Bacon and hams per pound.	Lard. per pound.
	Dollars.	*Dollars.*	*Dollars.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1873	.618	1.312	7.565	18.8	25.3	23.5	8 8	9.2
1874	.719	1.428	7.144	15.4	25.2	17.3	9.6	9.4
1875	.848	1.124	5.968	15.0	26.0	14.1	11.4	13.8
1876	.672	1.242	6.216	12.9	26.2	14.0	12.1	13.3
1877	.587	1.169	6.488	11.8	23.9	21.1	10.8	10.9
1878	.562	1.338	6.358	11.1	21.8	14.4	8.7	8.8
1879	.471	1.068	5.252	9.9	20.4	10.8	6.9	7.0
1880	.543	1.345	5.878	11.5	23.3	8.6	6.7	7.4
1881	.552	1.114	5.668	11.4	22.6	10.3	8.2	9.3
1882	.668	1.185	6.149	11.4	20.9	9.1	9.9	11.6
1883	.684	1.127	5.955	10.8	21.1	8.8	11.2	11.9
1884	.611	1.066	5.588	10.5	20.6	9.2	10.2	9.5
1885	.540	.862	4.897	10.6	19.8	8.7	9.2	7.9
1886	.498	.870	4.699	9.9	19.9	8.7	7.5	6.9
1887	.479	.890	4.510	9.5	18.7	7.8	7.9	7.1
1888	.550	.853	4.579	9.8	17.3	8.9	8.6	7.7
1889	.474	.807	4.832	9.9	16.6	7.8	8.6	8.6

The decline relates as well to real estate as personal property, and I think it is admitted on both sides of this Chamber that the decline was about one-third in value between these periods. Therefore the conclusion is inevitable that the farmer who is in debt in order to pay the same is now compelled to give three bushels of wheat, corn, or oats, three cows, horses, or sheep, or three acres of his land to pay the debt that two bushels of wheat, corn, or oats, two cows, horses, or sheep, or two acres of land would before the fall in prices. In other words, he is robbed of one-third of his property or labor, whichever you may please to call it, by such infamous legislation. Does the farmer see it? We will hear from him next November.

The Republican party seems to discriminate more against the farmers of the country than any other class.

The farmer not only receives low prices for his products, but he has gradually fallen behind more and more, until his farm and homestead is covered with mortgages and he is so in debt that, if the present state of things continues and there is no aid given him in the way of an increase of the currency of the country and putting it within his easy reach, a very large proportion of our farmers are doomed to bankruptcy and ruin.

The unequal taxation to which he has been subjected by our tariff laws, by which he has been compelled to sell his products in the free-trade markets of the world in competition with all similar products of the world, has compelled him to buy his supplies in the highest market in the world, restricted by tariff to prevent competition. The Republican party not only prevents the farmer from sending his products abroad, but stations a sentinel with a club at every port of the country to keep anything from coming in to exchange with him, but at the instigation of Wall street demonetized one-half of the currency which gives credit and value to his product.

What have the farmers of the country done to the Republican party to merit this treatment at its hands? From the American farm have come the best brain, the intensest energy, and the highest courage. The American farmer has been and is the guardian of law and the pride and hope of our free institutions. Eighty per cent. of the soldiers of the late war came from the farm and many of our greatest generals exchanged the plow for the sword and secured liberty for others only to be enslaved themselves by the power of plutocracy. The farmers of the country are now feeling the galling yoke of this monster, and are engaged in a deadly struggle with this their greatest enemy, and if they are true to themselves victory will crown their efforts. May God speed the day.

But, Mr. Speaker, to return to the subject, what is the measure under consideration and the legislation proposed?

The bill provides that the Secretary of the Treasury shall purchase every month $4,500,000 worth of silver bullion and issue in payment thereof Treasury notes of any denomination not less than one dollar nor more than one thousand dollars. These notes are redeemable in coin, which means, of course, gold, and are made a legal tender, or the holder of the note may have them redeemed in silver bullion, at his election. It also provides for the repeal of the coinage of all silver, or what is known as the Bland act of 1878, and further provides for the free coinage of silver when silver reaches a parity with gold, which it never will do under this act. This is, in substance, the bill before us.

Mr. Speaker, the report of the majority of the committee on this measure states that "no people can prosper without a liberal supply of money and that nation prospers most which has the largest circulation of the best." We will receive this statement as axiomatic; but will the measure under consideration if passed grant this desired result? It is thought by some of the best financiers of the country that it will not. What is the proposition now before us? That if we will repeal the act of 1878 requiring the coinage of silver the product of our own mines may be used as a commodity, to be deposited in Government warehouses and warehouse receipts, to be denominated Treasury notes, receivable for Government taxes, issued upon the gold price of the bullion, these notes to be redeemed by the Government on demand in coin. Why should this be done?

In what respect will the Treasury note differ from our present greenback? And, if in none, why make the change in our paper circulation? Silver should or should not be coined. There is no middle ground for it, and its present limited coinage almost amounts to prohibition, but if this act goes into effect it is thought that there will not be a silver dollar in circulation in this country within six months after its passage. The effect of passing the bill would be to suspend silver coinage and to totally demonetize this metal and to permanently establish for us the single standard of gold, and clearly that would have the effect to drive all silver out of circulation. The standard of the redemption of the silver certificate is fixed at gold, for we will have no coin but gold, and of course the purpose is to drive silver out of the market and to advance the price of gold. The act repeals the law of 1878, which partially restored silver as a circulating medium. Why not repeal the infamous act of 1873, by which silver was demonetized, if the purpose is not to set up a single gold standard and to advance the price of that metal? Omitting the several kinds of minor coins, the coinage in the mints of the United States from the organization of the Mint to June 30, 1889, was as follows:

Gold	$1,500,666,207.00
Silver	567,291,231.45

The annual output of gold in the United States is about $33,500,000, while that of silver is from $45,000,000 to $48,000,000. By act of Congress of 1792 the proportional value of gold and silver was fixed at 15 to 1, while by act of 1837 it was changed to 16 to 1. This was done, I presume, for the reason that the amount of silver in the world is about sixteen times that of gold, and in this proportion the two metals have been used interchangeably in obtaining the proportionate value of other products. Whether 25.8 grains of gold or 371¼ grains of silver were taken as the unit holding the unmeasured quantity of value did not matter. Each holding exactly the same quantity of value, either would serve as a unit for comparison, and they were interchangeable in that ratio the world over. Being interchangeable one for another at 16 to 1, the coinage or use of each being limited only by the demand for either, the unknown or unmeasurable amount of value held by all the silver in the world was exactly equal to the unknown or unmeasurable amount of value held by all the gold in the world, and no possible increase in the quantity either of the gold or of the silver, while freely interchangeable at agreed ratios, each being divided into the same number of units, would or could disturb this relation; each would continue to hold one-half the joint actual value of both. This union of the two metals, this blending of them into one standard for practical use, is improperly called a "double standard," for in reality it is a single standard of two metals, exactly as combination of the two in one, and both together in this ratio forming the standard of money, and the value of both metals was nearly equal in 1873, silver being but about 3 per cent. in advance of gold when silver was demonetized, and the price of silver went down from 28 to 33 per cent. lower than gold, which, of course, was the intention of that legislation.

This measure is the same old struggle of the vampires of wealth against the toiling masses, which began at the formation of our national-banking system and ripened into the demonetization of silver in 1873. The reason for the demonetization of silver was that it would increase the value of gold and bonds and other evidence of indebtedness, and increase the value of fixed incomes, and it would enrich the creditor class and those who owned money. This would, of course, in a corresponding degree increase the burdens of labor, as in the end labor must pay all.

I see it stated that the royal commission of Great Britain in 1886 investigated the changes in the relative values of the precious metals, and estimated that the reduction of the price of property generally by demonetizing silver was 33 per cent., and other authorities estimate the reduction from 30 to 35 per cent., and this would show a loss to the people of over $11,000,000,000 in the property of this country in 1873, as the wealth of the country at that time was over $33,000,000,000.

The wages of labor went down in very nearly the same ratio and thousands of laboring people were thrown out of employment and many of them were driven to the verge of starvation. But what did the gold-bugs of the country care? It increased their gold 30 per cent. in value as well as their bonds and stocks. It robbed the people out of untold millions, and, like a thief in the night, came and transferred, by mere operation of law, an enormous amount of values from one class of our people to another without consideration, in order to make the rich richer and the poor poorer and to make money dear and labor cheap. It has caused the sacrifice of thousands of homes and has entailed a vast amount of suffering and poverty on the people; and in the name of justice and right this system should be stopped here and now, and it can be done by restoring our coin money to what it was prior to 1873.

Congress can not and should not do any less justice than this. The people of the Northwest are organizing themselves into powerful bodies and discussing this question in all their lodges, public meetings, and at

their fire-sides. Capital, with the aid of Congress and the advice of Wall street, has wronged the people sufficiently already to warrant a revolution. Never before, perhaps, has such a condition of things existed in this country. The people are arraying themselves against the national banks and the right of the money power to further control the entire interests of the country. Capital has become arrogant from its continued triumphs in the past twenty years, and is year by year still encroaching upon labor and attempting to starve it into submission, and with equally resolute determination and energy the farmers and the laborers of the country are bent on overthrowing a system under which the rich are growing richer and the poor growing poorer, a system by which the wealth of the country is concentrated in a few hands and the masses of the people are penniless.

The issue is fairly joined. Capital is organized and combined with the holders of public securities in Europe and this country, and with a solid organization of national banks the fight is now being pressed to a finish. The holders of corn, wheat, beef, and cotton are contending against the holders of bonds and gold, as they should do; the producers of wealth, against the holders of wealth; the men who must pay the national debt, if it is ever paid, against the holders of such debts; the laborer and the farmer, against the bond-owner and coupon-clippers. Unjust legislation has imposed intolerable burdens on the bread-winners of the country, invidious discriminations have been made against them, and unjust tariffs have consumed their products. I think now that the people are thoroughly aroused, active, and vigilant, and their eyes are directed towards the national Capital and are anxiously watching to see whether or not the measure under consideration will be enacted into a law which will have the effect to further forge the chains that enslave them. There can be no question that it will practically stop the coinage of silver and convert silver into a commodity, and that is evidently the intention of the Secretary of the Treasury. When the Secretary was before the Committee of this House on Coinage, Weights, and Measures, urging the passage of this bill, he made the following statement to the committee, as I see by the report:

I was very much impressed the other day, Mr. Chairman and gentlemen, as I went through the mint in Philadelphia, with the wonderful transformation which suddenly took place. There are, perhaps, a dozen or more processes from the time the silver bullion is first taken up for manipulation in the mint until it is a finished dollar. I had never been in the mint before, and I followed it through all its various processes until it reached the form of a planchet—that is, a milled piece of metal of exactly the size and shape of a dollar, ready for stamping. I found it finally in a little basket, from which a lady sat feeding it through a hopper into a stamp. During all these processes this piece of silver was bullion, worth about 72 cents—the metal, I mean, was worth 72 cents. That piece of metal was put into a little hopper, and the stamp struck it, and in an instant that piece of silver, worth 72 cents, became worth 100 cents, according to general belief.

This statement proves the absolute truth of all that I have said in regard to the value of money. Now, would gold in the form of a "planchet" be any more money than silver? In all cases it requires the stamp of the Government to make it money, and notwithstanding the fact that the Secretary claims that he is friendly to silver the whole scheme shows that the purpose is to favor gold, and not silver. In fact the Secretary of the Treasury states in his report that national honor requires us to preserve the single gold standard. Silver bullion is a commodity, simply that and nothing more; it is a product of the earth, like corn and wheat; and now, if the owners of silver bullion have a right to bring it to the Treasury of the United States and get in lieu thereof at gold value certificates, notes, or money not to exceed $4,500,000 per month, why not permit the owners of any other commodity or merchandise to deposit the same in the Treasury of the United States and get certificates or money in lieu thereof?

The Farmers' Alliances of the South are insisting on a plan in regard to a subtreasury whereby they could deposit their cotton and other farm products in a warehouse and receive a warehouse receipt or certificate, which should pass current as money. If the principle of the bill under consideration is correct then the terms of the bill should be greatly enlarged so as to allow the deposit of any valuable commodity as well as silver bullion to be deposited with the Treasurer and money be issued thereon at something less than the market value of the goods. If it is security the Government wants for its money why not accept the proposition of the farmers in the West and let the Government loan money on the farms at one-third or one-half the actual cash value of such farms? Land is a great deal more stable in value than bullion. The Government ought to treat all its citizens alike. The Government has freely given money to national banks in the last twenty years and why not now make a change? The gold bugs, coupon-clippers, and money sharks of the country have had it their own way long enough.

The trouble is that the financial policy of the present Administration, as well as that of all its predecessors for the last fifteen or sixteen years, draws its inspiration from Wall street, and we will never have a sound financial policy in this country until the Treasury is put in charge of some person who will come from west of the Alleghanies.

Wall street and the Treasury think that the silver dollar is a proper legal tender in payment of labor rendered the Government and for payment of the Army and Navy and pensions, but that nothing but gold is good enough to pay the bondholders, and in reaching this conclusion the fact is forgotten that their bonds cost the holders but 50 cents on the dollar.

A few years ago the Secretary of the Treasury told the country that we could not stand more than $50,000,000 of silver, and the people have been warned that silver coinage would drive the gold out of the country. But silver has been coined up to $343,638,001 on the 1st of November last, and still gold and gold coin have increased from $213,199,977 in 1878 to $680,063,505. There is no good reason why the bill under consideration should become a law. The people do not favor it, but demand the restoration of the silver dollar exactly as it stood before 1873. They desire that silver shall be fully and freely coined and have no fears that it will become too plenty, and besides that it is as good to pay debts now as it was during eighty years of American history.

The Republican party demonetized silver, although that party denies it now with more emphasis than Peter used in denying Christ. If the Republican party did not knowingly pass the act demonetizing silver in 1873, why did they not as soon as they discovered the mistake correct the error? Why has not the Republican party restored silver to its former condition during the last seventeen years and why do they not do it now? The reason is apparent, for that party has for the last twenty years been legislating in the interest of wealth. The people are and should be sovereigns of this country. They confront the money power now, and if that power acts with wisdom it will stop and retrace its steps. It is confronted with a power greater than money, a free people thoroughly aroused to their interests, and they have joined hands in their own defense and will establish justice.

The condition of the country is teaching them a fearful lesson. The costs of producing farm products are greater than their value when produced, and proceeding in this ratio the next step is bankruptcy and then the poor-house. The country at this moment is in the gigantic grasp of the money power, and the money of the country, which is its very life-blood, is under the control of a few designing men who are making themselves millionaires, and the masses of the people are but simply mortgaged vassals to this gigantic power, and an imminent question now is, shall our institutions of government be preserved or shall they perish under the blighting influence of plutocracy?

In a republican form of government there ought to be no very rich and no very poor people. But the very opposite of this is the case to-day. The country is menaced by the presence on the one hand of men holding hundreds of millions of dollars, and on the other by a homeless, penniless horde of three millions of tramps begging for bread, and the millionaires or Dives are not even willing to give them the crumbs that fall from their tables. What a consolation are the words of Lord Byron when he says:

Time at last sets all things even.

For in the sacred record we read that when the tramp Lazarus died he was by angels borne into Abraham's bosom and the millionaire or Dives died and in hell he lifted up his eyes and asked for a drop of water that he might cool his tongue. Robert Ingersoll denies the existence of a hell, yet it seems to be a prepared place for a prepared people who will never receive justice until they arrive at that station. Robbery is none the less real because it is done under the forms of law, and the conspiracy, for such it was, to rob the masses by demonetizing silver in 1873, by which the destruction of one-half of the money metal of the world for the benefit of the rich was effected, was a gross outrage which should have subjected the offenders to penal punishment.

It was a fraud and a swindle practiced upon the people without their knowledge or consent, and when the silver dollar was destroyed the paramount question then was how much of the people's toil and sweat and suffering could be crowded into the gold dollar and how that dollar could be most effectively placed beyond their reach. The measure under consideration will in no sense tend to restore the circulation of silver. The notes to be issued under the act are not Government money, and it does not at all appear that they are intended for general circulation. The Secretary may issue them of any denomination above $1 up to $1,000. This discretion of itself would allow him to keep them out of general circulation. The national banks are to be allowed to use them as a reserve, and they are to be made receivable for dues to the Government.

The entire object of the bill seems to be to crowd the silver dollar out of circulation and to make silver a speculative commodity, with the Secretary of the Treasury controlling the price.

This is not what the people want. They want real money, gold and silver and paper money, all three to be as one, with equal purchasing power, and the one convertible into the other at the will of the holder, which could always be done, for the reason that one would be as good as the other.

With $500,000,000 of metal coin in circulation and nearly an equal amount in coin and bullion in the Treasury, a safe basis is afforded for at least three times that amount of paper money in some form, thus increasing the circulation of the country. In 1865 we had money in circulation to the amount of $33.94 per capita, as stated by Mr. Atkinson; others claimed it was $52, while in 1878 the Secretary of the Treasury says that it was but $16.50.

What the farmers of the West want is not to borrow money and mortgage their farms, but they want money to pay off the mortgage on their farms. The Alliances of the South do not want to put their products in Government warehouses, but they want a market in which to sell

their products. The laborers of the country wish to sell their labor and accumulate some capital for themselves. And this can all be done if Congress will utterly destroy the power of mammon and plutocracy which now bears sway in this Capital and then establish for the people a financial policy as unchangeable as the laws of the Medes and Persians, with gold and silver as a basis and paper money interchangeable therefor at the pleasure of the holder. The question of paramount importance is to have good money, and next a sufficient amount of it to do the business of the country. Plenty of money will increase the price of lands and the products of the farm as well as the price of labor.

In 1873 the farmer whose estate was worth $4,000 was robbed of one-third of it and left but $2,666, and this was not done by a thief in the night, but by the American Congress in the full light of day by demonetizing silver. Facts and figures can be produced to prove that American silver-demonetiznation laws have cost the wheat-growers and cotton-producers of this country nearly $5,000,000,000 since 1873.

No people in the world have ever been wronged as the American people have been in the last twenty years by the money power of the country, the foundation of which was first laid in inducing the Government to issue a paper money that was not a legal tender for all taxes and debts, public and private, and for customs duty. For this reason the Government was compelled to pay out of the people's money in interest and discount more than $2,000,000,000, which was just that amount of money thrown away. Then in 1869 Congress changed the contract of the bondholder so that the debt which was payable in currency was made payable in coin, and the refunding acts passed by Congress all together increased the debts of the people more than $2,000,000,000 more, and then the creation of the national-banking system robbed the people out of nearly $18,000,000 annually since 1867.

If all the money that has been wrongfully paid out by the Government in the last twenty years to the money power could be collected it would make enough to refund all pensions paid to the soldiers since the war, pay all the mortgages on the farms as well as the present national debt, and there would be enough left to do all the business of the country.

Mr. Speaker, time will not permit me to go further into detail in these transactions, but suffice it to say that the bill under consideration is a step in the same direction. It is in the interest of wealth and will afford no substantial relief to the people.

We must abandon this system and return to the principles of the founders of our Government. Gold and silver should be equally valuable as money. They were so used for over three thousand years and down to 1873. They served together as the money of ancient and modern civilization. They were good enough for Abraham in his day, and Christ himself used coin, not silver-certificates, to pay taxes when He was on earth. Gold and silver adorned the temple of Solomon, and for centuries they have sustained commerce and navigation. They are blended together in the Constitution of our common country and recognized there as money, and they should not be divided now.

The two metals are wedded together, so to speak, by the common consent of mankind and are the handmaids of civilization, and if we restore silver to its proper place as money and place it side by side with gold, where it belongs, it will at once increase the value of property, both real and personal, and afford employment to every idle man. It will increase the wages of labor and the prices of the product of labor, and it will increase the debt-paying and tax-paying power of the people, and I think will restore general prosperity to our whole country.

Can any intelligent person be surprised at the depressed condition of agriculture and the labor of the country to-day when he reads the history of the financial policy of the Republican party for the last twenty-five years? I will mention but the transactions of a few years.

In 1868 the Government destroyed $473,000,000 of currency, and there were 2,608 failures in business, with a loss to creditors of $36,-774,000.

In 1869 something over $500,000,000 was destroyed by the Government; there were 2,799 failures, with a loss to the creditors of $75,-054,900.

In 1870 there was $67,000,000 of the currency destroyed, and there were 3,551 failures reported, with a loss to creditors of $88,242,000.

In 1871 there was $35,000,000 retired and destroyed, with 2,915 failures and loss to creditors of $85,250,000.

In 1872 there was $12,000,000 of currency destroyed and retired, 4,069 failures in business, and loss to creditors of $121,058,000.

In 1873 there was retired and destroyed $1,609,000, with 5,183 failures and a loss to creditors reported of $228,499,000.

In 1874 there was retired and destroyed $171,579,045 currency, with 5,832 failures and loss reported to creditors of $155,239,000.

In 1875 there was destroyed and retired $40,817,418, with failures 7,740, and loss to creditors of $201,060,000.

Thus the contraction of the currency was carried on by the Republican Administration until the amount of money in circulation, which was $33.94 per capita in 1865, was reduced to $16.50 in 1878.

No other country in the world but this could stand such contraction in the volume of its money. It will be remembered that during all these years the wages of labor were constantly being reduced, and a million or more laborers thrown out of work, and hunger stared men in the face, and tramping became a sort of profession.

There always has been and ever will be a conflict between the thousands who labor and the hundreds who enjoy the fruits of such labor, but it is the duty of the Government to see that the faces of those who labor are not held too closely to the grindstone. This Government paid in the years 1862 to 1865, inclusive, $1,326,000,000 in interest and discount alone, and many more millions since for the same purpose. What would be thought of a man who would give his note bearing interest, or discount his note, to pay his debts if he had the power to make money? He would be regarded as insane and a fit subject for an insane asylum. Yet, this is what the Goverment did and is now doing, while it has full power to create money and compel its acceptance, and should not pay one cent of interest or discount.

Mr. Speaker, this afternoon the gentleman from Arkansas [Mr. McRAE] made the following statement on the floor of this House, which has not yet been successfully challenged:

> For a long time the people have been under the false impression that the act of 1873 demonetizing silver was surreptitiously and secretly passed. I so stated in 1886. I made that statement because the President who approved the bill and many prominent men who were in Congress at that time disclaimed all knowledge of the demonetization feature. This has been accepted as the truth until recently.
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> But yesterday it was clearly shown by Senator SHERMAN in his speech that such is not the fact; that it was a premeditated, well organized scheme on the part of the Republican Administration and the leaders of the party in the House and Senate at that time to strike down the silver money; that it was the policy of the Republican party to do exactly what was done. He wants it understood that he knew all about it. He wants the party to take credit for the act. The bill was drawn to conceal it from the few Democrats then in Congress. They struck down silver when it was at a premium and because it was at a premium; and now they have the audacity to declare that there was no mistake about it; that they intended to do it; that they were responsible for the legislation.

The gentleman mentioned further that a Mr. Seyd, of London, was here at that time in the interest of the measure. In the Bankers' Magazine of August, 1873, the following notice will be found:

> In 1872, silver being demonetized in France, England, and Holland, a capital of $500,000 was raised, and Ernest Seyd, of London, was sent to this country with this fund, as agent of foreign bondholders and capitalists, to effect the same object—
>
> Demonetization of silver—
>
> which was accomplished.

The CONGRESSIONAL RECORD of April 9, 1872, also shows that he was here. So the people have two factors, money and the Republican party, to blame for the demonetization of silver. Judas betrayed his master for thirty pieces of silver, but those who betrayed the interest of the people in this case evidently received much more. The reason why England was interested in demonetizing silver in America was that some $100,000,000 of our 4 per cent. bonds were held there, and this act would increase their holdings of the bonds $30,000,000, a very good exchange for $500,000. I state facts; let every man draw his own conclusion.

Mr. Speaker, I wish now to point out some special objections to this bill. Under the law as it now is the Secretary of the Treasury is authorized to purchase not less than $2,000,000 and not more than $4,-000,000 of silver bullion every month and coin it into silver dollars.

Silver bullion is worth now on the market 72 cents on the dollar, and if he would coin the full amount authorized by existing law it would make $61,440,000, or just double what he is coining now. In this way the people would gain the seigniorage, or gain 28 cents on every dollar. In other words, the people gain 28 cents on every silver dollar that is coined under existing law, and if the Secretary would coin all the law authorizes him to coin it would consume about all the silver produced by the mines in this country. Under the proposed bill he is authorized to purchase $4,500,000 of silver bullion in each month at the market price and give in exchange silver certificates or warehouse receipts for the same.

If he should purchase up to the full letter of the law it would amount to only $54,000,000 annually, or $6,000,000 less than the present law, and it is admitted on every hand that there should be an expansion of the currency. The people would also lose the seigniorage, which would be a clear loss to them of about $20,000,000 annually.

Then, again, there is no question about the constitutionality of the existing law; the Government has the right to purchase bullion for the purpose of coinage. The Constitution authorizes the Government to coin money and regulate its value, but what right has the Government to purchase bullion and store it away in a warehouse? In the case of Juillard vs. Greenman, 110 United States Reports, 421, the Supreme Court held that Congress had the right to issue money to pay the debts of the Government, and of course that only meant its legal debt. But it is a question what right the Government has to go on the market of the world and purchase a commodity—because silver bullion is a commodity—and issue money in payment for it. If it has the right to do this, then it follows by parity of reasoning that it can purchase wheat, oats, corn, and cotton, as they are a product of the earth, and place them in warehouses and issue money in exchange for them. And also it has the right to lend money to farmers and take mortgages on their farms or other security therefor. The one seems as reasonable as the other.

There is another reason why this bill should not become a law. It will be remembered that there are about $1,400,000,000 bonds of the Government now outstanding, and some of them will fall due next year and all the balance in a few years later. Now, these bonds are

all payable in coin, not in paper money or silver certificates. This bill stops the coinage of all silver, so that these bonds must be paid in gold.

There is not half enough gold in this country to pay these bonds. What, then, will be done? I presume something like what was done in 1875 when specie payment was resumed. At that time fifty million of twenty-year 5 per cent. bonds were sold for the necessary silver and the silver was coined and made redeemable in greenbacks. Thus it will be seen, starting in with paper money, the people are taxed $100,000,000, $50,000,000 principal and $50,000,000 interest, to change the form of paper money into silver; then the holder of the silver is permitted to change it into greenback money even up. Did you ever see such jugglery?

Yet this was a clear, clean-cut steal of $50,000,000, and the Republican party is directly chargeable with the crime. Is it proposed to do the same thing again only on a grander scale? Must this robbery go on forever? When this bill becomes a law it will stop the coinage of all silver and that will leave the single standard of gold, and as the outstanding bonds are payable in coin only of course this will advance the value of the bonds, it is safe to say, more than $100,000,000. Another plum for the gold bugs and thieves who have been plundering the people for the last twenty-five years.

But, Mr. Speaker, there is still another objection to this bill. By section 2 of the bill it is provided that "upon demand of the holder of any of the Treasury notes" the same may be redeemed in silver bullion at the Treasury. What might be the effect of this provision? Suppose Wall street does not wish an expansion of the currency, as it is safe to presume it does not. What then may be done? Simply at the first of each month they will sell to the Secretary of the Treasury $4,500,000 of silver bullion and receive therefor $4,500,000 in Treasury notes, and then at the end of the month they will surrender the notes for the bullion, and the next day sell the bullion and receive $4,500,000 in Treasury notes, and keep this up from month to month, and this would absolutely prevent any increase in the circulation of the currency.

Gentlemen on both sides of the House admit that this might be done, but our Republican friends on the other side of the Hall say that the Secretary would not do this; that in his discretion he would honestly administer the law. But what assurance is that to the country? In his discretion he could now under the law purchase $4,000,000 of silver bullion per month and coin it into silver dollars, but he abuses that discretion in favor of Wall street and against the people. We can only judge the future by the past, and judging the future by the past the people can not expect an honest administration of the law from a Treasury that is dominated by Wall street.

The fact is the financial policy of this country should not be trusted to the discretion of any man. It is a fundamental principle of jurisprudence that that law is best which leaves the least discretion to the judge, and the interest of 65,000,000 people is too great to be trusted to the discretion of any one man. Let the law state what is meant and then compel its faithful execution. This is the only hope of the country. Gentlemen on the other side of the Chamber assure us that this measure will increase the circulation, but we have no assurance of that.

There is no doubt that Wall street would prefer the measure under consideration to one for the free coinage of silver. Nearly all the moneylenders of the country would. This bill, to a great extent, is a struggle between those who borrow money and those who lend it; between the bondholder and the plow-holder; between the debtor class and the creditor class. On the one side is arrayed Wall street, with all the national banks, gold, stocks, bonds, and mortgages, and on the other side the suffering, toiling masses, who do all the labor of the country and who have laid the foundation and erected the grand structure of empire in the mighty West, and many of whom are now about to lose their homes by foreclosure of mortgages.

These are the forces that favor and oppose this bill. The man who votes for this measure votes to strike down the silver dollar, votes to strike down the dollar of our fathers and the dollar of our Constitution, the dollar which bears the impress of the American eagle and the expression of our christian faith, "In God we trust." The man who votes to do this votes against the interest of every laborer and farmer in this broad land, and he will make that discovery. If there is a farmer in the land who would support a man for Congress who was in favor of demonetizing silver and contracting the currency, then such a farmer is entitled to no sympathy when the sheriff sells his possessions to satisfy the insatiate greed of the usurer.

This measure is in line with all the legislation of the vampires of wealth in this country for the last twenty-five years. Plutocracy is now the greatest menace to popular government in this land. The people of this country are now in the very grasp of a soulless money power, who worships gold, and gold only, as the children of Israel worshiped the golden calf. Gold usurps the sovereignty of the nation and through the party in power dictates its policy.

In Barrett's Life of Lincoln one of his messages is given, in which this language is used:

Monarchy itself is sometimes hinted at as a possible refuge from the power of the people. In my present position I could scarcely be justified were I to omit raising a warning voice against the approach of returning despotism. There is one point to which I ask brief attention. It is the effort to place capital on an equal footing with if not above labor in the structure of government.

Again, about the close of the war the following was published at the time as a part of a letter written by Mr. Lincoln to a friend. He said in the letter:

As a result of the war, corporations have been enthroned and an era of corruption in high places will follow, and the money power of the country will endeavor to prolong its reign by working upon the prejudices of the people till all wealth is aggregated in a few hands and the Republic is destroyed. I feel at this moment more anxiety for the safety of my country than ever before, even in the midst of the war. God grant that my suspicions may prove groundless.

The suspicions were not groundless, but were prophetic of the present.

But, Mr. Speaker, I must bring my remarks to a close. The condition that confronts us is industrial depression in agriculture and in all the fields of labor. Three billion dollars farm mortgages, $1,400,000,000 national indebtedness, with more than $5,000,000,000 State, municipal, and individual indebtedness, and only $1,400,000,000 in circulation in the whole country to pay it all. The cause of this condition of things is not overproduction, as some claim, but rather vicious legislation. What, then, is the remedy and how are the mortgages on the farms to be paid? Clearly in but one way, and that is to reverse the policy which has produced this condition of things. We must return to the principles of the fathers. Thomas Jefferson said:

Bank paper must be suppressed and the issue of the circulating medium restored to the nation, to whom it belongs. Banking establishments are more dangerous than standing armies.

The free coinage of silver should be established now and here. This would increase values 30 per cent. as well as the wages of labor and enable the farmer to pay that per cent. of the mortgage on his farm. If this is not done then the full amount of silver authorized by existing law ought to be coined into silver dollars, and this would expand the currency over $30,000,000 annually. In addition to this the present national-bank currency should be gradually retired and the notes of the Government as full legal tender, bottomed on the entire wealth of the country, having a sufficient coin basis, issued in lieu thereof, and the circulating medium should be gradually increased until we should have at least from $33 to $35 per capita, nearly one-half of which would be in coin, which would be ample to enable the Government to sustain commercial relations with the nations of the world. This increase in the circulation would add at least 20 per cent. more to the power of the farmer to pay the mortgage on his home and drive the sheriff from his door.

In addition to this, Mr. Speaker, there should be a reduction in the tariff. The tariff tax under existing law averages 47 per cent., and by the McKinley bill, if it becomes a law, it will be 51 per cent. There should be a reduction of at least 26 per cent., which would leave an average tariff tax of 25 per cent., and this would raise an ample revenue to pay all the expenses of the Government economically administered and leave 26 per cent. in the pockets of the people. Add these several percentages or sums together, which would be a gain to the people, and there would be no trouble in paying the mortgages on the farm and furnishing a market for labor and all farm products.

I present these views, Mr. Speaker, as authorized by the people who commissioned me as their representative on this floor, and I think they will be approved by thousands of my countrymen on labor's side who wear the galling chains of slavery burdened with debt, and who toil incessantly to pay rent, interest, and profit on watered stock, and who are taxed in some form or other at every step they take to create a fund upon which monopoly can feed and fatten.

One man or class of men should not be enriched by legislation while others are pauperized, but the law should give every man an equal chance in the race of life. I fear, Mr. Speaker, that this measure, in its present form, will give no substantial and permanent relief to our people, who need it so much. But the remedy is in their hands; for they, and they only, can make and unmake Presidents, Senators, and Representatives. To their impartial judgment I submit this important question.

Silver-Bullion Certificates.

SPEECH

OF

HON. FRED. T. DUBOIS,

OF IDAHO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. DUBOIS said:

Mr. SPEAKER: The silver question, as we understand it in the West, is a very serious one. With us the question of its full restoration is not one of policy or expediency, but one of justice and absolute necessity. We look upon the conspiracy which culminated in the demoneti-

zation of silver as the most gigantic robbery of modern times. We think the injury that it has already inflicted upon the nation more terrible, so far as mere property is concerned, than would have been an exhaustive war with some first-class foreign power.

I do not stand here to-day to speak in the interest of silver mines; they can bear the loss that the unrighteous robbery inflicts upon them; but the people at large, and more especially the producers of the East, can not much longer stand up under the shrinkage which has already driven all profits from the farm and shop. A board of State officers reported last spring that the mortgages on the farms of the State of Illinois, one of the very richest and most convenient to market of any of the States, had increased since 1880 more than $100,000,000. Why should this be so in a country increasing in population as our country is increasing?

Why, since 1880, the amount of money paid out for the construction and equipment of railroads in the United States has been equal to the revenues of an empire. This has been distributed among the people, and yet in that time the increase in the mortgages on the farming lands of the country between the Atlantic and the eastern base of the Rocky Mountains has been more than the cost of the mightiest wars recorded in history. In the mean time, too, population has increased 27 per cent.; or, in other words, there are fifteen millions more people eating the food that grows on the farm than there were in 1880.

The farmers made a profit by their labor all through the great war; they continued to prosper for eight years after the war closed. But then a blight came upon them. What was it? What caused it? The chief function of silver, that of money, the perfect measure of values, was taken from it. So soon as that dishonor was cast upon it, as compared with gold it began to fall in value. Since then it has seemed to fall in value 2 per cent. per annum. But silver is a royal metal, and as it has gone down it has carried every other product of industry with it in precisely the same ratio. In 1872 silver was rated above par as compared with gold. An ounce of it at that time bought just a bushel of wheat in New York City. Compared with gold it has fallen since then 33 per cent., but the ounce of silver, not in the stamped dollar, but in the bullion, will still purchase the bushel of wheat. The same is true of every other product of farm or plantation measured in any of the world's great markets.

A man the other day was upbraiding the silver men in my presence as swindlers who were seeking to cheat the people by palming off upon them a short-weight dollar. At last I asked him what his business was. He answered that he was a cotton-planter. I asked him what a 400-pound bale of cotton was worth in 1872. He told me. I asked him what it was worth now. He told me. "Why," said I, "that is a difference of 33 per cent. It seems your cotton is as much short-weight as a silver dollar is."

This happened in the smoking-room of a sleeping-car. A third person who was present interposed and said, "Cotton has fallen because there has been great overproduction. The demonetization of silver has nothing to do with it." I asked him his business. He said he was an Ohio farmer. I asked him how much his wheat and corn were worth this year; he told me. I asked him what they were worth, respectively, seventeen years ago; he told me. "Well, then," I said, "there must be the same overproduction in wheat and corn that there is in cotton." He admitted that it was a little strange that all those products should fall in price in the same ratio. I asked him then how long he had been farming in Ohio. He answered, "I bought my farm in 1870." I asked him how much he paid an acre at that time. He answered, "Sixty dollars an acre." I asked him what it was worth now. With a sickly laugh he answered, "I was offered $38 a few days ago." "That is," I replied, "you bought it with greenbacks which were a little under par. Add that discount to the 33 per cent. which your land has fallen, even as silver has, and deduct that percentage from $60, and it leaves $38, does it not?"

You will find that the rule will work on land, on products, on nearly everything except the fancy prices which real estate in cities is bringing. This decline has now reached a point where the farmer is not making $1 per day for his labor. He has turned off the hired men and brought the boys home from school and set them to work, and still he barely lives. If there is any mortgage on his home he can not reduce it; in many cases he can not meet the interest. I tell you this comes from the demonetization of silver, and the loss will never stop until the wrong shall be righted.

You all know that were a new gold field to be found in Alaska and in the next half dozen years there should be shipped to New York and New Orleans $600,000,000 from it, as there was from California between 1849 and 1858, there would happen again just what happened then. All the property between the coast and the Rocky Mountains would feel the thrill and would advance 15, 25, 50 per cent. in value. If this is true when the measure of values increases why should not the rule work exactly in the obverse ratio when by senseless legislation half of the real money of the world is destroyed? The West produces about 60,000,000 ounces of silver annually. On this the miners lose about $18,000,000. Now, take the value of all your wheat and cotton and corn and all that the workers of the East produce and add 30 per cent. to it and you will understand what the East is losing through this same legislation that demonetized silver. The men of the West can bear it longer than the men of the East can. I charge that by that legislation of 1873 a loss was inflicted that up to this date exceeds the cost of a mighty war, and that because of it the majority of the producers in the Eastern States are working for less than a Chinaman's wages.

Think of it. At the time this legislation was passed England was sending here and paying a premium in gold for all the silver we would spare her. But our Congress suddenly, and without fair warning, passed a law which left no legal status to silver as money and left the silver-miner no market for his product except such as London brokers would furnish. The metal, so far as legislation could make it so, was changed from being money to mere merchandise. Our nation produces half the annual supply of silver, and yet a banker in my own Territory of Idaho dare not buy a bar of silver until the wires flash to him the amount that the London brokers have concluded they will, on that day, pay for it.

Suppose we were to use it as the world prior to 1873 had used it for 3,000 years; suppose as fast as produced our Treasury and mints would receive it and issue certificates upon it and permit those certificates to circulate as money, how long before England would again be sending to us to buy it? She has to have a large amount annually to send to her India colony. Where would she get it? She has none except in coin which is coined 15½ to 1 of gold. Neither has any country of Europe. Suppose we were to absorb our own product and that of Mexico, it would be sufficient to give each voter in the United States only $6 per annum. Is there any gentleman here that would be ruined to have that amount added to his exchequer?

When the law of 1873 was passed this country had an interest-bearing debt of two thousand millions of dollars. The States and cities owed as much more. The railroads owed nearly as much more, and the private debts of individuals were probably as much more. In three years silver fell 20 per cent. The Bland law partially restored it, but it has again declined until, instead of commanding a premium over gold, it now is rated at a discount of more than 30 per cent. What does that mean? Why, simply that all who owe debts have had those debts increased 30 per cent., and their capacity to pay debts has almost been taken away. I mean, of course, the producers of the country. That was the object of the legislation. It was to make the debts of the world perpetual, and to draw, in interest to the creditor class, the money first and later the fixed property of mankind.

So we see mortgages increasing; the sheriff is selling out the best farms of the country, the millions are fast becoming paupers, and the men, the few men, who are drawing to themselves the earnings of the people rub their hands in glee and assure us with a wise look that were we to dare to remonetize silver all the gold would disappear and ruin would succeed. I fear that unless this wrong shall be righted you will see panic, ruin, and riots inside of three years sweeping from the sea to the base of the Rocky Mountains, for when things reach the pass that the producers of a country can not, with all their labor and capital, keep even, ruin is not far off.

In 1872 the farmer in Missouri could buy a dollar with which to pay a debt with 60 pounds of wheat. He has to enlarge his bushel to 80 pounds to buy a dollar now, and all the profit of his work in 1872 was between the 60 and the 80 pounds. He has no profit now. I venture to say that were this Congress to send out and call in a dozen of the so-called prosperous farmers of any State and let one after the other take the stand, and ascertaining, first, the cost of their farms, then the labor performed this year, reckoned at $1 a day, and then the value of their crops, it would be seen that not three out of twelve had cleared 2 per cent. on the capital invested. And this is in a land where there are two million fresh mouths to be fed annually. Well, what is the remedy? The first thing is to pass a law that the Treasury shall coin at least $4,500,000 monthly. The second is to so frame the law that the infamous legislation which demonetized silver in 1873 shall be wiped out and that the Treasury and mints of the United States shall be compelled to receive all silver offered and to receipt for it, which receipts shall be a legal tender for all debts.

There will be no surplus of their certificates, never fear. All the silver that we have heard so much lamentation over as cumbering the vaults of the Treasury is at this moment, either in coin or certificates, in actual circulation among the people, except less than $5,000,000. There will be no surplus, because the experiences of three thousand years demonstrate that to dig 412½ grains of silver from its rocks cost in labor a full dollar. That rule is not changed, and it is not going to be changed. On even terms silver is a steadier metal than gold, and all that can be produced of both metals is but a drop compared with the volume of business which the world handles with these metals as a basis of values.

The West is pouring in upon the East $95,000,000 annually in gold and silver. That has been a steadily swelling stream for forty years. What would your country have been without it? You might have had one railroad to St. Louis or Chicago now, and your business would have been swapping loop-holes for tobacco and burning corn for fuel as of old. I do not speak of this boastingly at all, but recite it as a fact. Well, how do you receive the favor? The silver dollar that sparkled like a diamond upon your fathers' eyes, when they occasionally obtained one,

is sneered at as a short-weight dollar, and the men who in the far West wrench these dollars from the rocks are compelled to send them to some pawnbrokers in London for a market.

You were glad enough to get them in the great war. They upheld your credit; they made resumption possible after the war.

I wish the supply could be shut off from the East for a bare two years. The East would then fully appreciate that this is a matter of far more serious import to their prosperity than it is to the prosperity of the West or even the silver-mine owners.

The bill under consideration is faulty in some particulars and will scarcely be an improvement of the present law.

I regret, on account of my constituents first, that I have not a vote on this very important legislation. I regret, on account of the country at large, that I have not a vote, in the second place, because I am firmly convinced that a vote in aid of silver is a vote in the interests of the people of this country.

If this bill could be so amended as to strike out the bullion clause, it would be satisfactory and would soon lead to free coinage. By permitting the notes issued on the bullion to be redeemed in bullion you place a dangerous power in the hands of unscrupulous men and reduce silver to a commodity. Why not treat silver fairly and make the notes redeemable in coin? Do you think the silver advocates unjustly suspicious when they claim that a syndicate of money-holders and money-lenders might present $4,500,000 of certificates at the end of the month and get for them $4,500,000 worth of bullion from the Treasury, which bullion they would deposit at the beginning of the next month and receive certificates for it, and that they would repeat this process monthly, thus keeping the purchase of bullion down to whatever amount they desired? If you do, review in your mind the past and recent history of silver in this country, and you will admit that we have at least a right to ask for such legislation as will put it out of the power of any set of men to juggle with this important subject.

The gentleman from Missouri [Mr. BLAND] has a right, as I understand from the Speaker's ruling, to offer an amendment or a substitute for the pending bill. I trust he will not offer a free-coinage substitute, for it can not pass. As many Democrats will be found voting against free coinage as Republicans voting for it, and it will be lost. We want legislation of a practical kind, which will be effective, and this we can get by striking out the bullion clause of the bill under consideration. My colleagues all around me will vote for that, and we can carry it, and it will quickly pass the Senate, and relief and prosperity will follow immediately. If the gentleman from Missouri makes a motion to recommit the bill, with instructions to the committee to report a free-coinage bill, I should, if I had a vote, cast it in favor of his motion; but in my judgment the vote would be much more effective if cast in favor of striking out the bullion clause.

Silver-Bullion Certificates.

The demonetization of silver was a national crime which will never be condoned by the American people.

REMARKS

OF

HON. GEO. W. E. DORSEY,

OF NEBRASKA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. DORSEY said:

Mr. SPEAKER: I feel sure that this House realizes the importance of the great question now under consideration. From the Atlantic on the east to the Pacific on the west, from the Great Lakes on the north to the Gulf, the people have sent to this Congress their petitions and resolutions, giving us the views entertained by every constituency represented upon this floor in reference to this question. These expressions show that the country is aroused and awakened and that the attention of all thinking men has been called to this subject, and the action taken by this Congress will affect, beneficially or to their detriment, sixty-five millions of people. It is our duty, then, to give to this matter the most earnest and careful consideration, and to my friends on this side of the Chamber I would say that, as the great party we represent will be held responsible for the legislation enacted here, the results attained will either strengthen that party or in case disaster follows our action or our refusal or failure to act the people will hold us to a strict accounting.

It has been said, and most truly, that the demonetization of silver in 1873 was a national crime, and the feeling that this is true exists to-day, and will continue to exist until that wrongful act has been repaired, until the white metal is given its proper place and the mints of this country are opened to the coinage of silver the same as gold. We all remember that after the demonetization of silver in 1873 came the greatest financial disaster that this country has ever experienced, and, while the panic of 1873 may not be chargeable directly to the demonetization of silver, there is no question in my mind that the action of Congress had much to do with causing the failure of so many of the large monetary institutions and the period of depression which followed.

To-day the people of the country are aroused as never before upon this question, in evidence of which witness the thousands of petitions and resolutions which have come to this Congress from all sections, all of which demand the restoration of silver to its proper place and advise the passage of a law giving to the metal free access to our mints for coinage. The western portion of the country especially feels the necessity for this action; witness the number of resolutions passed by the Legislatures of all the States west of the Mississippi River and the action of the State conventions of both political parties declaring for favorable legislation regarding silver. Must we not give heed to such demands? Every one admits that there is an insufficiency of the circulating medium. If we compare the amount of currency in circulation at different periods of our history, as per the following table, we will find that during the years that we had the largest amount of circulating medium per capita the greatest prosperity was experienced by our people:

Circulation per capita January 1—		Circulation per capita January 1—	
1854	$17.04	1879	$17.02
1856	15.68	1881	21.60
1858	13.27	1883	22.37
1860	15.33	1886	20.84
1862	22.69	1888	21.18
1864	58.72	1890	21.66
1866	52.01		

This estimate is based upon the best available data as to our population, claiming in 1889 65,000,000 of people. If we can restore to the country the prosperity that we experienced from 1866 to 1873 by an increase of the circulating medium to $50 per capita, as urged and petitioned for by all laboring classes throughout the country, would it not be wise on the part of this Congress to take prompt and speedy action?

Mr. ALLEN, of Mississippi. I want to understand the gentleman's position. He expressed himself just now as in favor of restoring the white metal to its proper place. Is he really in favor of that or does he, like most of his Republican colleagues here, say he is in favor of it, while he is going to vote the other way?

Mr. DORSEY. If my friend from Mississippi will sit down and listen, I am sure he will understand my position.

Mr. CONNELL. As one of the "Republican colleagues" of the gentleman from Nebraska, I want to be excepted from the remark of the gentleman from Mississippi.

Mr. DORSEY. Mr. Speaker, some of our friends on the other side of the Chamber have charged that by the failure on the part of the Secretary of the Treasury to coin the maximum amount of silver allowed under the Bland-Allison bill the Republican party is derelict in duty and that at our doors can be laid the charge for all the evils of which we now complain; but I would remind our friends on the other side that the present Administration is no more open to this charge than was the late Administration, to which they are accustomed to point with pride. We all know that before President Cleveland had taken the oath of office he wrote a letter to Mr. Warner, of Ohio, then a member of this House, saying in substance that if Congress passed a bill for the free coinage of silver it would bankrupt the nation, and that during the four years of the occupancy of the White House by Mr. Cleveland, had Congress (this House being controlled by the Democratic party) passed a bill for the free coinage of silver, it would have promptly met one of the vetoes for which this illustrious gentleman was noted. We also know that no man who held the office of Secretary of the Treasury during the Administration of Mr. Cleveland could be induced to coin the $4,000,000 per month of silver, the maximum amount provided for by the Bland-Allison act. On the contrary, the minimum amount required by law was all that was given us during the four years of Democratic rule.

Mr. Speaker, many eminent men have occupied the great office of Secretary of the Treasury since the act was passed demonetizing silver. I might name them now, but as some of them are still in official life it might not be courteous or parliamentary to do so. Not one of those distinguished gentlemen was ever friendly to silver and not one of them but interpreted every act passed by Congress in a spirit as unfriendly as was possible under the law. In my judgment had Mr. Windom upon taking the office of Secretary of the Treasury authorized at once the purchase and coinage of $4,000,000 per month and continued to coin this sum each month up to the present day, there would have been no need for this discussion of the silver question [applause], and such an order by him would have strengthened the Administration of President Harrison with the people of the country more than any one thing it was possible for a Cabinet officer to do.

It is useless for me to attempt to enumerate all the benefits that

would have resulted from such action on the part of the Secretary of the Treasury, but it would have satisfied all classes, the creditor as well as the debtor, the producer as well as the consumer, and the manufacturer as well as the laborer. This was not done, and now the demand has come before us in such form that it must be recognized, and this Congress must give to the people the legislation on this subject that is imperatively demanded. I will read from resolutions passed by the National Silver Convention held in November 1889.

That the demonetization of silver worked a practical violation of every contract then existing in the United States, entailed uncounted losses, reduced prices more than 30 per cent., and its effect is practically to make debts perpetual, as it takes from the debtor ability to pay; that it causes contraction in the currency, which reduces values until there is no profit left to the farmer, planter, or men of small capital who depend upon the sale of their products for returns for their labor; that we believe the certificates of the Government, backed dollar for dollar by gold and silver coin on deposit in the Treasury of the United States, are a safe and sound currency and have been approved by the people; that, considering the contraction caused by the surrender of national-bank notes during the past three years, and the vast sums that must be collected by the cancellation of Government bonds during the next three years, the necessity of restoring silver is as manifest as is the justice of such a policy; that the gold and silver of the West pouring in a steady stream upon the East for forty years vitalized every form of business and steadied and upheld the credit of the nation through the great war and made resumption possible; and that what we now demand is as much more to the interest of the East than of the West as the productions of the East exceed in value the productions of the West; that we believe in equal rights of gold and silver and free coinage for both, and that no nation ever had or will have too much gold and silver coin: Now, therefore,

Be it resolved, That the Fifty-first Congress be requested by this convention to provide at its first session for opening the mints of the United States to the free and unlimited coinage of standard silver dollars of the present weight and fineness, to be a legal tender for all debts, public and private, equally with gold, and that until such provision is made the Secretary of the Treasury be required to coin the maximum of $4,000,000 worth of silver per month, as now authorized by law.

This resolution reflects fully the feelings, the desires, and the wishes of the people that I have the honor to represent upon this floor, and, recognizing my duty as their representative, and voicing their sentiments, I offered the following resolution in this House:

Be it resolved by the House of Representatives (the Senate concurring), That the Secretary of the Treasury be, and is hereby, directed to increase the Treasury purchase and coinage of silver bullion to the maximum amount authorized by "An act to authorize the coinage of the standard silver dollar and to restore its legal tender character," which act was passed over the veto of the President and became a law February 28, 1878.

This resolution was referred to the Committee on Ways and Means, but no action was taken, though petitions were pouring in upon us, the press of the country was advocating and the people were demanding an increase in our circulating medium. Favorable action by the committee would have been hailed with delight by the country.

Mr. Speaker, there is a cause for this demand, and especially from those engaged in agricultural pursuits. I take the liberty of quoting from the very able speech delivered in the Senate by Mr. MITCHELL, of Oregon. Mr. MITCHELL says:

And in this connection I must be permitted to say that that man's mind must be obtuse indeed who, viewing the history of the decline of prices in this country within the past few years, fails to realize that the great central, controlling cause for all this is to be found in the contraction of the volume of our circulating medium; in the lack of a sufficient amount of money to meet the wants of all the people, of a volume of money that will meet the wants of the farmer as well as the banker, of the great tired masses in their varied field of industries, as well as the wants of the special few whose interests are best subserved by a contraction of the currency, in order that the value of money may be appreciated and prices of commodities generally depressed.

The financial statistics upon this subject tell a tale which ought to, and will, when properly understood, startle the producers of wheat, oats, corn, cotton, butter, and cheese, and many other products in this country, to say nothing of those engaged in raising cattle, sheep, and hogs. Take any of the five or six years between 1858 and 1873, even the half decade immediately preceding the year 1873, and compare the average price per year for any such period of wheat, oats, corn, cotton, and dairy products with the prices of the same productions in this country for each of the years 1885, 1886, 1887, 1888, and 1889, and it will be seen there has been a loss to the producer on the articles named of not less than $450,000,000 for each of the years last named, while the loss has been four times that amount, or nearly $2,000,000,000 when compared with the average prices during the years of the war, when our volume of money was at high tide.

In 1881 the corn product in the United States was 1,194,916,000 bushels and the home value was $759,482,170, while in 1888 the crop was 1,987,790,000 bushels, or 792,874,000 bushels more than were raised in 1881, and yet the home value of the crop in 1888 was but $677,561,580, or $81,920,590 less than that of the crop of 1881. But not only so. We take the average annual crop of corn in the United States for the six years immediately prior to the demonetization of silver in this country in 1873, and we find it amounted to 954,706,500 bushels, and that the average home value of this annual average crop for these six years was $559,042,956, while taking the average crop for the six years immediately following the demonetization of silver in 1873, that is, the years 1874 to 1879, both inclusive, we find the average yield per annum of these six years was 1,288,953,923 bushels, or an average of 334,247,423 bushels more than the six years preceding 1873, and yet we find the average home value to the producers of corn for these six years was but $513,877,207, or $45,165,749 less than the average value for six years prior to 1873, the whole product of corn for the first series of six years being but 5,723,289,000 bushels and of the total home value of $3,354,257,740, while the total production of the last series of six years was 7,733,723,540 bushels, while the total value to the producers of this crop was but $3,083,263,242. And yet the increase in production of corn did not reach a greater ratio or annual percentage than did the increase of population, business, and consumption, both at home and abroad.

In other words, the average price of corn in the United States, home value, for the six years preceding the demonetization of silver, was 60.1 cents per bushel, while the average price for the six years subsequent to 1873 was but 40.4 cents per bushel, or a decline of about 34 per cent.

Putting it still in another form, the statistics show that the average yield of corn in dollars per acre in the United States in the six years preceding 1873 was $15.86, whereas for the six years subsequent it was but $9.91 per acre. And still the price of corn recedes until in many sections it has, in the past year, been cheaper than cord-wood, less valuable than coal, and is now being used as fuel, selling, so it has been recently stated, in some of the Western States as low as 12½ and 13 cents a bushel.

And I am glad to say that the price of corn has advanced in Nebraska, and it is now worth 25 cents per bushel.

Mr. ALLEN, of Mississippi. Upon the prospect of free coinage?

Mr. DORSEY. Upon the prospect, as I believe, of the passage of a silver bill that will give to the people what they demand, the coinage of all the silver produced in our country.

Mr. PICKLER. We ought not to disappoint them.

Mr. DORSEY. We will not do it.

These eloquent words of the distinguished Senator are pregnant with truth, and no one can study the statistics he has presented without feeling that the farmers of the West have just cause for complaint, and today they are organizing and preparing to break loose from both political parties. I repeat, for the benefit of my friend from Mississippi, in all sections of the country the farmers are organizing and preparing to go into politics on their own account——

Mr. ALLEN, of Mississippi. In Mississippi we are sticking to the Democratic party as the only hope of the country.

Mr. DORSEY. Feeling that to neither can they look with any hope for relief and claiming that all promises and pledges made in the national platforms of both the Republican and Democratic parties have been ignored, violated, and nullified. [Applause.]

I present a table showing the amount of circulation per capita on certain dates, also giving the amount in coin, and the amount of paper money:

Date.	Coin per capita.				Paper per capita.						Total per capita.
	Gold.	Silver dollars.	Fractional silver.	Total.	Legal tenders.	Legal-tender certificates.	Bank-notes.	Certificates. Gold.	Certificates. Silver.	Total.	
January 1, 1879	$2.04	$0.12	$1.42	$3.58	$5.75	$0.72	$6.52	$0.44	$0.01	$13.44	$17.02
January 1, 1880	3.60	.34	1.19	5.13	6.55	.20	6.86	.23	.08	13.93	19.06
July 1, 1880	4.56	.39	1.09	6.04	6.25	.29	6.73	.16	.11	13.54	19.58
July 1, 1881	6.08	.56	1.02	7.66	6.11	.22	6.74	.11	.76	13.94	21.60
July 1, 1882	6.68	.59	.99	8.26	5.82	.25	6.57	.09	1.01	13.74	22.00
July 1, 1883	6.24	.64	.95	7.83	5.61	.24	6.30	1.08	1.31	14.54	22.37
July 1, 1884	5.99	.70	.80	7.49	5.38	.21	5.31	1.25	1.69	14.34	21.83
July 1, 1885	5.85	.66	.74	7.25	5.16	.51	5.20	2.16	1.73	14.85	22.10
July 1, 1886	5.98	.87	.77	7.62	5.09	.30	5.08	1.27	1.47	13.21	20.84
July 1, 1887	6.11	.89	.79	7.79	5.16	.14	4.49	1.48	2.30	13.57	21.36
July 1, 1888	6.17	.88	.79	7.84	4.64	.23	3.87	1.89	3.16	13.79	21.63
July 1, 1889	5.77	.83	.79	7.39	4.61	.27	3.18	1.79	3.94	13.79	21.18
November 1, 1889	5.72	.92	.82	7.46	4.82	.19	2.99	1.84	4.22	14.06	21.52
January 1, 1890	5.69	.93	.83	7.45	5.02	.13	2.92	1.86	4.28	14.21	21.66

The total volume of money of all kinds in circulation in this country March 1, 1890, was:

Gold coin	$373,507,203
Standard silver dollars	58,850,380
Subsidiary silver	53,950,362
Gold certificates	130,604,804
Silver certificates	284,176,282
United States notes	337,087,151
National-bank notes	187,928,229
Total	1,426,104,391

The following table gives us the wonderful increase in wealth that the United States has experinced since 1850.

The assessed value of taxed property and our actual wealth at different decades has been:

Years.	Assessed value	Actual wealth.
1850	$5,297,613,148	$13,652,499,730
1860	12,084,500,005	31,201,310,676
1870	11,342,789,366	30,068,518,507
1880	16,902,993,543	43,642,000,000
1889	23,719,000,000	61,469,000,000

And in the following table we can see how each State and Territory has prospered:

States and Territories.	Assessed valuation in 1880.	Assessed valuation in 1889.	Per cent. of wealth.	True valuation in 1889.	True valuation in 1889.
Alabama	$123,000,000	$232,000,000	32.50	$378,000,000	$745,000,000
Arkansas	86,000,000	171,000,000	35.13	246,000,000	486,000,000
California	585,000,000	1,115,000,000	40.86	1,430,000,000	
Colorado	74,000,000	195,000,000	48.96	149,000,000	390,000,000
Illinois	787,000,000	792,000,000	25.44	3,092,000,000	3,112,000,000
Indiana	728,000,000	770,000,000	48.56	1,499,000,000	1,595,000,000
Iowa	309,000,000	523,000,000	28.17	1,413,000,000	1,856,000,000
Kansas	161,000,000	361,000,000	27.96	275,000,000	1,290,000,000
Kentucky	351,000,000	577,000,000	39.83	880,000,000	1,448,000,000

States and Territories.	Assessed valuation in 1880.	Assessed valuation in 1889.	Per cent. of wealth.	True valuation in 1880.	True valuation in 1889.
Louisiana	$160,000,000	$266,000,000	37.99	$322,000,000	$596,000,000
Massachusetts	1,595,000,000	2,400,000,000	56.70	2,759,000,000	4,233,000,000
Michigan	518,000,000	945,000,000	37.79	1,370,000,000	2,501,000,000
Minnesota	258,000,000	567,000,000	40.44	638,000,000	1,402,000,000
Mississippi	111,000,000	160,000,000	34.14	324,000,000	467,000,000
Missouri	533,000,000	808,000,000	34.82	1,530,000,000	2,321,000,000
Nebraska	91,000,000	176,000,000	31.34	290,000,000	563,000,000
Nevada	29,000,000	29,000,000	42.45	69,000,000	69,000,000
New York	2,652,000,000	3,567,000,000	34.81	7,619,000,000	10,247,000,000
Ohio	1,534,000,000	1,732,000,000	46.48	3,301,000,000	3,726,000,000
Oregon	53,000,000	86,000,000	41.08	126,000,000	216,000,000
Pennsylvania	1,663,000,000	2,550,000,000	31.22	5,393,000,000	8,232,000,000
Tennessee	212,000,000	325,000,000	31.80	666,000,000	1,022,000,000
Texas	320,000,000	710,000,000	44.19	725,000,000	1,607,000,000
West Virginia	140,000,000	164,000,000	45.48	307,000,000	361,000,000
Wisconsin	439,000,000	577,000,000	45.30	969,000,000	1,273,000,000
Idaho	6,000,000	24,000,000	53.67	12,000,000	45,000,000
New Mexico	11,000,000	49,000,000	37.88	30,000,000	132,000,000
Utah	25,000,000	41,000,000	35.98	67,000,000	111,000,000
Washington	24,000,000	125,000,000	49.61	48,000,000	252,000,000
Wyoming	13,000,000	31,000,000	68.11	20,000,000	46,000,000

Mr. Speaker, the increase in our circulating medium has not kept pace with our increase in population, and when we consider this fact that the national banks of the country retired over $37,000,000 of their circulation during the year 1889 and that retirement will continue until the banks hold in circulation the minimum amount allowed by law we feel the necessity for such legislation as will tend to make good this great decrease in the money of the country. This bill will give us an increase of $2,500,000 per month of legal-tender notes based upon silver bullion.

There is one section of this bill to which I give my most hearty support. Section 7 provides that all balances standing with the Treasurer of the United States to the respective credits of national banks for deposits made to redeem circulating notes, and all such deposits hereafter made shall be covered into the Treasury, and provides for the payment of said notes by the Government if ever presented.

During the present session I offered the following bill:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the money required to be deposited with the Treasurer of the United States for the redemption of national-bank circulation by section 5222 of the Revised Statutes and under section 4 of an act approved June 20, 1874, entitled "An act fixing the amount of United States notes, providing for a redistribution of the national-bank currency, and for other purposes," shall be covered into the Treasury and treated as funds available for the reduction of the public debt and for current expenditures of the Government. And all funds held in the Treasury for the payment of matured debt and interest due and unpaid on the public debt shall be similarly treated, and hereafter no funds available for the reduction of the public debt, for the payment of the current expenses, or for the redemption of the United States notes, above the sum of $110,000,000, shall be retained in the Treasury.

This bill is now pending, and in case the House shall pass the bill now before us there will be no need to consider the bill I introduced. According to the May statement of the Secretary of the Treasury there is now in the Treasury, held as the national-bank-note redemption fund, $63,597,907.21. This vast sum of money has been deposited by national banks that have failed, retired from business, or extended their charter, and is held to pay the notes of such banks that have been issued. There is no need to hold this money as a separate fund, thus locking up and taking out of circulation so much of the currency that is needed for the business of the country. Millions of dollars represented by this sum have been lost or destroyed by fire and will never be presented for redemption, and there is no reason why the Government should not have the active use and benefit of this fund. Mr. Speaker, there is yet another fund now held in the Treasury, a portion of which we could safely put into active use. I refer to the $100,000,000 of gold coin held for the redemption of the United States notes; but I will discuss that later.

Mr. Speaker, we have been for many weeks considering a silver bill, and there is now before us for discussion a substitute for the bill reported from the Committee on Coinage, Weights, and Measures. This substitute does not provide for the free and unlimited coinage of silver. Under its provisions the Secretary of the Treasury is authorized and directed to purchase each month silver bullion to the value of $4,500,000, and issue in payment therefor United States Treasury notes. These notes are made a legal tender for all debts, public and private. The purchase of this silver by the Secretary will practically consume all that is produced at present from the mines of our country. These notes are made a legal tender, and this is right and proper. Why should not a Treasury note, issued by the wealthiest Government upon the face of the earth, and which is secured by a deposit of silver in the Treasury worth in gold at the day of the issue the face of the note—why, I ask, should it not be a legal tender for all debts, public and private? On this question of making the notes a legal tender our side of the House was for many weeks divided. These notes, Mr. Speaker, should be redeemable in gold or silver coin, and it is to that section of the bill that provides for the redemption of these notes in silver bullion I do most emphatically object. Why should a man holding $1,000 in Treasury notes be compelled to take $1,000 in silver bullion, when at the time this bullion was deposited, upon which these notes were issued, that bullion could have been sold in New York or San Francisco for the amount in gold that these notes represent?

Some of my friends on this side of the Chamber fear that we will drive gold out of the country if we eliminate this section from the bill, saying that this is a safety-valve. There is no need of such a section, for if the silver bullion is in the Treasury and can be sold for the gold coin necessary to redeem the notes, no man would ever desire to have his notes redeemed. For instance, take the $346,000,000 in Treasury notes that have been issued by the Government. In 1880 we sold bonds and placed in the vaults of the Treasury $100,000,000 of gold coin to secure the redemption of these notes. We have been paying 4 per cent. interest upon these bonds since that time. The gold has been held for the redemption of these United States notes, and during these eleven years, Mr. Speaker, how many of these United States notes have been presented to the Secretary of the Treasury for redemption? Barely $28,000,000, and the gold coin is still in the Treasury. The people have the notes and they are doing service as a part of our circulating medium. We are paying interest at the rate of four millions per year in all we have paid more than $40,000,000 for the privilege of holding this gold coin in the Treasury. Perhaps you will say that if the gold coin was not in the Treasury the holders of these notes would desire their redemption and present them for payment. Would it not be better to cover this $100,000,000 into the Treasury and put it into use as a part of our circulating medium, thus adding so much to increase the volume of the currency and provide that in case the United States notes were presented for redemption and there was no money in the Treasury to meet the demand the Secretary might then sell bonds (and he could to-day float a bond at 2 per cent.) and apply the proceeds for the redemption of these notes?

The fact is, Mr. Speaker, that this Government can float $346,000,000 of its promises to pay without one dollar in the Treasury set apart as a special fund for their redemption. The people have confidence that this nation will pay its debts. They want this money to use as a part of the circulating medium, and each year, as shown on the books of the Treasury Department, a smaller per cent. of these notes is presented for redemption. Considering the experience that we have had with the United States notes that are now in actual use, is it not fair to presume that the notes issued in payment for silver bullion and based upon this bullion will be held by the people, and not be presented to the Treasury for redemption?

I think, Mr. Speaker, that we should strike out the bullion-redemption clause of this bill and insert in place thereof that the notes issued under the provisions of this act may be redeemed upon demand at the Treasury in gold or silver coin, especially as the bill provides for the coinage of the silver for the purpose of meeting the notes so issued. So amended the bill would receive my support, feeling that it is impossible to get from Congress a bill that is entirely satisfactory to all sections. This would be a fair compromise. I appeal to this side of the House. Allow us to have a vote on that proposition, and let us strike from the bill the bullion-redemption section and insert in lieu thereof that the notes shall be redeemed in coin. Then we who on this floor represent constituencies who are demanding the free coinage of silver can say to our people that, while we did not obtain all that they desire, great concessions have been made by this Congress and we have provided for using as money practically all the silver that is the product of American mines. This would be a step in the right direction and would gladden the hearts of millions of the toilers in this country. They would feel that a Republican Congress was friendly to the laboring man and that the pledges made to the people had been redeemed, and when we again appeal for their support it would be given with gladness and enthusiasm. [Long-continued applause.]

Silver-Bullion Certificates.

SPEECH
OF
HON. WILLIAM ELLIOTT,
OF SOUTH CAROLINA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890,

On the bill (H. R. 5991) authorizing the issue of Treasury notes on deposits of silver bullion.

Mr. ELLIOTT said:

Mr. SPEAKER: The first three sections of the pending bill, in substance, direct the Secretary of the Treasury to purchase monthly $4,500,000 worth of silver bullion, at the market price thereof, not exceeding $1 for 371.25 grains of pure silver, and to issue in payment

thereof Treasury notes of the United States, which shall be redeemable on demand in coin and shall be legal tender in payment of all debts, public and private, except when otherwise agreed upon, and shall be receivable for customs, taxes, and all public dues, and a sufficient amount of the bullion shall be coined to redeem the Treasury notes.

This will give to the people as good a currency as they could have, the note of the Government, convenient for use, good for every public or private debt, and redeemable at any time in gold or silver coin. I believe it will be sufficient to supply the loss of currency resulting from the retirement of national-bank notes and to meet all wants caused by increasing population. The amount is not left to the discretion of the Secretary, but is fixed by law, as it should be. All these provisions I would be glad to see enacted into law.

But, sir, I can not support the proviso to the second section which authorizes the Secretary of the Treasury in his discretion to exchange on demand of the holder silver bullion at its market price for Treasury notes. My objections are these:

1. Because it is a one-sided arrangement which will enable speculators to make enormous profits out of the Government through the fluctuations in the price of silver.

2. Because it will place the Secretary of the Treasury under a degree of temptation to act in collusion with speculators, to which no man should be subjected.

3. Because it makes of silver a commodity to be dealt in by the Government.

4. And, more than all, because it gives to the Secretary discretion to contract the currency at his pleasure. It is against the principles of free institutions that one man should have this power. I am not willing to give it to any one.

I see nothing to prevent the Secretary from paying out each month in exchange for Treasury notes the whole $4,500,000 of bullion purchased during the month. In addition to all other considerations this enormous power would constantly subject the Secretary to criticism and suspicion, sufficient not only to ruin him, but the party responsible for him. I will gladly support the provisions of section 6 for the free coinage of silver whenever it shall reach $1 for 371.25 grains of pure gold, and I would vote for the bill were it not for the proviso to section 2. Because of that I must vote against it.

Neither will I vote for the motion to recommit the bill with instructions to report a measure providing now for free coinage of silver. To-day our silver dollar is in fact worth only 72 cents. Free coinage of it under these conditions means simply that the owner of silver may take 72 cents of it to the Treasury and get a dollar from the Government. Who can doubt that the silver of the world would be at once brought here and that gold would be driven out?

It is claimed by the advocates of free coinage of silver that the prices of all articles will be increased because there is an increase of money. Grant that this will be so, and I fail to see that there will be any ultimate benefit to any class except to the speculator. If the producer of one article gets a higher price for it he must pay a correspondingly higher price for whatever he buys, and, in the end, is no better off. Especially will it operate against the farmer, who can not combine to fix the price of his produce, while nearly everything he buys is controlled by a trust.

These remarks apply to the cotton farmer as well as to the producer of all the other great staples of the country but in another respect; free coinage of silver under present conditions would be most disastrous to that splendid body of men who last year exported 5,390,926 bales of cotton, worth $264,806,905. Where did this enormous product go? To Great Britain and Ireland, 3,213,260 bales, worth $158,214,227; to Germany, 843,290 bales, worth $10,787,868; and to all European countries, 5,287,193 bales, worth $259,745,597.

Great Britain and Germany are both gold countries, having discarded silver, and the same may be said in general of Europe. It is claimed for free coinage that it will especially increase the price of farm produce. How can it increase the price of cotton, which is fixed, as every one knows, at Liverpool, and not in this country? Free coinage of silver can not affect it there, and hence the cotton-planter will pay increased prices for everything he buys in this country and will get not a fraction of a cent more for his cotton.

Mr. CARLISLE, in a recent letter to the cotton-planters of Alabama, said:

> About two-thirds of your cotton crop is exported and sold in foreign countries and its price fixed there. I presume no one will seriously contend that prices can be increased abroad by inflating the currency at home.

And yet this very thing must be contended for or no benefit can be claimed for the cotton-planter.

This is a fatal objection to the measure, in my judgment, and should condemn it with Representatives from the cotton States. Moreover, Mr. Speaker, free coinage will, as I am convinced, produce serious financial disturbances between the United States and such countries as Great Britain and Germany, where at least two-thirds of our cotton crop goes, and consequent embarrassment in trade, which will inevitably react against the cotton-farmer.

I append an official table of the exports of cotton to European countries in 1889:

Quantities and values of domestic cotton exported from the United States to foreign countries during the year ending December 31, 1889.

Countries.	Sea Island.			Other cotton.			Per cent.
	Bales.	*Pounds.*	*Value.*	*Bales.*	*Pounds.*	*Value.*	
Great Britain and Ireland	18,745	7,035,351	$1,653,616	3,213,260	1,581,598,960	$158,214,227	59.96
Germany	255	93,78	14,850	843,290	414,414,998	40,787,868	15.30
France	1,862	707,60	173,914	526,631	260,332,641	25,956,268	9.80
Other countries in Europe	.....	.....	.....	704,012	340,859,120	34,787,234	13.04
Total Europe	20,862	7,836,737	1,842,380	5,287,193	2,597,205,719	259,745,597	98.10

Silver-Bullion Certificates.

SPEECH

OF

HON. WILLIAM J. STONE,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. STONE, of Kentucky, said:

Mr. SPEAKER: The claim of those who favor this bill is that it will increase the amount of money in circulation $54,000,000 per year. I deny it. No man has attempted to explain or can explain how it can possibly do so. The Government can only put money in circulation by paying it out for its expenses. Already the Government buys or may buy enough bullion to coin $4,000,000 per month. This bill only provides for purchase of $4,500,000 per month; so that, to give it the utmost credit to which it is entitled for good, it can only increase the amount of circulation $6,000,000 annually.

Does any one pretend that an increase of $6,000,000 annually is any fair proportion of increase of money—the representative of values—to the increase in population, to the increase of labor and production in this country? How, then, can an increase in the money in circulation be brought about so far as silver is concerned? Simply by allowing it to be coined free. Allow every man who owns silver bullion to take it to the Government mints and have it coined into dollars as he pleases. He will take the coined money and put it into circulation. No trouble to get it into circulation. He will pay for food and labor and all the necessaries of life with it.

The man who works in the mines and shops will take it and buy the necessaries of life from those who produce them. They in turn will buy what they need, pay taxes, etc., with it. Thus the money goes into all the branches of trade and commerce, and the expense to the Government is avoided of shipping the bullion to the mints, and then shipping the coined money to Washington and building large and expensive vaults to store it in, and keeping a strong guard of armed men to watch over it. All this costs money, and the money is raised by taxation, and taxes are paid principally by those who perform manual labor; and everything should be done in this nominally free land of ours to make the burdens of the tax-payer as light as possible.

But, say the monometallists, silver is worth less by 20 per cent. than gold proportionately. So it is in the market, but what and who made it so? The act of Congress that struck down silver in 1873, and it was done by the representatives of the Republican party who were legislating in favor of Wall street and the holders of United States bonds as against the tax-payers. I have here the testimony of Hon. JOHN SHERMAN, who was chairman of the Committee on Finance in the Senate when this crime against humanity was committed, backed by a large number of officials high in public life and by, as he says, all the experts in the country, that silver was then worth about 3 per cent. more than gold.

It had equal debt-paying power. It paid taxes as well. It paid for as much of the necessaries of life and purchased an equal amount of the luxuries as the gold dollar. What, then, was the reason for this dark deed against all the laborers and producers of America? Why was it necessary to decrease the ability to pay of every man who owed anything or had to buy the necessaries of life? The reason was that the grasp of the money-shark was being made to weaken. The masses were rapidly building up their homes and fortunes. The manipulators of the money centers were losing their power to control the entire finan-

cial system of the country. Silver being in the greatest abundance and our mines seeming to be inexhaustible, that metal was selected to be stricken down.

Only a few years before this same class of financiers tried to strip gold of its debt-paying power. That was when gold was being mined in abundance. But in 1873 they succeeded in debasing silver by law. Then it was that Congress robbed the people of one-third of their power to pay debts and earn a living. Why not now restore to them by law a part of that power? What good reason can there be for not restoring, as far as we can, the property taken from the people then? The wonder is that silver has held so high a market value as it has when all the power of law and ridicule and sneers has been used to degrade and belittle it before the world.

But it is said that other countries have demonetized silver, and, consequently, we must do so. There is absolutely nothing in this argument. This Government is able to fix its value upon a coin and that coin will pass current among all its people and upon as good a basis as the currency of any country on earth. There is a fiat feature attaching to every sort of money. The reason why a gold dollar passes as a dollar is because the Government says it shall. There is no standard of values of coin except as fixed by law, and, that being true, all this clamor about a silver dollar being worth only 70 cents is simply noise made to keep silver in disgrace. How is it in the case of the greenback circulation?

There is in circulation $346,000,000. There is held now in the United States Treasury $100,000,000 of gold to guaranty that this greenback money is good for its face value. Now, everybody knows that if you present $100,000,000 of greenbacks for redemption it will take every dollar of that guaranty fund and leave $2,406,000,000 that there is no gold to redeem. What makes that $2,406,000,000 pass current among our people and even among the people of many foreign cities? It is simply and alone the faith the people have in the Government, and that faith is so strong in the stability of the Government and its ability to make good its promises that this same greenback circulates on an equal footing with gold and silver certificates, every dollar of which has a gold or silver dollar deposited in the Treasury to guaranty its being redeemed when presented.

This proves beyond question that it is the stamp of the Government that fixes the debt-paying power of money. What is necessary and what the country demands is that silver be restored to its full privileges with gold. Make its coinage free and you relieve the people of a vast amount of unnecessary taxation and also increase the amount of money in circulation, thus doing that much in supplying the demands of the people for an increased amount of circulation. But there is no increase of circulation under this bill. It provides that the bullion shall be paid for in certificates based on the bullion purchased. Why not pay for it in the money already lying as a surplus in the Treasury, collected from the people by overtaxation?

If you pay for the bullion in certificates you leave idle in the Treasury sufficient money already there to buy it all. Then where is the increase in circulation? If you withhold $54,000,000 already issued and send out $54,000,000 of a new issue, where is the increase? But why argue this question. The bill is not intended to relieve the people in answer to their demand for more money. It is prepared in the interest of those already in control of the finances of the country. We are told, too, that if we make the coinage of silver free all the silver bullion in the world will be poured in on us to be coined. Well, suppose it is. Let it come! It will only be a further and stronger evidence of the faith of the world in the stability of our Government and our ability to make every dollar we issue worth 100 cents.

Money in any shape is only a representative of values, and to insure the greatest prosperity to any people these representatives of value must bear a correct ratio to the actual values and population of the country. What that exact ratio is can not be definitely stated, but certain it is that as the amount of money comparatively has decreased the people have become harder pressed for necessaries of life, prices of products have decreased, and the purchasing power of money has increased, and those who hold control of the money have gradually but rapidly brought the masses into dependence on them.

Whenever the money of any country has been reasonably plentiful there has always been prosperity attending the efforts of the people, all business enterprises have flourished, agriculture has prospered, and the greatest happiness and comfort have attended every effort to succeed. On the other hand, when money has been scarce among the people on account of the limited amount in circulation, "hard times" have prevailed, distress has been common among the masses, the earnings of the many have been absorbed by the few, the number of unemployed people has largely increased, and the cry for relief has been heard in every quarter.

While we can not tell exactly how many dollars would make this ratio between population and actual values and those representatives of values produce the greatest prosperity, certainly we have had enough experience to lead us to a reasonably correct conclusion. Without going further back than the memory of the present generation runs, what has been our own history? In 1866, just at the close of the civil war, there was $1,863,409,216 practically in circulation outside the thirteen States of the South. This made about $70 per capita outside those States, but counting all the people of all the States it was above $50 per capita. Then all branches of business were prosperous, labor was in demand and well paid, the products of the farm were in demand at good prices, and a general prosperity was coming to all our people.

But the evidence is that the money in circulation was too great in amount to permit those who were anxious to control the finances of the country to do so with ease. Then it was that a contraction of the currency began, and under an act of Congress passed at the instance of the Secretary of the Treasury there were taken up and burned $77,018,837 of greenbacks, and bonds were issued in their stead bearing 6 per cent. interest, thus replacing this large volume of money, that was being used by the people without interest for all the purposes to which money is applied, by bonds bearing 6 per cent. interest. These bonds have not yet been paid, but have been refunded and are now worth a premium of 28 per cent. There has been paid in interest on them $154,000,000, and the principal yet unpaid. Consequently this $77,018,837 of money, of equal value and merit with any like sum of the $346,000,000 now in circulation, was taken from the people and a burden placed on them that has amounted up to this time to $231,018,837; and so has this same policy been followed from then till now. While it has not been all the time by the same means still the spirit has been the same, and from $52 in 1866 the circulation per capita has fallen to a fraction less than $8. But the amount in circulation is really less than that, for the scarcer money becomes the harder people try to hoard it, and I am convinced that there can be no more than $5 per capita in actual circulation among the people to-day. In 1866, with $52 per capita in circulation, there was 485 failures in all the country. In 1889, with less than $8, there were 14,000. In 1866 money was plenty, business was prosperous from one end of the land to the other, tramps were not known, and labor riots were not seen. Now, after twenty-four years of contraction, business is demoralized, the land is filled with people out of work, and strikes are the order of the day. Not satisfied with this steady and sure process of enslaving the masses, the Congress of the United States passed an act in 1873 stripping silver of its debt-paying quality. This act was a crime against humanity unsurpassed in cruelty by any legislation known to civilized and enlightened nations. It added to the debts owed by individuals, towns, counties, and States very nearly 50 per cent. in that it reduced the power of the people to pay by fully that amount. A panic came. The people were oppressed. Fortunes that were comfortable melted away. Competency disappeared from those who felt that they were financially secure from want. The products of labor became hardly sufficient to maintain the producer. Stagnation and want of employment became the order of the day. Who can estimate the misery and woe resulting from that act? Who can tell how many homes were wrecked and how many hearts were broken over the failure of a lifelong effort to acquire comfortable homes for wives and children? Who can tell in how many hearthstones the fire has gone out or how many lives have been spent in a long, tiresome, hopeless effort to redeem the promises made based on the condition of things existing before that fatal day? Other nations have been plundered and impoverished by their rulers for personal pomp and self-aggrandizement, but never has a people been so robbed, so infamously cheated, of their hard earnings under the guise of statesmanship before.

In 1878 the situation had become so grave that Congress, in answer to the general demand for relief, passed an act partially restoring silver to its former power, but taking the control of its circulation out of the hands of the people. Instead of putting the limited amount coined by law on the same basis and granting the same privileges it had once had, the law required the Government to purchase the bullion, coin the money, and thus keep it under control of those opposed to its circulation. The American people are a people of stronger hopes and faith than any other, and when the Bland act was passed the word went out that silver was remonetized. The people, remembering their former prosperity, went to work with an energy and will that had never been surpassed to rebuild their shattered fortunes and fulfill to the letter all their contracts and obligations.

But a steady contraction of the currency went on, and when renewed effort brought no corresponding return, when prices gradually declined, when debts increased, when interest went unpaid, when labor failed of its just reward, and all classes commenced to demand to know the cause, they were told that the tariff was not high enough, that they produced too much by their labor, and a lot of "four by six" statesmen informed them that all that was needed was more diversified industries, and the farmer was informed by men who thought "pumpkins grew on trees" that they must produce less and diversify their crops. The man who was begging piteously for work to enable him to earn something to buy food for his children and to keep the cold blasts of winter from freezing them was told that all he needed was more taxes on the wool of which the cross-threads of his scanty clothing was made.

But at last the people are looking into the situation. They are going to the bottom of things in a way they have never done before, and are studying ways and means and remedies themselves. They have been a long time becoming aroused, but they are in earnest and will succeed in forcing from the law-making power a granting of their demands. Have they any hope from this Congress? No, a thousand

times no. They demand that silver shall be coined free. What is offered them? Following in the footsteps of former Republican legislation the Committee on Coinage, Weights, and Measures, under instructions from the President and his Secretary of the Treasury, have brought in here this bill that is intended to and will stop the coinage of silver, repeals all silver coinage laws now existing, and, under the pretense of increasing circulation, puts it in the power of Wall street to control completely all the silver in the country, to inflate the currency when they please, and contract it when it is to their interest to do so. The Republican members of this House who have spoken have nearly all advocated free coinage, but have closed their speeches by announcing that they would vote for this bill, which in reality stops the coinage entirely. Why do they do it? We are informed that word has gone out from the White House that the President will not sign a free-coinage act. Then a caucus of the Republican party has been held, and the party lash has been applied and nearly all the members of that party here have been whipped into line. Then the Committee on Rules, fearing that under their outrageous rules already adopted the advocates of free silver would be able to offer such amendments to the bill as would force some Republicans to break away from the orders of the caucus, have brought in here a rule attempting to "gag" every friend of free silver.

To further add to this insult to the minority and outrage upon the people, the Speaker, finding that one loop-hole has been left where friends of silver can get in some work, refuses to recognize any member favoring silver to move an amendment. Thus this bill is to be passed and the people have the shackles more firmly riveted on them. Suppose this bill becomes a law—and it will unless the hope expressed by the gentleman from Illinois [Mr. PAYSON] is realized that the Senate will so amend it as to leave out the bullion-redemption clause—what is the situation? The present law under which we have a limited coinage is repealed and the circulation of silver or silver certificates is placed entirely in the power of the monometallists.

The bill provides for the purchase of $4,500,000 bullion per month and that when the price of silver reaches the point of the price of gold bullion, as 16 to 1, then silver shall be coined free. What a glaring attempt to deceive the people! What is easier than for the enemies of silver to purchase the $4,500,000 of bullion, sell it to the Government for certificates, and before the month has ended demand that the certificates be redeemed in bullion, then resell the bullion to the Government for the next month and before the month had expired demand redemption again, thus preventing the actual circulation of a single certificate. Would they do it? Who doubts it? They would only lose the interest on the $4,500,000, and that would be a small sum compared to what it would enable them to make by being able to control the financial system of the Government.

With this bill a law and the monometallists in control, when will silver bullion reach the price of gold bullion? The only answer is, never. But advocates of this bill say free coinage means inflation of the currency and a consequent wild speculation among the people and a lowering of the high standard of our national credit, because we make an inferior metal pay as much as gold. Mr. Speaker, we now have six kinds of currency, all equally good and all on a different basis. There is the gold dollar and its representative, the gold certificate; and the silver dollar and its representative, the silver certificate; the greenback, and the national-bank note. Now, if the greenback circulates on a par with gold with less than 30 cents of gold to guaranty it, who will say our national credit can not sustain the circulation of all the silver dollars that can be produced, even if the bullion in a silver dollar is worth only 70 cents?

There is no danger of inflation by free coinage of silver, because our own production of silver is not sufficient to give us enough circulating medium, and foreign countries are not going to bring money here except to purchase what we have to sell; and that is just what we want. We want to sell our produce of every kind and we want to sell at such prices as will bring comfort and plenty into every household in the land. It is also said free coinage will increase the value of mining property. Well, that can only be a blessing, for it will give more work and better pay to the people; make more and better markets for everything produced in the country.

This House has already passed a tariff bill that will increase the burdens of the tax-payers many millions of dollars. Now, pass this bill and make it a law and you will have completed a system that will continue to rob labor of its just reward and bring ruin to the hearthstones of a once prosperous and happy people. But I warn you now that the people are looking into these matters and will turn again on the heel that oppresses them. Many men who favor free coinage and a reduction of taxation in their hearts, yet voted against these demands of the people under the party lash, will soon leave this Hall to return no more forever. The hypocritical tears that have been shed here over the woes of the farmers and laborers of this country will not avail. Real work and action looking to a relief of the masses must be done now or others will be sent here to do what you have left undone.

These people do not mean to form new political parties, but they do mean to find men in some party whose hearts are with the toiling millions and who will not be controlled by those who would oppress them. What party in this country has always been, as a party, with the people? The question is easily answered. The great Democratic party has been and is the friend of the masses. Its principles mean sovereignty of the people. They mean individual liberty. They mean that every man shall have an equal chance in the battle of life with his neighbor. They mean no class legislation. They mean equal rights and equal privileges to all. That party opposes unequal and unnecessary taxation. It opposes monopoly of every kind. A full triumph of its principles means universal prosperity, and that every man shall enjoy all the fruits of his labor, and that no man shall be made to pay tribute to any other man.

Silver-Bullion Certificates vs. Free Coinage.

SPEECH
OF
HON. JOHN T. HEARD,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5391) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. HEARD said:

Mr. SPEAKER: After listening to the excellent speech of my friend from Ohio [Mr. WICKHAM], who has just addressed the House in support of the pending bill, I would say that I adopt the whole of his clear and forcible reasoning in favor of the remonetization of silver; but I fail to understand how, in view of all the good reasons he has so ably presented why that desirable end should be accomplished, he can logically give his vote for this measure. I am sure that he, as well as many others who will vote with him on this question, earnestly and sincerely desires to see silver re-established in its just and proper power and dignity in the money circulation of our country, and that while they do not fully approve the bill before us they are reconciled to its support by the belief that they will thus contribute to the bringing about of that good end; that they think it is a step in the right direction. I can not hope, Mr. Speaker, to be able to present to this body more cogent reasons than have been offered by these gentlemen why silver should be remonetized; but to such as really desire by their action here to contribute to that result I desire to submit some reasons for my refusal to accept, with their reasoning on the general proposition, their example in this instance as a guide for my vote.

It is to such of the supporters of the bill as I have referred to, and to those only, that I would address anything in the way of argument why they should abandon their present position, because I fully realize that to that other element of its supporters, who approve its provisions because they do not believe that its passage will improve the condition of silver as a money metal of the country, nothing need be said in criticism of the measure from my standpoint, since they embrace it for what I conceive to be its worst vices. I am sure I do not misrepresent the case in this statement. While few, perhaps, of its friends would adopt the frank utterances of the gentleman from Massachusetts [Mr. WALKER], who zealously advocates the passage of the bill while he declares that we do not need any increase in the volume of our money; that there is plenty of money in the country to do the business thereof; that scarcity of money has nothing to do with the depression of business or the lowering of prices; and, finally, that "more money means more misery," yet, Mr. Speaker, the fact remains that the bill is supported with equal zeal and enthusiasm by those who understand and admit the need for more money and the necessity for the equality of it according to the standard now fixed in our laws, and by those who deny both propositions and who insist that an increase of lawful silver dollars means a dishonest inflation of our currency.

It has always been contended by our great financiers that an essential quality of a good system of money is "elasticity," and it would seem, Mr. Speaker, that if the money to be issued under authority of this bill, if it becomes a law, should partake in any measure of the character of the act originating it, it ought at least to possess that virtue; for I can conceive of nothing more "elastic" than a bill which at once accommodates itself to the conflicting demands of those who insist upon free coinage of silver at the present standard of value, and to those who bitterly oppose it and insist upon a single standard, and that of gold. While I am confident that some of those who will vote for this bill would not support it did they not hope that its effect would be to increase the volume of our circulating medium and tend also to bring silver and gold nearer together in commercial value, and thus, as they think, help on to the free and unlimited coinage of both, I am also equally certain that a large proportion if not a majority of its supporters would not give it their approval if they did not entertain a very different belief.

Where, then, in this bill lies that peculiar quality which so completely reconciles it to the diametrically opposite views of its different ele-

ments of supporters? I think, Mr. Speaker, that it will be found in those provisions which invest the Secretary of the Treasury with discretion to do or not to do certain things relating to its execution, the doing of which will give satisfaction and security to the one element, while in their not being done exists the only basis of hope to the other.

Now let us examine the bill and see whether or not I am justified in opposing its passage upon the ground that the law which we have now upon our statute-book and which this bill proposes to repeal, if fairly enforced, is a better and more liberal law than this will be if enacted. As the law now stands, the Secretary of the Treasury must coin into standard silver dollars $2,000,000 worth of bullion per month and he may coin $4,000,000 worth. Then, sir, if the Secretary of the Treasury (either the present or any future Secretary) is friendly to an increase of the currency of the country such as we desire, why should he not exercise the discretion which the existing law gives him and increase the volume of our currency, not $4,500,000 per month, but about five and a quarter million dollars per month, as he can do under the existing law? Four million dollars' worth of silver bullion at its present commercial value will, as was stated by my colleague [Mr. BLAND] this morning, make about five and a quarter millions of the standard silver dollars.

Under the provisions of this bill, should it become a law, the maximum increase in the volume of circulation which the Secretary of the Treasury could make by issuing Treasury notes in exchange for bullion would be $4,500,000 per month, or $54,000,000 annually, while under existing law he could, if he would, increase it to the amount of $5,200,000 per month, or over $62,000,000 per year. If the Secretary of the Treasury had been friendly to the increase of silver money in the country, would he not have exceeded the minimum limit of his power in that direction, even if he did not reach the maximum limit? Is he more friendly to such increase now than in the past? Judging by his official expressions and actions we are forced to conclude that he is not. From the late report of that official I quote the following:

> The continued coinage of silver dollars at a constantly increasing monthly quota is a disturbing element in the otherwise excellent financial condition of the country, and a positive hinderance to any international agreement looking to the free coinage of both metals.

It is a peculiarity of view always entertained by the enemies of silver that we can do nothing to exalt its present condition without an international agreement, which they know we never can get.

For the last year the increase in the amount of silver coinage of the country is stated by the Treasury officials to have been $35,496,683, when the law authorized about double that amount, notwithstanding the fact that by reason of the shrinkage of the total volume of our circulation from various causes the above-named new coinage only increased the total stock of our money $8,000,000. Why was not the shrinkage here referred to at least provided for by increased coinage of silver above the minimum limit of the law, so that the intent of the law of 1878, which was to add at least $2,000,000 per month to our circulation, would have been carried out?

Now, my friend from Iowa [Mr. CONGER], chairman of the committee reporting this bill, says that the people of this country do not take kindly to the silver dollar. On this point I beg to differ from the gentleman. The fact is that the people of this country are friendly to the silver dollar and have always been so, but unfortunately for them it is the Secretary of the Treasury who is unfriendly to the circulation of the silver dollar, as have been all his predecessors since 1873. For proof of the correctness of his statement, that the people are not friendly to silver money, my friend says that there are only 60,000,000 standard silver dollars in circulation, while there are 290,000,000 in the Treasury. The gentleman admits, however, that for all said latter sum silver certificates are in circulation to-day. Then, I submit, Mr. Speaker, that by his own showing the whole amount mentioned is in circulation. The fact is, sir, that out of a total coinage of over 350,000,000 standard silver dollars there were in the Treasury on the 1st day of March last less than three and one-half millions for which certificates were not outstanding. Less than 1 per cent., then, of all this coinage was idle. Can the gentleman make as good a showing for gold when tried by the same test? How much more friendly do the facts prove the people to feel towards gold? In this country, as in every other, gold is more hoarded than silver, and the conduct of the fiscal affairs of this nation by Treasury officials, who in every possible way discriminate against silver so as to make gold coin the dearer money, will continue it so.

Mr. CONGER. Will the gentleman permit a question?

Mr. HEARD. Certainly.

Mr. CONGER. Is it not true that the Treasury Department will pay the express charges upon the silver dollars to any part of the United States where they are wanted or demanded?

Mr. HEARD. Such I understand to be the case.

Mr. CONGER. Then, if out of 350,000,000 silver dollars there has been a demand for only 57,000,000, does that not prove that the people do not want the silver dollars, but prefer the certificates?

Mr. HEARD. It does not prove that they do not want silver coined. They want it coined in order that it may furnish a predicate for the certificates, and in as great a volume as possible. Let me ask my friend this question: How much of the six hundred-odd millions of gold coin alleged by the Treasury officials to be in circulation in this country is in the pockets of the people?

Mr. CONGER. We can not get into the pockets of the people to obtain that information.

Mr. HEARD. How much of it is actually in circulation, making the money exchanges of the people?

Mr. CONGER. About six hundred and eighteen millions.

Mr. HEARD. Oh, Mr. Speaker——

Mr. CONGER. The statements and books of the Treasury Department show it.

Mr. HEARD. Well, Mr. Speaker, those books show, among other things, that there is in the Treasury about one hundred and thirty-five millions of gold coin for which certificates are in circulation, and in my humble opinion that is about all the gold coin in the country that is of any great value to the people as money.

It is true that said books show that there are two hundred and forty-six millions in coin tied up there in various redemption funds (besides sixty-seven millions in gold bullion), one hundred millions of which coin is held for the redemption of greenbacks, when not one dollar of it is needed. Since that fund was established it is stated that only about fifteen or twenty millions have ever been used for such redemption, while the interest on the bonds sold to raise the fund amounts to more than $46,000,000. The books also show that the amount of gold coin held in the national banks is forty-nine millions; that there are thirty-one millions held in banks other than national banks reporting, and three hundred and eighteen millions in banks not reporting, and in private hands.

As for the last item, Mr. Speaker, one has only to examine the data furnished by the Director of the Mint to see that the amount stated is only estimated and that it is but a guess, instead of a computation from reliable data.

It is thus, Mr. Speaker, that the Treasury officials figure to arrive at the conclusion that we have $618,000,000 of gold coin in "circulation." With the exception of the $130,000,000 for which certificates have been issued, is it not a perversion of language to say that it is in "circulation?" Outside of the Treasury officials and the bank clerks who ever sees a dollar of it? For the uses of the people as money it might almost as well be in the mines from which it came. Practically, then, Mr. Speaker, the actual money uses of the people are supplied by the greenbacks, the national-bank notes, the subsidiary silver coin (something over seventy-six millions), about sixty-one and a half million standard silver dollars, and that portion of the other silver and gold coin for which certificates are outstanding and which certificates aggregate less than $425,000,000. It is needless to explain that the silver as well as the gold coin is deposited in exchange for certificates, which circulate instead of the coin itself, because of the greater convenience in handling. But, Mr. Chairman, with what accuracy or fairness can it be said that this coin is not in circulation when its representative, the certificate, is? And since the certificates answer all the uses of coin, is it not as well for the people that the certificates should be in their pockets instead of the coin?

Mr. CONGER. Is that not what I said in my report and my speech?

Mr. HEARD. Oh, yes, and that part of your argument is sound; but I want to show you now why your bill would not accomplish what you claim for it and what you say you desire, because it is not calculated to put the certificates in circulation.

Mr. CONGER. You acknowledge the truth of my statement?

Mr. HEARD. Well, wait till I get through with my statement. I anticipated your appropriation of my language to the support of your position, but I insist that you can not make it answer your purpose nor my objection. I agree with you that the certificates, when in circulation, are just as good as the coin and more convenient, otherwise nobody would exchange coin for them; but I wish now in presenting my criticisms on this bill to point out to you as my first but not most serious objection the fact that under the operation of this bill, should it become a law, even with a Secretary of the Treasury friendly to silver coinage, it will not be practicable to issue as great an amount in certificates as is authorized by existing law. By the present law the Secretary of the Treasury is compelled to buy and coin into standard silver dollars $2,000,000 worth of silver bullion monthly, and he is authorized to buy and coin $4,000,000 worth per month. At the present commercial price of bullion (72 cents on the dollar, gold value) $4,000,000 worth of it will coin over 5,200,000 standard silver dollars, and therefore if that official were to execute the present law in a spirit of friendliness to silver coinage there is nothing to prevent his coining, at the present price of silver bullion, over $5,200,000 per month. Under this bill he could not issue Treasury notes for over $4,500,000 monthly. Therefore, if our aim is to get silver certificates issued, to become permanently a part of our circulating medium on a par with the money we now have, it will be seen that the present law, if fully executed, is better for our purposes than the one proposed by about three-quarters of a million dollars monthly, or eight millions annually.

It may be said that we have no reason to believe that the present Secretary of the Treasury will execute the existing law in a way differ-

ent from that which he and his predecessors have executed it in the past, and I admit it. Unfortunately, at this time there is, I repeat, no hope that he will do so, unless compelled thereto by a change in the law. But how easy it would be to amend the law so as to compel the coinage of the maximum limit instead of the minimum. Again, if the Secretary will only execute the existing law so as to make only the least possible addition to the volume of our money, why is it reasonable to suppose that he would execute the proposed law in a spirit of greater liberality towards silver. Would he not have great latitude for his discretion in the execution of the proposed law? Yes; and in my opinion that furnishes the explanation why he and those who like him oppose the use of silver money desire the substitution of that bill for the existing law, by the terms of which there is compulsory coinage for half the amount possible to be coined under the law.

I desire to emphasize the point that under existing law there is a certainty of our getting about $35,000,000 increase annually; and this bill proposes to repeal that law, substituting for that compulsory provision one making it the duty of the Secretary of the Treasury to coin so much only of the bullion as will do what? Pay for such bullion? Oh, no, that would make a permanent addition to the volume of silver money in the country; but to coin so much as may be necessary to redeem such of the Treasury notes as may be presented for redemption in coin. Who will ever present one of those notes for redemption in silver coin when the note is clothed with all the money power of gold coin? No, Mr. Speaker, none will be presented for redemption, and therefore, so far as relates to the standard dollar, silver coinage will cease. Under existing law every dollar in the form of silver certificates issued on a deposit of coin makes, in so much, a permanent addition to the volume of circulation in the country; for, once issued, it can only be redeemed in coin of its class, and such exchange is useless save in exceptional cases and for small amounts.

Let those who denounce the demonetizing act of 1873 understand that in voting for this bill they vote to re-establish the condition, as to the coinage of the legal-tender silver dollar, which that act brought about, and that he does more, and, in my judgment, infinitely worse, in this, that he votes to establish, by declaration of law, the destruction of the coinage value of silver, making it a commodity only.

The act of 1873 did not go that far, and until now all efforts of the enemies of silver have been powerless to give silver that fatal blow.

In my opinion, Mr. Speaker, there will be little or no appreciable increase in the volume of our circulating medium under this bill on account of Treasury notes to be issued in payment for silver bullion, for the reason that the Secretary of the Treasury will, by the proviso to the second section of the bill, be authorized "at his discretion" and under such "regulations as he may prescribe" to exchange for such notes silver bullion; and it will not be too much to predict that the bankers and money-holders generally, being interested in keeping the supply of money in the country as small as possible, will, in great measure at least, control the output of the notes by selling the bullion to the Secretary, and perhaps in the same month that they are issued present them for redemption in bullion, thus completely nullifying the spirit of the act, if its design be to relieve the people by furnishing more money for circulation.

If the Secretary of the Treasury be so inclined, what is to hinder the four and a half millions of bullion bought and notes issued therefor during the first month from changing places every month, and by such round of manipulation prevent any increase in the volume of circulation beyond the amount involved in that one transaction? The friends of the bill of course argue that no Secretary of the Treasury will dare do that, even if he desire to; but the result of my observations of the acts of the officials who have filled that place since 1873—and the present Secretary is no exception to the rule—inclines me to guard against the necessity for permitting the exercise on the part of anybody who may get into that place of a discretion (certain to be more or less influenced by the conviction which seems always to be present with them, that any increase of money among the people is an unmixed evil), to do or not to do such things as the law could just as well, and in my judgment should, either explicitly direct or prohibit.

Suppose, for purpose of illustration, the Bland act of 1878 had in express terms commanded the coinage of $4,000,000 worth of bullion into standard silver dollars monthly instead of leaving half that amount to be coined or not coined at the discretion of the Secretary of the Treasury; we would to-day have the full benefit of that act instead of only half of it. Would that increase in the volume of money in the country have been an injury or would it have been a benefit? If we think it would have been an injury then we should now repeal, absolutely, the Bland law; and if a benefit we should not repeat the folly of first deciding what should be done by Congress in the interests of the people and then giving to an executive officer of the Government, whom we know to be opposed to our view, discretion to do or not to do it.

Mr. Speaker, no one who has examined the recent official utterances of President Harrison on this subject will attribute to him any great partiality for silver money; but in the same message in which he, speaking of the free coinage of silver, says, "We should not tread the dangerous edge of such a peril," he is compelled by the facts to say with reference to the effect of the coinage of standard silver dollars that—

> The evil anticipations which have accompanied the coinage and the use of the silver dollar have not been realized. As a coin it has not had general use, and the public Treasury has been compelled to store it. But this is manifestly owing to the fact that its paper representative is more convenient. The general acceptance and use of the silver certificate show that silver has not otherwise been discredited.

No, Mr. Speaker, silver has not been discredited; and the only discredit which the result of this increased silver coinage has cast on anything or anybody has fallen on those prophets of evil to whom the President alludes as having indulged in gloomy anticipations of the wreck and ruin that were to come upon the country as a result of the operations of the Bland act. But however much discredited as prophets, the individuals of that class still continue to prophesy falsely.

Let me ask, Mr. Speaker, whence comes the demand for a bill like that before us? The people have not asked it, nor do they want it. They have asked for a bill authorizing free coinage; and in response to that petition you propose to give them one repealing the act which alone gives them any silver coinage. What influence demands the passage of a law striking down silver as a money metal? Certainly not the masses of the people, who demand more money for circulation and the preservation of the present legal ratio between the gold and silver money of the country. Where and when have the people demanded that bullion should be bought by the Government for the purpose of putting into circulation Treasury notes, and yet providing that, at the discretion of an official who does not claim friendship for such proposition, such notes may be redeemed or received in exchange for this same bullion? Who is it that demands that our Federal Treasury shall be converted into a pawnbroker's shop or made the basis of gigantic jobbery in buying and selling the bullion of the country?

Will any intelligent man contend that this bill does not furnish opportunities for speculation should the Secretary be dishonest enough to avail himself of it? Hear what the present Secretary himself says about the character of this feature of the bill. In a letter the authenticity of which is not denied, and in an authorized interview sent through the Associated Press, referring to the provision in the Senate bill which compels the purchase of so much silver monthly, etc., he says:

> This compulsory purchase of so great an amount will make the Treasury the largest operator in the most gigantic corner ever organized.

And further, comparing the Senate bill, which he was criticising, with his own bill (substantially the one before us), he says:

> Is it not enough that we take one half of the world's silver product and lock it up in order to increase the value of the other half; that we join the silver-producers in the most gigantic silver corner ever organized?

Yes, Mr. Speaker, I would answer, quite enough. But in my humble opinion that is just what is proposed. And yet we are told by some of those who favor the bill that those who want free coinage are working under the influence of the "silver lobby." The chairman of the committee reporting this bill said in his speech to-day:

> All winter long, Mr. Speaker, a powerful silver lobby has been operating about this city, a lobby paid for and supported by the bonanza mine and bullion owners.
>
> They have been faithful to their trust. They have been persistent in season and out of season; they have plied their vocation at Capitol, hotel, and private residence.

This may be true, Mr. Speaker, and I can only say that while I will not question the correctness of a statement which seems to have been made with all the positiveness that comes from personal knowledge, I would say that, judging from the character of this bill, which is generally supposed to have emanated from the Secretary of the Treasury, said lobby, in addition to the other places which the gentleman says it infested, has not wholly slighted the Treasury Department; at least, Mr. Speaker, and I say it without design to reflect on anybody, that official is generally credited with being the progenitor of a bill which, according to his own statement, proposes "that we join the silver-producers in the most gigantic corner ever organized." For myself, Mr. Speaker, I do not propose to join in this "corner." The silver lobby has had no effect on me. Seriously, Mr. Speaker, my constituents have no silver mines or bullion, and their Representative is uninfluenced by the lobby, either the "silver lobby" or the "gold lobby;" and if there be such lobbies here I shall try to be certain that their influence is not reflected in my vote.

Mr. Speaker, why pass a bill obnoxious to such serious criticisms as have been quoted from the Secretary of the Treasury even if it had no other faults? Why pass a bill so complicated in form and of so uncertain operative results that it claims alike the support of those who desire and those who oppose the rehabilitation of silver money? Why not give the people what they ask for, and that is the removal of the unjust restrictions placed on the coinage of silver by the act of 1873, which act no one now has the hardihood to defend? In fact no one has ever defended it, but every one connected with that legislation is to-day on the defensive before the bar of public opinion. The act of demonetization was never asked for nor desired by any one save those who engineered that colossal scheme of legislative robbery which has

been fitly named by Senator INGALLS "the great economic crime of the age." That act, of which the great body of the people knew nothing until too late, was passed so stealthily that Senators and Representatives voted for the bill without knowledge of its nature, and it was signed by the President, as he afterwards declared, without the slightest intimation or suspicion of its real purpose. Since this has recently been denied by a prominent Senator, conspicuous now as he has always been in his opposition to the correction of the great wrong done by the act of 1873, I quote the statements of some of the leading Senators and Representatives who were in Congress at the date of the passage of the act, and were therefore in a position to know the facts in the case.

Mr. HOLMAN, in a speech delivered in the House of Representatives July 13, 1876, said:

I have before me the record of the proceedings of this House on the passage of that measure, a record which no man can read without being convinced that the measure and the method of its passage through this House was a "colossal swindle." I assert that the measure never had the sanction of this House, and it does not possess the moral force of law.—*Congressional Record*, volume 4, part 6, Forty-fourth Congress, first session, appendix, page 193.

Again on August 5, 1876, he said:

The original bill was simply a bill to organize a bureau of mints and coinage. The bill which finally passed the House and which ultimately became a law was certainly not read in this House. * * *

It was never considered before the House as it was passed. Up to the time the bill came before this House for final passage the measure had simply been one to establish a bureau of mines; I believe I use the term correctly now. It came from the Committee on Coinage, Weights, and Measures. The substitute which finally became a law was never read, and is subject to the charge made against it by the gentleman from Missouri [Mr. BLAND], that it was passed by the House without a knowledge of its provisions, especially upon that of coinage.

I myself asked the question of Mr. Hooper, who stood near where I am now standing, whether it changed the law in regard to coinage. And the answer of Mr. Hooper certainly left the impression upon the whole House that the subject of the coinage was not affected by that bill.—*Congressional Record*, volume 4, part 5, Forty-fourth Congress, first session, page 5237.

Mr. CANNON, of Illinois, in a speech made in the House on July 13, 1876, said:

This legislation was had in the Forty-second Congress, February 12, 1873, by a bill to regulate the mints of the United States, and practically abolished silver as money by failing to provide for the coinage of the silver dollar. It was not discussed, as shown by the RECORD, and neither members of Congress nor the people understood the scope of the legislation—*Congressional Record*, volume 4, part 6, Forty-fourth Congress, first session, appendix, page 197.

Mr. Burchard, of Illinois, in a speech made in the House of Representatives on July 13, 1876, said:

The coinage act of 1873, unaccompanied by any written report upon the subject from any committee and unknown to the members of Congress, who without opposition allowed it to pass under the belief, if not assurance, that it made no alteration in the value of the current coins, changed the unit of value from silver to gold.—*Congressional Record*, volume 4, part 6, Forty-forth Congress, first session, page 4560.

Senator Conkling, in the Senate on March 30, 1876, during the remarks of Senator Bogy on the bill (S. 263) to amend the laws relating to legal tender of silver coin, in surprise, inquired:

Will the Senator allow me to ask him or some other Senator a question? Is it true that there is now by law no American dollar? And, if so, is it true that the effect of this bill is to be to make half-dollars and quarter-dollars the only silver coin which can be used as a legal tender?—*Congressional Record*, volume 4, part 3, Forty-fourth Congress, first session, page 2062.

General Garfield, in a speech made at Springfield, Ohio, during the fall of 1877, said:

Perhaps I ought to be ashamed to say so, but it is the truth to say that, at that time being chairman of the Committee on Appropriations and having my hands overfull during all that time with work, I never read the bill. I took it upon the faith of a prominent Democrat and a prominent Republican, and I do not know that I voted at all. There was no call of the yeas and nays, and nobody opposed that bill that I know of. It was put through as dozens of bills are, as my friend and I know, in Congress, on the faith of the report of the chairman of the committee; therefore I tell you, because it is the truth, that I have no knowledge about it.—*Congressional Record*, volume 7, part 1, Forty-fifth Congress, second session, page 989.

Senator ALLISON, on February 15, 1878, when the bill (H. R. 1093) to authorize the free coinage of the standard silver dollar and to restore its legal-tender character was under consideration, observed:

But when the secret history of this bill of 1873 comes to be told, it will disclose the fact that the House of Representatives intended to coin both gold and silver and intended to place both metals upon the French relation instead of on our own, which was the true scientific position with reference to this subject in 1873, but that the bill afterward was doctored, if I may use that term, and I use it in no offensive sense of course——

Mr. Sargent interrupted him and asked him what he meant by the word "doctored."

Mr. ALLISON said:

I said I used the word in no offensive sense. It was changed after discussion, and the dollar of 420 grains was substituted for it.—*Congressional Record*, volume 7, part 2, Forty-fifth Congress, second session, page 1058.

On February 15, 1878, during the consideration of the bill above referred to, the following colloquy between Senator Blaine and Senator VOORHEES took place:

Mr. VOORHEES. I want to ask my friend from Maine, whom I am glad to designate in that way, whether I may call him as one more witness to the fact that it was not generally known whether silver was demonetized. Did he know, as Speaker of the House, presiding at that time, that the silver dollar was demonetized in the bill to which he alludes?

Mr. BLAINE. I did not know anything that was in the bill at all. As I have before said, little was known or cared on the subject. [Laughter.] And now I should like to exchange questions with the Senator from Indiana, who was then on the floor and whose business it was, far more than mine, to know, because by the designation of the House I was to put questions; the Senator from Indiana, then on the floor of the House, with his power as a debater, was to unfold them to the House. Did he know?

Mr. VOORHEES. I very frankly say that I did not.

(*Ibid.*, page 1053.)

Senator Beck, in a speech made in the Senate January 10, 1878, said:

It [the bill demonetizing silver] never was understood by either House of Congress, I say that with full knowledge of the facts. No newspaper reporter—and they are the most vigilant men I ever saw in obtaining information—discovered that it had been done.—*Congressional Record*, volume 7, part 1, Forty-fifth Congress, second session, page 260.

Senator Hereford, in the Senate, on February 13, 1878, in discussing the demonetization of silver, said:

So that I say that beyond the possibility of a doubt (and there is no disputing it) that bill which demonetized silver, as it passed, never was read, never was discussed, and that the chairman of the committee who reported it, who offerred the substitute, said to Mr. HOLMAN, when inquired of, that it did not affect the coinage in any way whatever.—*Congressional Record*, volume 7, part 1, Forty-fifth Congress, second session, page 982.

Mr. Kelley, of Pennsylvania, who was chairman of the committee having charge of the bill, in a speech made in the House of Representatives on March 9, 1878, said:

In connection with the charge that I advocated the bill which demonetized the standard silver dollar, I say that, though the chairman of the Committee on Coinage, I was as ignorant of the fact that it would demonetize the silver dollar or of its dropping the silver dollar from our system of coins as were those distinguished Senators Messrs. Blaine and VOORHEES, who were then members of the House, and each of whom a few days since interrogated the other: "Did you know it was dropped when the bill passed?" "No," said Mr. Blaine; "did you?" "No," said Mr. VOORHEES. I do not think that there were three members in the House that knew it. I doubt whether Mr. Hooper, who, in my absence from the Committee on Coinage and attendance on the Committee of Ways and Means, managed the bill, knew it. I say this in justice to him.—*Congressional Record*, volume 7, part 2, Forty-fifth Congress, second session, page 1605.

Again on May 10, 1879, Mr. Kelley said:

All I can say is that the Committee on Coinage, Weights, and Measures, who reported the original bill, were faithful and able, and scanned its provisions closely; that as their organ I reported it; that it contained provision for both the standard silver dollar and the trade-dollar. Never having heard until a long time after its enactment into law of the substitution in the Senate of the section which dropped the standard dollar, I profess to know nothing of its history; but I am prepared to say that in all the legislation of this country there is no mystery equal to the demonetization of the standard silver dollar of the United States. I have never found a man who could tell just how it came about or why.—*Congressional Record*, volume 9, part 1, Forty-sixth Congress, first session, page 1231.

It will be observed, Mr. Speaker, that Judge Kelley, in referring to the want of knowledge on the part of his committee as to the demonetizing feature being in the bill which they reported, stated that he did not believe that there were three members of the House who knew it, and further that he doubted if Mr. Hooper, who reported the bill, knew it. I think, Mr. Speaker, that in the latter opinion Mr. Kelley was probably mistaken, and that Mr. Hooper did know it; and in support of my view I quote an extract from the speech of the Hon. JOHN W. DANIEL, delivered, May 22, 1890, on the silver-coinage bill now pending in the Senate.

Mr. DANIEL says:

I take from the Bankers' Magazine of August, 1873, a little extract. It says: "In 1873, silver being demonetized in Germany, England, and Holland, a capital of 100,000*l.* ($500,000) was raised, and Ernest Seyd, of London, was sent to this country with this fund as the agent of foreign bondholders to effect the same object."

This is from one of the most respectable organs of the money interest of the United States, and it announces the fact that England and Holland furnished a fund of half a million dollars and sent an emissary over to America to procure a result which was effected in the manner stated.

Mr. SHERMAN. What date does he fix?

Mr. DANIEL. It is the Bankers' Magazine of August, 1873.

Mr. SHERMAN. But what was the date fixed when Seyd was sent here? When was Seyd sent here, according to that statement?

Mr. DANIEL. There is no statement of that. I have only the paragraph before me.

The CONGRESSIONAL RECORD of April 9, 1872, contains the report of a bill presented to the House by Mr. Hooper, of Massachusetts, the chairman of the Committee on Coinage, in which the following language occurs as coming from Mr. Hooper's own lips, and refers to the act which was passed dropping the silver dollar from our coinage laws, where it had been recognised as the unit of value since 1789:

"The bill was prepared two years ago and has been submitted to careful and deliberate examination. It has the approval of nearly all the mint experts of the country and the sanction of the Secretary of the Treasury. Ernest Seyd, of London, a distinguished writer and bullionist, is now here and has given great attention to the subject of mints and coinage, after examining the first draughts of this bill made various sensible suggestions which the committee accepted and embodied in the bill. While the committee take no credit to themselves for the original preparation of this bill, they have given it the most careful consideration and have no hesitation in unanimously recommending its passage as necessary and expedient."

It is perhaps fortunate that Mr. Hooper disclaimed the paternity of the bill, since a few months since, at a convention of national bankers held in Kansas City, Mo., Hon. John J. Knox claimed the authorship of it.

I refer to this, Mr. Speaker, not to reflect in any manner upon the

conduct of Mr. Hooper, any further than to connect him with the knowledge of the purpose of his work. He may have been ignorant of the motives of Mr. Seyd and of the half-million-dollar syndicate of the English and Holland bankers who sent him here; but he acknowledges in his report to the House his indebtedness to Mr. Seyd for his "various sensible suggestions," etc. Then it is not fair to Mr. Hooper's intelligence to suppose that he was so far imposed upon that he did not understand the nature of the work being done by him. It is but justice to him, however, to state that it has been openly charged by Senator ALLISON and others that the bill was changed so as to drop out the silver dollar after it left the Senate. While I am not aware that Senator SHERMAN, who, on January 17, 1873, asked for the consideration of the House bill in the Senate, has ever stated that he was unaware of its full purpose, I think the following extract, which I quote from the CONGRESSIONAL RECORD of that date, fails to show that his statement of the nature of the bill upon presenting it was such as would advise the Senate that such measure contemplated the demonetization of silver, or related to anything other than the regulation of the mints, assay offices, and coinage of the United States, and during whatever of debate ensued on the bill, or amendments discussed, not one word was said which disclosed a purpose to prohibit the coinage of a legal-tender silver dollar. The extract referred to reads as follows:

MINT LAWS.

The PRESIDING OFFICER. The Calendar under the Anthony rule is now in order.

Mr. SHERMAN. I rise for the purpose of moving that the Senate proceed to the consideration of the Mint bill. I will state that this bill will not probably consume any more time than the time consumed in reading it. It passed the Senate two years ago after full debate. It was taken up again in the House during the present Congress and passed there. It is a matter of vital interest to the Government, and I am informed by officers of the Government it is important it should pass promptly. The amendments reported by the Committee on Finance present the points of difference between the two Houses, and they can go to a committee of conference without having a controversy here in the Senate about them.

Mr. ANTHONY. I hope the Calendar will be laid aside informally, not postponed.

Mr. SHERMAN. Let it be passed over informally until we finish the reading of the Mint bill and dispose of it. The reading is about half through, I am informed by the Secretary.

Mr. CRAGIN. I shall not oppose this motion, but I wish to give notice that as soon as the Mint bill is disposed of I shall move to call up the bill (H. R. No. 309) for the construction of six steam-vessels of war, and for other purposes, which was reported from the Committee on Naval Affairs. I hope that bill will be left as the unfinished business this evening.

The PRESIDING OFFICER. The Chair is informed that it is proposed that the Calendar be informally passed over.

Mr. SHERMAN. I am perfectly willing that that should be done.

The PRESIDING OFFICER. That will be regarded as the sense of the Senate, if there is no objection, and the bill referred to by the Senator from Ohio is now before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 2634) revising and amending the laws relative to the mints, assay offices, and coinage of the United States.

The Chief Clerk resumed and concluded the reading of the bill.

The PRESIDING OFFICER. The Committee on Finance report the bill with amendments, which will now be read.

Mr. SHERMAN. I send to the clerk some amendments of a formal character from the Committee on Finance, adopted since the amendments first reported were printed. I will ask that they be acted upon with the others in their order.

Whatever knowledge of the scheme may have been possessed by those engineering it, Mr. Speaker, it can not be claimed that the masses of our people had any notice of the true intention of the bill or that the coinage of the legal-tender dollar was to be interfered with at all. No man connected with that work has ever attempted to give a reason for it. During the present Congress we have witnessed the labored efforts of a distinguished Senator to show that the act was not passed wholly without notice to the Senate; but it yet remains for him, or any of his associates in the work, to assign a reason justifying the act. For any one not bound to apologize for the origin of the law it is easy to discover the motive. It was the desire and purpose to destroy one of the money metals in order to increase the value of the other. A brief reference to history discloses the fact that the device was not a new or untried one, for it had been frequently resorted to by those who owned the money and held the credits of the world in other countries. Nor has the metal demonetized always been silver. Sometimes it has been gold, but always that metal which by its greater abundance, present or prospective, most threatened to resist the oppressive power of the money-owner as against the poor and the indebted.

Up to the year 1819 every civilized nation used both gold and silver equally as money. At that date England, having become a creditor nation, demonetized silver by declaring that all contracts for the payment of money should be discharged in gold only. We will take occasion hereafter to note the effects of that act upon the people of that country. After the discovery of the gold mines of California and Australia the European countries which still retained the use of both metals, becoming alarmed at the sudden increase in gold money, set about the demonetization of that metal. In 1850 Belgium made silver her single standard, and in 1857 her example was followed by the German States and Austria; and to the opposition of France alone was due the fact that the demonetization of gold did not obtain throughout the whole of Europe. But less than twenty years thereafter the great increase in the product of silver completely changed the status of the two metals; and the change which began with the formation of the Latin Union, in which Belgium, Italy, and Switzerland joined in 1865, was followed in 1873 by Germany and the United States, and later by the Scandinavian States, France, Holland, and Spain, and the mints of all these countries were closed against silver. The result has been fitly described by Hon. ROGER Q. MILLS, when he declared that thus—

The labor of the world was paralyzed in order to raise the price of gold to the small but powerful class who live on incomes.

Thus it will be observed, Mr. Speaker, that it is always the metal that is or promises to become the most useful to the people for money purposes that is singled out by the law-making power as the victim for the time being of demonetization. The effect of such legislation being much the same in all countries, it may not be surprising to us in the light of our own experience, yet interesting to note the result of the original demonetization of silver in England in 1819. The historian of that day informs us that "by reason of the contraction of the currency prices rapidly fell, cotton sinking in three months to half its former value; that in six months all prices had fallen half and "showed no signs of improvement for the next three years." By reason of the contraction of the currency the industry of the nation was paralyzed, etc.:

Alarm became universal, confidence and activity ceased, bankruptcy increased in 1819 more than 50 per cent. of the number of the previous year. Meetings were held throughout England in which the people called on the Government to devise some means of redressing the situation. So universal was the distress that the owners of land in England, who in 1819 numbered 160,000, were in seven years, by forced sales and the foreclosures of mortgages on the smaller farms, reduced to 30,000, and one in every seven of the population lived on organized charity.

Mr. Speaker, this is indeed a dark picture of distress, but one which millions of our people will recognize as having been presented to their gaze by the act of 1873. Let us see what was the effect of the same policy applied to Germany. In 1873 that nation joined in the war against silver money, and the effects of such action was immediately reflected in the distress of her people, which is aptly described by Mr. Laveleye, who seven years later wrote as follows:

At the sitting of the Reichstag, of the 18th June, 1879, the governor of the Imperial Bank, Herr Von Decherd, declared, in reply to a question by ex-Minister Delbrück, that the sale of demonetized silver had already involved a loss of 96,500,000 marks ($23,100,000), and that for the sale of the remaining 500,000,000 of marks ($120,000,000) a rather higher loss must be calculated upon. (A mark is worth 24 cents.) It was then that Prince Bismarck interposed and declared that he would no longer bear the responsibility of such an operation. Germany is a considerable producer of silver, and her present production is worth less by $5,000,000 per annum from the depreciation of silver. Germany owns at least $400,000,000 of investments, whose interest, payable in silver, now yields $2,500,000 a year less than if that metal was at par.

EFFECT UPON THE GERMAN FARMERS.

He thus describes the effect upon the German farmers:

"This direct loss, important as it is, is nothing, however," says Herr Von Bär, "compared with the indirect loss resulting from the fall of prices." Himself a large land-owner, he first speaks of agriculture: "It is cruelly suffering from the reduced value of all produce. The farmers are paying their rents irregularly or not at all; their stock in trade has often to be distrained to recover arrears of rent. The land-owners are overwhelmed with mortgages. When at last, in order to extricate themselves, they try to sell their estates, they find no purchasers or have to be satisfied with a price one-third below former estimates. The discouragement is universal. No more agricultural improvements are being effected; employment is, consequently, lacking, and there is great indigence. Hence that increasing emigration, for which special trains and steamers have to be arranged. It is a veritable exodus. What remedy for so much suffering? The agriculturists, perceiving at length the real cause of the evil, demand the abandonment of the gold standard.

The extraordinary emigration from Germany referred to by this distinguished authority aggregated, in the sixteen years from 1873 to 1889, 1,546,000 persons, nearly 100,000 per annum. People do not emigrate when they are prosperous; and this hegira of Germans, as it has been termed, declared the condition of that country.

But, Mr. Speaker, unfortunately for our country, we are not compelled to go abroad for illustrations of the evil effect of this character of legislation. It will not be denied that the demonetization of silver in 1873 has depreciated all values in this country about one-third. The magnitude of that destruction of values can scarcely be conceived, much less accurately stated; but it may not be unprofitable to refer in this connection to the opinions of well informed statesmen and financiers of this, as well as of other countries, on the subject. Senator TELLER says it added more than a thousand millions to the public debt of this country alone, and, great as that sum appears, it is but a trifle when compared to the increase of burden added to the private and other debts of the people. While no man can even approximately state the weight of that burden, every debtor and laboring man in this country from 1873 to this day has felt its oppressive effects.

In a recent speech delivered in the United States Senate by Hon. JOHN P. JONES he presents irrefragable proofs that the depreciation of silver caused by its demonetization has been shared by every other species of property except gold alone; or, in other words, that silver has held its ratio of value as compared with every thing except gold and therefore the correct way to state the change of relative values of silver and gold is, not that silver has declined, but that gold has been advanced in value. The effect upon the people of this rise in gold can not perhaps be more forcibly presented than in the illustrations used by Senator JONES, as follows:

If a cotton-planter in 1873 owed $10,000 he could then have paid it with 60,975 pounds of cotton. To-day, by reason of the increased command which gold has

over commodities, it would take 101,010 pounds of cotton to pay that $10,000, notwithstanding that the money in which the debtor has paid the interest has each year become more valuable than it was at the time he contracted to pay it.

The cotton manufacturer of the East who in 1873 owed $10,000 could then have paid it with 70,422 yards of unpolored cotton cloth; to-day, owing to the rise in the value of gold, it would require 147,059 yards to pay that debt, without taking into account the amount lost by the debtor in the greater sacrifice he had year by year to make to pay the interest.

The farmer of the North and West who in 1873 owed $10,000 could then have paid it with 8,733 bushels of wheat; to-day it would require 11,446 bushels of wheat to liquidate that debt, though he, too, has year by year been "cinched" through the progressive increase in the value of the money in which the interest has been paid. Or he could, in 1873, have paid his debt with 1,514 barrels of flour; to-day it would take 2,126 barrels of flour to pay the same debt.

Showing the continual decline in prices, and the consequent increasing distress of our agriculturists, I quote the following from one of the leading agricultural journals of the country. Referring to the official crop report this writer says:

By taking the corn crop for 1888 we find by this report that there were raised in the United States 1,987,790,000 bushels of corn, valued at $677,[illegible]580, and by the report of 1889 we find there was raised the enormous crop of 2,112,892,000 bushels valued at only $597,918,820. In fact, the corn crop of 1889 exceeded that of 1888 by 125,102,000 bushels, and is valued at less money by $79,542,760.

The wheat crop of 1888 was 415,868,000 bushels, valued at $385,248,030, while the wheat crop of 1889 was 490,560,000 bushels, valued at only $349,491,707. It will be seen that the wheat crop of 1889 was greater than that of 1888 by 74,693,000 bushels and sold for less money by $42,756,223.

The oat crop of 1888 was 701,735,000 bushels, valued at $195,424,240, and the oat crop for 1889 was 751,575,000 bushels, valued at $171,781,008, or the oat crop was greater in 1889 than in 1888 by 49,780,000 bushels, and is valued for less by $23,643,232.

In other words, the farmers have raised of these cereals 249,664,000 bushels more in 1889 than in 1888, and the entire crop has sold for $145,942,215 less money than last year.

As evidence that this condition is recognized and appreciated by financiers and economic writers of accepted ability and character in Europe as well as in this country, I quote from Mr. Frewen, of London, in his late work entitled The Economic Crisis, which relates, not peculiarly, to financial causes and effects in the United States, but in the whole civilized world. His incidental allusion, however, to a state of facts which we all know exists in this country, makes his illustration appropriate to this discussion, while his acknowledged ability and fairness as an author on financial and economic subjects give great weight to his observations. Mr. Frewen says:

It may, indeed, be affirmed, without fear of contradiction, that legislation arranged in the interest of a certain class, first by Lord Liverpool in this country and again by Sir Robert Peel at the instigation of Mr. Jones Loyd and other wealthy bankers, which was supplemented recently by simultaneous anti-silver legislation in Berlin and Washington at the instance of the great financial houses—this legislation has about doubled the burden of all national debts by an artificial enhancement of the value of money.

The fall of all prices induced by this cause has been on such a scale that while in twenty years the national debt of the United States quoted in dollars has been reduced by nearly two-thirds, yet the value of the remaining one-third, measured in wheat, in bar iron, or bales of cotton, is considerably greater—is a greater demand draft on the labor and industry of the nation than was the whole debt at the time it was contracted. The aggravation of the burdens of taxation induced by this so-called "appreciation of gold," which is no natural appreciation, but has been brought about by class legislation to increase the value of the gold which is in a few hands, requires but to be explained to an enfranchised democracy, which will know how to protect itself against further attempts to contract the currency and to force down prices to the confusion of every existing contract.

Senator JONES, of Nevada, presents some facts and figures to prove what the losses have been, by reason of this shrinkage in value of some of the staple crops of the country. On the cotton crops alone, in those seventeen years, he states, upon a computation based on the reports of the Bureau of Statistics in the Treasury and Agricultural Departments, that the loss has been $1,411,000,000; on the wheat crop, by data derived from the same sources, he estimates the loss to have been $1,700,000,000; or an aggregate on those two crops alone of over $3,000,000,000. When we apply the same percentage of shrinkage to the other crops and property of the country which have been produced and handled at constantly declining prices during this long and hideous night of financial horror, we can get an approximate realization of the losses sustained by the decline in price of property; but in order to more fully appreciate the grievous burden which that act placed upon the masses we must note its effect on the laborers whom it deprived of work—over two millions in number—who had neither crops to sell nor money with which to buy, except as they earned it by daily toil. Quoting further from the distinguished Senator, I present his estimate of the almost immeasurable loss inflicted upon the laboring element of our people. He says:

The census report of 1880 states the number of persons employed in all occupations as 17,392,099 out of a population of 50,155,783, or a percentage of 34.68 of the entire population. Our present population being not less than 65,000,000, if we assume, as we are warranted in doing, that a like proportion of the population is engaged in occupations of all sorts, it is clear that we have to-day a working population of 22,254,000 persons.

Accepting as correct the careful deductions from the reports of the Massachusetts bureau of labor that a number equivalent to 10 per cent. of the people are always out of employment, we find that at the present time there are 2,250,000 persons involuntarily idle in this country. How faintly does the term "the army of the unemployed" describe this vast number of eager and willing men seeking in vain the opportunity to earn a livelihood for themselves and families.

Were the business of the country in the active condition in which it could not avoid being if our money system were perfectly adjusted to industry and if employers were competing for laborers with the same degree of eagerness that laborers are competing for employment, the average wage of a day for a workingman would not be less than $2. This would make but the moderate sum of $60 a month for each workman, which, under the most thrifty system of household economy, can not be considered more than enough for the support of an American family.

WAGE LOSS FROM INVOLUNTARY IDLENESS.

By multiplying the number of persons thus shown to be idle by this moderate average wage we arrive at the amount of $4,500,000 as the daily sum which is lost to the wage-earners of the United States by the non-employment of labor. This is a money loss of $27,000,000 a week, $117,000,000 a month, or the amazing sum of $1,404,000,000 a year. A saving of this sum for a year and three months would pay our entire national debt. This being the loss in a single year, we can imagine (making due allowance for difference in the numbers of the population) how stupendous has been the loss to the nation during the past seventeen years, a loss exceeding incomparably all other losses whatsoever.

If a crop of wheat be lost, it is appropriately noted as a public misfortune; if a city be burned down or swept away by flood, it is properly regarded as a great national calamity, and the sympathies of all the people go out in unstinted measure to the sufferers. But here is a loss as real and as deplorable as any ever caused by flood or fire, a loss whose consequences, while not so apparent, are as destructive to national prosperity as the burning of ten cities or the occurrence of one hundred and forty Johnstown disasters every year, and always to the people who can least afford it. Yet it passes almost wholly unheeded except by the sufferers.

A war that would take a million of men from industry and deprive the country of the production which would result from their labors would be regarded as a calamity of unsurpassable magnitude, yet a shrinkage in the volume of money relatively to population withdraws much more than that number from productive pursuits and, without the salutary discipline and restraints of military life, subjects them to conditions of which the unavoidable results are poverty and crime.

Imagine, Mr. President, the unhappiness, discontent, and even despair implied in the mere statement that two million men are constantly out of employment (or, what amounts to the same thing, that three times that number are idle for four months in the year). Imagine what it means to the working-people of this country to be deprived of the enormous sum of $1,400,000,000 a year.

In contemplation of the loss and suffering wrought by the act of 1873, well may the eloquent Senator from Kansas [Mr. INGALLS] denounce it as "the great economic crime of the age," and its paternity and office are properly described by the honored Senator from Nevada [Mr. JONES] when he declares that—

It was the child of ignorance and avarice, and is already the prolific parent of enforced idleness, poverty, and misery.

Such has been the effect, Mr. Speaker, of this legislation of 1873, and why shall we not now correct the great evil by removing the cause that produced it? This we can speedily and effectually do by restoring to silver the rights it had from the foundation of our Government down to 1873.

For four thousand years gold and silver have served side by side, and with equal efficiency, as the money metals of all civilized peoples, save and except when the greed and avarice of those who controlled the making of laws have arbitrarily interfered with that natural arrangement. In the Bible it is written that nearly four thousand years ago Abraham weighed to Ephron the Hittite 400 shekels of silver, "current money with the merchant," and through all the intervening ages from that time down that metal was in use as money and good enough for such purposes till, in 1819, England seemed to discover that through all time the whole world had been mistaken and by law declared that gold should be the only basis for money contracts in that country.

There has never been an hour in the life of this Government when the people did not regard silver as highly as gold, if both were uninterfered with by our own laws, and never until 1873 did the lawmakers dare try to discriminate against it. Once having robbed silver of part of its privileges and value, its enemies, in order to continue its legal degradation, said all manner of false things against its good character. When the people discovered that they had been robbed by Congress and began clamoring for the restitution of their property and the restoration of their money rights, the class at whose prompting the wrong had been done became fruitful in reasons why it should not be undone. Many of the reasons then given have since been exploded by the results of our experience, but some that are still relied on I will briefly consider.

When the act of 1878 for the remonetization of silver was being discussed in the Senate, Senator Wadleigh, of New Hampshire, in opposing it, gave expression to the views of the monometallists in relation to the danger of silver driving out the gold money of the country in the following language:

The passage of this measure will result in driving all the gold from this country and giving us the single standard of silver.

The cheaper metal will drive away the dearer.

Two hundred millions of gold now in the country would, without this pernicious agitation, ere now have crossed the frail barrier of 1½ per cent. which separated it from paper currency and gone into our circulation to restore hope and confidence and give strength and vigor to all business operations.

The success of this measure will drive it to other enlightened and commercial nations, and leave to us the debased and bulky money which nearly every progressive nation in Europe has ceased to coin and which supplies the few and degraded wants of the poor and ignorant millions of Russia, China, India, and Mexico.

Even now there come from all parts of the country complaints of the burdensome accumulations of subsidiary silver coin, which refuses to circulate.

At that time this apprehension had some lodgment in the minds of our people and the argument was not without force. But, Mr. Speaker, the experience test has completely discredited it. At that time we had about $65,000,000 of silver coin of all kinds. Now we have $426,000,000. The subsidiary silver coin about the "burdensome accumulation" of which the people were then said to be "com-

plaining," and which would not circulate, has been augmented in volume until it exceeds $76,000,000, and no complaints are now heard about its not circulating, notwithstanding there are also in circulation with it over 350,000,000 of legal-tender dollars in coin or certificates, all of which is just as good as gold. In the mean time what has happened to our gold coin that was to be driven out of the country? At the date of that prophecy of evil we had gold coin $167,000,000, and now the Treasury officials state that we have $689,000,000, or more than four times as much. The $200,000,000 which was spoken of "has crossed the frail barrier of 1½ per cent." which separated it from paper money and has gone into circulation as far as that metal will circulate under the present management of our fiscal affairs, which tends to the locking of it up.

Another war cry of the monometallists in their crusade against silver money is that the standard silver dollar is a "dishonest dollar," notwithstanding that it contains all the silver, of the requisite fineness, ever required by the law, and that, as compared with the silver coin of other countries, it is 3 per cent. above par. In order to discredit it and exclude it from use it is falsely called a "dishonest dollar," although at the time it was demonetized it was worth a premium of 3 per cent. above gold, and is yet just as good.

Mr. Speaker, it will be remembered that the Bland bill of 1878, as it left the House, provided for the full restoration of silver to all its rights and privileges in the mints of the country and to its full parity with gold in every respect; but the Senate mutilated it by striking out the provision for free coinage and substituted the principle that silver could only be coined when owned by the Government, and then in the amount limited therein. When the bill, thus shorn of its greatest strength and virtue, but still relieving to some extent against the absolute inhibition then existing against silver coinage, went to President Hayes for his signature, that official vetoed it, and in the closing of his veto message used the following language:

> It is my firm conviction that if the country is to be benefited by a silver coinage it can be done only by the issue of silver dollars of full value, which will defraud no man. A currency worth less than it purports to be worth will in the end defraud not only creditors, but all who are engaged in legitimate business, and none more surely than those who are dependent on their daily labor for their daily bread.

This was the first official declaration that the lawful silver dollar was a "dishonest" one, and, as usual with that class of silver-haters who are so solicitous about the honesty of our money, he based this expression of his solicitude upon his great concern for the business interests of the people, and especially "those who are dependent on their daily labor for their daily bread." We have already had occasion to examine how these classes and interests were affected by the destruction of silver money, and I will only say in this connection that this conduct on the part of that Executive was fitly supplemented at a later day by his veto, at the dictation of the national banks, of the Carlisle refunding bill, which Executive act robbed our people of millions of dollars. I feel that, taken in connection with the reference already made to what has been our experience with this "dishonest dollar" (?), over 350,000,000 of which are to-day in circulation on a parity with gold, I can not better emphasize the emptiness if not absolute dishonesty of said declaration than by again quoting the last Executive communication on the effect of silver coinage under the Bland law, in which President Harrison says:

> The evil anticipations which have accompanied the coinage and the use of the silver dollar have not been realized. As a coin it has not had general use and the public Treasury has been compelled to store it. But this is manifestly owing to the fact that its paper representative is more convenient. The general acceptance and use of the silver certificate show that silver has not been otherwise discredited.

No, Mr. Speaker, it has not been and will never be discredited by the people. That is only done by the financial prophets, who, were the old Jewish laws in force in this country, would have long since been "stoned to death" as the penalty for their false prophecies. Notwithstanding the admitted fact that experience has shown that silver has not been depreciated by the increased coinage thereof, the present Executive, after officially announcing that fact, permits himself to become a financial Jeremiah also and in sad prophetic strain to bewail our prospective condition in case we give further contradiction to what he calls the "evil anticipations which have accompanied the coinage and use of silver," by removing the existing legal discrimination against it and giving it better opportunity for maintaining an existence which its enemies have been unable to destroy. The President further says:

> I think it is clear that if we should make the coinage of silver at the present ratio free we must expect that the difference in the bullion values of the gold and silver dollars will be taken account of in commercial transactions, and I fear the same result would follow any considerable increase of the present rate of coinage. Such a result would be discreditable to our financial management and disastrous to all business interests. We should not tread the dangerous edge of such a peril. And, indeed, nothing more harmful could happen to the silver interests. Any safe legislation upon this subject must secure the equality of the two coins in their commercial uses.

Thus we have the President declaring the necessity for the establishment of commercial equality of the two kinds of coin, when he has just stated that such equality exists, and yet the bill recommended for our adoption by his Secretary of the Treasury, and to which the President says he has "only been able to give hasty examination," but to which he gives his assent, is designed to prevent the commercial equality of the two metals before the law, by making the one a commodity and the other a money for measuring its value. The President further says:

> I have always been an advocate of the use of silver in our currency. We are large producers of that metal and should not discredit it.

Turning from this declaration of his favor of silver for use as money to his commendation of the plan of his Secretary of the Treasury, which is now before us, I think the people who are now clamoring for free coinage of silver will conclude that the latter will be received as the stronger evidence of what he desires, and that his real position on the question is much the same as that of the individual who, on the subject of prohibition, declared he was "in favor of the law, but against its enforcement."

Had we not already been assured by the President that silver money had "not been discredited" and that its equality with gold coin was thoroughly established, it might not be amiss to refer to the fact that in spite of the Treasury Department and all the financial influence of the Government silver has obtained and still preserves its perfect interchangeability with gold in this country, and even in the Treasury Department itself. The fact is that since the silver dollar is just as good as the gold one nobody ever wants to exchange it for gold to use in this country. The records of the Treasury Department show, however, that millions of dollars in gold have gone into the Treasury Department in exchange for silver at par.

In 1880, Mr. Sherman, as Secretary of the Treasury, made an order allowing silver and silver certificates in the Treasury Department to be exchanged for gold, and over $80,000,000 of gold went into the Treasury in such exchanges within a single year, when for some reason the order was suspended. Why was it suspended? Why not let the people have the money, which was just as good and more convenient for their use, in exchange for their gold? But at present, under a rule of the Department, the Treasury exchanges silver and silver certificates for any other kind of money, and, as is shown by the books of the Department, exchanges of that kind aggregating more than $52,000,000 were made in the three years of 1887, 1888, and 1889. Of the money thus exchanged for silver and silver certificates, about $22,000,000 was of gold coin and gold certificates. And yet we are told that this silver dollar, for which all these millions of gold is being voluntarily exchanged, is a "dishonest dollar" and that its use imperils the business interests of the country.

It may not be inappropriate to ask in this connection, since the successive Administrations from Hayes to Harrison have been so much afraid that this "dishonest" money would, in the language of President Hayes, "defraud all business men, and none more surely than those who are dependent on their daily labor for their daily bread," why it is that it has been continually paid out by the Government to these classes of the people, while the bondholder was paid in gold. A little more solicitude of that character manifested in action, and less of it in cheap professions, would entitle it to more respect from the public. Since our experience under the operation of the act of 1878, providing for increased coinage, and our actual possession of over $426,000,000 of silver money, and at the same time quadrupling our stock of gold, has destroyed the two arguments that silver would not circulate and that, if it did, it would drive out gold, the scarecrow of a changed "balance of trade" is made to do duty in their stead. The opponents of free coinage say that "It is the credit of the Government that floats the silver dollar, as it does the greenback," and that this keeps it at par in this country; but, say they, "Should the balance of trade turn against us, our gold will leave us and silver alone will remain," etc.

Mr. Speaker, nobody of intelligence contends that with the balance of trade against us we would not have to ship money of some kind, and the kind would depend on what country the balance was in favor of. If it were a country where silver was the preferred money then it would naturally be silver that would go out, while it would be gold if going to a country having the gold standard. But, Mr. Speaker, suppose that it would in every case be gold, would it not have to go until the balance was settled regardless of whether or not we had silver? If we have in such contingency to ship any considerable proportion of gold it would be all the more necessary that we should have silver to make the money exchanges of the country. But, Mr. Speaker, regardless of the suggestion of the unfortunate contingency by the Secretary of the Treasury, as a reason why our silver coinage should not be increased, I do not think that any serious alarm will be felt on this account by any one who will take the trouble to examine the statistics relating to our trade balances in the past.

It is true that on account of the injurious effect of our high tariff, in provoking retaliatory laws against the free exchange of our products, added to the advantage which England derives from the cheapness of our silver bullion, which she buys and sends to India in exchange for wheat that we formerly supplied, our export of cereals has fallen off immensely; yet the fact still obtains that, with the exception of two years out of the last sixteen, the balance has always been in our favor. The aggregate of balances in our favor from 1876 to 1888

amounted to more than $1,000,000,000, while the only two years in which it was against us were 1888, to the amount of $28,000,000, and 1889 for $2,000,000, or a general balance in our favor on the thirteen years of $970,000,000. While there was a balance of $2,000,000 against us last year, our largely increased exports of grain during the present year render it certain that the balance will again be in our favor at its close.

In connection with this point, Mr. Speaker, I wish to direct attention to the fact that, while in 1880 we exported 190,000,000 bushels of wheat, in 1889 we only exported 41,000,000 bushels. In 1880 we exported 53,000,000 bushels of corn and in 1889 only 32,000,000 bushels. On account of the high tariff imposed by our Government on the products of other nations, which exchanged with us for our grain, meat, cotton, and other products—mostly agricultural—those nations have retaliated, and in some cases most severely, on our products, and in the most of the ports on the continent of Europe we are to-day paying import duties on our products (which is the same in effect as an export tax here) in an amount which would be quite sufficient to pay to our producers a fair profit, if they could save it, on products which are in many cases selling at a loss.

Again, referring to the serious disadvantage at which the demonetization of silver and the consequent cheapening of its value as bullion has placed our agriculturists, I would call attention to the fact, stated by economists and denied by no one, that England gets that part of her wheat which comes from India at 30 per cent. less than she could get it before silver was demonetized, because she buys silver bullion in this country at 30 per cent. discount for gold and ships it to India, where it is coined into rupees, which have the same purchasing power that they possessed before silver was outlawed in Europe or America. It is this terrible competition with India, produced by the conditions described, that has prostrated the wheat-growers of this country. Thus it will be seen that the injurious effect of the high tariff, which has materially limited the foreign demand for our grain by cutting off profitable exchange with the countries which formerly furnished us with markets, has been greatly aggravated by the cheapening to our principal customer the product of our mines, so that she uses it in India for the destruction of our greatest agricultural industry.

Passing from the question of trade balances, which need not alarm us, with the remark that, however much they may change against us, the possession of silver can not impair our ability to pay our debts, I wish now to notice the old objection to increased coinage, that "silver will drive out gold," and that "if we open our mints to free coinage we will be flooded with the silver of other countries and all our gold will leave us." There is no amount of argument that a wise man will accept in contradiction of a well established experience.

When the objection now being considered was first made, in 1878, as an argument against the passage of the Bland law, it had more effect upon our people than it now has, because since that time the experience of this country with the two metals as money has completely discredited its truth. It may be well, however, to present some facts which tend to show that our favorable experience in establishing the equality of silver and gold in our circulation and holding and continually increasing both is not in any sense accidental, but that it results from the operation of certain fixed and well known laws, which under like conditions must always give like results. If we are to be flooded with silver, where is the flood to come from? All the coined silver in the world is estimated at $3,337,000,000, and, with the exception of $98,000,000 which is held by Japan and Mexico, not one dollar of it could come here without an absolute loss to the sender of 3 per cent. I can not in any other way so succinctly or forcibly present the facts to support this statement as by quoting from the article of Hon. ROGER Q. MILLS, published in the North American Review for May, 1890, which upon this point states:

> The coined silver of the world, outside the United States, is of the value in our money of $2,337,000,000, of which amount Mexico has $48,000,000; Japan, $49,000,000; Belgium, $48,000,000; Italy, $20,000,000; Switzerland, $14,000,000; Austria-Hungary, $75,000,000; Spain, $63,000,000; France, $646,000,000, and India, $1,352,000,000. This is the supply with which we are threatened if we open our mints to unlimited coinage. This large stock of silver, when it passes the boundary of its own country, ceases to be money and becomes a commodity. It ceases to carry with it the value given to it by law and only retains the value given to it by commerce. It is worth to-day 72 cents in the dollar in the open markets of the world, while it is worth at home more than 100 cents to the dollar. The 371¼ grains of fine silver which are required to coin our standard dollar, and into which the imported silver would be coined, are worth here 23.22 grains of fine gold, which is our gold dollar. That is equal to 15.98 grains of silver to 1 grain of gold.
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> Now, France has 3,250,000,000 francs in silver, which is worth within her jurisdiction $646,695,000 in gold, at her ratio of 15.50 to 1. If that were sent here and coined at our mints at our ratio of 15.98 to 1 it would be worth $627,250,000, which would be at a loss to her of more than $19,980,000. And if our Government should buy it at the market price for silver, 72 cents in the dollar, France would realize $478,820,000 for her stock worth at home $646,695,000! She would lose, by "flooding" us with her "cheap" silver, $167,000,000. Belgium, Italy, Switzerland, and Spain, which coin at the same ratio, would sustain a corresponding loss on their silver. India, which coins at 15 to 1, has a stock of silver worth at home $1,352,000,000, and worth at our ratio $1,269,000,000. If she should attempt to flood us with her silver it would be at a loss to her of $83,000,000. If we should buy her silver at the market price in gold to-day it would be at a loss to her of $350,000,000. It is evident from this plain statement that no country whose silver is coined at a ratio higher than 15.98 can export it to us. Japan coins at 16.18 and Mexico at 16.50. They have together a stock of silver amounting to $98,000,000, which would be worth in our coin $109,000,000. It is possible that they would get that amount of our gold for their silver. But it is beyond the region of possibility that the coined silver of other countries would come to the United States.

By the above statement it will be seen that the silver of Mexico and Japan is the only stock which could come to this country without loss, and neither of those countries can spare any of their supply, every dollar being needed by them respectively for the business exchanges of their people. But suppose it should all come here to be exchanged for gold, what would be the result? Simply that there would be $98,000,000 more of silver in the country and that much less of gold, and, so far from its affecting injuriously our business or prosperity, nobody but the statistician would ever know of the change. If, then, no country having silver coin can afford to send any of it here, the flood so much talked of must come from the mines.

Let us see what we may expect from that source. The annual yield of silver during the last fifteen years has been about $100,000,000, but for the last year it reached $142,000,000. While we have no reason to assume that the annual product in the future will attain the last-named amount, still suppose it does, how will it probably affect this country? India claims annually for her uses $45,000,000 and never exports a dollar. She is properly called "the silver sink of the world." It matters not how much she gets from other countries it is absorbed by her people and she gives none back to the world. Add to this $45,000,000 the $46,000,000 which is the estimated amount consumed in the arts and manufactures, and there would be left about $50,000,000 for coinage purposes of the whole world. Should that amount be distributed to all the different countries according to their increasing necessities by reason of the natural increase of population and business, the proportion falling to the United States would be quite trifling and far from being a cause for alarm.

It is admitted on all sides that in order to prevent undue contraction of the currency of any country the increase in the volume of money should keep pace with the increase of population. The soundness of that rule admits of no question and its application is universal. Then, in this country, according to the estimate of competent financiers based upon our statistics, about $40,000,000 annual increase in the volume of our currency will be required to keep pace with the growth of our population, which is estimated at 3 per cent. annually. In India, where half the entire silver coinage of the world is found, the ratio between silver and gold is 15 to 1, and in all other countries outside of the United States (excepting only Japan and Mexico) the ratio is 15½ to 1. In this country it is 16 to 1. Hence it will be observed that since all of said countries pay more for their silver than it is worth here it is only fair to assume that they will continue to get their fair proportion of the products of the mines and that we will not get it all. But admitting for the sake of argument that we would get the entire surplus of $50,000,000, it would add to our money circulation only 80 cents per capita annually, or less than 7 cents each per month. We are now coining $28,000,000, and the increase of $22,000,000 annually, if continued indefinitely, would not more than fairly provide for the increased demand by reason of the growth in our population and business.

Mr. Speaker, if we compare our country with France as to the per capita supply of money in circulation among the people we will find that France has $57.56 to our $22.36. With one-fifteenth more paper money per capita and over five times as much of gold as we she has ten times as much silver. That country is admitted to be the most prosperous of all great commercial nations, and it is because she has more than double as much money per capita for her people than any of her rivals. This country produces about $59,000,000 of silver annually, about $8,000,000 of which is needed for the arts and manufactures, leaving about $51,000,000 for coinage or export. That is about the entire surplus of silver in the whole world, and if we were to coin every dollar of it it would require many years for us to get a per capita circulation equal to that of France. Yet France has no silver to spare. The fact is stated by Mr. St. John, upon what he claims is reliable authority, that in December or January last France refused an offer of gold at par for about $59,000,000 of her silver coin. As before stated, that coin is intrinsically worth 3 per cent. less than ours, as is all the European silver coin, and therefore I think we may safely conclude that what France would not sell at home for par she would not transport to this country at her own expense and sell at 3 per cent. less.

If any further assurance is needed that our country is not to be flooded with silver to any damaging extent, I now quote from the present Secretary of the Treasury in a recent communication on this subject. He says:

> There is, in fact, no known accumulation of silver bullion anywhere in the world. Germany long since disposed of her stock of melted silver coins, partly by sale, partly by recoinage into her own new subsidiary coins, and partly by use in coining for Egypt. Only recently it became necessary to purchase silver for the Egyptian coinage executed at the mint at Berlin.

The Secretary continues in his report:

> It is plain, then, that there is no danger that the silver product of past years will be poured into our mints, unless new steps be taken for demonetization, and for this improbable contingency ample safeguards can be provided.
>
> Nor need there be any serious apprehension that any considerable part of the stock of silver coin of Europe would be shipped to the United States for deposit for Treasury notes.

There is much less reason for shipping coin to this country than bullion, for, while the leading nations of Europe have discontinued the coinage of full legal-tender silver pieces, they have provided by law for maintaining their existing stock of silver coins at par.

In England, Portugal, and the states of the Scandinavian Union there is no stock of silver coin except subsidiary coins, required for change purposes, the nominal value of which is far in excess of the bullion value. Germany has in circulation about $100,000,000 in old silver thalers, but ten years have passed since the sales of bullion arising under the anti-silver legislation of 1873 were discontinued. It is safe to say there is no stock of silver coin in Europe which is not needed for business purposes.

The states of the Latin Union and Spain, which has a similar monetary system, are the only countries in Europe which have any large stock of silver coins, and the commercial necessities of these countries are such that they could not afford, without serious financial distress, to withdraw from circulation silver coins which are at par with their gold coins, to deposit them at our mints for payment of the bullion value in notes.

In this statement the Secretary has argued the whole case, and few, I think, will dissent from his conclusion that, there being no stock of accumulated bullion in the world and the silver now being used as money by the various nations being worth more to them to keep than to sell, we need not fear any inundation of money of that class. In the light of past history, of present known facts, and of our own recent experience with silver coinage, I can not see how it can longer be contended that any danger to our interests lurks in the proposition to restore silver to an equality with gold in our mints. The product of that coinage will be in the future, as it was prior to 1873, perfectly safe and convenient. Having the double standard of values, we would be guarded against sudden revulsions in business caused by the withdrawal of one or the other from use. Instead of the possession of both kinds of money reversing the established laws of finance as applied to this country and accomplishing the driving out of one kind by the use of the other, our experience since 1878 demonstrates that they will mutually attract each other and serve harmoniously side by side in the circulation of the country. We will thus utilize the products of our mines not exclusively in the interest of the miner, but to the benefit and use of every industry and of every citizen of the Republic.

By increasing the supply of money for the commerce of the people, we will infuse new life into all kinds of business, and, while the rich would prosper by the general improvement of trade, the life of the poor man would be lightened with the ray of hope and the debtor would see the possibility of escape from bondage under the improved system, which will check falling prices, give increased demand, with improved prices, for the product of his labor, and render it possible for him to meet the obligations which for years have enslaved him.

Should not the results I have anticipated be secured, if possible, for a people that for seventeen years have felt their burdens growing heavier until now their hearts are well-nigh filled with despair? Yes, they need this relief, and in language too plain to admit of misconstruction they have appealed to their representatives to give it. For what have they asked? Not that you give them some strange and experimental legislation, some untried expedient of so-called financiers, which they have not considered and do not understand. No! They simply ask to be restored to the standing which the fathers of the Republic gave them and which they enjoyed in security, prosperity, and contentment until the greed of the money-lenders overcame the patriotism of the people's representatives.

Why does Congress hesitate in making that restitution to the people? Let the party in power here, and which is doubly charged with this duty, make answer. I say that the Republican party is doubly charged with this duty because that party enacted the law which took from the people that for the restoration of which they now appeal. This should not now be a political question, for it equally affects people of all political parties; but that it is being made such increases the responsibility of that party which above all others is now charged with the duty of undoing the wrong for which it, and it alone, is responsible. Unfortunately for the country the question has been given a political character here in order not to enable the party in control to more easily and more fully do what the people demand; but, on the contrary, the caucus has been used and the party lash applied to prevent those members of that organization who know and desire to do what their constituents want and what the country needs from cooperating with a large majority of the Democrats on this floor in the correcting of the flagrant wrong of 1873.

Mr. Speaker, while the Republican party contains many members and some Representatives here who want silver restored to its old place and usefulness as money, unfortunately the majority of those who control its action now, as always in the past, have sympathized with those who had the money; and, applying in their practices in legislation, in a perverted way, that text of Scripture which declares that "to him that hath shall be given," they have neglected the interests of those whose more helpless condition called for the greater protection and steadily pursued that course in legislating which has resulted in making the rich richer and the poor poorer.

The demonetizing act of 1873 was not the initial step in such lawmaking, for in 1869 this party, by means of the act improperly entitled "An act to strengthen the public credit," converted the debt of the country, then payable in lawful money, into a debt payable, principal and interest, in gold, thus without a shadow of justification, and solely and exclusively for the benefit of the bondholders, putting a burden on the people of nearly $500,000,000. As all the world knows, that act was accomplished by a fraudulent pretense, that of strengthening a "public credit" which was daily and hourly improving, and when such an improvement had already been brought about by natural causes, that bonds of the Government had risen over 50 per cent. above the prices originally paid for them in greenbacks.

As to this and the subsequent acts of July 14, 1870, fixing the weight and fineness of the coin required to pay off this debt, contracted to be paid in any lawful money, as well as to the final act of this legislative crusade against the people—the act of 1873—I will quote from high Republican authority, Hon. JOHN P. JONES, of Nevada. In a speech delivered upon the silver question in the Senate on May 13, last, he uses the following pertinent language descriptive of that series of acts which had its completion in the act of 1873. He says:

At the time silver was demonetized it might well have been supposed that a sufficiently large unearned increment had already been realized by the foreign and domestic holders of the United States bonds. The greater portion of the debt of the Government was, when incurred, made payable simply in "lawful money," the interest alone being payable in coin. Yet in March, 1869, the bondholders secured the passage of an act of Congress, entitled "An act to strengthen the public credit," containing a pledge to pay in coin or its equivalent, not merely the interest, but the principal of all national obligations not specially provided to be paid otherwise.

COURSE OF THE CREDITORS.

And again, when in 1870 Congress was about to provide for a refunding of the public debt, these clamorous creditors, not satisfied with having got the bonds at rates much below their face value and not satisfied with the pledge to pay in coin—a pledge made long after the contract was made and the debt incurred—insisted that not only should the new bonds be payable in coin, but, in order to guard against any possible interpretation which might work to their detriment, they did what has rarely been done in the history of monetary legislation, insisted that even the very standard of that coin should be fixed and nominated in the bond. They were willing to take no chances. They were not willing to place confidence in the sense of equity and fair dealing of the people of the United States. They held before Congress the covert threat that, if the new issue of bonds did not provide for payment in "coin," instead of "lawful money," and did not prescribe the precise standard of coin in which they were to be payable, it would be difficult, if not impossible, to place the bonds on the market.

So, by the refunding act of July 14, 1870, Congress provided for the payment in "coin of the present standard value," that is to say, in either gold dollars of 25.8 grains of gold, nine-tenths fine, or in silver dollars of 412½ grains of silver, nine-tenths fine, at the option of the United States. But even this extreme advantage to the creditors over payment in "lawful money" of the United States, in which the bonds were bought and in which they were legally payable, was insufficient. All but the most ingenious would imagine that having thus provided for payment in coin then bearing a considerable premium over the current money of the Republic, and having the very standard of that coin fixed in the act, the highest point of vantage had been reached. One device, however, and only one, remained by which the money of the payment could be still further increased in value, and this device did not escape the watchful eye or cunning hand of the public creditors.

They clearly saw that if by legislative enactment they could secure the rejection of one of the money-metals they would succeed in enormously increasing the value of the metal retained. This they accomplished by the demonetization of silver, and thus, by striking down one-half the automatic money of the world and devolving the money function exclusively on the other half, added thousands of millions of dollars to the burden of the debt. The title of the act should have read, "An act to strengthen the bank account and credit of the holders of United States bonds."

And, again, in 1873, when all the bonds provided for by the refunding act of 1870 had been sold and had passed out of the hands of the Government, another act was passed, intended by the money-lenders again to strengthen the public credit, and again to the disadvantage of the people and to the exclusive and enormous advantage of the bondholders. It bore the innocent title of "An act revising and amending the laws relative to the mints, assay offices, and coinage of the United States." This act, bearing on its face no suggestion of any change more serious than that of regulating the petty details of mint management, has proved to be an act of momentous consequence to the people of this country. This is the act that demonetized the silver dollar, which it did by merely omitting that coin from the enumeration of the coins of the United States.

The author of this criticism is himself a Republican in unquestioned standing in his party; hence he can not be suspected of bias against that political organization. Driven by the increasing clamor of a people who, having discovered the nature and extent of their wrongs, demand in no uncertain terms the restoration of their rights, the Republican party has publicly professed an intention of being just to the people on this subject, and in their party platform at Chicago in 1888 the following plank was inserted:

We, the Republican party, believe in the use of gold and silver as money; and we denounce the present Democratic Administration for its hostility to silver, etc.

Was this another false pretense? Let their conduct here now answer the question. This declaration, if intended to mean anything, meant that that party favored the use of silver and gold equally; else what was it that they condemned in the action of the Democratic party? That party was then using both metals as money, and in exactly the same way that Republicans had used it before and as they are using it now. But while the Democratic Secretary of the Treasury recommended, unwisely, that the coinage of the standard silver dollar should cease, an overwhelming majority of his party and of their Representatives on this floor refused to consent to it; and the latter voted for a bill providing for free coinage during that Administration, which was defeated mainly by Republican votes, the affirmative vote being 96 Democrats to 30 Republicans.

But, Mr. Speaker, that Democratic Administration, whose want of friendship to silver "as money" called for the denunciation of the Republican convention, never proposed to store away silver bullion in

the Treasury as pig-lead in a warehouse, and thus make the Treasury a pawnshop, where tickets, in the form of Treasury notes, would be issued, which in due season might be taken up by the return of the article deposited; nor did it propose by statute law to declare the line of difference between the coinage and bullion of this metal, which, under a correct interpretation of the Federal Constitution and the fair administration of just laws, should hold its money quality and value equally with gold.

It is for a bill that will give us free coinage that we desire to vote to-day, and we will not under any condition vote for this one which proposes to repeal the only law which authorizes coinage at all. I introduced one of the many bills for free coinage which have been sent during the present session of Congress to the committee reporting this bill; but going away from what the people were thus asking for, the committee bring here what they have not asked for and do not desire, and I hope that it may be defeated, and thus meet the fate which I think it richly deserves at the hands of true representatives of the people.

Treasury Notes and Silver.

SPEECH

OF

HON. BISHOP W. PERKINS,

OF KANSAS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890.

The House having under consideration the bill (H. R. 5381) authorizing the issue of Treasury notes on deposit of silver bullion—

Mr. PERKINS said:

Mr. SPEAKER: I have seen many paradoxes in politics as well as in legislation, but it occurs to me that I never saw a greater paradox than the one I witnessed on this floor on Thursday, when we had under consideration the rule which gave us the opportunity to consider this bill. We found every man upon the opposite side of this House voting against this rule and yet professing that he wanted legislation upon this subject.

Mr. ALLEN, of Mississippi. We wanted more time.

Mr. PERKINS. Time was not the objection. It was because you professed that you did not agree to all the provisions of this bill.

Mr. ALLEN, of Mississippi. We did not want to be gagged in a day and a half.

Mr. PERKINS. I am sincere, Mr. Speaker, when I say I want legislation upon this subject and the constituency I have the honor to represent upon the floor of this House are sincere when they express themselves in favor of legislation upon this subject, so important to them and so important to all sections of the country. This bill does not conform to my wishes or to my judgment, but, realizing the vital importance of this proposed legislation to the people who have honored me with their suffrages, I should feel that I was untrue to them and untrue to myself if upon any pretext I had voted against the adoption of the rule which gives us the opportunity to consider this bill and if upon any pretext I should vote down or defeat legislation upon this subject.

Mr. ALLEN, of Mississippi. Does the gentleman think a day and a half time enough to consider that question?

Mr. PERKINS. I think the time is sufficient, and for that reason, Mr. Speaker, I voted for this rule, recognizing the fact that if we were to have legislation upon this important subject it must be under the provisions of this rule, although it would have suited me much better if the rule had been more liberal concerning amendments.

I concur with many gentlemen upon the other side of this House who have expressed objections to this bill. It does not meet my wishes, but if we can not get it recommitted to the committee with instructions to report a free-coinage measure, I may vote for it, because I know, as gentlemen know who have spoken in opposition to it, that in another forum, that in the other wing of this Capitol building, this bill will be amended and converted into a good measure.

Mr BIGGS. You say it will be amended, but how do you know it will be amended in the other end of the Capitol?

Mr. PERKINS. I do not understand my friend from California; but in consequence of my limited time I can not consent to be interrupted. Had I the time I would be glad to answer questions and jointly discuss the matter with my friend, as all know that after this bill is amended in the Senate we will have an opportunity of voting——

Mr. BIGGS. If you think it will be amended there why do you not allow an amendment here?

The SPEAKER. The gentleman from California will be in order.

Mr. BIGGS. I want to know upon what authority the gentleman makes the assertion——

The SPEAKER. The gentleman from California will be in order.

Mr. BIGGS. I am in order.

The SPEAKER. The gentleman from Kansas [Mr. PERKINS] has the floor.

Mr. BIGGS. Mr. Speaker——

The SPEAKER. The Chair thinks the House ought to understand, and he has no doubt every member does understand, that when a gentleman has the floor no one has any right to interrupt him without his permission; and when a member has announced that he does not desire to be interrupted, that ought to be sufficient notice to every member.

Mr. BIGGS. I did not hear the gentleman announce that he did not wish to be interrupted. If I had heard that I would not have interrupted him.

The SPEAKER. The gentleman from Kansas has the floor.

Mr. BIGGS. He makes an assertion, and I want to know why he does it, and I have the right to know.

Mr. PERKINS. Mr. Speaker, I represent a constituency that believes in free coinage. I represent a constituency that believes that a great crime was committed in 1873 when silver was demonetized, and I share in that conviction. I have never yet heard a reason assigned for that legislation that could commend itself to the conscience or to the judgment of the American people. Its only effect was to depreciate and to dishonor silver, and to appreciate and add to the purchasing power of gold. It was to make gold dearer and everything else cheaper. It was to establish a single standard of value and to make that standard as dear to the people as possible. It was legislation in the interest of the bond-owner and creditor class and added to the misfortunes and burdens of those who were in debt. It depreciated the value of farm products and said to the unfortunate debtor that it would impose additional obligations upon him and make his life one of servitude to the creditor class if possible; and, Mr. Speaker, full justice will never be done until the last feature and last vestige of that unfortunate legislation is repealed and driven from the statute-books.

Silver should be recrowned and should be given its honored place as one of the money metals of the world. The mints of the country should be opened to its coinage and its ancient prerogatives and ancient privileges should be reconferred upon it the same as upon gold. The money of Jacob and the money of our fathers should be good enough for the bondholders and bankers of to-day, and in the name of patriotism and a common country, as well as in the name of justice and the common people, we ask for legislation that will give to the people of this country the free and unlimited coinage of the silver metal.

But, Mr. Speaker, I want practical results. I want the best obtainable legislation possible upon this important subject. I am not willing that this Congress should adjourn until we have passed a bill, and the President has given it his executive approval, that will take the entire output of our American mines and put it into circulation as a part of our legal-tender currency, either in standard silver dollars or in United States Treasury notes. If we can not have free coinage, perhaps we can compromise on something a little less. I know there are many sincere bimetallists who do not believe in free coinage with conditions as they are to-day. I know there is much force in the argument that, if 412½ grains of standard silver are worth but 72 cents, the owner ought not to be permitted to have it coined into a standard silver dollar and compel all to take it at 100 cents. I know there is much force in the suggestion that if this is to be done it ought to be done by the Government, as under existing law, so that the people will get the benefit of the difference, the seigniorage, rather than the bullion-producer or mine-owner.

I know, Mr. Speaker that in executing the present law the United States has made in seigniorage over $56,000,000, and this large sum of money has been covered into the Treasury and belongs to the whole people, their common property, and each year it is swelling in volume. I know there are many who believe this is better than it would have been had this large sum of money gone into the pockets of the bullion-owners, to swell their profits in the business. Realizing this, I have believed that, if we could agree upon a bill that would require the Secretary of the Treasury to buy the entire output of American silver each month and pay therefor in United States Treasury notes, that should be full legal tender for all purposes, and should coin the bullion from time to time, as might be necessary to redeem the Treasury notes, it would be reasonably satisfactory to the people whom I have the honor to represent in part upon this floor.

On the 1st day of May of the present year Hon. E. O. Leech, the Director of the Mint, informed me that there was at that time in circulation $297,361,953 in silver certificates. These certificates are not legal tender, and yet we learn from this evidence that for purposes of business, for trade and traffic, the people prefer the silver certificates to the standard dollars. Hence, as before suggested, I have believed that the people would be fairly well pleased if the volume of our currency could be swelled each month by adding thereto legal-tender Treasury notes, based upon silver at its market value, representing the entire output of the American mines, and yet under circumstances that would give to the tax-payers and people generally the seigniorage or profit resulting from the coinage of the bullion into standard dollars. And such a bill ought to be satisfactory to bimetallists, who profess to believe in silver, but who are afraid that the free coinage of silver will drive from the land all the gold that is in circulation.

Mr. Speaker, I do not share in that conviction, nor do I entertain any such fears or forebodings, and it seems to me that our experience during the past twelve years ought to satisfy all that there is no danger to be apprehended from the free and unlimited coinage of silver. Let us find an object lesson in France worth more than all the theorizing or prophesying that Wall street can indulge in or that the advocates of monometallism can suggest for our consideration upon the floor of this House. The Government of France, with 27,000,000 fewer people than we possess and with an area only one-sixteenth as large as ours, has $230,000,000 more of silver in circulation than we as a people, and at the same time $270,000,000 more of gold. These figures will not down at the bidding of those who would compel us to pay homage to gold and to gold alone, and prove conclusively that the large volume of silver in France has not driven gold a fugitive from the land, and in our own country the partial remonetization of silver has had no such effect. Since the recoinage act of 1878 was passed we have exported in gold $234,744,542, while in silver we exported $255,990,881. During the same period we imported in gold $410,532,700, while in silver we received but $150,492,620, so that, instead of the Bland-Allison act driving gold from our country, as was predicted, it has had the opposite effect. The figures I give are for the close of the last fiscal year and show that we are annually sending more silver abroad than gold, while the importation of gold has exceeded the importation of silver almost or quite 170 per cent. This should convince every thinking man and every man who desires to investigate and discuss this question dispassionately and fairly in the interest of the people that we ought to get rid of these evil conjectures and wild speculations in the interest of gold and to the prejudice of silver.

But there is an objection to the pending measure which is almost insuperable, in my judgment. It destroys the merit of the measure and introduces an element of uncertainty into the proposed legislation that ought not under any circumstances to be accepted by Congress. I refer to that provision of the bill which confers upon the holder of these Treasury notes the right to surrender them and with the permission of the Secretary of the Treasury to withdraw their value in silver bullion. We all know that under the existing law we get at least two million dollars added to the volume of our currency each month, and in a period of twelve months we will get at least twenty-four millions, and may get more.

But under the provisions of this bill what will we get? Who can answer that question? We all know that this is left in uncertainty by reason of the bullion-redemption feature of the bill. We know that in the first month $4,500,000 would be purchased, but at the end of that month or in the next month the Treasury notes might be surrendered and the bullion withdrawn and thus the volume of the currency contracted to that extent, and so from month to month, and at the end of the year, instead of having at least $24,000,000 added to our currency, as under existing law, we might not get a dollar; and that, too, without collusion on the part of the Secretary of the Treasury, or conspiracy with the bankers of Wall street or the holders of the Treasury notes, but in the exercise of a legitimate power and privilege that is given to him and to them under the bill.

That, Mr. Speaker, is a serious and unanswerable objection to this bill. That provision ought to be stricken out. No such power should be given to the Secretary of the Treasury, no such power should be given to the bankers of Wall street, and no such power should be given to the men who are inimical to silver and who do not believe in bimetallism.

If this provision is not objectionable, as I have suggested, why is it that every monometallist in the land is so tenacious of it and so persistent that it shall be retained? Why, Mr. Speaker, is it that every bimetallist in every possible way insists that this provision shall not be stricken from the bill? Why is it that every man who thinks that we have got more money than we need, and that if we have more money or to have more money is only to have more misery, is in favor of that provision?

The gentleman from Massachusetts [Mr. WALKER] makes this the condition on which he gives his adherence and support to this bill; and he has suggested that more money means more misery. The gentleman stated that he had made himself rich in prosecuting business enterprises, and to prove his consistency he to-day is prosecuting these enterprises with more vigor and with more energy than ever before, in order that he may get more of this which makes people miserable. It is a misery that we all like and it is a kind of misery we want the people of this country to have more of. I would state to my distinguished friend from Massachusetts that we have no fear in that regard. Why, Mr. Speaker, I have never heard of any people who considered that they had too much money. In my reading or otherwise I have never learned of any people that had too much good money to contribute to their support, to their happiness, and to the comfort of their homes. I have never learned of any people that were so burdened with money that it destroyed the childish glee of the little ones and the substantial comforts and fireside happiness of the elder ones.

But, in answer to the suggestion of the gentleman from Massachusetts that more money means more misery for the people, I will have published as a part of my remarks the evidence of history as briefly reviewed in the report of the Monetary Commission of the Forty-fifth Congress:

At the christian era the metallic money of the Roman Empire amounted to $1,800,000,000. By the end of the fifteenth century it had shrunk to less than $200,000,000. During this period a most extraordinary and baleful change took place in the condition of the world. Population dwindled and commerce, arts, wealth, and freedom all disappeared. The people were reduced by poverty and misery to the most degraded conditions of serfdom and slavery. The disintegration of society was almost complete. The conditions of life were so hard that individual selfishness was the only thing consistent with the instinct of self-preservation. All public spirit, all generous emotions, all the noble aspirations of man shriveled and disappeared as the volume of money shrunk and as prices fell.

History records no such disastrous transition as that from the Roman Empire to the Dark Ages. Various explanations have been given of this entire breaking down of the framework of society, but it was certainly coincident with a shrinkage in the volume of money, which was also without historical parallel. The crumbling of institutions kept even step and pace with the shrinkage in the stock of money and the falling of prices. All other attendant circumstances than these last have occurred in other historical periods unaccompanied and unfollowed by any such mighty disasters. It is a suggestive coincidence that the first glimmer of light only came with the invention of bills of exchange and paper substitutes, through which the scanty stock of the precious metals was increased in efficiency. But not less than the energizing influence of Potosi and all the argosies of treasure from the New World were needed to arouse the Old World from its comatose sleep, to quicken the torpid limbs of industry, and to plume the leaden wings of commerce. It needed the heroic treatment of rising prices to enable society to reunite its shattered links, to shake off the shackles of feudalism, to relight and uplift the almost extinguished torch of civilization. That the disasters of the Dark Ages were caused by decreasing money and falling prices and that the recovery therefrom and the comparative prosperity which followed the discovery of America were due to an increasing supply of the precious metals and rising prices, will not seem surprising or unreasonable when the noble functions of money are considered. Money is the great instrument of association, the very fiber of social organism, the vitalizing force of industry, the protoplasm of civilization, and as essential to its existence as oxygen is to animal life. Without money civilization could not have had a beginning; with a diminishing supply it must languish, and, unless relieved, finally perish.

Symptoms of disasters similar to those which befell society during the Dark Ages were observable on every hand during the first half of this century. In 1809 the revolutionary troubles between Spain and her American colonies broke out. The troubles resulted in a great diminution in the production of the precious metals, which was quickly indicated by a fall in general prices. As already stated in this report, it is estimated that the purchasing power of the precious metals increased between 1809 and 1848 fully 145 per cent., or, in other words, that the general range of prices was 60 per cent. lower in 1848 than it was in 1809. During this period there was no general demonetization of either metal and no important fluctuation in the relative value of the metals, and the supply was sufficient to keep their stock good against losses by accident and abrasion. But it was insufficient to keep the stock up to the proper correspondence with the increasing demand of advancing populations.

The world has rarely passed through a more gloomy period than this one. Again do we find falling prices and misery and destitution inseparable companions. The poverty and distress of the industrial masses were intense and universal, and, since the discovery of the mines of America, without a parallel. In England the suffering of the people found expression in demands upon Parliament for relief, in bread-riots, and in immense Chartist demonstrations. The military arm of the nation had to be strengthened to prevent the all-pervading discontent from ripening into open revolt. On the Continent the fires of revolution smoldered everywhere and blazed out at many points, threatening the overflow of states and the subversion of social institutions.

Mr. Speaker, with the bullion-redemption feature stricken out I could support the bill, although personally I prefer free coinage, and before I take my seat I desire to ask unanimous consent to offer an amendment to the bill. The amendment does not go as far as I would like to go, but it seems to me that it is one which can not be objected to, and I ask unanimous consent that it be considered as pending and that no parliamentary objection shall be made to it. This is the amendment:

Add to section 3 of the proposed substitute the following: "*Provided*, That in no event shall less than 2,000,000 ounces of pure silver be coined each month."

Such an amendment would guaranty to the people as much silver coinage as they get under existing law, if not more, and to that extent would remove the uncertainty and doubt that we find in examining the present bill, and would leave its remaining provisions intact.

Mr. Speaker, as suggested by the gentleman from Illinois [Mr. PAYSON], we have never had in the Treasury Department of the United States, since silver was demonetized, a friend of silver. The Administrations of both parties, Democratic and Republican, have been alike in this particular; but I do not agree with my friend from Illinois that this Administration is as unfriendly to silver as was the late Democratic Administration. I have seen no war made by this Administration upon silver; I have seen no recommendation in opposition to it; I have seen no message or letter addressed to Congress asking that the mints should be closed against the coinage of silver. We all remember the experience of the last Democratic Administration, and we know how mute our friends, who are now so boisterous and vociferous in favor of silver, remained during the time that Mr. Cleveland occupied the Executive chair and said to them, "Keep quiet; I will not have it." We remember how obedient they were then, and therefore it is all the more remarkable that under these changed conditions they express themselves with such zeal and enthusiasm. [Laughter and applause.]

But we are told, Mr. Speaker, that we should use and recognize "the world's money;" that the great Governments of Germany and Great Britain have demonetized silver and established the gold standard, and that we are powerless and can not restore silver to its honored place as a money metal without the co-operation of these Governments. I admit, Mr. Speaker, the commercial importance of these great Govern-

ments, but why should our legislation conform to theirs? Why should this giant Republic of the western hemisphere accept the financial legislation of Germany and Great Britain? Our interests are different, our theory of government is different, and the wants and necessities of our people are different. We believe in the greatest good for the greatest number, and not in the blessings of a privileged few. With England we have but few interests in common. She is our great commercial and manufacturing rival. She believes in free trade; we, in protection. The world owes her $5,000,000,000, while the bonds of our Government are in every money market of the world. Her interests lead her to demand payment in the dearest money of the world; ours should prompt us to make payment in an honest, stable, and sound currency, but not in a dear one. She buys but little from our farmers and almost nothing from our manufacturers. Our interests are with the bimetallic countries of Mexico, Central America, and South America. In this great undeveloped empire south of us is our hope for commercial thrift and prosperity. The Pan-American Congress, recently adjourned, was an important step in the right direction. The trade and commerce of this empire will be worth millions and millions to us when developed, and it should be captured and controlled by us, and their medium of exchange, the silver dollar, should aid us in this glad consummation.

But, Mr. Speaker, why should we speculate or experiment in this important legislation? Why not return to the plain and simple provisions of the law of 1873? For almost a hundred years that law served our people patriotically and well. It was enveloped in no doubt. It called for no compromise. It rested on no conjecture like the new and experimental plan. It was a plain and unequivocal measure for free coinage. A return to that legislation would, in my judgment, be wise legislation for many reasons. It has been said that—

It would immediately add an immense value to all silver bullion.

It would tend to stop the general downward trend of prices.

It would restore part of the loss that the prices of commodities have sustained and which they now suffer.

It would provide a currency more stable in value than any that at present exists.

It might perhaps send some of our gold to Europe, but if so it would tend to raise the price of all our products sold in that market.

It might bring down the price of our 4 per cent. bonds so that they could be bought by the Government at less than 26 per cent. premium.

If gold should be held at a premium over silver that premium would add a new and further form of "protection" in our trade of purchasing manufactured goods from gold-using nations.

It would reduce the strain of the India competition and reduce the incomputable losses that competition every year costs our farmers and planters.

It would raise the prices of wheat and cotton and prevent the enemies of our tariff system from persuading the people that our losses by silver legislation results from our tariff legislation, and thus, by misrepresentation and false reasoning, weakening the patriotic doctrine of American protection.

It would be safe in finance; it would be wise in politics; it would be just to all; it would be the first firm step in securing our manufacturing and commercial leadership among all the American silver-using nations, our chief customers abroad in our selling trade of manufactured goods; it would be the quickest road to the adoption by England of silver as full legal-tender money as a means of retaining her foreign trade and of preventing that trade from slipping from her hands into ours through the silver rift.

It would lead by the shortest route to bimetallism by treaty among all commercial nations, and so end this disastrous money conflict in a union whose benefits would be shared by all and whose burdens would be felt by none.

It would lead to the establishment of a higher justice in international, commercial, and financial affairs on a basis as solid as the mutual interests of all mankind.

Let us in a spirit of patriotism, for these and other reasons, be done with experiments and return to the legislation of our fathers. [Applause.]

Silver-Bullion Certificates.

SPEECH

OF

HON. JOHN A. PICKLER,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890,

On the bill (H. R. 5381) authorizing the issue of Treasury notes on deposit of silver bullion.

Mr. PICKLER said:

Mr. SPEAKER: With the elimination from the substitute of the provision for the redemption of the certificates by silver bullion, I should be quite well satisfied with this bill, for the reason that, as I understand it, it would be practially free coinage, with the gain or seigniorage inuring to the Government, and not to the bullion-owner. And I hope, Mr. Speaker, that opportunity may be offered to amend by striking this provision from the bill.

I know, Mr. Speaker, that gentlemen representing constituencies as much interested as are mine in having silver occupy an equal place with gold as a money metal earnestly contend that this provision will in no way interfere with the working of this bill should it become a law.

I hope this view is correct, should there be a failure to strike out the bullion-redemption clause.

The people whom I in part have the honor to represent are anxious for a greater circulating medium, and under this bill there will be added to the circulation $54,000,000 annually, which must cause all products to appreciably increase in value.

This appreciation in the price of products which we produce will amount to large sums to the producers. Moreover, section 6 of the substitute provides "that whenever the market price of silver, as determined in pursuance of section 1 of this act, is $1 for 371.25 grains of pure silver, then shall come absolutely free coinage," and silver will occupy a place alike honorable with gold, and this goal desired by the friends of silver and the debtor classes of the country will be reached.

So, Mr. Speaker, aside from the provision that the certificates may be redeemed in bullion, I am favorable to the bill, although it does not go as far as I should like. I believe, as do my constituents, that there is perfect safety and that there will come with free coinage added prosperity to the country, and I desire to further this proposition in all ways practicable. The bullion should not be used to redeem the certificates and thus lessen circulation, but should be coined into dollars for redemption, and, so going into the Treasury bullion, it would there remain until it comes out dollars.

Silver-Bullion Certificates.

Let them "dump." Our farmers can stand it, the country can stand it.

SPEECH

OF

HON. CHARLES W. McCLAMMY,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890,

On the bill (H. R. 5381) authorizing the issue of Treasury notes on deposit of silver bullion.

Mr. McCLAMMY said:

Mr. SPEAKER: It is said, as an argument against the free coinage of silver, that Europe and other countries will dump their silver upon this country. Listening to this argument, I was induced to reflect that the countries would not dump their silver without consideration therefor; in other words, would not dump for the fun of it. If, then, they do for a consideration, what is that to be, save and except it be for our products outside of silver?

Must it not be the products of our farms, our mines, our manufactories. Then, deferentially, I submit—

For our wheat let them dump.

For our corn let them dump.

Let them dump for our provisions.

Let them dump for our wage-workers, in field and mine and shop.

With this dump we can pay off our mortgages and overcome the influences depressing the energies of our people and absorbing their resources to the point of bankruptcy.

Silver-Bullion Certificates.

SPEECH

OF

HON. JOSEPH B. CHEADLE,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890,

On the bill (H. R. 5381) authorizing the issue of Treasury notes on deposits of silver bullion.

Mr. CHEADLE said:

Mr. SPEAKER: I shall give my support to the substitute offered by the gentleman from Iowa [Mr. CONGER] to the pending measure because I consider it an honest and wise settlement of the silver problem. It is honest in this, that it proposes to buy the entire output of silver mined in the United States, at the world's market price for silver, and, having absorbed the silver, it is made the basis of

Treasury notes, to be issued, to which it is proposed to impart the qualities of a full legal tender in payment of debts, public and private, and the further quality that they shall be redeemed in the coin of the country. This will give to these Treasury notes the two essential qualities in which the people are most deeply interested, that is, the full purchasing power of gold and the power of legal tender, when used for the payment of debts.

I want to go upon record as saying that with the single exception of the owners of silver bullion every citizen of the Republic will receive from this measure as much benefit as they would were the precious metals brought together in value under the existing ratio and we now enjoyed the benefits of the free coinage of both metals. We must not forget that in authorizing the use of money Congress must be honest. This is an absolute essential, and every dollar we create must be the equal in purchasing power of every other dollar now authorized and in existence. I do not hesitate to say that he is an unwise counselor in the affairs of state who would consider even for one moment the idea of creating a second unit of value in our financial system.

This is indeed and in truth a commercial age. The question which lies nearest to the hearts of the people is What is its cost? when they consider any proposition. The unit of value upon which is based our whole industrial and commercial system is the dollar of the country, and I say that to change that unit of value would inevitably result in widespread commercial disaster and financial ruin, the greater portion of which would fall upon the farmers and laboring men of the country. Let us not try to deceive ourselves into the belief that if we make a departure the marvelous ingenuity of the American people can avert the disaster. The experience of the past "rises up before us like a dream," saying that nothing could avert the impending danger.

The gentleman from Massachusetts [Mr. WALKER] said yesterday that too much money created misery, and I heard from various parts of the House the sound of laughter and of sneers. I know, from my experience, that the gentleman from Massachusetts spoke the words of truth and soberness. Before the war, when we had one unit of value, I was a child and a youth and knew not what the value of money was. That war made the issuance of paper money a necessity and it was issued in large quantities. One week that money would be of one value and the next it would have another value, greater or smaller, as the chances of that war changed.

When that war ended and I came home and entered the race of life, paper money was the only kind in circulation. I remember now, I did not or could not know then, that when that paper money required 130 cents to equal 100 cents in gold and silver, I borrowed $1,000 and gave my note payable at a certain time in the future. Between the making of that note and the time of its payment the process of shrinking that paper unit of value down to the coin value went on. I had contracted to pay a debt on a cheap money basis and at a cheap money rate of interest, and when I in my ignorance began to realize the existing facts I found to my sorrow that the man who loaned me the money was the only person benefited by that transaction.

The cheap money I borrowed was only worth $769 instead of its face value, $1,000. I know when I paid him a value equal to that which I received I was still in his debt $231. I know it cost me misery to pay it, and if one debt of $1,000 made $231 for the money-lender how many millions did it cost labor to pay its tribute to a cheap unit of value in all the Republic during that cheap-money period? I do not need to theorize, I know that a second unit of value, a cheap unit, is a curse to the debtors, and no word or vote of mine, while I am honored with a seat upon this floor, will ever be expressed in favor of a second unit of value. I want it understood that the money-lender shall give to the money-borrower an equal commercial value for the one the borrower obligates himself to pay, and I venture the opinion that I am the friend of the laboring man and farmer in doing this.

There is a demand for more dollars. This measure will meet that demand fully. It will add thirty millions a year to the money of the country, honest money, equal with every other dollar in commercial value that is now in existence, but I deny that there is any demand from any section outside of present silver-bullion owners for a cheaper dollar. The farmers and laboring men I represent want their dollar to be equal in value with the dollar of the millionaire. The Republican party, in its platforms, in its history, and in its legislation, is solemnly pledged in favor of honest money, so much so that the commercial and industrial interests, vast as they are, rest in perfect serenity while we consider the pending measure, knowing well that so long as the nation is controlled by the Republican party no other kind of money than honest money of equal value with existing money will be authorized.

The pending measure provides that whenever silver and gold shall become equal in value under the existing ratio of 16 to 1, no matter whether it be in a day, a week, a month, or a year, just as soon as they are thus equal, then there shall at once begin the free coinage of silver. To secure the people against any possible loss until such time as free coinage of silver shall begin, the bill provides that there shall be behind every dollar of proposed Treasury notes one dollar's worth of silver at its present market value, and I submit what valid reason can be urged by any honest man against this provision of the pending substitute?

We who sit upon this side of the Chamber must be held responsible for the financial policy of the future. We can not escape it. We must settle the silver problem. Let us not then make the mistake of setting up a second unit of value in our financial system by authorizing the free coinage of two dollars, one of which is worth 28 cents less in commercial value than the other. We can not afford to enter upon such a policy unless we desire to become responsible for the widespread commercial disaster and financial ruin that will surely follow such a departure.

I would if I could amend the substitute. First, I would not authorize the issuing of paper money in less denominations than ten dollars. I would prohibit the issuing of one, two, and five dollar bills. I would limit the coinage of gold to two-and-one-half and five dollar pieces, prohibiting the coinage of ten and twenty dollar gold pieces. This would compel the people to use gold and silver in the small business transactions and would in a brief period of time draw out of the Treasury every silver dollar that is now stored there.

For the purpose of enabling the people to send small balances by mail, I would repeal the fee for postal notes and make them free, so that by paying into any post-office any sum from 1 cent to $5 the person could procure a postal note, thus enabling the people to send small balances through the mails without additional expense to any post-office in the country. If we want silver and gold to come into general use among our people we must enact a financial policy which will create a demand for their use among the people. Take away your one, two, and five dollar bills and you will have solved the problem and the future will take care of the silver and gold of the country.

The unit of value in the United States is our dollar, and every dollar authorized must be made of equal commercial value, whether it be coined of gold or silver or is issued by the Government and based upon its plighted faith to redeem its promise to pay in the legal coin of the country. This is honesty. This is wise legislation; and in my humble judgment the Republican party can not afford to advocate any other financial policy.

Silver-Bullion Certificates.

The demonetization of silver and the collection of taxes exceeding the necessities of Government are the primary cause of the universal depression in the business, productive, and laboring classes of our country.

SPEECH

OF

HON. SILAS HARE,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890.

On the bill (H. R. 5881) authorizing the issue of Treasury notes on deposits of silver bullion.

Mr. HARE said:

Mr. SPEAKER: I consider the question before us as one most important, perhaps the most important, that will be acted upon during the existence of the Fifty-first Congress. Viewing it in that light I desire to express my opinions, and they are those of the people who honor me as their Representative in this body.

We want the silver dollar that was provided for in the First Congress of the United States and was the unit of our currency until it was surreptitiously demonetized. It is the people's money, and the people demand it. They were deprived of it in the interests of bankers and money-lenders, and the people's representatives should restore it, even against the protest of Wall Street, whose policy the present Secretary of the Treasury has presented and which has been formulated in a bill by a Republican caucus to prevent the coinage of the silver dollar and make silver a merchandise to be manipulated by the "bulls and bears" who play "pitch and toss" in the stock exchanges of the country.

Mr. Speaker, silver was made money in this country by the act of Congress approved April 2, 1792, which said "that the money of the United States should be expressed in dollars," to be of the value of a Spanish milled dollar, as the same is now coined, and to contain 371¼ grains of silver. The same act fixed the ratio between gold and silver currency at 16 to 1, and, whilst the amount of gold to be used in coins has been changed three times, the amount of silver in the dollar was not altered until the act was passed in 1873 demonetizing the silver dollar.

It has time and again been charged that the clause in that act demonetizing silver was never discussed in Congress. This has been denied by the man who did it; but it is an unquestionable fact that the

majority of the men who voted for that bill and the President who signed it did not know that it contained any such clause. As a proof of this, President Grant, seven months after the passage of the bill, in a letter dated October 3, 1873, used the following language:

I wonder that silver is not already coming into the market to supply the deficiency in the circulating medium. Experience has proved that it takes about $40,000,000 of fractional currency to make the small change necessary for the transaction of the business of the country. Silver will gradually take the place of this currency, and, further, will become the standard of values, which will be hoarded in a small way. I estimate that this will consume from $200,000,000 to $300,000,000, in time, of this species of our circulating medium. * * * I confess to a desire to see a limited hoarding of money. But I want to see a hoarding of something that is a standard of value the world over. Silver is this. * * * Our mines are now producing almost unlimited amounts of silver, and it is becoming a question, "What shall we do with it?" I suggest here a solution which will answer for some years, to put it in circulation, keeping it there until it is fixed, and then we will find other markets.

President Grant would not have written that letter if he had known that months before, on March 3, with hundreds of bills before him to sign, when it was utterly impossible for him even to glance over them and he was compelled to accept them by title, he was misled and betrayed by a false title into signing a bill and making it a law which demonetized silver. The title of that law as it is found in the statute-books is "An act revising and amending the laws relative to the mints, assay offices, and coinage of the United States." There is not a word or an intimation in that title as to any clause preventing or limiting the coinage of the standard silver dollar or taking away its full legal-tender power.

As I said before, it has been often charged that this law was surreptitiously and corruptly passed, and on that point I desire to insert the following from the CONGRESSIONAL RECORD of May 24, page 5438. Senator DANIEL, of Virginia, speaking on the silver bill before that body, said:

So far as this movement to demonetize the silver dollar was concerned, it was a matter unknown to Congress and unknown to the people of the United States when it was done. Speaker Blaine did not know it when the act passed. Senator STEWART, of Nevada, representing that great silver community, who was a member of the body, did not know it. The Senator from Texas [Mr. REAGAN], who has always had an eye on silver, did not know it.

Mr. SHERMAN. He was not here.

Mr. DANIEL. Was he not then a member of the other House?

Several SENATORS. No.

Mr. ALDRICH. Will the Senator allow me to say that the Senator from Nevada, who also has his eye always upon silver, was here and voted for the bill.

Mr. TELLER. He did not know it.

Mr. STEWART. I did not know it, and I will give the Senator, if he wants it, the entire discussion. It was not stated in the discussion that there was any intention to leave the dollar out. On the contrary, the very last thing that was done was an amendment offered by the Senator from Ohio providing for the inscription on the silver dollar. I will get it in a moment and show it. That was adopted.

Mr. SHERMAN. The trade-dollar.

Mr. STEWART. No; the silver dollar and the trade-dollar both.

The New York Sun of May 24 contains the following letter from its Washington correspondent:

WASHINGTON, *May* 23.

The radical silver men on the Senate side of the Capitol think they have unearthed something of a sensation, and they are now almost ready to claim publicly, as some of them have privately for a number of years past, that the provision of the silver bill of 1872 which in effect demonetized silver was never discussed or agreed to in the United States Senate. Ever since that act was passed the silver men have charged, with more or less explicitness, that some sort of sharp practice was indulged in by the enemies of silver to get the provision enacted into the silver law. A dozen times this intimation has cropped out in the debates in the Senate Chamber, and on more than one occasion the charge has been broadly made that the law was never passed in the open light of day, and as many times the so-called gold men have denied the imputation.

Yesterday in his speech, Senator DANIEL referred in an indefinite way to the old charge, but made his intimation so clear that Senator SHERMAN, who was one of the fathers of the law of 1872, felt called upon to defend it and its authors and friends. This, however, did not prevent the silver men from agitating the subject, and to-day Senator STEWART started an investigation which, to his mind, has had a rather startling result. Senator STEWART secured a copy of the bill as it was reported to the Senate from the Finance Committee after having passed the House—a copy of the bill that was used at the clerk's desk when the subject was under consideration—and the bound volume of records containing the engrossed bill itself.

With the aid of some of the clerks in the Secretary's office, the official stenographer, and two or three silver Senators, Mr. STEWART examined the whole matter carefully and found what he regards as evidence of trickery in the passage of the bill. This evidence is the fact that the Congressional Globe containing the official report of the debates and proceedings of the Senate contains no mention whatever of the demonetizing section having been read, debated, or considered in the Senate. The section was added by the Senate Committee on Finance to the House bill, and was printed in italics, as all other amendments were. The pages of the Globe show the progress, step by step, and the debates upon each section until the demonetizing proviso is reached, when there is a break in the record, and when it is again taken up it is at a point further on in the bill. From this record it does not appear that the demonetizing section was ever read to the Senate, voted upon, or agreed to. Senator STEWART was quite excited by his discovery, and said to those about him, in his characteristic vigorous language:

"I have claimed ever since the bill was passed that there had been trickery practiced in inserting the demonetizing section, and I am now more than ever convinced that monkey business was indulged in."

Senator TELLER, who was sent for by Senator STEWART that he might give his opinion, made a thorough examination of the case, and he remarked, in his quiet way:

"Well, there is certainly something wrong. I have looked this matter up before, and I have never been able to straighten it out."

Senator STEWART is not making much of a stir about the matter just at present, because he admits the possibility that he may yet be found to have been mistaken. The matter as it stands has a very suspicious look to him, however, and if he finds upon further investigation that the belief of himself and other silver Senators as to sharp practice in passing the bill is well founded, he will spring the sensation upon the Senate in the shape of a searching investigation that he confidently believes will bring to light some surprisingly interesting and important facts.

These statements, if true, prove that the demonetization of silver was accomplished surreptitiously, if not corruptly.

When the charge is made that anything is done surreptitiously or corruptly, something must be adduced to show a motive for corruption or the charge is considered of no weight. What was the motive in this case? Whose interest was it to demonetize silver? What made it desirable to secure a single instead of a double standard for money? All these questions are easily answered by turning to page CXXI of the report of the Secretary of the Treasury. There it will be found that the public debt of the United States on the 1st day of July, 1872, was $2,253,251,328. The bonds which represented this vast debt were payable "in coin." The "coin" of the United States with full, equal legal-tender value was of both gold and silver. If the silver "coin" could be destroyed, the bonds became payable in gold and their value was vastly increased. There is one motive that shows the parties who were interested in securing this work and what made it desirable for them.

But there is still another. The abundance of money at the close of the war had stimulated all business into activity, and every kind of venture had been pushed to its utmost in the West and South. Of course this rendered the borrowing of money a necessity. During and after the war the money of the country had gravitated to three centers, New York, Pennsylvania, and Massachusetts. This system of Federal taxation through a protective tariff and the war expenditures had favored these localities to the impoverishment of others. This is proven by the following figures. The true valuation of the real and personal property in the United States, as shown by the census of 1860, was $16,159,616,068. In 1870 the valuation was $30,068,518,507, an increase of $13,908,901,439, or 86 per cent. In 1860 the "true valuation" in Massachusetts was $815,237,453; in 1870 it was $2,132,148,741, or 162 per cent. increase. In New York, in 1860, it was $1,843,338,517, and in 1870 it was $6,500,841,244, an increase of $4,659,502,627, or 252 per cent. In the decade from 1850 to 1860 the "true" valuation of the country had increased 126 per cent., whilst Massachusetts had increased 44 per cent. and New York 70 per cent. The following table will show these facts very plainly together:

	1850.	1860.	Valuation.
			Per cent.
United States	$7,135,780,228	$16,159,616,068	126
Massachusetts	573,342,286	815,237,433	44
New York	1,080,309,216	1,843,338,517	70
Pennsylvania	722,486,120	1,416,501,818	96
Total	2,376,137,622	4,075,077,768	71

	1860.	1870.	Valuation.
			Per cent.
United States	$16,159,611,068	$30,068,518,507	86
Massachusetts	815,237,443	2,132,148,741	162
New York	1,843,338,517	6,500,841,264	252
Pennsylvania	1,416,501,881	3,808,340,112	168
Total	4,075,077,768	12,441,330,117	205

In 1850, of the true valuation of the country these three States owned 33 per cent. In 1860, whilst the whole country had increased 126 per cent. in valuation, these States had increased only 71 per cent. and owned 25 per cent. of its property. See what change took place in the next ten years. The wealth of the nation increased 86 per cent., but these States increased 205 per cent. and owned 41 per cent. of the entire property of the country. Of the $13,908,901,439 increase, these States had $8,366,252,349, largely more than half. This was the result of vicious fiscal laws which concentrated capital into the hands of the few and impoverished the many, which operated to favor certain localities as against the whole country.

And these figures give another class who were to be benefited by the single gold standard. That is the wealthy money-lenders of these three great manufacturing States that had been loaning the money they had obtained through tariff robbery to carry on enterprises of the West and South. Any reduction of the currency made their debts more valuable; hence they were in favor of demonetizing silver.

Mr. Speaker, that bill, stolen, as it was, through Congress, added $500,000,000 to the wealth of the creditor class and wrung it from the labor of the poor. That bill was the prime cause of the depression which exists to-day in all the agricultural regions of the country. That bill was the Trojan horse by which the robber Greeks succeeded in mortgaging the West and South, and holding them in subjection as abject and valuable slaves as those of the lamp and ring were to Aladdin. The act of 1878 merely loosened the chains, and now it is proposed to bind them tightly by the passage of the bill before us.

Sir, there never was a greater fraud attempted to be practiced upon any people than is attempted when this bill is proposed as a relief to the currency of the country, when it is claimed that it will add to the currency. The man who made the bill (for it is practically the Windom bill) was looking only after the interests of speculators, stock-jobbers, and money-lenders, not in the interests of the people. I can not imagine what the leaders of the Republican party mean by presenting such a measure after the declaration made in their platform of 1888. They declared while seeking the votes of the people that—

The Republican party is in favor of the use of both gold and silver as money, and condemns the policy of the Democratic Administration in its efforts to demonetize silver.

How will the leaders make this bill which they have presented comport with that declaration? How can the people believe anything these Republicans may say hereafter? Let me indulge in a little political history. In 1884, when the Democratic convention met in Chicago, one plank of its platform read as follows:

We believe in honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into such money without loss.

The Republican convention, which had adjourned the week before, made no such declaration in favor of silver. Its money plank was as follows:

We have always recommended the best money known to the civilized world, and we urge that an effort be made to unite all commercial nations in the establishment of an international standard which shall fix for all the relative value of gold and silver coinage.

The Democratic declaration was an honest, straight declaration in favor of the free coinage of silver. The Republican plank was as clearly the other way to those who understood conditions and was intended to deceive those who did not. The result was the election of the Democratic candidates. I say it, and I say it with regret, that the Executive we elected did not recommend or attempt to carry out the policy indicated in the platform as quoted above, although he had over forty majority in the House ready to carry out any recommendations of his on that subject. In the next House the Democratic majority was less than fifteen. I have already quoted the explicit declaration of the Republican party in 1888. The Democratic platform of that year says not a word on that subject; and we have a Republican President, with a Republican majority of eight, which has been largely increased by the House itself. In the light of these facts can either of the political parties afford to palter with this question as this bill does?

Mr. Speaker, what would be the condition of this country and its silver products had not the Democratic party forced the passage of the Bland bill in 1878? Since that time the national banks have retired $125,000,000 of their notes. These have been replaced by the issuance into circulation of 312,000,000 silver dollars or certificates representing them, making an increase in the currency of $187,000,000. Since that time population has increased from forty-seven to sixty-six millions, an increase of 40 per cent., whilst the money in circulation, even with the silver increase, has not increased in like proportions. As a fact and notwithstanding the assertion of the Secretary of the Treasury to the contrary, there is not now $10 per capita in circulation in the country, and of this nearly one-half is in silver dollars or silver certificates issued to represent them. It is this scarcity of currency which causes the depression which is admitted on all sides to exist in our agricultural interests.

Think, Mr. Speaker, of the folly of this nation, the greatest silver-producing nation of the earth, discounting its own product, a product that has been money since the earliest dawn of civilization and is still the only money of over two-thirds of the inhabitants of the world. I was not a "folly." It was a crime deliberately done for the benefit of the creditor class, and I honestly believe corruptly achieved. But crime or folly, let it be which it will, this Congress has the power to stop its further progress. It can not, human power can not repair the wrong that has been done, but we can stop the wrongdoing. If we do not, we become responsible for it.

The Secretary of the Treasury, in his report to this Congress (volume I, page 134), shows the production of silver in the last four calendar years in the world and the United States, as follows:

Years.	World.	United States.	Produced in United States.
	Dollars.	*Dollars.*	*Per cent.*
1885	118,445,150	51,600,000	43.0
1886	120,626,800	51,000,000	42.5
1887	125,576,710	53,350,000	42.5
1888	142,437,150	59,195,000	42.0
Total	507,085,810	215,145,000	42.5

During these four years we have produced over two-fifths of all the silver of the world, and yet we depreciate its value. This is shown by the difference in coinage value which I have given and the average value of this silver as bullion in the market. That was for the silver of the world only $389,504,210, a difference of $117,581,600. Apply this difference to our own product and the loss amounts to $50,000,000. In other words, by submitting to the demonetization of silver we have forced the silver-miners of our country, in the last four years, to submit to a loss of $50,000,000 in the value of their product. Is it any wonder that the silver-miners complain? Since 1878, since silver was partially remonetized by the Bland bill, we have produced $825,145,000 silver (coinage value), and the loss to the miners has been $88,865,000.

Mr. Speaker, let us look at another phase of this question. Silver was demonetized in 1873. As soon as the robbery was discovered an outcry was made and there was a determined effort to right the wrong. The monometallists and all their paid organs declared if silver was remonetized the country would become the dumping-ground of all the silver in the world and gold would disappear. In that year the total amount of gold in the country, according to the report of the Secretary of the Treasury, was $135,000,000; in 1888 the total amount was $705,000,000, and in 1889 it was $680,000,000. Our gold product for the years from 1874 to 1889 inclusive has been $535,000,000, showing that up to the last fiscal year we had simply retained what gold we mined in this country.

Now, let us see if this country has become "the dumping-ground for the silver of the world," as it was predicted that it would be if we remonetized silver, or even if the Bland bill passed. Since and including 1874 we have mined $825,000,000 worth of silver; of that we have coined less than $400,000,000 worth and have been compelled to export, over and above all our imports of silver, $175,000,000 worth of our silver to be sold in a market we helped to depreciate, and there be coined to pay Hindoo ryots and Egyptian fellahs from 3 to 8 cents per day to raise wheat and cotton to compete with the wheat and cotton raised by our farmers.

Up to the close of the last fiscal year there have been one hundred and eighty months since the Bland bill went into operation. During all these months there has been no Secretary of the Treasury in sympathy with the provisions of the silver law, and each one has coined just as little silver as the law permits each month. Even that has been a great relief, has in fact prevented universal bankruptcy in the agricultural regions. If there had been during these one hundred and eighty months Secretaries who were not under the domination of Wall street masters, Secretaries who had the interests of the people and the country at heart, instead of those of speculators and money-lenders, there would have been purchased $4,000,000 worth of silver bullion each one of these months, making a total of $720,000,000 worth, which would have been coined into 850,000,000 silver dollars, which, or the certificates representing them, would now be in circulation among the people.

There is still another phase of this subject to which I wish to call attention, to show the effect of the demonetizing of silver and its partial remonetization. A nation's prosperity is always gauged by the excess of the value of its exports over its imports. Now, sir, in the five year from 1873 to 1877, inclusive, during which time silver was entirely demonetized, this was the condition:

Value of exports	$2,765,065,564
Value of imports	2,564,612,304
Excess of exports	110,453,260

Now, take the five succeeding years, from 1878, when the Bland bill passed, to 1882, inclusive, and compare the figures:

Value of exports	$3,893,863,460
Value of imports	2,938,079,255
Excess of exports	955,784,205

During the five years silver was demonetized we only exported $110,453,260 more than we imported. During the succeeding five years the balance in our favor was nearly nine hundred and fifty-six millions. During the one term we paid $110,453,260 of our foreign indebtedness, during the other nearly nine times that much. Now, sir, from whom come the articles which enabled us to do this, to pay this enormous amount of indebtedness? Let us take a single year of the five last named and see. In 1881 we exported of domestic merchandise to the value of $883,925,947. I give a list of most of the articles which come directly from the farmer of this country:

	Value.
Animals	$16,412,398
Breadstuffs	269,556,720
Broom-corn	154,677
Brooms and brushes	152,716
Ashes	141,463
Ginseng	561,545
Cotton, unmanufactured	247,695,746
Fruits	4,439,719
Hay	233,529
Hides and skins	993,464
Honey	198,768
Hops	2,016,970
Meat and dairy products	156,809,840
Seeds	1,062,766
Sugar not refined	550,024
Tobacco, leaf	18,737,043
Vegetables	1,570,834
Total	721,178,222

Everything in that list, except wheat flour and the meat and dairy

products, was sent abroad just as it came from the farm without any process of manipulation applied to it. It is probable that the flour and meat products were increased over the farm values $100,000,000 by the manufacturing processes, leaving $621,000,000 out of the $883,000,000 of domestic products exported as coming from the farms; that is, 70 per cent. of the whole. Besides this, our silver-miners sent abroad $66,000,000 worth of their products in these five years.

Mr. Speaker, why is it, with these facts, and they are all from official sources, that these farmers and the silver-miners are here demanding relief? They ought to be rich and independent. But instead of that they are impoverished, and with their impoverishment comes the impoverishment of the country. Let these figures, showing the value of domestic exports for the fiscal years 1881 to 1889, speak:

1881	$883,945,947
1882	733,239,752
1883	804,223,632
1884	724,964,852
1885	726,686,946
1886	665,965,529
1887	703,022,923
1888	683,862,184
1889	730,282,609

The falling off in the value of our exports ranges from eighty to two hundred and twenty million dollars a year during the entire period. This does not mean that we ship any less agricultural products abroad, but that we get less prices for them. To exemplify this, I give a table showing some of the principal agricultural exports, with prices paid for them in 1881 and in 1888, taken from official reports.

Articles.	1881.			1888.		
	Quantities.	Value.	Price.	Quantities.	Value.	Price.
Cattle.....number...	185,707	$14,304,102	$78.500	140,208	$11,577,208	$82.500
Bread and biscuits.....pounds...	16,115,788	748,490	.047	13,948,708	658,589	.041
Corn.....bushels...	91,908,175	50,702,665	.550	24,278,417	13,355,950	.550
Wheat.....do.....	150,565,477	167,698,485	1.120	65,789,261	56,241,468	.855
Wheat flour.....barrels...	7,945,786	45,047,257	5.670	11,963,574	54,777,710	4.580
Cotton, unmanufactured.....pounds...	2,191,928,772	247,695,746	.113	2,264,120,826	222,016,760	.098
Fresh beef.....do.....	106,001,812	9,860,284	.092	93,488,273	8,231,281	.088
Tallow.....do.....	96,403,272	6,800,628	.070	92,483,052	4,252,653	.046
Bacon.....do.....	673,274,361	52,616,981	.078	331,306,703	27,187,175	.082
Hams.....do.....	73,670,184	7,544,224	.102	44,132,980	4,988,458	.110
Pickled pork.....do.....	107,928,026	8,272,285	.072	58,836,966	4,368,691	.074
Lard.....do.....	378,142,496	35,226,575	.090	297,740,007	22,751,105	.076
Butter.....do.....	31,500,500	6,256,024	.200	10,455,651	1,884,908	.188
Cheese.....do.....	147,995,614	16,380,218	.110	88,068,458	8,736,304	.100
Leaf-tobacco.....do.....	227,026,625	18,737,743	.082	249,198,861	21,507,775	.084

Almost every article the farmer ships abroad is decreased in quantity and value, as is shown by this table. But he does not even get the money these products bring into the country. The railroad syndicates, the speculators who manipulate the price of products, the Armours and "Old Hutch," and such gather one portion of it, and the custom-house officers, standing at every port in the country with their commission as representatives of this Government, secure the balance. The farmer gets nothing. The money of the country has been reduced in quantity by the demonetization of silver until it can be controlled by the bankers and money-lenders, and the Government takes what little these sharks leave the farmers. Practically the Government is in a conspiracy with them.

It gathers in the money and pays it out as premiums upon bonds which ought to be redeemed at par, which the Secretary of the Treasury knows he can so redeem under the law. If Secretary Windom, when he was Secretary of the Treasury under President Garfield and called in and refunded a portion of this debt, did not believe that under the laws of 1869 and 1870 he had the authority to do so, he was guilty of an act for which he should have been impeached. The Forty-seventh Congress when it met believed he had the authority and approved of his actions. Why does he not now pursue a similar course? Perhaps the masters of Wall street can better answer that question.

Mr. Speaker, we are gravely informed that overproduction is what is doing all the harm to the country. In other words, our country is too good and too rich for men to inhabit who obey the Divine principle: "In the sweat of thy face shalt thou eat bread." We must not work so much; we must not cultivate our ground so carefully; we must let the grass grow in the cotton rows, the rust strike the wheat, the cattle roam at will in the fields, and all will be well. The men who talk about "overproduction" are evils, and it would be complimentary to dub them as "cranks;" but they do not rise to that dignity. It is not "overproduction;" it is underconsumption, brought about by the fact that by an "underproduction" of money men are not able to get work at wages that will allow them to buy enough to eat and wear; the refusal of the Government to make money out of the precious metals that the Almighty deposited in abundance in our mountains, and which the labor and capital of the country are daily extracting from its hidden chambers.

Silver has always been money. It is the money of our fathers and of this people, and has been rejected in the interests of the money-sharks who infest this land and are more merciless than Shylock and equally avaricious. Give the country the money it needs, let every man take his silver bullion to the mint or assay office and receive his silver dollars or silver certificates for it; then, sir, you will see prosperity return, and not till then. We are to have "a home market," the gentlemen on the other side say, but we must not overproduce or we will spoil the market. We have provided, they tell us, that the cheap-paid labor of other countries shall not compete in our "home markets," but there is no money to pay dearly or cheaply for our labor on the farms of this country. The Carnegies and other protected people take all the money. They can pay American laborers what they choose, and if not satisfactory they can import Hungarians and Italians to fill their places, but the farmer can not get money enough to pay his State, county, and school taxes without going to the agents of some Eastern money-lender and putting a mortgage on his farm. It is money the people who labor want, not protection. Give them the money and they will protect themselves.

Silver-Bullion Certificates.

SPEECH

OF

HON. HARRISON KELLEY,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890,

On the bill (H. R. 5381) authorizing the issue of Treasury notes on deposits of silver bullion.

Mr. KELLEY said:

Mr. SPEAKER: I am in favor of the free coinage of silver. This bill, as I look at it, is a jugglery of words to demonetize what is left of silver coinage. Under the law as we have it the Secretary of the Treasury, at present price of silver, can coin five and a half millions a month; he is compelled to coin two millions a month. Under this bill he is not compelled to coin any, and, as under present law he has never coined any more than he was compelled to, it is likely under this law he never would coin any. This bill is in the interest of the creditor class; it is against the debtor class. It is an abandonment of the pledge made in the Republican platform upon which this Administration came into power.

I shall vote to recommit it to the committee, with instructions in favor of free coinage; if that proposition fails I shall vote against the bill, and I shall do it with the full knowledge that a majority of this House would, if opportunity were given it, vote for free coinage; and I shall do it with the hope that opportunity will be given it. I shall do it with the knowledge that the common people of this country understand this question and with the further knowledge that they demand free coinage of silver. I shall do it with the full knowledge that the time in this country has passed that any Congress can, by jugglery of words, fool the people on a financial bill or when they can be fooled with impunity in any other way. Time was when the pulpit dictated theology to the pews; now the pews dictate it to the pulpit. The time has also come when the people dictate to the legislators what kind of money the Government shall issue and how much it shall issue, and it is folly to try to ignore their demands.

Mr. Speaker, from the foundation of this Government up to 1873, the coinage of silver and gold as money in the ratio of 1 to 16 stood on an exact equality. The coinage of both was free and unlimited, and when coined by the Government was money and a legal tender for debts. In 1873, when silver was demonetized, the sil-

ver in a silver dollar before being coined was worth a trifle more than the gold in a gold dollar before being coined. No one asked that it be demonetized; no one has since been found who knew it was going to be; no one has since been found who, when he voted for the act demonetizing silver, knew that the act contained any such provision; the President who approved the act did not know it.

After the silver dollar was demonetized, emasculated, the silver in it began to decline in value compared with gold; the gold dollar increased in value in the same ratio, and because silver had been degraded; thenceforth the man or woman who owed a dollar, or a thousand dollars, when he paid it, paid it with a dollar or dollars that were worth more than the same dollar was worth when he contracted the debt, if contracted before silver was demonetized. The man to whom he paid the debt or the interest on the debt got more value in the money paid than he contracted to get. The advantage to the creditor was obtained and the disadvantage and hardship to the debtor were occasioned by the act demonetizing silver; most of the debts contracted before 1873 are yet unpaid; the interest has been paid, but the principal in most cases has been funded, renewed.

Has any one ever heard of or imagined any reason for the demonetizing of silver, except that the creditor class might be benefited at the expense of the debtor class? Does not every sensible man know that the motive that incorporated that feature in the bill was the interest of the creditor? Does he not know that every debtor was wronged by that act? Saying nothing about where the criminal negligence or intent of that act rests, the time has now fully come to right the great wrong so far as it lies in the power of this Congress to do so.

Mr. Speaker, I know not how well the people of the East have considered, discussed, and studied this question, but, as to the people of the great State that I have the honor in part to humbly represent on this floor, there is scarcely a school-house out of the ten thousand within her borders that has not been the forum of discussion and debate on this question. It has been handled in all its phases and the verdict has been unanimous and emphatic that the act demonetizing silver in 1873 was a great outrage on the debtor class; that it has pilfered and is yet pilfering from the debtor and handing to the creditor.

Mr. Speaker, a frank statement is always to be admired. The gentleman from Massachusetts [Mr. WALKER], in his able and lengthy argument in advocacy of this bill, says there is gold coin enough in the world to do the business of the world and that there is gold coin enough in this country to do the business of this country. From his standpoint he is consistent; were I in favor of a gold standard alone, this bill would certainly receive my support. This bill does what Grover Cleveland advised Congress to do, it absolutely demonetizes silver, except it be already coined; it repeals the law we now have, requiring the Secretary of the Treasury to coin $2,000,000 worth a month or at his discretion to coin $4,000,000 worth per month.

This bill degrades silver, makes the conditions so that under the bill silver can never be equal with gold, and then facetiously says when it shall be equal silver coinage shall be free; and at this point my humorous friend from Maryland [Mr. MCCOMAS], who favors the bill, offers his amendment, which in effect says when this impossibility shall occur then silver purchases shall cease. Mr. Speaker, that amendment is a farce, but it should pass, for it is in perfect harmony with the balance of the bill.

Mr. Speaker, I have been amazed to hear so many of my Republican colleagues in this discussion say that they were utterly opposed to this bill and its provisions, but at the same time say they would vote for it with the hope that the Senate would amend it by striking out the objectionable features. This, in my judgment, is a dangerous method of legislating. May it not be, when this bill reaches the Senate, that many Senators will say, "We are utterly opposed to this bill in many of its features, but, inasmuch as the House has passed it and the members of that House are fresh from the people, we will take it for granted they know what the people want, and we will vote for it on that ground," and thus the relief almost unanimously asked for by the people be denied?

Treasury Notes and Silver Bullion.

SPEECH
OF
HON. WILKINSON CALL.
OF FLORIDA.

IN THE SENATE OF THE UNITED STATES,

Tuesday, June 10, 1890.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 2350) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. CALL said:

Mr. PRESIDENT: I design to submit a few observations upon the pending bill, and probably it would be quite as convenient to do so at this time as at any other.

The bill proposes to authorize the purchase by the Government of $4,500,000 worth of silver each month and the payment for it in Treasury notes. In my judgment this bill does not answer the demands of the country and the necessities of the coinage at this time.

FREE COINAGE OF SILVER.

The free and unlimited coinage of the precious metals is the only proper solution of the financial troubles which now rest upon the country. Any modification of that idea in the shape of a limitation or of a purchase by the Government is I think entirely inconsistent with the true theory of finance and with the policies which have prevailed throughout all time in reference to the currency.

GREEKS AND ROMANS UNDERSTOOD IT.

This question can not well be exaggerated in its importance. It covers the whole field of human efforts and human possibilities. We may go back as far as we please in the early history of the world, and we find that the subject of the coinage and the use of precious metals was well understood, and the principle upon which it was necessarily based in its relation to all other economies, and to the productions of the earth, and to invention and labor, was so clearly defined that there can even now be no reasonable question as to them. I read, from a treatise prepared by Sir John Lubbock, the following paragraphs:

That the true theory of coinage was well understood in Greece we may see from the words of Aristotle, who thus describes the origin of coins:

"It became necessary, therefore, to think of certain commodities, easily transportable and safely transportable, and of which the uses are so general and so numerous that they insured the certainty of always obtaining for them the articles wanted in exchange. The metals, particularly iron and silver and several others, exactly correspond to this description; they were employed, therefore, by general agreement, as the ordinary standard of value and the common measure of exchange, being themselves estimated at first by their bulk and weight and afterwards stamped in order to save the trouble of measuring and weighing them."

No one at this day can give a more accurate, a more comprehensive, and a more philosophical description of the nature and functions of coin and the relation which it sustains to the business of society and of communities that this statement of Aristotle. Again, it is said:

For a long period every Roman family had the right of coining denarii with their own device, though precautions were taken to preclude any tampering with the weight or fineness. With the same precaution what honest motive can there be for preventing any American, English, French, or German family from coining dollars, shillings, francs, etc. Is our modern civilization so much more the patron of freedom and independence than Roman imperialism that did not restrict a family from making honest money, no more than it would any honest commodity, but confined government work to seeing that it was honest?

FREE COINAGE THE RULE OF NATIONS.

Mr. President, through all the history of time it has been the policy of Government to allow the unlimited coinage of the precious metals, and upon no other theory can there be predicated any sound and philosophical relation of coin to exchange. Let me endeavor very briefly to investigate this proposition.

The proposition covers mankind—man and his needs of body and mind—his capacities and the earth and its productions.

Two men in their relations will furnish the type of all mankind and present all the varieties of this question in all the thousands of years of history and the thousands of millions of human beings, in whose relations it has borne an important part.

RELATIONS OF MONEY TO THE AFFAIRS OF MEN.

Let us consider the subject, then, in this relation, to the end that we may the more clearly perceive and understand it.

These two men require subsistence, clothing, amusement, gratifications of taste; they must obtain them from the earth and its productions by their labor and the use of their faculties. Each of them converts the productions of the earth into things useful to them both, into commodities. Each has something which the other requires. How can it be obtained?

The things they need are such things as will sustain life; then make it comfortable; then provide against future want; then amuse and entertain. How shall they each obtain what the other has, the use of which is necessary to them? They are in contact with each other and have the means of communication. The answer is easy and clear. It can be done by the exchange with each other of the things which each has and which the other requires. The things which they require are subsistence, shelter, clothing, and works of taste and art. In all these objects of need and use we find neither gold nor silver coin nor money.

They can neither eat it nor wear it, nor use it, in the shape of coin. They can use it as a commodity made into things for ornament and for their use and amusement.

We see, then, these two persons making an exchange with each other by transfer and delivery and by promises to exchange and transfer and deliver.

These promises to transfer and deliver are themselves transferable to others and become the easy and convenient means by which exchange is effected.

We will contemplate these two men in asssociation with others in the same vicinage and community. They have in that community all the productions of the earth in the forms into which labor and ingenuity have converted them, but in different hands; some with things for subsistence; some for protection against future want; some for amusement;

some for personal ornament; they have the same needs for the use of these things, but in different degrees; they can only be had by exchange. Exchange is easy to be made by transfer and delivery, and, when this is not convenient, by promises or agreements to transfer and deliver.

After production from the earth into things for use, into commodities, which can only be done by labor and the use of man's faculties, comes exchange, and this completes the circle of production and distribution. Exchange of commodities is thus the only thing to be done, the only means by which distribution to each man can be made. This exchange is the actual transfer in kind of the commodity to be used, of wheat, corn, meat, wine, and oil to those who have none for houses or labor, or clothes, or improvements, or services.

We have seen that this exchange or transfer can easily, conveniently, and naturally be made by actual transfer and delivery and by promises to transfer and deliver, which promises are themselves transferable. What is the difficulty if any two of us here in this Chamber, meeting daily here together and having everything which either needs or uses or can use, exchange with each other, as our daily needs require, whatever we need by actual transfer or by agreement to transfer or verbal or written orders of transfer?

It is easy to perceive that there is no difficulty in it, and that we would have no need nor use for any other methods of exchange.

Naturally this is and has always been the most general method of exchange, and by it much the greater part of the exchanges in the world are made now. What is required in exchange by this method is, first, immediate contact or contiguity; second, convenience of delivery.

EXCHANGE OF PRODUCTS THE MEANS OF DISTRIBUTION.

These we can see are the primary factors and causes, and all other factors are secondary. Exchange, then, is the great means by which distribution of the products of labor of every kind can be made. It is exchange then, and its methods, and the laws which regulate it, which must be the great subject of consideration in connection with the coinage of the precious metals. Production and exchange are the great factors of man's existence, progress, and civilization. We can stand here on safe and certain ground without speculation or sailing on an unknown and shoreless sea of generalization.

GOLD AND SILVER HAVE SUBSIDIARY USES.

Gold and silver, coined or uncoined, money, in whatever shape or form, can not sow or reap. The plow will not move at its bidding. The husbandman may have countless hoards of it, but unless he moves his muscles and exercises his faculties, turns up the earth, sows and plants, works the loom, makes inventions, the earth will not yield her treasures nor the fabrics of labor or art and invention be produced.

Two men in contact may each have his pockets filled with gold and silver, but when they desire to exchange things in the possession of each the exchange or the promise to exchange is more convenient and easy than for one to deliver a certain amount of gold or silver to the other and receive from the other a certain amount of gold and silver.

EXCHANGE AND PROMISES TO EXCHANGE.

We find, then, that exchange and promises to exchange can be made without gold and silver or money; that gold, silver, and money are not a primary or necessary factor in exchange; that, whatever they may be and however valuable their uses, they are in their nature secondary and subsidiary uses. What, then, are the necessary factors of exchange and where and how and to what extent does money stand in relation to exchange? Whence does it derive its uses? How far do these uses extend? Upon what do they depend?

Let us see if we can weigh and measure these ideas with precision and certainty. If we can do so and not depart from the line of strict logical sequences of cause and effect, we shall reach some certain and clear and true conclusion.

First, what are the necessary and primary factors of exchange of products between any two and every two persons in the world? They are contact, communication, opportunities and methods of transfer of commodities or products.

Without roads, communication, vehicles of transportation, ships, the mines and jewels of Golconda can not and will not effect the transfer and exchange of commodities or human productions. These factors, then, are the exercise of human faculties, contact and communication, highways, ships.

GOLD AND SILVER USEFUL BUT NOT NECESSARY FACTORS.

In all these factors and agencies we find neither gold nor silver as money; yet these are the great and necessary factors of all human life, and all progress, and all civilization; and we have the demonstrated truth that gold and silver and money are not necessary factors; that money as a means of exchange, as a representative of value, may be promises to exchange in kind or promises transferable to some common center of exchange.

RELATIONS OF MONEY TO EXCHANGE OF PRODUCTS.

Where, then, does money have a place in exchange and what are the necessary ideas or properties which will enable it to have a relation to exchange or any functions connected with it?

We have found that production and exchange cover the whole circle of human efforts and human possibilities. It follows that money can only have value or use or function as a means or method of exchange. When it ceases to be used for this purpose or to have this function it is no longer money, and can no longer represent values however much the law may make it a legal tender.

It is quite obvious that exchange of products can be made either by an actual exchange in kind or, where contact or contiguity does not exist, can be made between any two persons by an exchange into something which neither has use for, but which is of general demand or of universal demand, and which, because of this universal demand, can easily and always be converted into some other commodity or product which may be needed.

MONEY IS THAT WHICH EXCHANGES PRODUCTS.

It therefore follows that money is that which exchanges products, and that it is something that is of general use and need, and that the quality of general use and need or convertibility into other products is the absolutely essential and indispensable quality of money.

This, then, is the law. It is not a yard-stick; it is not a peck measure. As has been stated, it can not be a fixed and stable measure of any kind whatever, because its only value is to exchange for other things and the values of those things are constantly changed with their scarcity or abundance.

GOLD AND SILVER HAVE IMPORTANT USES.

We therefore perceive that while the use of the precious metals is an all-important one, fixed by natural law, as the true basis of exchange it is a subsidiary and a secondary use. We further perceive that the great mass of exchanges are and must of necessity be made without the intervention of gold and silver, and under the constant changes in the methods of commercial intercourse and communications throughout the world and from its great centers there are substituted methods of exchange, without the intervention of gold and silver, and by their use simply as standards or expressions of value.

IS THE VALUE OF MONEY A NATURAL OR ARTIFICIAL QUALITY?

It therefore follows that we must ascertain whether this is a natural quality or an artificial one created by law. If the latter, it follows that we can vary the money of a country and its methods of exchange by statute at will and pleasure. We can change it both in respect to substance, quality, and quantity. If it be artificial it is the creature of law and subject to wise and unwise regulation.

IT IS CHIEFLY A NATURAL QUALITY.

If the uses and needs of mankind depend on nature and natural economies, then it follows that we can not by law create the uses and needs of mankind.

IT IS BOTH A NATURAL AND ARTIFICIAL QUALITY.

If it be composed of natural qualities and of needs created by law, then we have a proposition in which the question of law and wise regulation must have place, and if we wish to reason on the subject we must weigh and analyze with precision the artificial and the natural qualities of money and find out if we can how far the law of nature will reach and control and within what limits wise regulation or law can operate. Is this quality of universal need and demand a natural quality or an artificial one?

EXAMINATION AS TO HOW FAR NATURAL OR CREATED BY LAW.

Let us search the domains of nature and see if we can find this quality of universality of use, need, and demand in any product of nature or of labor, and then let us see if this quality of general use, need, and demand is sufficient of itself to make it serve the uses of money.

If we search the domain of nature for some product of nature and labor which is of universal use, need, and demand, we find all the articles of food, wheat, corn, meat, wine, oil, cotton, rye, flax, wool, silk, and others. These are all of universal use, need, and demand. Why shall they not serve as a means of exchange, as money?

NATURAL PRODUCTS SERVE AS MONEY.

They do serve as a means of exchange, through the contiguity which modern methods of transportation have established and drafts on bills of lading.

LIMITATIONS IN THEIR USE.

These articles do serve the purposes of money. They are of general use, but they are perishable and bulky, and their use is limited to the extent to which they are consumed and produced in different countries.

EXTENT OF THEIR USE AS MONEY.

While the use of them is universal and primary, it is limited to the deficiency of production below consumption in different communities and countries. To this extent these articles of necessity are by natural and immutable law a means of exchange or money in all the senses but one, namely, legal tender, in which the word can be used. Any of these articles sent to any neighborhood or country and exchanged, whether by the term sale or barter or trade for something else, is an exchange of values, and, as money has no value and no function but to make exchange, these commodities serve the purposes of money to the extent to which they are sold or exchanged. The universality of the use of these articles is therefore limited by these considerations as to the functions of money. They represent for these purposes the value of the

articles at the centers of commerce, which is the proportion of supply and demand limited, increased or decreased, by the combinations which may be made for that purpose.

FURTHER EXTENT OF USE OF COMMODITIES.

Their further use is limited by the fact that the exchangeable value of these commodities in another neighborhood or country is not conveniently divisible into small quantities.

DRAFTS ON BILLS OF LADING THE GREATEST FACTORS.

It is not difficult to see that through drafts drawn on bills of lading this result may be very largely reached and the exchange between individuals and communities and countries largely supplied and effected.

EXCHANGES THAT ARE NOT MADE WITHOUT MONEY.

Even with this result of divisibility of the proceeds of the products of labor when concentrated for exchange, there must be a vast quantity of the numberless exchanges of service, for service, service for commodity, taxes for support of government, which can not be conveniently reached by the division of the products of labor.

CONCENTRATION OF PRODUCTS A SUBSTITUTE FOR MONEY.

It does, however, follow as a logical sequence that a large part if not the most important factors as money in the commerce of the world are the concentration of the products of labor or commodities for exchange and the distribution of these commodities or products from common centers, whether it is the neighborhood, State, the country village, the metropolitan mart, or the great cosmopolitan centers of New York, Boston, Chicago, St. Louis, San Francisco, New Orleans, Charleston, Savannah, London, Paris, and Amsterdam, through drafts drawn on bills of lading.

EFFECT ON USES OF MONEY OF EXTENDED COMMUNICATIONS.

The tendency of commerce which is exchange as communication over the world by telegraph, rail, and steam is extended is clearly to make exchange and distribution by this method and to substitute it as money or as the prevailing method or means of exchange or distribution to the full extent of its possibility.

POWER OF CONCENTRATION OF PRODUCTS ASSERTS ITSELF BY IMMUTABLE LAW.

By an immutable law the power of the concentrated products of labor asserts itself and is beyond control and limitation, because it is a natural law dependent on the wants and necessities of mankind, and the actual distribution of the products of labor is the only means of supplying them. The result of this natural law is concentration of products of labor in commercial centers for exchange and actual distribution.

For these two essential things there can be no substitutes. There may be anticipation and promises and these become values and transferable and are money as we have seen, and nothing can be money which does not effect this result and the performance of these two acts or the expectation of their performance.

SOMETHING OF GENERAL USE, IMPERISHABLE, DIVISIBLE, TRANSPORTABLE.

We are, however, on the search for something, whether it be a commodity, the product of labor or of nature alone, which does or may possess certain qualities or characteristics which are, first, to be of general use, need, demand, or desire, as nearly universal use and demand as possible, which shall be permanent, not perishable, easily divisible, easily transportable.

MERCHANT-OF-VENICE TRADING IN THE ORIENT.

To illustrate this need, let us suppose in the days of Venice, in the thousand years of her existence, when her merchants sought the far Cathay of the East, one of them starting on a venture to that far-distant country. He can not transport wheat, wine, oil, or articles of subsistence on his person. If he could, he would find these things in some form wherever human life can exist, and wherever the race has made any progress he will find them in greater or less abundance. What, then, shall he carry within the necessary limitations of space and means of transportation, and by what reason shall he be guided in selecting that which will be an object of desire with the people of that distant country?

COMMODITIES HE WILL TAKE AS MONEY.

He reasons that the desire for ornament is natural and universal; that gold and silver are the products of nature the most attractive for this purpose, the most easily converted into shapes pleasing to the eye and taste, the most rare or least abundant; that by natural qualities they are indestructible from ordinary causes, most easily divisible, and most easily transportable. He has thus found something which answers the necessary conditions of his search. No law of man can give these qualities; they are impressed on them by nature; they do not derive them from the stamp of the mint; no statute can make a man or a woman desire or prefer them for ornament to iron, copper, or the baser metals.

HE CHOOSES GOLD AND SILVER.

He takes, then, his store in gold and silver, and preferably under most conditions gold, on account of its smaller bulk and greater scarcity.

GOLD AND SILVER ALWAYS IN DEMAND AND ALWAYS CONVERTIBLE.

The reasons which govern him control us. We also find in gold and silver these natural uses and qualities which make them always a convertible value, a something for which every man may exchange anything he has, confident that he will everywhere find some other person who will want this gold and silver.

USE OF GOLD AND SILVER NOT DEPENDENT ON LAW.

He knows that these qualities and uses are not dependent on any law or statute or the will of any monarch; that, while their use may be increased and their value enhanced by law, they rest on the permanent base of natural desire and adaptation to human use for their value.

GOLD AND SILVER OF UNIVERSAL USE AND ADAPTATION TO USE.

We here find, then, the object of our search in the domain of nature a substance of universal use and desire, of adaptation to the wants of men, indestructible, divisible, and transportable. No royal stamp can either give or take away these qualities. Whenever a man has something which he wishes to dispose of and does not desire an immediate exchange into something for immediate use and consumption, here is a product of nature for which he may safely exchange whatever he has, knowing that when he wishes to exchange it again some one will easily be found who will desire it.

GOLD AND SILVER ARE MONEY, WHETHER COINED OR UNCOINED.

This fact makes it money or a medium of exchange, and the fact that this is the most current medium of exchange gives it an increased value and a new use.

The extent to which the law can either increase or decrease its value or use as a means of exchange is very limited.

EXTENT TO WHICH REGULATION BY LAW CAN AFFECT THEIR VALUE.

Let us see if we can weigh with precision and measure the extent to which regulation or law can either increase or decrease the value of these natural products, the precious metals of gold and silver.

Our Constitution and all other organic law gives to Government the power to "coin money;" that is, to divide and stamp it and "regulate the value;" that is, prescribe its fineness or its value with respect to other coin, not regulate its value with respect to other commodities; that is, as to how much land or wheat or corn or other things prescribed quantities of it shall buy.

CAN LAW FIX THE RATIO OF VALUE OF GOLD AND SILVER?

Neither can the law prescribe the relative value of gold and silver to each other. Let us examine this proposition and see whether it is true or not. Suppose the Government should declare that an ounce of silver shall be worth an ounce of gold; what effect will that have? The declaration of this fact by the Government will not in any way affect your taste in preferring gold to silver, nor will it change the preference of mankind for gold for use as ornament, nor the preference for gold in traveling because of its smaller bulk and safer transportation; neither will it make silver as scarce as gold; neither will it change the natural qualities of the two metals.

VALUE OF GOLD AND SILVER DUE TO NATURAL QUALITIES.

We see, then, that the value of each of these metals is based on natural qualities and adaptation to natural wants, and their relative value, like anything else, depends on the relative abundance or scarcity of each.

LAW CAN NOT GIVE OR TAKE THEM AWAY.

Law can not take away natural qualities, use, and adaptation to use.

WHAT CAN LAW DO IN RESPECT TO GOLD AND SILVER?

What, then, can law do in this relation and how far can an artificial use be created which will supplement the natural use and adaptation to use of the precious metals?

LEGAL TENDER AND ITS EFFECT.

The organic law of our country says:

No State shall make anything but gold and silver coin a legal tender for the payment of debts.

In this provision of the organic law the qualities which we have described are recognized, namely, universal use and universal demand. If gold and silver did not have these qualities the law which made them a legal tender would only be a declaration that a debt should not be collected or a contract performed. It is only because of its ever-present convertibility or exchangeable use that it may safely be made a legal tender for the payment of debts or the performance of obligations or contracts.

The legal-tender law does not and can not affect the validity of contracts and does not affect and can not affect the contracts which are executed, which comprise much the greater number of transactions of life or business. Neither does it affect the great bulk of time contracts which have become the subject of adjustment in the courts. Neither does the legal-tender law and the ratio of gold and silver affect the great bulk of time contracts, because when the ratio of gold and silver to each other is different from that prescribed in the law all contracts will be made on the basis of a performance in the cheaper metal, because the law in authorizing the discharge of the obligations in either of the metals according to a prescribed ratio authorizes its discharge in the cheaper metal, and all contracts made by intelligent persons will be on this basis, and it will be only the poor and ignorant who will be the sufferers, but very soon this knowledge will extend even to the poor and most ignorant.

EFFECT OF LAW GUARANTYING A RATIO.

Now let us examine the influence and scope and effect of laws which make the people at large as a Government guaranty the debt-paying

power or legal-tender quality of gold and silver coin of a fixed relative value or ratio, and measure if we can with exactness the influence and effect of such laws. We have ascertained that the value of gold and silver is because of their ever-present convertibility or exchange into other things; that this property or quality is because of its use and demand for ornamentation and use in the arts; that Government can neither give it nor take it away; that where it ceases to have this exchangeable value a law requiring it to be taken for the payment of debts would be a law confiscating debts and prohibiting the performance of contracts; that when the exchangeable values of gold and silver are respectively different from the prescribed ratio contracts will be made on the basis of performance in the cheaper metal. Now, the Government says we we will keep these two metals in a prescribed ratio of value. We will pay gold for silver in prescribed quantities wherever any one holding silver shall want it.

Now, if the exchangeable value of the two metals for commodities, etc., in the arts or for any purpose is different, how will the Government be able to do this? Here is a certain quantity of gold; it is of more value than a certain quantity of silver for which the Government gives it. The gold will sell somewhere, in England, France, India, or China, for more than the silver; that is, it will buy more travel, freight, products than that amount of silver. The Government obtained this gold from the people, who bought it with their labor or products sold for gold valued at the cheaper but actual market price of gold paid in silver; or, in other words, the people paid that much more of their labor in taxes to preserve this ratio. This seems to be the necessary result of this provision of law, but yet it seems to me that the taxation required for that purpose would be wise at present in furnishing an abundant and stable and convertible currency to relieve the farmers and people generally from the grasp of the usurer, extortioner, and money-lender.

RATIO OF VALUE DEPENDENT ON COMMODITY VALUE OF EACH.

The ratio of value between gold and silver is dependent on the use of each in the arts and needs of mankind. Legal-tender laws can not create it nor take it away.

The needs of mankind are for the actual exchange of commodities of things useful in life. All other things are secondary and it is only as this is promoted that currency has any value.

EFFECT OF LAW ON TIME CONTRACTS.

Now, let us see what part the law has or can have in affecting debts and obligations or time contracts, as they have been called. What is a time contract or debt? It is an agreement for a future exchange of commodities or properties for something that will itself be exchangeable into commodities or properties. This contract is in terms an agreement to take certain quantities of gold or silver coin at certain fixed relative values, each party taking the risk that the gold or silver can be exchanged into a greater or smaller quantity of other commodities, or, in other words, he takes the risk that the property for which the gold and silver can be exchanged at the time of the performance of the time contract will be greater or less than the gold and silver he receives. This is what he terms the rise or fall of prices; that is, the greater or less quantity for which commodities can be exchanged.

DECREASE OF GOLD AND SILVER COIN OR MONEY.

The gold and silver itself being subject to fluctuation by its own laws of abundance or scarcity, what then is the effect of decrease of coin or gold and silver? The coin only is a legal tender, and in coining or refusing to coin it there is a check on the quantity which may be obtained for the payment of debts or the performance of obligations. If Government gathers all the coin or the means by which debts can be paid or contracts performed in its own hands and holds it or by any public policy promotes its concentration in the hands of a few persons, it deprives the people of the means of performing their obligations. It increases the amount of labor or service the people have to give for coin.

It is true this evil soon ceases and remedies itself; coin having ceased to be a medium of exchange, having become too scarce and dear, actual exchange by other methods takes its place, properties are sacrificed, homes broken up, business suspended, until new arrangements are made. This is the result produced by the old method of clipping the coin, debasing the coin. The law remaining unaltered, the scope and effect of such law is the same as contracting the currency. It operates in contracts yet to be performed or damages recovered in suits at law, and here it stops as to the great mass of the community.

EFFECT OF INCREASE OF GOLD AND SILVER AS MONEY.

Now, what will be the effect of an increase of the coinage with this legal-tender quality preserved? The same law which governs any other value will govern the coinage in its relation to other things. If abundant and the demand for it is the same or greater, the quantity of commodities which it will take to buy a given amount of coin will be less. This is called inflation, but it is no more and no less than what belongs to any other species of property. Coin has to be bought with or exchanged for work, service, property, lands, houses, and products. It can be used in no other way. It is a commodity that can not be divested of this quality because of its artificial or money use.

The abundance of coin, therefore, can only affect values in a measure to which any value is liable to be affected, and it benefits the great mass of men who are the debtor class and who are the least able to bear loss.

No human ingenuity can prevent this fluctuation in the relative value of commodities to gold and silver or the relative value of gold to silver.

Whether we speak of buying property with gold and silver or of buying gold and silver coin with property it is the same thing; they are convertible terms, and with every fluctuation of the price of commodities gold and silver fluctuate in precisely the same degree, namely, in exchangeable value, which is their only value and use.

GOLD AND SILVER AS LEGAL TENDER.

Gold and silver coin as legal tender has no fixed value either to the person who is to receive it or to the person who is to pay it. If it will buy more property or commodities of any kind when the contract is performed, the man who receives is advantaged and the man who gives is disadvantaged; if less, they reverse places.

FREE COINAGE CAN HAVE NO DISASTROUS EFFECT.

I am therefore, Mr. President, confident in the opinion that the unlimited coinage of gold and silver and its legal-tender quality can have no disastrous effect upon the business of the country. I perceive in a little manual which I have here that the absorption of the silver coinage of the world in Oriental countries has been, if I read these figures aright, something like a billion and a half of money from the year 1835 to the year 1876. I read as follows:

Asia, with nearly double the population of Europe and America combined, depends almost exclusively upon the western continent for its supply of the precious metals. The annual import into Asia and Egypt of silver for the last thirty years has averaged $40,000,000.

At the beginning of the century, according to Humboldt, they took twenty-five out of forty-three millions of silver annually produced, and the remaining stock was insufficient to supply the requirements of silver for manufactures and change money. England, in 1816, and the United States, in 1853, depreciated their subsidiary silver coins, not on account of the excess, but from scarcity of silver and impossibility otherwise to retain their silver coins from export to the East. There is no reason to apprehend that the demand of India and China for silver will decline. During the last twenty-five years India has taken an average of $38,000,000, and China $9,000,000, making the average yearly absorption of silver by those nations $47,000,000. It is not unreasonable to expect that their future requirements will fully equal that amount.

DEPOSIT OF BULLION AND CERTIFICATE OF LEGAL-TENDER COIN.

I had a conversation this morning with a very intelligent and accomplished man who is the representative of the United States of Colombia in this country, in which he expressed his opinions in regard to the use of silver coin as currency and the unlimited coinage of silver. We remember with what distinguished ability the Hon. Mr. Romero, the minister to the United States from Mexico, discussed this subject in the Pan-American Congress which recently assembled in Washington. The following draft of a bill prepared by me embodies the views of Mr. Hurtado and other distinguished citizens of our sister Republics:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That silver bullion of the standard of fineness required by the laws of the United States for coinage shall be received at all the mints of the United States for coinage in the denominations and of the fineness now prescribed by law, and coined in the order in which such deposits shall be received.

That in making such deposit of the ores, of the standard of fineness required by the laws, by any citizen of the United States, the Superintendent of the Mint shall deliver to such depositor a certificate of the amount of such deposit and the amount and character of coin which he will receive and the time at which it will be coined and delivered to him, with the guaranty of the Government that such coinage will be made and the amount of coin delivered on the presentation of his certificate. The seigniorage shall be deducted from said coin.

That silver dollars and half-dollars coined from the mints of the United States shall be a legal tender in the payment of all debts and obligations and of taxes and dues to the United States.

The opinion of Mr. Hurtado is, I think, a wise one. He is an able and an accomplished man, and it is a matter of gratification that the representatives and citizens of our sister republics here are men of distinguished ability, who have given profound thought and consideration to these great financial subjects. I take pleasure in giving Mr. Hurtado the credit of this idea, whatever value it may have. He is of the opinion that coinage laws which authorize the deposit of gold and silver bullion of the standard of fineness required by the laws of the United States for coinage, required to be received at the mints of the United States and to be coined in their order, certificates being given for the bullion deposited, which certificates are to be redeemed in coin itself with the legal-tender quality attached, would at once remove from the market a great amount of silver bullion and place it on deposit in the mints of the United States; that this would to a great extent relieve the price of silver, and it would take time (there being coined probably not more than forty millions or fifty millions a year) for the coin to be made and to be delivered; that the Government would thus have a check upon the amount, the suddenness with which it should be placed upon the market, and that in this time the laws of trade and the business of the country would adjust contracts to the new and increased amount of currency. Thus an unlimited coinage might safely be resorted to and the beneficial effects of a great abundance of money had throughout the whole country.

LIMITATION OF COINAGE HURTFUL TO ALL INTERESTS.

I fail to see, Mr. President, anything but an undue and hurtful control of the great interests of production and distribution by any limita-

tion whatever upon the amount of gold and silver coin which can be placed in the world. Where do you find the idea and upon what do you found it? It possesses its value as a commodity; it is indelibly stamped upon it. Law can not give it and law can not take it away. It has no value except its use and capacity for exchanging the products of labor. Deprive it of these you leave it dead and inactive. The legal-tender quality attached to gold and silver or anything else without the power of making exchanges would leave it dead and inactive, and the legal-tender quality would only be a means of confiscation, a declaration that contracts can not be performed, or that when performed something that is incapable of transferring values and effecting exchanges shall be received in payment. To make anything of such universal use or value that any person will reasonably believe that whenever they desire they can convert it again into any other product or value which they may desire, it must have some natural, permanent, intrinsic value; that is, use and adaptation to use.

Legal-tender use is not universal. It is limited to unexecuted contracts, and to contracts which are submitted to legal arbitrament, and to contracts the performance of which is involuntary and compulsory.

All the legal-tender laws in the world could not make iron or copper or any of the base metals a means of exchange for commodities.

The only effect of such a law would be to limit all contracts to such as could be immediately executed or to the settlement of disputed contracts by voluntary arbitrament.

Therefore, Mr. President, I fail to see any force in the argument that any limitation whatever is desirable upon the supply of the precious metals that are to be found in the world. Exchange is not dependent upon it. It is promoted by it. That is all. The arts are kept alive. The abundance of gold and silver is constantly checked by the desire of the human race for ornamentation, which gives to it, as Aristotle said in the early days, its value, and its great and essential value, for the purposes of currency and of business.

NO FIXITY OF VALUE IN EITHER GOLD OR SILVER.

Mr. President, there is force in the suggestions made by the Senator from Ohio. While I appreciate the great ability and learning which have been exhibited by the Senator from Colorado upon this subject and quite agree with him, in most of the propositions of one of the most learned and able speeches ever made in the Senate on this subject, still I see that there are both force and ability in the suggestions of the Senator from Ohio. A single standard of value, and a gold standard, is certainly the more certain standard of the two. The divergence which the two metals may have can not exist when there is but one standard, and the measurement of contract values to be paid in the future would appear to be more certain if limited to gold values; but neither in gold nor silver can there be certainty.

The gold will buy more or less of commodities and commodities buy more or less of gold, for they are convertible terms, as commodities may be scarce or may be abundant, and there is no fixity and can be no fixity of value. The old theory as we read in the old school-books and in Blackstone of the institutions which instead of taking gold or silver took wheat for rent, is a proper illustration of this idea, which is true and will hold true as long as the world lasts.

ADVANTAGES OF FREE COINAGE TO FARMER.

But the great advantage, in my judgment—and I express it with modesty—of the unlimited coinage of these precious metals is that it prevents combinations from affecting the value of money; it prevents contraction of the currency by a few persons. It is true it does not exclude the possibility of it, but where gold and silver are abundant—and where it may be stored in the great centers of exchange thoughout the country everywhere, and where the farmer receives it for his products—and I am by no means certain that the ideas of the Farmers' Alliance for relief from their present depressed and impoverished condition will not in a modified form take a great part in the financial system of the world—when silver is abundant and it goes into the profits of the farmer throughout the country, and of the artisan, and of the laborer, they will have the means then of establishing their own centers of exchange and their little centers of finance. When it is scarce, when a single standard exists, when it is a subject of easy manipulation and control and does not have to be gathered from a great and wide center of distribution, it is easy to combine and easy to contract.

But, as I perceive it, Mr. President, the great factors of business, of life, and of civilization are production and exchange, and products by the laws of commerce are now concentrated in centers of exchange, in neighborhoods, in metropolitan cities, in cosmopolitan cities, in great centers of exchange, which through clearing-houses and draft on shipments distribute it throughout the different quarters of the earth. I am satisfied that the progress of financial skill and ability and enterprise will give some favorable direction to the ideas which the great agricultural interests of the country are now formulating in the direction of a concentration of the products of agriculture which are not perishable, so that they will be sources of credit.

These products do now, we perceive, furnish the methods of exchange and their proceeds are a currency. Who will say that the millions and hundreds of millions of wheat values exported to Europe and concentrated in a common center of distribution and the value of it drawn in bills of lading and paid in this country is not a credit, is not a capital, is not a money, is not a method of exchange? Why, unquestionably that is true.

This idea may be followed out, in my judgment and belief, into some practical results.

PUBLIC POLICIES WHICH IMPOVERISH THE FARMER.

Our present system of banks, our methods of collecting revenue by a tax on consumption which makes everything necessary and useful to human life dearer, increase the hours of labor necessary to obtain them. The concentration of the money of the country through the tax levied on the transportation of the people in the great centers of finance bears with great hardship on the farmer and leaves him with nothing but a bare and scanty support for himself and his family.

FIVE THOUSAND MILLIONS OF DOLLARS PAID BY FARMERS.

I think the estimate is not unreasonable that between four and five thousand millions of dollars of gold values have been sold by the farmers in foreign countries since the war and brought back to the United States; and of this great sum of money nearly one-half has been required by our laws to be paid by them in bounties to others for the things which they consumed.

From the remainder all charges of transportation and its incidents have been paid; and of this great sum there has been little or nothing left, and they have had to borrow from those who held the proceeds of their labor at 10 or even 20 per cent. interest to educate their children and clothe their families until a great debt has been accumulated upon them and a hopeless future seems to look them in the face.

MEASURES WHICH WILL CONTRIBUTE TO THEIR RELIEF.

It is true that the unlimited coinage of silver will not change these conditions, will not alter the tax levied on them of one-half their products, but it will do something towards it. Money abundant, farm produce will buy more of it than it would if scarce. This will aid them in paying taxes. It will make money cheaper. Money abundant, financial enterprise will find the means of making the farmer's products, which are not too perishable, a source of banking credit at low rates of interest if the farmer requires loans.

Changes in our laws regulating banks and banking may enable them to meet the needs and interests of their combined organizations without the intervention of the Government. The Government, we must remember, is the people and has nothing but that which the people give to it. It has nothing but taxes and the credit which the power to levy taxes gives. Of these taxes the farmer pays a great part of the whole amount. Money is nothing but a means of exchanging what the farmer makes with the product of the artisan, the manufacturer, and other farmers and fruit-growers of his own and other countries.

EXTENT OF THE POWER OF GOVERNMENT.

It is true that the belief, confidence, or credit that certain things or persons will be able to effect what we desire is equal as a factor while it lasts to the actual possession or existence of the power, and in this sense the Government has a credit or confidence much greater than its real power. Its real power is limited, first, by the capacity of the people and, second, by the willingness of the people to pay.

Government often exceeds the capacity of the people to pay in times of war, and the willingness of the people always stops short of the point where the tax encroaches upon their means to buy the bare necessaries of life. It is a question whether we have not reached that point now with the great farming interests of this country.

FAVORS ANY MEASURE WHICH WILL RELIEVE FARMERS.

I shall favor any reasonable and practical measure in the direction of the ideas of the Farmers' Alliance which can afford them relief, and I regard the free and unlimited coinage of gold and silver as an important step in that direction.

EFFECT OF LIMITED AMOUNT OF GOLD AND SILVER.

Let us further examine the effect of the confinement or limitation of the currency as the representative of exchange to a fixed and limited amount which may be easily held and controlled by a few persons concentrated in our great cities or in foreign centers of exchange.

We take gold and silver, for illustration. We have found that these precious metals have a universal and intrinsic value for ornamentation and use in the arts, which makes it reasonably certain that as bullion it will always be in demand everywhere, and therefore when we have any property which we wish to convert into something else which is not convenient immediately to buy or exchange, we purchase gold and silver either as bullion or as coin for future exchange into something else.

Seizing on this property of these metals the policy of the laws and of all forms of power, whether despotic or free, from time immemorial, has refined, milled, and stamped these metals in coins of convenient sizes, and endeavored to fix and create an arbitrary ratio or relative value of one to the other, for the purpose of making them by law or force a legal tender for the payment of obligations and for the purpose of giving absolute control to government or centralized power of something which would always command the services and labor and products of mankind by its power of convertibility.

The same motive has been powerful with bankers and all forms of

private combinations, as we discover from the organization of credit on the basis of the issue of bills of credit on the basis of a redemption reserve of three dollars of bills to one of gold or silver.

This fact equally illustrates the insufficiency of the total amount of gold and silver in the world to effect its exchanges and the great power and control over the labor of the people which the control of the precious metals gives.

Having erected on the foundation of these natural values of the precious metals this great fabric of commercial and centralized power and enshrined it in the confidence of the world by giving it a legal-tender or debt-paying power, sanctioned by all governments and all forms of power and by traditions from the most ancient times, when in our modern days a golden image was fashioned and all the world was required to bow down and worship it, we may well see what a shock it is to the customs, the traditions, and the interest of the world. We can also see how great the power in the hands of those who by law are vested with the power of making this golden image and commanding the world to worship it.

EFFECT OF HIGH TAXES AND SCARCE MONEY ON THE FARMERS.

How does the farmer stand whose labor has brought back to this country four or five thousand millions of dollars of this golden treasure or its representative values in the last twenty years. First, 45 per cent. paid in bounties to other persons; second, cost of transportation collected from the remainder and drawn to New York, or London, or Amsterdam, where interest on bonds is paid; third, four hundred and fifty millions a year in Federal taxes collected and drawn to a common center; fourth, a system of banking or the right to loan money limited by law to those who can buy Government bonds, with the condition attached by law that no loans or credits shall be made to the farmer on the security of his land, and practically excluding him from the privilege of loans on the products for the exchange of which this great system has been constructed and which is its only proper use. The farmer is then compelled to borrow, when he requires money, outside of these institutions at enormous rates of interest.

It is not difficult to perceive that under this system the farmer is the most oppressed of all people.

THE DEMOCRATIC PARTY THE FARMER'S PARTY.

The Democratic party since the day when Thomas Jefferson abolished entails and established the land policy of small farms and the protection of actual settlers has been, as it is to-day, the friend and support of the farming interest, without detriment to the true interests of manufacturers, which can only flourish permanently when the farmer prospers.

GREAT BENEFACTORS WHO HAVE SPRUNG FROM BUSINESS OF MAKING MONEY.

From the earliest time the business of handling and managing money has been the most profitable of all pursuits. It has produced many great men in every age of the world. Many of the world's benefactors have sprung from it: the great Jewish banker, Montefiore; the great citizen of Washington, Mr. W. W. Corcoran, whose statue ought to adorn some public park in Washington City; in my own State a citizen of New York, Mr. H. M. Flagler, who is still living, who, though not a banker, yet a great master of finance, has used his great fortune as a benefactor of mankind, in great works of public utility in the State of Florida and deserves honorable mention in the noble list of those who having accumulated great fortunes, have been inspired with a pure sympathy with the wants of mankind and a generous ambition that their talents should leave behind them the enduring fruit of good works; and there is another citizen of New York, Mr. H. B. Plant, who uses his great means there in other works of permanent beneficence, and a third, Mr. Robert Coleman, of Pennsylvania, who is still living, for whom the like claim may be made. These men, and others like them, will live in the gratitude of future generations of the people of Florida.

MONEY ALSO BREEDS SHYLOCKS.

The business of managing money breeds also men of another kind—Shylocks, extortioners, usurers—the reproach of all time, accursed of God and man.

The scarcity of the precious metals in forms of coin, the limitation of the legal-tender, the debt-paying power to a single thing scarce and difficult to obtain, breed this latter class of men in every little community and neighborhood to prey on the people as mercilessly as the jackal preys on the dead and wounded of some deserted field of battle. These men find their support in great combinations of credit in our commercial centers; they are fair as the "whited sepulchre on the outside," but false and foul with "dead men's bones" and rottenness within, preying on the farmers and on their wives and children.

FREE COINAGE PROTECTS FARMERS.

It is because the free and unlimited coinage of the precious metals will enable the farmers, by wise combinations, to avail themselves of the opportunity to obtain the use of money that I favor it as the first and one great step towards protecting them against this class of men.

OTHER MEASURES FOR THE FARMER'S RELIEF.

Other great measures will follow. The farmers should not be misled by wolves in sheep's clothing. The great struggle in which they are engaged is not now for the first time made.

It dates back many centuries, and is the contest between the people, the great body of whom must always be tillers of the soil—and, under favorable conditions, peaceable, contented, and prosperous—and the power of combination in the interest of the few. Low taxes, popular education, small holdings of land, laws inviting the cultivation of the soil, cheap transportation, abundance of money, government based on peace establishments, no standing armies, and no great navies, opportunities for industrial education of the farmers' children, diversity of employment—these are the great points on which the battle has been fought for ages.

DEMOCRATIC PARTY THE GREAT FARMERS' ALLIANCE.

The Democratic party, under the influence of the ideas and principles of Thomas Jefferson, stands fully committed to these ideas and measures.

It is and has been a great farmers' alliance. For myself, I will go as far as those who will go furthest in the support of every practicable measure, not only of present relief, but of permanent advancement and benefit to them. I believe that, with free coinage of gold and silver, with abundance of money, with lower taxes, with wise and intelligent combinations of the farmers for economical, not political, purposes, our system of banking and finance may be so changed that it will do all that is possible to be done for their prosperity. It is obvious, in my judgment, that so long as one-half or more than one-half the proceeds of their labor is taken in taxation in one form or another the first great measure must be to relieve them from this great burden of taxation.

Relieved from this, with abundance of money from the sale of crops, with banks organized subject to safe requirements established by law and under Government supervision, the farmers themselves will control their own banks, as they did in former times, and dictate within reasonable limits of the natural law of demand and supply the sale and disposition of their own products. The farmers, under a proper system of taxation and finance, are richer than the Government and than all other combinations. Their need and the purpose of their combinations must be for the successful establishment of the economies which will save and secure to themselves the greatest share of the proceeds of their own products, for the products of the farmer's skill and labor are the sources of all prosperity and wealth. They constitute the resources of government, and when it needs money or tribute it levies its taxes on the farmer and his products.

What is needed, then, is such policies as will enable the farmer to save for his own use the largest share of the products of his own labor and such policies as will enable him to control and direct in a reasonable degree the financial agencies which furnish the means of exchanging them.

AMOUNT OF THE PUBLIC DEBT OF THE WORLD.

On January 1, 1889, the amount of the combined debt of the world was $26,100,082,695.

DEBTS OF THE WORLD IMPOSSIBLE OF PAYMENT.

All the gold and silver, whether coin or bullion, in the world will not pay the debts of the world.

The debts of some particular countries are impossible of payment.

FORCE AND EFFECT OF THIS FACT.

What is the force and effect of this fact and what is its relation to coinage and to the precious metals and to money?

Let us examine these facts and endeavor to consider what they mean.

TOTAL AMOUNT OF BULLION AND GOLD AND SILVER COIN IN THE WORLD.

The total amount of bullion and gold and silver coin in the world in active circulation is estimated in the annual statistics for 1889 to be eleven billions five hundred millions; in banks, two billions; that is, thirteen billions five hundred millions; of paper money, three billions nine hundred millions. In a note on page 377 the author says:

The total amount of gold and silver in circulation at this time in the world does not exceed seven billions six hundred millions.

All the gold and silver in the world known to have been mined previous to 1492 amounted to $8,691,374; yet the existence of only one hundred and seventy millions could be traced. In 1809 there was estimated to be one billion eight hundred and forty-three millions of gold and silver in circulation altogether, although America alone had added between 1492 and 1809 $6,000,000,000 to the world's stock of precious metals.

The grand total of gold and silver produced in the world down to June 30, 1884, is estimated to be $23,148,762,501, of which $12,709,425,520 was gold and $10,439,336,981 was silver. The total amount of gold and silver, in coin and bullion, in circulation at this time in the world does not exceed $7,600,000,000.

WHAT IS A DEBT?

It may be properly defined to be an obligation or promise, either public or private, to give or pay to some person a quantity expressed and clearly defined of some value or commodity, either in kind or in some other thing which shall be exchangeable into that or into all commodities.

INTERCHANGEABLE VALUE OF PAYMENT THE ESSENCE OF THE OBLIGATION.

The interchangeable value of the commodity in which this obligation is to be performed is of the essence of the obligation. To make this clear let us suppose that I agree to pay you 100,000 bushels of wheat at some future time. You say, "I will take your obligation to pay me this wheat in something other than wheat, if I can find something which can at that time be exchanged for wheat or for any other commodity." I say to you, "Gold and silver is that thing," and we agree on gold and silver; and we estimate, according to our judgment, the amount of gold and silver which will equal this amount of wheat, tak-

ing the present values of wheat in relation to gold and silver and our judgment as to its increase or decrease. We have then in this illustration the use and necessity of a common and interchangeable and permanent representative of value.

REPRESENTATIVE OF VALUE MUST BE PERMANENT, UNIVERSAL.

We find it then the interest of mankind to make this representative of value as permanent and as universal as possible.

A GREAT POWER.

We can see then clearly what a great power it is to be able to create or control this representative of value.

MAY BE THE MEANS OF APPROPRIATING LABOR OF THE PEOPLE.

If it be interchangeable, it may be the means of appropriating or using the products of every man's labor. Yet, as we have seen, it is a purely artificial and a subsidiary use or factor.

TRADITION AND USE COMBINE TO MAKE GOLD AND SILVER THE REPRESENTATIVE OF VALUE.

Tradition, custom, and use in all countries have combined to establish this representative of value and have found in the natural properties of gold and silver and in the desire of mankind for ornamentation the permanency and universality of use and demand required in such a representative of value.

RELATION OF ACTUAL EXCHANGE OF PRODUCTS AND COMMON REPRESENTATIVE OF VALUE.

We have also found that the necessity of mankind is for the actual exchange of things and that exchange by a common representative of value is only a convenience, and not a necessary use. Now we have found a common representative of value and have made its use universal and have sought to make it compulsory by law as a legal tender.

We have also found that through its use there has been created an amount of promises or obligations to deliver it which are many times greater than the entire amount of it in all the world.

The laborer receives a dollar for a day's labor. He takes the same dollar to the grocer and pays for a quantity of groceries, measured by the quantity of gold which the groceries will buy, and this will be greater or less as groceries may be at that time and in that place abundant or scarce, and this will depend on the facility of communication and transportation.

EFFECT OF CONTROL OF REPRESENTATIVE OF VALUE.

If this dollar is held by one man or by a few men, the persons who hold it and sell it for commodities will charge more for it than if it was abundant and held by many men.

Thus this dollar goes on its way from hand to hand in an unending circle, performing its functions without cost to the community; but when it stops, when it is concentrated, when is diverted from these proper uses by any artificial means, it ceases to be a convenience and a means of exchange, and other methods of effecting actual exchanges become substituted easily and naturally.

FORCE AND INJURY OF LAW.

Here come and begin the force and injury of law. A great mass of obligations, private and public, have acquired the force of law and are required to be performed in this dollar not in actual exchange.

A person may have all the things which the dollar may be exchanged for, and of the value of which its sole function is to be the representative, but the law requires you to have the dollar money, and if you have it not everything you have is taken, though many times greater than the value of the money representative fixed in the obligation. It is the control of the dollar, or money representative of value, and its scarcity and its abundance which are great controlling factors as to this great mass of indebtedness, public and private, and are great objects of desire, and are the means by which the great mass of the people are held in the slavery of want and ignorance, which is the worst form of slavery.

CONCLUSIONS OF FACT AND REASON.

We have thus found the following propositions of fact and reason:

First. A greater amount of public debt or public obligations to transfer and deliver the exchangeable products of mankind than there are products in the world.

Second. A mass of debt impossible of performance or payment.

Third. A mass of private debt or contracts impossible of performance, because they exceed the products of the world.

Fourth. A power in the legal-tender laws to compel the performance of these obligations in one species of exchangeable value, namely, in gold and silver, and not in other values.

Fifth. A proposition to further limit, compel, and confine the performance of these obligations to less than one-half of these two values, namely, to gold.

Sixth. The concentration of these legal-tender values in the possession and control of a very small number of persons in every country in the world who, by the ownership of the public debt of the world and through the taxing power of governments, and by the ownership of the land virtually own and appropriate the products of the world, regulate prices, and prescribe the abundance or scarcity of the supply to each person of the necessaries and comforts of life.

SUBSTITUTION OF PAYMENT OF INTEREST CHARGE IN PLACE OF PRINCIPAL OF PUBLIC DEBTS.

We may form some idea of the effect of this mass of debt and of legal-tender laws and of the tax power by a consideration of the fact that the public debt of the world is impossible of payment, and practically there has been substituted for it an obligation to pay only a part of the debt, namely, an annual charge of a fixed amountwhich is termed interest, and that the obligation to pay this annual interest has become a value, and men sell their labor and all their products for gold and silver and pay it for portions of this debt with the certaintythat the Government can never pay it, and solely for the purpose of obtaining this annual payment, and the payment of this interest or annual charge upon this great mass of fictitious and impossible obligations has become so great a burden on the people of some countries as to approach the point of impossible performance even of this substituted obligation of so small a part of the original debt.

EFFECT OF OWNERSHIP OF PUBLIC DEBTS AND CONTROL OF TAXING POWER OF GOVERNMENTS BY A FEW PERSONS.

The ownership of this public debt of Governments and the control of the tax power and the ownership of the land by a few persons in the great centers of commerce and finance are oppressive and ruinous to the people in concentrating the representative of value and directing through it the proceeds of labor and all the products of man into the ownership, use, and enjoyment of the few.

FREE AND UNLIMITED COINAGE OF GOLD AND SILVER A REMEDY.

It therefore follows that the free and unlimited coinage of gold and silver and its supplement by all other methods of exchange are beneficent uses, and while they may affect to some extent this great mass of debt which is impossible of payment, and which must fall of its own weight before many generations shall pass, and if it does not can only survive to carry civilization down with it, until both perish—while it may have this effect, it will also limit the power of the few. It will also promote fair exchange and distribution, and be an unmixed blessing to the toilers of every country in the world.

Silver-Bullion Certificates.

SPEECH

OF

HON. ZEBULON B. VANCE,

OF NORTH CAROLINA,

IN THE SENATE OF THE UNITED STATES,

Thursday, June 12, 1890,

On the bill (S. 2350) authorizing the issue of Treasury notes on deposits of silver bullion.

Mr. VANCE said:

Mr. PRESIDENT: Since I have been a member of this body I can not recall a question that has been more thoroughly and ably discussed than this of the coinage of silver, nor can I remember one which has come before this body which I think of greater interest to the people of the country.

It is a fundamental, elementary maxim of the science of finance that an abundance of money makes high prices for products, and, *per contra*, that a scarcity of money makes low prices for products. In other words, the value of the products of the world is measured by the amount of circulating medium, of the precious metals, that there is in the world to exchange for them.

I do not think anything has been better established than the necessity of this country for more money, for a larger circulation to meet its constantly enlarging business and its rapidly increasing population. We must have more money; it is necessary to our progress and to our prosperity. It is necessary that the currency of a country should keep pace with its growth in population and its business. It is a remarkable fact, most complimentary to the civilization of this age, that the wealth, and consequently the business, of the world has increased even in a far greater ratio than its population. Within the last fifty years it is not too much to say that the wealth of the world has increased tenfold. Now, the circulating medium of the world is furnished by the precious metals, gold and silver, and with the exception of remarkable finds now and then, lasting not a great while, the output from the earth of the gold and silver which furnish our circulation has kept pace neither with the population of the world in the last fifty years nor with its wealth.

In consequence of business and population having outgrown the circulating medium of the United States, hard times have come upon this country and prices of all products are low, lower perhaps than they ever have been in the history of the Government. Wages are low, lower than they have been in recent years of our prosperity, and they would have been still lower if they had depended altogether upon economic causes. The very slight increase in the compensation of labor that has taken place within the last twenty years is due more to the exertions of labor itself than to any economic cause. Labor associations and the struggles which they have made to secure their proportionate and proper division of the proceeds of capital have operated to some extent

to keep up the price of wages; but in every other respect the condition of the country is an unhappy one so far as its finances are concerned.

The debtor class especially are in trouble in consequence of the legal ratio which existed for hundreds of years between gold and silver having been dissolved and the extraordinary fall of one of the metals or the rise of the other; and owing to the fact that debts contracted years ago have to be discharged in a metal that is constantly increasing in value, the debtor class perhaps are suffering worse than any other. No, I will not say that. Those who have suffered most from this depreciation, this bearing of silver by means of legal enactment, are the agricultural class of our country.

The farmer has not only to receive these low prices for his products, but he has gradually fallen behind more and more, until his farm, and his homestead, and his roof-tree have become covered with mortgages and he is so in debt that if the present state of things continues, if he receives no more for his products than he does now and there is no aid given to him in the way of increasing the currency of the country and putting some of it within his easy reach, a very large portion of that class of our fellow-citizens are doomed to bankruptcy and ruin.

It seems to me that the causes which have tended to his destruction arise, in the first place, from the unequal taxation to which he has been subjected by our tariff laws, inasmuch as he has been compelled to sell his leading products in the free-trade markets of the world in competition with all similar products of the world and has been compelled to buy his supplies in the highest market in the world, restricted by tariff to prevent competition.

Another cause of the ruin which is threatening him arises from the fact that those same tariff restrictions operate against the extension of his trade. Inasmuch as his products can not freely go abroad, for the reason that the products of the people abroad can not freely come in exchange for them, he has not only been subjected to these disadvantages to which I have just alluded, but his market has been so restricted that the natural law of supply and demand could not work to increase the price of his products.

But, as if that was not enough, after you had practically forbidden him to send anything abroad and stationed a sentinel with a club at every port of the country to keep anything from coming in to exchange with him, you stepped in at the instigation of Wall street and demonetized one-half of the currency of the country which gives credit and value to his products. One of the strangest economic operations that I have ever known advocated by sane men in modern times is that when the wealth and business of the world had increased tenfold the money with which that business was done should have been diminished one-half. Just when it had most to do was the time when the currency was curtailed, and the work which had been performed by both silver and gold was left to be performed by gold alone.

But so it is that these hard times have come upon the country, and we are called upon to do something to relieve the people who are in distress. Inasmuch as there seems to be but little chance to relieve the farmer of the incubus which has been imposed upon him by unjust taxation, then the question arises, are we willing to relieve him in this way or in any other way?

In order that there may be no misunderstanding about the purport of my remarks, that it may not be inquired as I go on which side I am upon, I simply wish to say now that I favor the unlimited coinage of silver money and the restoration of silver as it was before it was demonetized and the coinage of the silver dollar was forbidden in 1873.

Now, what is the danger of this coinage? Suppose that we yield to the clamor of our fellow-citizens who are in distress, the laborer, the workingman, and the agricultural classes everywhere with their labor, and the common people at large, who all demand this addition to our currency—suppose we were to yield to it, what is the danger that is to come upon this country? In the first place, it is said that we will be immediately deluged with silver; that all the silver of the world will come immediately to the United States to be coined. Mr. President, I do not regard that as a danger. I do not regard it as a misfortune if, having $1 in my pocket with which to buy so much flour and so much meat, there comes legislation which will put $10 in my pocket to do the same thing. Some men may regard that as a misfortune, but I do not. But, treating it as though it were a misfortune, I wish to suggest that there is no danger of any such thing happening. The silver of the world will not come here for various reasons.

In the first place we coin at a ratio of 16 to 1 when Europe coins at a ratio of 15½ to 1. It is hardly supposable that a man who had silver in Europe worth 15½ to 1 would lose 3 per cent. upon it by voluntarily taking it where it could be coined at only 16 to 1. It is very certain that the silver of the silver countries of the world would not come here, because it is their standard of value, and they would not make the sacrifice, of course, of sending it off and making their standard of value scarce.

The silver of Asia would not come, nor would the silver of European silver-standard countries come, nor would the silver of the bimetallic-standard countries of Europe come, nor would the silver of the gold-standard countries come. Why? They all use silver, every one of them. The gold-standard countries use silver. I have here the last copy of The London Economist, dated the 31st of May, in which I find a table of the coinage of Great Britain and of the world for the year 1889, and I find that Great Britain coined over $12,000,000 of silver last year, 2,215,000*l.*, just about half of what we coined ourselves. I find the following important fact, which is commented upon by the editor of The Economist:

> The gold coinage, it will be observed, consisted wholly of sovereigns, the coinage of half-sovereigns being suspended, as it was in 1888 also. Indeed, during the past few years only 841,200 half-sovereigns have been coined. An opening has thus been created for the more extended use of silver in the currency, and two measures taken by the Treasury in 1889 further increased the use of the white metal. Arrangements were made for paying wages in dock-yards and other large Government establishments in silver instead of in half-sovereigns, and as the small charge previously made for sending silver from the Bank of England to banks or firms in the provinces was found to interfere with the free circulation of the metal, that was abolished, the cost of carriage being defrayed by the mint.
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> It is no doubt to these measures that the large expansion of the silver circulation is mainly due, and although the Chancellor of Exchequer was blamed in certain quarters for pushing out silver he unquestionably acted wisely in doing so. The half-sovereign is a very convenient coin for the wealthier classes, and as it is less troublesome to handle than silver to the same value it is naturally preferred by bankers and those who have large wages bills to pay. The great mass of wage-earners, however, find it more convenient to be paid in silver than in gold, which they not unfrequently have a difficulty in getting changed, and, as in addition to this there is a very large profit in the issue of silver, while the half-sovereign is a costly coin to maintain, there is a double advantage in the substitution within due limits of silver for the small gold pieces.

This is the organ of the gold-standard economists and financiers of England, and this is the official action, showing that the Government of England, although it has the single gold standard, finds it necessary not only to keep a certain amount of its silver in circulation, but is from time to time increasing that amount and refusing to coin the smaller pieces of gold in order that the silver may more readily take its place.

Now, where has England got any silver money to send to us in case we adopt the free coinage of silver? Why, Mr. President, the Secretary of the Treasury tells us the same thing. In his last report he tells us that England could not send any of her silver here without the greatest inconvenience and without disarranging her currency and incommoding her people.

If this be so, that the chief gold-standard country of the world can spare no silver, surely the double-standard countries will not spare it.

Where then is silver to come from? There is no surplus silver known to be anywhere unemployed in Europe, unless it be the remnant of the German quantum that was on hand when Germany demonetized silver and adopted the gold standard, and, as she has already sold off more than $140,000,000 worth of her surplus, who knows how much silver Germany has on hand? France has more than any other country, but she is using it all and coining more.

The Secretary of the Treasury also estimates for us that the total production of silver in the world is only about $142,000,000. I believe it is. Of that India alone takes and is obliged to have about $35,000,000. China and Japan take about $20,000,000. The remainder, bringing the total down to about one-half of it, $70,000,000, is distributed over the silver-using countries of Europe. From that must be deducted the amount required for use in the arts, which is estimated at about $15,000,000. That would leave about fifty-five or sixty million dollars of surplus silver that could come to the United States in consequence of our adopting the system of free coinage. But by the table which I append from The Economist it will be seen that the world's coinage for last year was 25,376,278*l.*, or more than $125,000,000, leaving only about $17,000,000 for use in the arts and for "flooding" us! The dire predictions of calamity and disaster that are made by Senators on the other side, of ruin to come to our financial system by this influx, would mean, if my calculation is correct, only about $1,000,000 more than is provided for by this bill which was reported by the Finance Committee, which is $54,000,000.

Gold coinage.

Cities and countries.	1889.	1888.
London	£7,257,455	£2,277,424
Sydney	3,294,000	2,187,000
Melbourne	2,732,000	2,830,000
India	22,600	nil.
	13,306,055	7,294,424
United States	5,069,000	5,672,830
Germany	10,118,959	7,214,468
France and colonies	699,112	22,166
Russia	3,888,446	4,219,523
Italy	nil.	97,308
Switzerland	80,000	5,520
Belgium	nil.	nil.
Austria and Hungary	683,606	370,648
Sweden, Norway, and Denmark	222,070	nil.
Holland	160,306	29,395
Spain		nil.
Portugal	19,778	21,110
Mexico	66,994	79,729
Japan	185,939	184,867
Egypt	112,879	53,330
Total	34,562,144	25,472,738

Silver coinage.

Cities and countries.	1889.	1888.
London	£2,215,743	£755,113
India	7,282,000	10,790,000
	9,497,743	11,545,113
United States	6,903,000	6,837,219
Germany	37,201	207,800
France and colonies	269,979	458,632
Russia	237,915	239,868
Italy	nil.	nil.
Switzerland	1,000	nil.
Belgium	nil.	nil.
Austria and Hungary	939,474	1,144,438
Sweden, Norway, and Denmark	54,211	27,304
Holland	nil.	nil.
Portugal	140,000	315,555
Turkey		320,000
Egypt		1,760
Mexico	5,206,245	5,368,806
Japan	2,089,510	2,042,422
	25,376,278	28,508,917
Spain	(*)	2,128,777
Total	25,376,278	30,637,695

* No record obtained.

To the increase in the gold coinage of the year it will be observed that this country and Australia and Germany have mainly contributed, while the decrease in the silver coinage is fully accounted for by the lessened output of the Indian mints. The Indian coinage in 1888 was, however, exceptionally large, owing to the importation in that year of the native coins received from the Maharaja Sindia.

In confirmation of the views I have just been expressing, to the effect that there is no danger of a flood of silver, I beg leave to read from the report of the royal commission, those distinguished gentlemen who had in charge the inquiry as to the depression in trade, etc., arising from the separation of gold and silver in bullion value. They say, on page 78, as follows:

Turning next to silver, it is very difficult to estimate the extent to which the use of this metal has diminished in Europe and America owing to currency changes.

No doubt the adoption of a gold standard in Germany diminished the demand for silver in that country, but on the other hand there has been a very large coinage of silver in the United States during the last ten years, amounting to upwards of $300,000,000, while in the ten years preceding 1873 the currency in that country was paper and but very little silver was coined.

When all the facts are taken into account it seems doubtful whether there has been, on the whole, any great diminution in the use of silver for currency purposes.

Now, if under all those circumstances, if in the period following the depression of silver by its demonetization in many of the leading countries in Europe and by the closing of the mints of all the countries of Europe to its coinage it had still maintained, or very nearly maintained, in the language of these distinguished gentlemen, its use in circulation, how can we argue that the increase of its use now will be injurious to anybody? The very fact that the price of silver has never fallen as compared with products and that a dollar in silver now will buy as much as a dollar in gold and as much as a dollar in anything else will, is evidence that the county wants it and that the country desires more of it. That which the country wants kept in use and wants increased can not possibly be construed by any kind of philosophy into an injury to the country.

I believe all sides agree now, though they did not agree until pressed by what they regard as the great danger of the free coinage of silver, that, whilst it would be an excellent international arrangement, yet the United States Government would find itself overwhelmed and ruined if she undertook to remonetize silver and to maintain its parity with gold throughout the world. Who prophesies all these dangers to this country? Who tells us of the evils that are to follow if we remonetize the silver of our fathers and give the people once more the money that they are entitled to have by the Constitution of the United States? The same men who told us in 1875, in 1878, in 1883, in 1885, and all the way through, whenever any increase of the coinage of silver or the remonetization of the silver dollar was proposed; the same men who told us then that ruin would come tell us now the same story. When pushed to the wall by the facts they begin to prophesy, and in every instance they have proved false and lying prophets. In other words, the prophets speak for their profits, and that is what they are doing now.

Why could not the United States maintain the parity of gold and silver with unlimited coinage, if she could maintain that same parity and preserve herself from financial ruin by adopting the bill reported from the Finance Committee, which comes very near taking all the surplus silver in the world? What is the practical difference of the two propositions? We have the greatest country in the world; we are the third country in the world in territorial extent; and when you take into consideration the character of our country, its situation, its fertility, its teeming and untold wealth, and the energy and intelligence and the force and power of the people, it is not too much to say that this is the greatest country in the world, and that it can solve successfully this greatest financial problem.

Let me read to you what is reported in the newspapers to have been said recently by a distinguished English financier and bimetallist, Mr. Moreton Frewen, when interviewed on that subject. The interviewer says:

And, if these results follow, do you think that England will then accept bimetallism?

The results to which he alludes were answered in another question. I had better read that first:

Assuming that there is to be a coinage monthly of 4,500,000 ounces, I think these results will follow during the next twelvemonth: There are some 87 crores of Indian rupee paper, worth to-day, say, 55,000,000*l.*; the rupee will rise to about 22*d.*, and these securities will increase their value to 80,000,000*l.* There will be a great boom in the Lancashire trades, and real estate in Manchester will rise. *Pari passu*, there will be an industrial crisis in Bombay, and immense numbers of black men there will be thrown out of work. There will also result a rapid rise of prices and wages in the United States which the gold bugs here will ascribe to inflation—for everything with these gentlemen is inflation unless the world's currency is being contracted visibly by anti-silver legislation—and trade to the States will be stimulated, and America, rapidly increasing her imports, will for a year or two lose much gold, which gold will come here, so that probably 1891 will be a year of brisk speculation in the city.

Then the question is put:

And, if these results follow, do you think that England will then accept bimetallism?

Probably not; and, however desirable, it may be no longer necessary; for if, as I anticipate, the action of Congress forces silver up to nearly the American coinage ratio of 1 to 16, it is almost certain that after a conference with the United States the mints of the Latin Union would be thrown open to the free coinage of silver once more. I quite believe that America could, even single-handed, maintain the ratio—the par of exchange—all over the world; but certainly America and France together can. So that the world of trade would be once more bimetallic, as before 1873.

I have no doubt in the world of the soundness of that opinion. I believe the world is waiting for somebody to begin and that the moment this great people throw open the doors of their mints, the moment that they pledge their immense volume of business to support the ratio and to support exchanges, the moment that they pledge their great wealth to support silver money, the success of free coinage will be so well assured that the smaller nations of Europe, who ardently desire the free coinage of silver money, will at once come to the rescue, and that it is only a matter of courage that is required on our part to cease to regard the interested howls of gold speculators, throw open the doors, and make the beginning.

Mr. President, all classes of our people desire the passage of this bill. The agriculturists especially desire it; and as the rates of exchange have to be maintained by our foreign commerce and as seven-eighths of that foreign commerce is the product of the field and the farm, why should not their voice be heard in this matter? Yes, sir; out of every $8 which enters into our foreign commerce $7 of it is the product of the agricultural classes of this country, and that foreign commerce alone maintains the rate of exchange between our country and Europe.

The agriculturists desire this thing earnestly. They will suffer, if it is not successful, more than anybody else and longer than anybody else through any losses of trade which can possibly occur. The merchants will charge up the percentage they have to pay for exchange; the bankers will make it off their customers; but the farmer whose product goes to market and is sold has no one upon whom he can throw his losses. Every man in the country who works for wages desires this great change.

Silver is the money of the people, the common people, not of the speculators, not of the wealthy men, not of kings and princes and potentates. It is the money of the people and has been the money of the people so long and so far back in the history of our race as we have any record whatever.

The common day laborer, who works with his hands and receives his pay on Saturday night, knows nothing of your theories of finance and economy; he knows nothing of the automatic theory; he never heard of Gresham's law; he never heard of the differences in exchange and of those things which are technical to the theory of finance; but he knows that when silver dollars are plenty his wages are higher than when they are scarce, and he knows when he hears them clinking in his pocket as he returns to his home on Saturday night that they make a music which speaks of food and raiment, cheerful faces, and more comfortable surroundings at his hearthstone. He wants this money. We ought to give it to him.

There never was a greater crime perpetrated against the American people by legislation—and that is saying a great deal, for I have known some most infamous crimes of that character—than the one which robbed them of the value of their silver money. Nature has placed it in the earth at a ratio of about 15 or 16 to 1. The poor men who use it and receive their wages and buy their weekly supplies with it are in a ratio of about 16 to 1 of the rich men who put their money in bank and use checks and handle gold. Let us establish that ratio and give them this money.

But we are told that if we increase the value of silver money and make it about the ratio of 15½ to 1 and make it a legal tender on a parity with gold in all respects we shall so stimulate the production of silver that the price will go down again and financial ruin will ensue.

Mr. President, how is money produced? Do you sow a crop of it in

the earth? Is it produced like wheat, or tobacco, or cotton? Do you sow it broadcast, or do you drill it, or do you plant it in hills? To talk about increasing the value of silver stimulating its production, it seems to me, Mr. President, is not much removed from talking nonsense. If making it of equal value with gold or even increasing its value would stimulate its production, will some one please tell me why gold, which is now more valuable than it has been for fifty years, is constantly decreasing in its production?

Why is it that the stimulation will operate to bring out more silver than we want if its value is made equal to gold, when, the value of gold now being about 30 per cent. above silver, the product itself is decreasing from year to year?

It is well enough to look ahead at these things.

Why, this same royal commission, or a portion of them, gave it as their opinion that, if something was not done to increase the value of the silver production and to create a parity between it and gold, gold would go on appreciating until there would be financial disturbances, and the credit of the world would be disturbed by the appreciation of its standard just the same way that it is disturbed by the depreciation of its standard; and that it was absolutely necessary to have a bimetallic currency, so that silver in its fluctuations and its uncertainties might be supplemented and supported by gold, and that gold in its fluctuations and uncertainties might be supplemented by silver. In other words, as the commission expressed it, silver was needed to broaden the base on which the financial edifice stood, in order to make it more secure.

Mr. President, I may argue myself into opinions which are not well founded, as men frequently do when they have the object which is to be attained much at heart. I may argue myself into the belief that there is no argument on the other side, but at the same time no proposition can be plainer it seems to me. What are we going to do for our country? What are we going to do for the agricultural classes, whose farms and homesteads are covered with mortgages? What are we going to do for the working classes, who are struggling and striving to maintain their wages. Where is our country going if we continue to restrict silver and that is followed by the continued appreciation of gold and a reduction of prices in consequence—where are we going to land? How are you going to recompense the farmer for the evils he has suffered, from the very nature of things, through unequal taxation? Or do you really intend to do anything? If not, candor requires you to say so.

It is your best policy to say so. My word for it you can not fool him much. I do not see how you are to do it now except by giving him abundance of money and putting it within his easy reach, and then, in the language of the distinguished English financier which I have quoted here, wheat, flour, pork, beef, and all the food products that are produced in this country will go up, the prices will be increased, and the farmer will be enabled to discharge his mortgages, and his homestead once more will be safe. He can then educate his children, and he can feel that the laws of his country are not unjust to him; that they have given him what he has desired, and after long years of patient suffering his time has come at last.

Let me read once more about the effect that the increased value of silver will have upon the products of the farmer. The only two items, or rather the two main items, in which the cheap silver countries of the world, India particularly, compete with the United States are wheat and cotton. There we not only have to compete against the cheap labor of those countries—and we can hardly form a conception of how cheap it is—but we have to compete also under the circumstances which are produced by the fact that a silver rupee in India will buy just as much wheat or cotton as it ever did, and that the English merchant can buy the silver rupee in London, or the silver to be converted into the rupee, or with which to purchase the rupee, for 30 per cent. discount, and that enables every man who has a bushel of wheat in India to be shipped from Calcutta to England, to meet the bushel of wheat that comes from Illinois or the plains of the West in the market of London with 30 cents on the dollar advantage over it, to say nothing now of the cheap labor with which it is produced. Here is what Mr. Frewen said on that subject:

> Now, it is no longer questioned, even by our monometallists here, that the lower the price of silver falls the lower must fall the prices of wheat, cotton, and other American exports. If the silver countries, say India, can secure in Mark Lane the gold equal to 20 silver rupees per quarter they are satisfied to sell their wheat. Therefore, with the rupee at 2*s.*, the price of wheat here will be 2*l.*, but with the rupee at 1*s.*, then 1*l.* Thus the export price of American wheat, and therefore the entire home price, the New York price, has been hammered down by the great fall in silver, and has resulted in the impoverishment of the farmers of the far West to a degree quite pitiable. I think farmers west of the Alleghanies have suffered even more than in England since the monetary revolution of fifteen years ago, and it is for this reason that the strength of the silver party is in the Central, the Western, and the Southern States.

Mr. President, it seems to me that those of us who make professions of regard for the great agricultural portion of these United States, those who constitute nearly 50 per cent. of all its workers, of all those engaged in labor or gainful occupations, those who furnish seven-eighths of those products which constitute our foreign commerce—I say if those of us who profess any regard for them and any desire to do something for them refuse either to take the taxes off their necessaries of life or to give them abundant currency, we might well be set down as their absolute and implacable enemies, as men who will do nothing for them, because all the means by which it is sought to ameliorate their condition have been rejected by these statesmen.

I do not know, Mr. President, that I have anything more to say. I only desired to make a few brief remarks on this silver question, in order that my position might be known to my people, who are deeply interested in it, and in the desire that I have to contribute something towards this discussion and a proper solution of the question which we have been debating. It is difficult, indeed, to go over this field, which has been so carefully swept and gleaned, and add anything worthy of consideration; but I am obliged to the Senate for having listened to me with so much attention.

Samuel Jackson Randall.

REMARKS
OF
HON. WILLIAM McADOO,
OF NEW JERSEY,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, June 14, 1890.

On the resolutions of respect to the memory of Samuel J. Randall, late a Representative from the Third Congressional district of Pennsylvania.

Mr. McADOO said:

Mr. SPEAKER: We stand in the shadow of a great name. We pay a tribute of honor and respect to an immortal memory. Samuel Jackson Randall, the intense and devoted American, the loyal and loving Pennsylvanian, the tribune of the people, the faithful friend, the invincible leader, the unstained, unscathed, long-tried public servant, the proud, self-respecting man, the humble, trusting Christian, has passed from the highest courts of earthly honor to the august temples of heavenly glory, from the circles of domestic happiness and affection to the unbounded realms of infinite love and eternal felicity.

It was my good fortune to share the confidence and friendship of Mr. Randall from my first appearance here, and thus to get some slight insight as to his convictions and character.

Like all men cast in bold, rugged, and heroic mold and destined to play chief parts in great events, he was essentially natural, simple, and childlike in his intercourse with his friends. That splendid face, chiseled in strong, classic lines, would melt into tenderness and unaffected interest at the prattle of a child or the warm clasp of a friendly hand; and those soulful eyes, which could flash the fire of scorn and determination on an enemy, would dim in deep sympathy at the tale of sorrow or misfortune.

Mr. Randall had all the qualities of a leader of men. Placed anywhere, he would naturally and without effort be looked up to as counselor and leader. An attractive personality, indomitable courage, great prudence, eminently practical, and with intense and immovable convictions, other men came to him as streams seek the sea. I have in many cases known men to come here with violent antipathies to his ideas on public questions, and yet in the course of a few weeks without in any way yielding up their own opinions become his warmest admirers and friends.

I have alluded to his qualities of leadership, and I may here repeat what I often said to himself and what I yet believe, that, with his foresight, invincible determination, tremendous staying powers, careful consideration of his followers, faithful attention to details, and instinctive knowledge of the weak points in an enemy, had he been educated to or followed the profession of arms, he would in case of war have been one of the world's great soldiers.

The bent of his mind was concentrative and direct rather than speculative. One demonstrated fact was of more value to him than all the speculations of philosophy. While possessed of a great fund of knowledge and ripe in his experience with men, he was more a man of action than a man of the library. He valued means by their results. On what he considered the proven and apparent facts he stood as on a rock beset by the tempestuous waves of conflicting opinions. From the central and main question he made few excursions into the by-paths of collateral issues. This did not arise from either timidity, lack of mental grasp, or narrowness of vision, but from an eminent conservatism and an intense desire for action that would show results. The world to him was a real world, calling for action, vigilance, devotion to duty. To know anything was, with him, to know it thoroughly to the smallest details. Patiently, laboriously, faithfully, perseveringly he mastered the whole vast enginery of this Government in its general scope and in its minutest particulars. His generalship, his tact, his patience, his inexhaustible knowledge displayed in the passage of a great appropriation bill were most remarkable.

No man knew so well as Mr. Randall when to speak and when to be silent, when to reply to criticism, and when, without word from him,

to let the House judge for itself as to its merits and fairness. Although he was at heart a very proud and sensitive man, he could sit as calmly as a sculptured Ajax and defy by his very silence the bitterest and most personal attacks. The strong, determined, well chiseled face, with its fine expressive eyes, would look sternly, but calmly, into the excited countenance of the impassioned critic. But, if he did reply, his opponent would long have occasion to remember the occurrence. The speech was short, the sentences few, but each word struck home like the blow of a sledge-hammer. For the time being, a veritable Thor was swinging his huge iron maul, crashing its way with thunderous noise through opposing obstacles. The man who swings this monster mallet can not play with it all day to divert himself, as gentlemen of the light sword are wont; in deep impressive silence must he store up the prodigious force to send this great irresistible body whirling through mid air; patient, too, he must be, deaf to taunts and challenges from hosts of ambitious champions, who, in the world's warrings, play their part, no doubt, well, but with whom he can have no quarrel, his place and mission being so different from theirs. Many men may man the bellows and stir the coals and prepare the iron, but when it is heated only Thor himself can rain down these crashing thunder strokes.

As the term is commonly used Mr. Randall was not an orator, but if intense earnestness of manner, terse, vigorous, expressive phrases, rugged, direct, positive statement of convictions, constitute eloquence, then he never failed to be eloquent and impressive. I judge that to those who always associate graceful and pleasing oratory with Congressional leadership, he was at first view disappointing, but even to them he soon revealed his great and unusual powers and they soon felt the all-pervading influence of that strong and forceful personality. A deep, sincere, aggressively honest nature, voicing in tones naturally attractive and pleasant the intensity of its convictions, needed little of the arts of rhetoric. He seemed to care little for his manner, which was simple, natural, and elementary, and was concerned wholly for the matter. He seemed at times to be limited in his vocabulary, and would use two or three times in a short address the phrases which he found most expressive. I do not think this really arose from any lack of flow of words, but that he was much averse to using many, and seized readily on those that most quickly and fully expressed the thought that was in him. He would seize a single word that conveyed his meaning and hurl it like a javelin true to his aim. He was at times very happy in his replies, as is well known.

Mr. Randall's whole course in public and private life was based on great fundamental principles which to him represented the substance of truth, and to these lines he rigidly and sternly adhered. He was not oblivious to criticism, but he lived without and above it, and so long as he had the approval of his reason and his conscience it never entered his mind to regard it in the slightest. He was always fair and manly to his opponents, and fought them in the open field, asking no favors. He was withal a master of that strategy which wins in war and politics. He frequently followed the tactics of allowing the enemy to exhaust himself and then swiftly and overhelmingly crushing him. Nothing could divert him from the main purpose he had in view. He wasted no energies on minor matters, but made all roads lead to the desired end. It does not follow from this that he rode a hobby or narrowed his sphere of action here. On the contrary, he participated in the general business of the House with rare zeal and fidelity, and when in health was a most faithful attendant in its sessions, sitting calmly erect, vigilant, and self-possessed in his accustomed seat.

He was the best friend of the new member, especially the young man coming here for the first time. He was a rare good judge of men and his friendship never slept, so that unknown to his friends he was constantly aiding them and studying their interest. He was as solicitous about the success of his friends, as all who in Congress were honored with his friendship can testify, as a mother about her children. To them he would write when away from here the kindest letters, in which his deep and hearty interest in them was most felicitously expressed, and which always conveyed pointed and practical advice. He was never too busy or engrossed to serve his friends, and he would not hesitate at any time to step into the breach for them. His deep, earnest friendship and intense sense of gratitude were among his strongest traits. His friendship would sacrifice everything but his integrity and convictions.

It is a tame phrase to say that he was honest. He was more than that: he was not only conventionally honest, but he had enlisted for life in a deadly war against dishonesty in all forms. His best friend could come to him and ask anything, if only his hands were clean, and his heart pure, and his purpose honest, but he was justice personified to friend and foe when a shadow of impure motives rested on them. "You must not speak to me about that bill," he said sternly to a friend who ventured to ask his aid for a pending measure. "It is a bad bill, and I shall do everything I can to defeat it." He had little patience with self-seekers who approached him with fulsome flattery, and generally, with due regard to politeness, brought such interviews to a speedy termination. He was always willing to give a fair hearing to all who approached him, having no regard to person, but hated wordy circumlocution and always insisted on getting at the very heart of the matter as soon as possible. He was, on the other hand, infinitely patient with the honest and inexperienced in distress and needing his aid.

He always rose to the occasion. Who can ever forget the passage of the bill for the benefit of General Grant, then on his dying bed? The clock ticked the seconds to the dissolution of the Forty-eighth Congress. Without, great hosts of jubilant citizens awaited the climax in a peaceful revolution in government. Within, clamor and bustle and confusion on every hand. Then the master hand of Samuel Jackson Randall seized the discordant elements and molded them to his will, stilled the angry sea of acrimonious debate, and directed the waters as he wished. By his skill and sheer force of character he had seized this vast enginery, rushing wildly in the confusion of the closing hours of a Congress preceding the inauguration of a Chief Executive, and when political passions and prejudices were fiercest, directed it, when every second was precious and big with fate, into executing an act pregnant with sentiment and of national and universal importance.

Mr. Randall was a true friend to the South and its people. He took a deep and abiding interest in the growth and development of that section, and nothing so rejoiced him as the phenomenal progress made in utilizing its great mineral wealth. I had the honor to accompany him in 1885 on a tour through portions of Kentucky, Tennessee, and Alabama, and it was gratifying to see the esteem and affection entertained for him by the citizens of those States. Those who differed with him on the economic questions of the day were as enthusiastic and friendly as those who agreed with him, for all remembered with deep gratitude his noble and successful fight for the people of the South when sectional passions were still hot and partisan prejudices intense. His manly bearing and noble simplicity of manners charmed all who met him, and, in return, the continuous ovations of a warm-hearted people lingered with him as a sweet memory to his latest moment. "I want to see these States in the great mineral region of the South outstrip, if possible, even my own State of Pennsylvania," was a constant remark of his on that tour. He was always enthusiastic and sanguine as to the future of the people of the Southern States and as to their ability and patriotism to solve the great questions committed to them, and, in return, some of the evidences of their regard for him were touching in the affection they expressed. I well remember how, in the early dawn of the morning, at a little station in the mountains of Alabama, a horseman rode up to the train, having ridden many miles in the night to present to him a great wreath of flowers, made up by the ladies of the locality and having attached to it a card expressing the esteem and gratitude of the women of the South. Only Omniscience can tell how many moments and weary hours of pain were soothed by the consciousness of the affection in which he was held by his countrymen, nor how much the sting of death was removed by the memories of a useful and honorable life.

Of Mr. Randall's home life it is sufficient to say that it was worthy of the man. Love, honor, truth, all the domestic virtues, gathered around the family board, and his private life in its simplicity and unaffectedness recalled the lives of the great fathers of the Republic. To his faithful companion, the true and noble woman who had shared his sorrows and his joys for so many years, the loving and unselfish wife, he was always simple and obedient as a child, and he struggled with his latest breath to call by the dearest of terms "mother." To this noble and stricken woman the deep gratitude and sympathy of the Republic go forth in no mean measure. The laurel wreaths laid on the grave of her husband will outlive many such won in the field of war, and his services to his country were much greater than those of many heroes whose deeds were done under the intoxicating excitement of physical conflict in the pursuit of military glory.

A truer man never sat in the Congress of the United States. Pennsylvania never reared a more loyal and devoted son. Proud of her history, faithful to her interests, he rested secure in the love and respect of her people, and withal, in the broadest and best sense, he was a grand type of American citizen, knowing no confines or geographical limitations to his patriotism. In his power and influence, the oak towering on the mountain-top above its fellows; in his integrity, the unimpressionable rock washed by the turbulent waters of the ocean, his character and example remain to his countrymen as stimulative to honorable lives, noble deeds, fraternal good feeling, devotion to duty and to country. For some time before he withdrew from active duty in the House, and while as yet his physical weakness was not generally known, he intimated to his nearest friends that he was engaged in conflict with disease. He entered this last dread conflict for life cheerfully, determined, and even sanguine, as was characteristic of him in all contests. He was, in truth, although not demonstrative of it, deep down in his heart, at all times a deeply reverential and, in the best sense, a religious man, and his last open confession of his faith was, I believe, made in the hope that it might influence his fellow-men. Patiently, without a murmur, anxious only for the good he might do, he waited cheerfully the summons to pass into "the better country." Oh, big, brave man, thy day's work so well done, the approaching night found thee without fear cheerfully going to thy home in the "house not made with hands, eternal in the heavens."

Silver.

SPEECH

OF

HON. THOMAS M. BAYNE,

OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 25, 1890.

The House having under consideration the bill H. R. 5381, with Senate amendments, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes"—

Mr. BAYNE said:

Mr. SPEAKER: I hope the House will insist upon adhering to the bill originally reported by the House Committee on Coinage, Weights, and Measures which preserves the bullion-redemption feature. I hope the House will not agree at all to the Senate amendments. With due respect to that body, I think the Senate amendments illustrate simply a craze of the day.

The first section of the Senate substitute authorizes the free coinage of silver. The fifth section, not content with what our mints might do, proposes to have the Secretary of the Treasury issue certificates upon all the silver that may be offered. At the ratio of 16 grains of silver to 1 of gold, this will make the United States the dumping-ground for the silver of the entire world.

It is proposed by the Senate of the United States by the bill which is now before us to authorize the free coinage of silver at a juncture in the history of this world when the two metals have separated more widely than ever before since they have been used as coin. From the beginning of the Government up to 1873 there were not over eight millions of standard silver dollars coined by the United States mints. Up to that date silver was worth more than gold at the then existing ratio of 16 to 1. In 1874 the divergence began against silver, and silver became less valuable than gold at the ratio of 1 to 16. That divergence has increased gradually, though constantly, from that day to this, until to-day the difference between the value of the two metals—or it was in 1889—is 1 to 22.10. Now, at this period in the history of the two metals, when the divergence is greatest, when the silver that would go into the dollar is worth but about 72 cents, it is proposed to open our mints, and not only our mints to their full capacity, but to permit silver bullion to be deposited with the Secretary of the Treasury and silver certificates issued for all the silver that may be brought.

Mr. KERR, of Iowa. Not silver certificates.

Mr. BAYNE. Well, certificates of deposit on the bullion to the extent of the entire silver of the world that may be dumped down upon our country at a value of 412½ grains of silver to the dollar when these 412½ grains are worth only from 72 to 73 cents. If that is not craziness I do not know what craziness is. If that will not eliminate from our country the $450,000,000 in gold that are now in circulation either by certificates or in substance, then I do not know what will occur in the future. If that will not reduce our country to a silver standard of value, supplant the gold standard, and give us a fluctuating measure of value I do not know what will occur in the future.

If that will not disturb all of our commercial relations and reduce this country, which can become by virtue of its great wealth and tremendous resources the gold treasury of the world, if it will not reduce it to a parity with the silver countries of the world, such as Mexico, Russia, the West Indies, and all of the other silver nations, I do not know what will occur in the future. It is as certainly and emphatically a craze to-day as was the greenback craze in its time, which has been abandoned by everybody who has given thought to the subject. And, Mr. Speaker, for this great, rich, and powerful nation of ours to yield its foremost place among the great commercial nations of the world which have their gold standard supplemented and aided by silver coinage—I say for this great nation to yield its place among them would be no more nor less than financial suicide.

The first amendment of the Senate reads:

That from and after the date of the passage of this act the unit of value in the United States shall be the dollar, and the same may be coined of 412½ grains of standard silver, or of 25.8 grains of standard gold; and the said coins shall be legal tender for all debts, public and private. That hereafter any owner of silver or gold bullion may deposit the same at any mint of the United States to be formed into standard dollars or bars for his benefit and without charge: but it shall be lawful to refuse any deposit of less value than $100 or any bullion so base as to be unsuitable for the operations of the mint.

That is free coinage. But the capacity of the mints of the United States is limited. It is estimated, I believe, that if the mints were run to their full capacity they could not coin, perhaps, over fifty million silver dollars a year. So, to give the dumping operation unlimited sway, the fifth section was conceived. Listen to the fifth section proposed by the Senate:

SEC. 5. The owners of bullion deposited for coinage shall have the option to receive coin or its equivalent in the certificates provided for in this act, and such bullion shall be subsequently coined.

By that section the relief and protection measurably afforded by the incapacity of the mints are taken away. If that is not an invitation to the silver-bullion owners of the world to bring their silver bullion to the mints of the United States as fast as they can carry it, I should like to know what it is.

Now, in the report of the Director of the United States Mint (1890) on the production of the precious metals in the United States the ratio of silver to gold is shown from 1687 to and including 1872 to have been in every year, excepting 1812 and 1813, more valuable than gold on the basis of 16 to 1.

Here is the table:

[NOTE.—From 1687 to 1832 the ratios are taken from Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1879 to 1889 from daily cablegrams from London to the Bureau of the Mint.]

Year.	Ratio.	Year.	Ratio.	Year.	Ratio.	Year.	Ratio.
1687	14.94	1734	15.39	1781	14.78	1827	15.74
1688	14.94	1735	15.41	1782	14.42	1828	15.78
1689	15.02	1736	15.18	1783	14.48	1829	15.78
1690	15.02	1737	15.02	1784	14.70	1830	15.82
1691	14.98	1738	14.91	1785	14.92	1831	15.72
1692	14.92	1739	14.91	1786	14.96	1832	15.73
1693	14.83	1740	14.94	1787	14.92	1833	15.93
1694	14.87	1741	14.92	1788	14.65	1834	15.73
1695	15.02	1742	14.95	1789	14.75	1835	15.80
1696	15.00	1743	14.85	1790	15.04	1836	15.72
1697	15.20	1744	14.87	1791	15.05	1837	15.83
1698	15.07	1745	14.98	1792	15.17	1838	15.85
1699	14.94	1746	15.13	1793	15.00	1839	15.62
1700	14.81	1747	15.26	1794	15.37	1840	15.62
1701	15.07	1748	15.11	1795	15.55	1841	15.70
1702	15.52	1749	14.80	1796	15.65	1842	15.87
1703	15.17	1750	14.55	1797	15.41	1843	15.99
1704	15.22	1751	14.39	1798	15.59	1844	15.85
1705	15.11	1752	14.54	1799	15.74	1845	15.92
1706	15.27	1753	14.54	1800	15.68	1846	15.90
1707	15.44	1754	14.48	1801	15.46	1847	15.80
1708	15.41	1755	14.68	1802	15.26	1848	15.85
1709	15.31	1756	14.94	1803	15.41	1849	15.78
1710	15.22	1757	14.87	1804	15.41	1850	15.70
1711	15.29	1758	14.85	1805	15.79	1851	15.46
1712	15.31	1759	14.15	1806	15.52	1852	15.59
1713	15.24	1760	14.14	1807	15.43	1853	15.33
1714	15.13	1761	14.54	1808	16.08	1854	15.33
1715	15.11	1762	15.27	1809	15.96	1855	15.38
1716	15.09	1763	14.99	1810	15.77	1856	15.28
1717	15.13	1764	14.70	1811	15.53	1857	15.27
1718	15.11	1765	14.83	1812	16.11	1858	15.38
1719	15.09	1766	14.80	1813	16.25	1859	15.19
1720	15.04	1767	14.85	1814	15.04	1860	15.29
1721	15.05	1768	14.80	1815	15.26	1861	15.50
1722	15 17	1769	14.72	1816	15.28	1862	15.33
1723	15.20	1770	14.62	1817	15.11	1863	15.37
1724	15.11	1771	14.66	1818	15.35	1864	15.37
1725	15.11	1772	14.52	1819	15.33	1865	15.44
1726	15.15	1773	14.62	1820	15.62	1866	15.43
1727	15.24	1774	14.62	1821	15.95	1867	15.57
1728	15.11	1775	14.72	1822	15.80	1868	15.59
1729	14.92	1776	14.55	1823	15.84	1869	15.60
1730	14.81	1777	14.54	1824	15.82	1870	15.57
1731	14.94	1778	14.68	1825	15.70	1871	15.57
1732	15.09	1779	14.80	1826	15.66	1872	15.63
1733	15.18	1780	14.72				

As I have said, from 1790 to 1873 less than 8,000,000 standard silver dollars were coined by the United States mints, though coinage was free up to that date.

That was natural enough, for the reason that the silver was the more valuable metal at the ratio established by law.

But in 1874 the situation was changed; not by legislation, not by the demonetization act of 1873, but by the inexorable decree of the law of commerce.

The Director of the Mint gives this table in his report as showing the ratio of silver to gold:

1873	15.92	1882	18.19
1874	16.17	1883	18.64
1875	16.59	1884	18.57
1876	17.88	1885	19.41
1877	17.22	1886	20.78
1878	17.94	1887	21.13
1879	18.40	1888	21.99
1880	18.05	1889	22.10
1881	18.16		

This table shows that in 1874 a divergence in value set in against silver, and that divergence has violently increased up to 1890, notwithstanding the rehabilitation of the standard silver dollar by the act of 1878.

It was claimed the act of 1878 would arrest the divergence in value. The prognostications of the silver advocates to that effect were positive and assuring. They enjoyed the vantage ground of unlimited free coinage for such prognostications. They availed themselves of their opportunities, for it cost nothing but the expenditure of an invaluable tissue. But the act of 1878 did not arrest, did not even check temporarily, the depreciation in the value of silver as compared with gold.

Now, since those gentlemen have conclusively shown themselves to be false prophets, why should anybody accept their declarations in the same line and against all reason to-day?

By the free coinage of silver the United States may temporarily inflate the value of that metal. The inflation, however, would be but

temporary. The divergence in value against silver and in favor of gold will go on so long as the relative productions of the two metals continue as they are now doing. A greater relative production of silver would increase the disproportion in value beyond the normal separation.

On the other hand, if vast quantities of gold should be discovered and produced and the production of silver should remain constant or diminish, silver would appreciate and gold depreciate until a standard silver dollar would become more valuable than a gold dollar. This would be so because the metal in a silver dollar would be worth more than the metal in a gold dollar in the markets of the world.

But the silver advocates seem to think that the non-admission of silver to the United States mints as gold is admitted is the one reason for its relative depreciation. They do indeed credit the United States with a tremendous influence over the commerce of the world. But the reply to all that is that, if the fiat of the United States is to work this wonderful change, why did not its fiat make greenbacks as good as gold? The United States could not do that even within its own territory, as experience has abundantly shown.

Look at a list of the silver nations of the world: Austria-Hungary, Russia, Mexico, Central America, Hawaii, Argentine Republic, Brazil, Chili, Peru, Colombia, Uruguay, Venezuela, Cuba, Hayti, Porto Rico, British West Indies, Dutch West Indies, China, India (British), India (Dutch), Japan.

Now, the assumption is, if the United States will add itself to that column, silver will come to a par with gold at the ratio of 16 to 1. Can any one conceive of a greater delusion?

But every other country in the world uses silver to a greater or less extent. So silver is used the world over as a money metal. Why, therefore, should anybody cherish the hope or expectation that free coinage of silver by the United States would work out this arbitrary equality?

The free-coinage advocates should pause. They want more money. They should beware lest they get less than we now have. The free coinage of silver, the day it is authorized by law, will drive the $450,000,000 of gold we now have out of circulation. That would be a contraction of the currency which would entail indescribable troubles. It would arrest business, disturb values, destroy confidence, impair credits, and bring panics and disasters upon our people, who are now enjoying a safe, secure, and excellent financial system.

Indian Appropriation Bill.

SPEECH
OF
HON. ELIJAH A. MORSE,
OF MASSACHUSETTS,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, June 17, 1890,

On the bill (H. R. 10726) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1891, and for other purposes.

Mr. MORSE said:

Mr. CHAIRMAN: I have listened with interest and pleasure to the explanation of this bill as given by the gentleman from Kansas [Mr. PERKINS], and I have listened with especial interest to that feature of the bill which provides for the education, civilization, and elevation in the scale of humanity of these poor dark and benighted sons of the forest. It is said of one of the converts of the apostle Eliot, who labored among the Indians of Massachusetts two hundred and fifty years ago: This red man was asked what the Lord Jesus Christ had done for him. He put a worm on a leaf, surrounded it with a windrow of leaves, set fire to them, and as the flames reached the worm he lifted him safely out of the fire with the remark, "That's what the gospel had done for him." Now, I thank God that our former policy in regard to the Indians and our treatment of them is being reversed. It is estimated by a good judge that under the policy of fighting and exterminating the Indians it costs the Government of the United States a round million dollars to shoot an Indian. On the low plane of expense to the Government and to the tax-payers of the country, how much wiser the policy of this bill, as explained by the chairman of the committee, that proposes to expend vastly less than one million or one thousand or one hundred dollars to an Indian in the attempt to civilize and christianize these sons of the forest.

I have always had a sympathetic feeling towards the Indian since in my boyhood I read the reply of an Indian chief to the demand of a Government commissioner that he and his tribe should remove to a distant reservation. In that speech he pleaded as a reason why he and his tribe should not remove "that in this valley his fathers had lived and died, and here their bones were buried; that here they heard the voice of the Great Spirit in the thunder and in the rushing water; they had seen His tears in the rain-drops and heard His moans in the sighing winds of summer." Surely great injustice has been done the Indians by the Government of the United States, that has over and over again broken treaties and disregarded the most binding and solemn obligations which a nation could make. Well did this Indian object to signing the treaty and say that "writing was the invention of the pale faces and gave birth to error and fraud," and "The Great Spirit talks, but never writes." I believe many an Indian has died of starvation as the result of these forced removals; died I say, died with his arrow pointing to the bar of God.

Mr. Chairman, I should not have trespassed on this privilege of the House but for the fact that I did desire to record my approbation and indorsement of the liberal, wise, and statesmanlike policy of General Thomas J. Morgan, Commissioner of Indian Affairs, a soldier and a christian gentleman, who has eminent qualifications for the high office and responsible duties imposed upon him by the President of the United States. I also desire to congratulate this House and the country upon the fact that the President of the United States has seen fit to appoint as superintendent of Indian schools an eminent citizen of Massachusetts, a ripe scholar and a christian statesman, Dr. Daniel Dorchester. He, too, has eminent qualifications for the duties to which he is assigned, and I happen to know at this moment while I am speaking he is in the far West daring the dangers of hostile Indians and wild beasts, traveling in discharge of those duties. I also desire to record my hearty approval of the Indian schools established in the East for the education of Indian youth. Eternity alone will tell the good they have done. It was my privilege several years ago to visit the school at Hampton, Va., presided over by that christian soldier, General Armstrong. Surely the policy of education, civilization, and christianization of the Indian as contemplated by this bill is in accordance with the dictates of morality, of wise statesmanship, and christian philosophy. There can be no question about the indorsement of this measure by the House and by the country.

International Copyright.

SPEECH
OF
HON. ASHBEL P. FITCH,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1890,

On the bill (H. R. 6941) to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights.

Mr. FITCH said:

Mr. SPEAKER: The opponents of this bill have assumed to be greatly horrified that the authors who are in favor of this measure should have made a combination to present a matter in which they are interested for the consideration of the House.

The gentlemen from Illinois and Kansas in particular, who have always been heard on this floor in advocacy of the most liberal allowances to the soldiers of the country, rise here one after another and object to the hearing of a respectful protest of the men whose words during the war were at once the inspiration and the reward of patriotism.

First upon the list of authors who have requested that this legislation should have respectful consideration is the name of Henry Ward Beecher, whose services to the Union, in England and in America, were certainly as great as those of any of the soldiers whose claims they have over and over again advocated on this floor. It seems to me that it comes with ill grace from gentlemen who have so strenuously advocated the claims of the soldier to object to considering the sentiments of Holmes, of Longfellow, and of Whittier, whose books encouraged the Northern people in their struggle for the Union, every one of whom rendered more service to the cause of liberty than any officer on the retired-list.

It is but a matter of common gratitude for services rendered that such a protest as this should have a respectful hearing. It is but common sense that it should be granted. There is no reason, no principle, nor sentiment why the foreign author should not be treated with the same respect that is given to the foreign inventor. The gentleman from Illinois [Mr. PAYSON] has with great heat and vehemence objected to providing for any recognition of an English author who may have written a work like The Virginians or Vanity Fair, but he has no word or comment for a similar recognition authorized by law for sixty years in this country for the English inventor of any article of common use.

Charles Kingsley well said, "Except a living man, there is nothing so wonderful as a book;" and it seems to me if, without protest, we recognize every English or German or French inventor as entitled to adequate protection for his work, we should give, at the request of the authors to whom we owe so great a debt in this country, the same pro-

tection to their brethren in letters. Gratitude forces us to a recognition of this request and common sense leads us to grant it. Common honesty requires that we should do so.

Mr. Speaker, it is disgraceful for it to be urged on this floor that the argument of cheapness should override the obligation to pay honestly for whatever we use. The reputation of the Republic is at stake. Wealth alone or business achievements can not make a nation great. Character is more valuable than any other element in a republic, and in this matter as in all others the question is not "What is cheapest?" but "What is right?"

It is unfortunate that there is so little opportunity offered in this debate for the friends of the bill to explain its merits and to meet the attacks which are made upon it; but it seems to be certain that the good sense and honor of our people will ultimately succeed over such arguments as have been used here; that we shall agree with Mr. Lowell that "there is something better than a cheap book, and that is a book which is honestly come by."

The Silver Bill.

SPEECH

OF

HON. JOHN A. ANDERSON,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890.

The House having under consideration the bill (H. R. 5381) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. ANDERSON, of Kansas, said:

Mr. SPEAKER: The proposition which lies at the base of the silver question is simply this, that where you give to an article, either a money metal or anything else, a use which it did not before possess, you increase the price of that article, its market value, just to the extent that the new use creates a new demand for it. The reverse of that proposition is also true, that where a metal or other commodity has obtained a value because of some specific use, and you take that specific use away from it, you thereby diminish the value of the commodity.

From time immemorial all commercial nations have used both gold and silver for money, the reasons being the scarcity of the metals, the amount of labor necessary to procure them, their hardness, their ductility, their glistening color, their indestructibility by fire, water, or earth. These are intrinsic properties which adapt the metals to various uses. But by law an additional use is conferred upon them by many nations, namely, their employment as money. Some nations give to gold alone the additional use of being the only standard by which to measure commercial values, others give to silver alone this exclusive use, and others employ both metals as a compound standard.

Apart from the intrinsic value of these metals, this statutory value is very great, oftentimes greater than the intrinsic value alone. To illustrate. Suppose that gold and silver were both demonetized and that Congress should fix upon the diamond as a representative and standard of money values. To-day the diamond has a given market price, but the moment this additional use were made of it its market value would increase and largely, because the demand for diamonds would increase; men would want them who do not now need them, in order to make change or to settle those exchanges that are now settled by gold and silver money, and in that manner you would greatly enhance the value of the diamond. If, however, the diamond in the past had possessed that money value, and by legislative enactment you took it away and made something else money instead of the diamond, then you would correspondingly decrease the price of the diamond. And in the days of Greece and Rome, when travel was unsafe, the diamond was not only used as money, but had a higher price than now because of the demand for it created by this use.

Our nation, Mr. Speaker, from its earliest history and by enactment of the Constitution, has used both metals as money. Silver was as much a standard of monetary measurement as was gold up to 1873, and at that time it was worth 3 cents more than gold. In that year, by unfortunate legislation, was taken from it its use as a standard of measurement, which was exclusively conferred upon the gold dollar. So far from having the balance-wheel of the monetary watch made of two metals that were affected by temperature in different degrees, in order that the expansion or contraction of the one might correct that of the other, at that time you made the balance of but one metal, gold alone, and by so doing enhanced its value, and of course correspondingly decreased the price of the silver because taking from silver a use and value greater than its intrinsic value. I shall embody in my remarks, Mr. Speaker, some statistics given yesterday by the gentleman from Minnesota [Mr. LIND] in his admirable speech, to show that the price of gold since 1873 has steadily gone up because of its scarcity and because of its being alone used as a standard of measurement, and that silver, wheat, corn, and everything else have gone down in the same proportion.

The following table, prepared by Dr. Soetbeer, the highest authority, shows that the production of gold is decreasing, and therefore that its purchasing power is increasing. It gives the average annual production of gold in the world in five-year periods:

Period.	Weight.	Value.
	Kilograms.	
1841–1850	54,759	$36,262,831.40
1851–1855	199,388	132,513,264.80
1856–1860	201,750	134,083,050.00
1861–1865	185,057	122,988,862.20
1866–1870	195,026	129,614,279.60
1871–1875	173,904	116,677,598.40
1876–1880	172,414	114,586,344.40
1881–1885	149,137	99,116,450.20
1886	149,338	99,250,877.00

Mr. LIND says:

Its consumption in the arts is increasing. Dr. Soetbeer calculated that it exceeded $60,000,000 in 1885. The Director of the United States Mint, in 1888, said:

"The total consumption of the precious metals in the industrial arts, according to the statements furnished the bureau, has been very much larger during the past year than in preceding years, both in gold and silver.

"The aggregate employment of the precious metals in the arts during the calendar year of 1888 may be placed at $16,500,000 gold and $8,100,000 silver (coinage value), against estimated employment for the calendar year 1887 of $14,600,000 gold and $5,280,000 silver.

Mr. LIND tersely shows the extent and effect of the conspiracy to demonetize silver, as follows:

But not satisfied with this natural advantage, the creditor classes of Europe and of this country conspired to enhance the value of their bonds and securities by a system of class legislation which has no parallel in the annals of history. Silver and gold had always been money, each dividing with the other the burden of measuring the values and carrying on the business of the civilized world at the ratio in Europe of 15½ of silver to 1 of gold, and here of 16 to 1. In quantity there was about $39 of silver to $31 of gold (in 1871). If silver could be dethroned the creditor classes and those having fixed incomes would reap the benefit of the increased value of gold. England, the great creditor, actuated by her greed, advocated demonetization of silver. Germany, flushed with pride and with the thousands of millions of gold wrung from France, listened to the siren, made gold her sole standard of value, commenced to call in and sell her silver, and finally demonetized it in 1873; 3,552,000 kilograms of German silver, worth about $42 per kilogram, having been robbed of its prerogative, was thrown upon the market as a commodity. Its gold price commenced to fall. A hue and cry against silver was inaugurated. In this country it was taken up by the organs of the bondholders. By means of a pretended codification of our coinage laws the authority for coining the silver dollar was repealed. Congress was captured by stealth, and President Grant is said to have stated that his signature to the act was obtained by misrepresentation. This happened in 1873. The following year France, Belgium, Italy, and Switzerland limited their coinage of silver, and in 1878 closed their mints to that metal. Like action was taken by the Scandinavian countries in 1876. A scramble for gold ensued, in which every expedient to obtain and to keep it was resorted to. The German Government banks made loans for nominal rates of interest conditioned on their repayment in foreign gold. The reign of Mammon had been inaugurated. Gold rose in price from day to day, and all other commodities, when measured by it, fell. In March, 1879, Mr. Disraeli said:

"All this time the produce of the gold mines of Australia and California has been regularly diminishing, and the consequence is that * * * the amount of the currency itself is yearly diminishing until a state of affairs has been brought about by gold production exactly the reverse of that which it produced at first. Gold is every day appreciating in value, and as it appreciates the lower become prices."

This was true in 1879, and is a terrible reality to-day. Does any one doubt the effect on prices of these monetary changes by the principal nations of the world? While the burden has fallen the most heavily on the farmer, other classes have suffered as well. All values have shrunk nearly one-third, except debt and taxes. By reference to the table it will be seen that the wheat crop of 1874 was worth $441,398,655.60; that of last year, though a third larger, was only worth $440,031,320. The national debt on July 1, 1874, according to the report of the Secretary of the Treasury (less the cash in the Treasury), was $2,143,688,241.16. Since that time and up to July 1, 1888, we had paid some $1,500,000,000 in principal and interest, leaving the balance then due of $1,087,930,703.87. In 1874 it would have taken 1,603,454,403 bushels of wheat to pay the debt, and in 1888, 1,212,854,772. Stocks of merchandise have shrunk without being sold. A stock carried over a season has suffered more from a fall in prices than from moths or shelf-wear.

While gold has thus gone up in value, as compared with all other articles of commerce, silver has maintained about the same relation to them. The table annually published by the Economist gives the wholesale prices of twenty-two of the principal articles on the London market, and compares them with the average prices for the same articles during the five years 1845–'50, the latter being graded as 100. In 1873 these articles were 34 cents higher than in 1845–'50, or 134.

Mr. Lind says:

I have thus far spoken of the change in the relative value of the two metals as an appreciation or rise in the value of gold. I believe this to be correct. Ordinarily we speak of silver as having depreciated or fallen. We have been led into this habit by the gold advocates, who neglect no opportunity to speak of silver as depreciated and the silver dollar as "dishonest." Neither is true. Comparing the two metals only, each with the other, simply shows a greater difference between them than formerly. Of this difference it is just as fair to say that gold has appreciated as it is to say that silver has fallen. To ascertain the truth let us compare silver to the index numbers given above. The Secretary of the Treasury gives the following table of the value of silver since 1873 in his annual report. I have added the Economist's index number:

Average price of silver in London each fiscal year, 1873-1889, and value of an ounce of fine silver at par of exchange, with decline expressed in percentages in each year since 1873.

Year.	Price in London.	Value of a fine ounce.	Decline from 1873.	Economist's index number.
	Pence.	*Dollars.*	*Per cent.*	
1873	59.2500	1.29883	.....	134
1874	58.3125	1.27827	1.6	131
1875	56.8750	1.24676	4.	126
1876	52.7500	1.15634	11.	123
1877	54.8125	1.20156	7.5	124
1878	54.3107	1.19050	8.3	115
1879	50.8125	1.11387	14.2	100
1880	52.4375	1.14954	11.5	115
1881	51.9375	1.13852	12.3	108
1882	51.8125	1.13623	12.5	111
1883	51.0230	1.11826	13.9	107
1884	50.7910	1.11339	14.3	100
1885	49.8430	1.09262	15.9	95
1886	47.6380	1.03112	20.6	92
1887	44.8430	.98301	24.3	94
1888	43.6750	.95741	26.3	101
1889	42.4990	.93163	28.3	.....

From this it will be seen that silver has not only maintained its relative value as compared to commodities, but it has actually appreciated. In other words, an ounce of silver will buy more of the necessaries of life, more of any kind of property, to-day than it would in 1873. And the silver dollar, instead of being dishonest, will pay a debt, buy as many things, and carries as many cents as the dollar in gold. The only trouble that most of us ever have with it is "the getting of it."

The following table shows that the fall in the price of wheat has kept step with the rise in gold, and has not been occasioned by overproduction:

Table showing the population, wheat product, and export price of wheat during the years named.

Year.	Population.	Wheat product.	Wheat product per capita.	Average export price.
		Bushels.	*Bushels.*	
1873	41,676,000	281,254,700	6.75	$1.312
1874	42,795,000	309,102,700	7.22	1.428
1875	43,949,000	292,136,000	6.65	1.124
1876	45,135,000	289,356,500	6.41	1.242
1877	46,351,000	364,194,146	7.71	1.169
1878	47,595,000	420,122,400	8.83	1.328
1879	48,863,000	448,756,630	9.19	1.068
1880	50,155,783	498,549,868	9.94	1.245
1881	51,462,000	382,280,090	7.43	1.114
1882	52,799,000	504,185,470	9.55	1.185
1883	54,163,000	421,086,160	7.77	1.127
1884	55,554,000	512,765,000	9.23	1.066
1885	57,093,000	357,112,000	6.25	.862
1886	58,420,000	457,218,000	8.00	.870
1887	60,018,000	456,329,000	7.60	.890
1888	61,521,000	415,868,000	6.76	.853
1889	64,554,000	490,560,000	7.77	.897

S. G. BROCK, *Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *March* 12, 1890.

Wheat crop of the world.

Year.	Bushels.	Year.	Bushels.
1880	2,111,000,000	1884	2,293,000,000
1881	2,025,000,000	1885	2,095,000,000
1882	2,2-2,000,000	1886	2,055,000,000
1883	2,054,000,000	1887	2,188,000,000

Mr. LIND further says:

The table of domestic production shows that our wheat crop in 1882 was nearly 2 bushels per capita larger than in 1887, and the crop of the world nearly 100,000,000 of bushels greater, and still the export price in the former year was $1.24 and in the latter only 89 cents per bushel.

* * * * * * *

The price of an article, I take it, is the amount of money that it will exchange for. The price of a bushel of wheat is the amount of money it will buy in the market. As stated before, a bushel of wheat will buy as many articles of other commodities as it did prior to 1873. But it will not buy as much gold, and gold, strictly speaking, is the only money of Europe and of this country at the present time. Gold is the standard of value. If we consider wheat the standard, its value (as compared to commodities other than gold) has varied but little, while the price of gold has risen enormously. In 1873 a bushel of wheat would buy 33.41 grains of gold; in 1889, only 20.89 grains.

If a difference like this should suddenly spring up and continue to increase between the relative value of wheat and some other commodity, say oranges, we in Minnesota would naturally surmise that the orange crop in California was short or that the market for California oranges had increased faster than the demand for wheat, or both. Perhaps this is the trouble with gold? It seems very reasonable that if gold has become scarcer, both in point of quantity and relatively for the amount of work that it has to perform, and that the demand for it has increased, it should rise in price in comparison to wheat and other commodities which have not been so affected, the same as the oranges.

So much for the points made by Mr. LIND.

Mr. Speaker, the proposition now presented to us is this: Shall we restore to silver the use that we took from it? Shall we give to the Government the power to make this again a standard of monetary measurement? If we do we depreciate gold just to the extent that we deprive it of its exclusive use as a standard of measurement, and just to the extent that its value is enhanced by that use, and silver will have an added value, because it again becomes a standard.

What will be the effect of this legislation upon the masses of the people? Let us consider that for a moment. Clearly the effect will and must be to increase the price of every bushel of corn, every pound of cotton, every bushel of wheat, every day's labor that is performed in the country; you will increase the prices on all our products and labor to an extent that no man can compute. And who will be affected injuriously? Will it be the laboring masses of the people; will it be the farmers of the country? No; it will be the men who to-day have money to lend. They are exactly the men who are fighting this proposition. They say, Here is a silver lobby. Yes; so there is. They say, This is for the benefit of "bonanza kings." So it is; I admit all that, and, further, that the producers of silver will be permanently benefited. But here is also the Wall street lobby. Wall street exercises a power that is felt all over the country; and Wall street is always with the House of Representatives, and a good deal more than always with the Senate. [Laughter.]

But so far as these two interests and their mighty lobbies are concerned it is the old story of the skillet calling the gridiron black. I care nothing for either of them; and in spite of both of them take the higher ground that by giving silver parity of coinage with gold, by restoring its use as a standard of measure you will give every man who has anything to sell relief from existing depression, and enlarged prices, far better than you can in any other way; and that the only man injuriously affected will be the lender of money.

This, Mr. Speaker, is not an issue between the Democratic party and the Republican party, and the vote both here and in the Senate will prove the fact. It is an issue between the East and the West; between communities which have money to lend and those which borrow money. And no intensity of asseveration can make it a purely party issue. Let me briefly consider some of the provisions of the bill.

My first objection is that it treats silver precisely and solely as a commodity, such as iron or potatoes. So does the present law. The only authority given by the bill is that of merely purchasing silver, no other authority. There is nowhere in the bill any authorizat on or requirement that the Secretary of the Treasury shall coin silver. In section 3 is a provision—

That the Secretary of the Treasury shall coin—

What? The silver that he buys? Oh, no; but—

such portion of the silver bullion purchased under the provisions of this act as may be necessary—

Mark the words—

as may be necessary to provide for the redemption of the silver notes therein provided for.

And that very limitation prevents him from coining for any other purpose.

Now, what would be the demand for the redemption of these Treasury notes? Who would take a single one of them to the Treasury and ask for its redemption? You pile up fifty millions of purchased bullion this year, fifty millions next year, fifty millions the next year, and the next year fifty millions—$200,000,000 piled up in the Treasury—and nobody wants to have a note redeemed. The process of piling up goes on, and if anybody should ask to have a note redeemed the Secretary of the Treasury could redeem it in coin; that is, gold. He need not coin a single dollar in silver for years to come, and then we will be met with the proposition, should this bill become a law, that there are $200,000,000 of bullion lying in the Treasury, that it is useless, and what are we to do with it? Certificates are out and can not be called in; more bullion is piling up and more certificates are going out: and then you will come to the point that is made to-day, namely, that we must abandon silver and must continue the exclusive use of gold as a monetary standard.

There is the fact in regard to the bill; and, in addition, it specifically repeals the only provision on the statute-book requiring the coinage of the silver dollar. I want to call the attention of gentleman to that.

Here it is, in section 7:

That so much of the act of February, etc., as requires the monthly purchase—

Now, if they had stopped there it would have been all right—

as requires the monthly purchase and coinage into silver dollars * * * is hereby repealed.

So, gentlemen, the bill does this: It continues to treat silver simply as a commodity, and not as a money metal. It demonetizes silver; it repeals the only requirement for coinage; and it permits the Secretary of the Treasury, at his discretion, to redeem those certificates on the demand of the holder, in bullion, and that is what would be done four years hence with your two hundred millions of bullion, very likely. They would say: "There is gold coin enough: we have silver dollars enough; we are at the expense of building Treasury vaults, and now let us get clear of this accumulation; let us call in a lot of these Treas-

ury notes and dispose of the bullion." Now, gentlemen, I simply can not and will not vote to demonetize silver [applause] and shall vote against this bill. I am putting the issue upon the broad basis that the prosperity of the people of the nation requires that there shall not be a monopolistic standard, but that there shall be a dual standard; that no part of that dual standard shall be treated as a commodity, but that there shall be a compound standard of measure made of both gold and silver. And when gentlemen speak of themselves as being "silver men," and say that they do not want either gold or silver alone, but that they want both, only that silver must be bought as a commodity by the gold standard alone, I can see them going around with a little gold 2-foot rule and not only measuring the silver by it, but vociferating that it is a full yard long, unmindful of the fact that their gold rule depends for its length on the demand and supply of gold and unmindful of the fact that the production of gold is decreasing and has decreased for years. Your alleged yard-stick is getting shorter and shorter. The men who have the gold are getting richer and richer and the laboring man and the farmer are getting lower and lower prices. Now, I want you to take a yard-stick that is not subject to such shrinkage, one made of silver and gold, 36 inches long; an American dollar worth 100 cents, instead of a gold dollar worth 128 cents, but called only 100 cents.

[Here the hammer fell.]

The Tariff.

SPEECH

OF

HON. SAMUEL M. ROBERTSON,

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 21, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. ROBERTSON said:

Mr. CHAIRMAN: The Republican party has deprived itself of its slogan of attack on the Democratic party by its support of this McKinley bill. During the last campaign they arraigned this side of the House before the bar of public opinion as advocates of free trade. This was their shibboleth. They proclaimed it vociferously upon the stump from the Atlantic to the Pacific. Their denunciations of free trade served as a cloak to hide the real issue, and under the shadows of their dark deception they succeeded in duping the American people and in capturing the executive and legislative branches of this Government.

But, Mr. Chairman, they appear again in the arena; clothed in the garb of the free-trader and using the weapon of their antagonists with greater skill, they propose a free-list 200 per cent. greater than that proposed in the Mills bill as a means of reducing the revenues.

The free-list of the bill drawn by a Democratic majority and passed by this House in the Fiftieth Congress proposed a reduction of only about $20,000,000, while the total reduction proposed from all sources was about $75,000,000. The free-list, therefore, was about 26 per cent. of the total proposed reduction. This (the McKinley) bill proposes a total reduction of $71,264,414.41; of this amount $60,936,536.35 comes from the free-list, or in other words, the free-list is about 86 per cent. of the total reduction proposed in this bill.

If the Mills bill, carrying a free-list of 26 per cent. of the total reduction proposed, was a free-trade measure, what in the name of conscience and easy logic is the McKinley bill, carrying, as it does, a free-list of 86 per cent.?

But this 86 per cent. represents no relief to the people, and though it may apparently show without further examination of the principles under which the majority are proceeding a wonderful increase of the free-list, yet it is, when examined even casually, as false in doctrine and as true to sectionalism as are all the professions of its advocates. Upon this list are found acorns, beeswax, braids, bristles, chicory-root, coal-tar, dandelion-root, currants, dates, grass, grease, hair (human), ore (nickel), red earth, sand, tar and pitch of wood, tobacco-stems, turpentine, brier root, and paintings in oil or water colors, and statuary for the use of the rich, a few chemicals, and sugar below No. 16 Dutch standard.

This free-list as taken from this bill professes to relieve the people of about $60,000,000 of taxes. Nearly fifty-six millions is contributed by sugar, while the remaining four millions is gained by relieving the people of the onerous taxes on such necessaries of life as acorns, hair, sand, etc. Fifty-six millions from sugar is obtained by crushing an industry which now exists in the South almost exclusively, while, at the same time, grades produced by the refiner are still protected by a sufficient duty to enable the continuance of trusts and combinations to control the price to the consumer.

One industry of all those in this country is proposed for annihilation. The tariff upon the products of nearly every other industry has been raised until it has in many instances reached the enormous ad valorem rate of 100 to 150 per cent. By reference to the wool and woolen schedule the truth of this assertion is apparent. Unwashed wool is increased from 35 to 54.10 per cent.; washed wool, from 52 to 65 per cent.

	Present rate.	Increased rate.
	Per cent.	*Per cent.*
Unwashed wool, second class	26	61.52
Scoured wool	41.23	49.47
Woolen and worsted yarns	67	123.3
Woolen cloths and knit fabrics and all manufactures of every description made wholly or in part of wool	65	147
Blankets and woolen hats and flannels	69	110.81
Women and children's dress goods	70	92

These increased rates must of necessity increase the price to the consumer.

Is it possible, Mr. Chairman, that it is necessary to increase the duties on these articles produced in this country in order to save these industries, protected as they have been for twenty-five years by a tariff levied for war purposes? Will gentlemen admit that these industries are growing weaker each year and that it is necessary to continually increase the duties in order that they may prosper? Are these industries still infants? The increased duties proposed in these schedules are answers to these questions. They have been protected for a great number of years, and yet they are unable to prosper if we are to account for the reason for these increased duties.

It has been stated by many advocates of free sugar, who are high protectionists in other industries, that, though the sugar industry has been protected by a high rate of duty for a number of years, under the most propitious circumstances it is impossible to produce a quantity sufficient for home consumption, and for that reason the sugar-planter and manufacturer should be deprived of that protection which advocates of this bill willingly accord to other industries.

This argument, if good at all, can not be applied at this time. The great possibilities now open to the West in the production of beet and sorghum sugar, coupled with the extended territory in which sugar from cane is now being produced in Texas and Florida, with the improved mechanical appliances used in the manufacture of sugar in Louisiana, are proofs evident of the grand possibilities in store for the future development of sugar production.

The progress possible in this industry has for years been greatly retarded by the continued agitation of the tariff question. Capital, timid as it is, has with difficulty been induced to any great extent to enter into this otherwise productive field.

The sugar industry is no longer confined to Louisiana; it is becoming rapidly national in its character. Its development is watched with great anxiety by the industries of the East and North, and fearing the development of the child into a powerful giant they are determined to crush it in its swaddling clothes.

This is the real reason for this attack on sugar.

To treat the industry as it is proposed in this bill is a direct violation of the platform of the Republican party, by that party. They say that they have the verdict of the people on the principles of their bill, yet they told the people that no part of the protective system should be disturbed, even if it were necessary to repeal the entire internal-revenue tax. In face of this very declaration they propose to put sugar on the free-list and to reduce the internal-revenue taxes only ten millions.

What has become of the twenty-four-million reduction from the internal revenues of the last proposed Senate tariff bill? They went before the country on this bill; did not the people by this same verdict indorse it? Why, then, do they not still adhere to their determination to make a proper reduction from the internal taxes? They accused the Democrats last year of being unwilling to reduce the surplus by reduction from this source, and yet it is a known fact that the Democratic measure of the last Congress proposed a reduction from the internal taxes of more than twenty-four millions. Why is it now that they practically avoid the question of internal reduction? Is it for the purpose of willfully destroying an industry which has grown up under a protective tariff as old as the tariff itself?

The excuse given by the advocates of this measure for increasing the duties on imports is that wages of the laboring man will be correspondingly increased; yet they destroy the avocation of nearly 500,000 people at one fell swoop by placing sugar on the free-list. If protection is proper for the Northern and Eastern laborer, why is it not for the people of Louisiana, Kansas, Nebraska, and California who are engaged in the production of sugar?

Mr. Chairman, sugar is the only really agricultural product protected by the tariff, and yet it is made to suffer practically the entire reduction proposed. This is the only agricultural product of great importance which is not exported, and is therefore the only one to which the protective-tariff theory is applicable.

The tariff proposed by this bill upon corn, wheat, etc., is like every

other proposition advanced by this Republican party in the interest of the farmer. It is the lulling to sleep by the wings of the vampire that their blood may be more easily sucked by the manufacturer and monopolist, grown rich through the medium of exorbitant taxes levied under the guise of protection.

It is an attempt to obtain their acquiescence to the robbery concealed in this bill by mustering them into the band of protection with no hope of the farmer in his new rôle to a share of the booty. Like the invited guest at the feast of the lion, the farmer will find the prey devoured before his very eyes and his gnawing hunger increased as the choicest morsels disappear in the powerful jaws of his hospitable host.

But the sugar-planter is told that the people of this country shall be taxed in order to pay him a bounty of 2 cents a pound on all the sugar he produces. Is not this an admission that this industry is worthy of protection? If so, why change the principle? And if the principle is changed, why is sugar to be the favored article? Why not pay the farmer a bounty on cotton, corn, wheat, and rye?

Mr. Chairman, the sugar-producer will not be betrayed with a kiss. The insincerity of the proposition is a poor guaranty of good faith. The song of this siren may be sweet, but the mariner dreads the hidden rock. What is the necessity of encumbering our tax system with this innovation? It may be said that there is a precedent in the bounty to the fishermen of New England. It is true that there was such a bounty, but what became of it? If we take this bounty as a precedent we must take its repeal as a precedent also; and, in doing this, what faith can be placed in the continuance of the law making appropriation to pay it? This whipping the devil around the stump in this pretended desire to protect sugar by such a proposition is so apparently insincere that no sane man interested in it has yet consented to accept it, even in the face of a threatened reduction which would result in seriously crippling the industry. [Applause.]

I am opposed to this bounty, first, because I believe there is no constitutional warrant for it; second, because it is not possible to make it permanent; the American people will not submit to it; third, because coupled with it is a proposition to place sugar on the free-list, and thus destroy ultimately an industry which gives employment to a great number of the people of my State and of the district I represent; fourth, because the iniquitous, inquisitorial provisions of the internal-revenue laws are to be resorted to to ascertain the quantity of sugar produced in order to regulate the amount of bounty to be paid, all of which tends to extend the power of the Government directly over the private concerns of the people and establishes a system of espionage on the part of the General Government which can not be less destructive of our governmental polity than the use of Federal power at the polls.

Thomas Benton said in his report on a bill proposing to repeal the fishing bounties, made in the Senate in 1840, that—

> There is no clause in the Constitution to warrant such bounties. They are the *ne plus ultra* of the protective system, going beyond protecting duties, beyond prohibitory duties, beyond the remission of duties, beyond exemption from payment of duties, and plunging into the Treasury to take out the money for the benefit of the few which the contributions of the many had placed there for the support of the Government.

Mr. Chairman, I am opposed to the bounty for the further reason that it will encourage duplicity, corruption, and fraud. We must judge it by the experience of the past. One of the strongest arguments made against the fishing bounties by Senator Clay, of Alabama, in 1860, was the report of the Secretary of the Treasury upon this very question. The Secretary in his report to Congress, speaking of the manner in which the law had been violated by those claiming the bounty, says:

> Under this state of things an important question of expediency, as well as of morality arises, since these laws, instead of furnishing encouragement for seamen, mainly encourage the commission of multiplied perjuries and tend to the demoralization of a large class of the community. Several indictments for perjury committed in making up these proofs have been tried within two or three years, which have generally resulted in acquittal, it being found in some sections of the country difficult, if not impossible, to convict for perjury on false custom-house oaths.

It is scarcely possible to expect that time has in any manner so educated the people that there will not be a recurrence of the same conditions under like circumstances.

Human nature is the same now as it was then. It is to be hoped, should this bill become a law, that the people who would receive bounties under it can escape arraignment on charges of perjury and immorality, which under similar conditions were made by high officials against the people of New England, who were charged under a like provision of law with perjury, immorality, and evasion.

Schedule E of the bill provides that—

> The producer of said sugar, to be entitled to said bounty, shall have first filed with the Commissioner of Internal Revenue a notice of the place of production, with a general description of the machinery and methods to be employed by him, with an estimate of the amount of sugar proposed to be produced in the next ensuing year and an application for a license to so produce, to be accompanied by a bond in a penalty, and with sureties to be approved by the Commissioner of Internal Revenue, conditioned that he will faithfully observe all rules and regulations that shall be prescribed for such manufacture and production of sugar.
>
> The Commissioner of Internal Revenue, upon receiving the application and bond hereinbefore provided for, shall issue to the applicant a license to produce sugar from sorghum, beets, or sugar-cane grown in the United States at the place and with the machinery and by the methods described in the application; but said license shall not extend beyond one year from the date thereof.
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> * * * * * * *
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> The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall from time to time make all needful rules and regulations for the manufacture of sugar from sorghum, beets, or sugar-cane grown in the United States, and shall, under the direction of the Secretary of the Treasury, exercise supervision and inspection of the manufacture thereof.

Mr. Chairman, when the sugar-producer upon his farm finds that he is in the clutches of the law, that his private affairs are to be invaded by an officer of the General Government, that a bond will be required of him to follow the avocation which he has for years followed untrammeled and free, that he is forced to obtain a license for tilling the soil and to adopt methods prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury in the conduct of his private concerns, he may well exclaim when he receives his bounty:

> Thou art a gilded, but a bitter pill,
> Of varied, great, and complicated ill.

The payment of this bounty is confined to producers of sugar testing 85° by the polariscope. This is a palpable injustice, because the high polariscopic test of 85° virtually deprives the small farmer producing sugar by his little mill and in the ordinary evaporation of any protection either by bounty or duty. The ordinary grade of sugar produced in this way tests ten or fifteen degrees lower than the minimum fixed in the bill.

Why should these people producing sugar on a small scale be made to suffer while the more fortunate and larger producer receives his bounty of 2 cents a pound?

If 2 cents a pound is considered too large a bounty for these grades would it not be just and fair to lower the bounty, say, to 1½ cents per pound on all sugar testing below 80 degrees and above 70 degrees by the polariscope. This is a fair and equitable proposition if the bounty provision prevails as is provided in this bill.

This is another stone given by the advocates of this bill to the farmer when he has asked for bread. Where do you propose to stop? You have forced sugar on the free-list and have increased the duties enormously on cotton-ties and tin-plate. This duty on tin-plate is indefensible under the argument for the abolition of the sugar duties. There is no tin-plate produced in this country, while there was imported last year about 360,000 tons. The pig-tin used in making tin-plate has not yet been successfully produced from our mines.

It is probable from the testimony given before the Committee on Ways and Means that years will elapse before the tin mines of the Black Hills can be developed, and it is doubtful even in the development of these mines whether sufficient tin can be produced to supply the home consumption. The canning industries engaged in putting up canned goods have universally protested against the increased duties on tin-plate, from which cans are made, stating as their reason for protest that it will increase the cost of these goods to the people.

It was shown clearly to the committee in the investigation of this tin-plate question that it was an industry that did not even exist in the United States, that at present little or no capital is invested in it, and that it affords employment to none of our people. In the testimony of those who desired the increased duties to inaugurate the industry it was stated that in future years it might, under propitious circumstances, give employment to about five hundred thousand people—when, nobody knows.

The ostensible object of any tariff bill should be to reduce taxation, to prevent a surplus, and to relieve the people from unnecessary taxes. This has been proclaimed in the platform of each political party to be its desire. If the object to be accomplished is to reduce taxation this tax on tin-plate can not be sustained. If the object to be attained is protection to American industries this tax on tin-plate is wholly out of the question, because the industry does not even exist.

Under no theory, therefore, Mr. Chairman, is this tax justified or defensible, particularly when it is necessary to crush another industry already existing, now giving employment to more than five hundred thousand people in order to establish it, and to increase the price of the household utensils in every poor man's family in the country to enrich two or three men in Pennsylvania for whose benefit this increased tax is evidently proposed.

Eastern capital which has been produced and accumulated in the hands of a few men by this protective system not only controls the sentiment of the East upon all questions of national legislation, but it has entangled the farmers of the West, deeply mortgaged and oppressed as appears from their own statements, until they, too, in obedience to the dictates of this same power, bow before the foot of the throne upon which sits the monopolistic manufacturer grown plutocratic by the unjust burdens of exorbitant taxes, and vote to perpetuate a system which inwardly they must condemn and despise as unwarranted by any constitutional provision or any existing condition.

But, Mr. Chairman, a new era is beginning to dawn. The farmers of this great country are awaking from the sleep of Endymion, and, however extreme their declarations may seem, they are the clarion notes of regeneration.

Mr. Chairman, for two or three years past the people engaged in raising cotton have been at the mercy of combinations and trusts of every conceivable description. Jute cotton bagging by reason of a tariff of 1½ and 2 cents per yard has been the fruitful subject of one of the

trusts, by the existence of which the price per yard has been increased 100 per cent. Manfully have the farmers of the cotton-growing States fought this monopoly which has its existence through this tariff.

I had hoped that relief would be given them by a proper reduction of the tariff on cotton bagging, but what is the result under this bill? The tariff on bagging worth 6 cents (imported) has been increased from 1.5 to 1.6 cents per yard, while that worth 7 cents (imported) has been reduced only four-tenths of a cent, leaving still a tariff under which this monster trust can flourish and grind the people.

The present tariff on iron cotton-ties is about 35 per cent. ad valorem. The small margin given by this duty, combined with other causes, has prevented so far the formation of trusts to control their price to the farmer. This was well, and probably the farmer could without much complaint submit to the tax, but as a representative of a large number of farmers engaged in producing cotton I must enter my earnest protest against this schedule in this bill proposing to increase the duty on ties from 35 to 104 per cent. ad valorem.

Should this bill pass, the importation of ties will be completely checked, trusts in the production of them encouraged and invited, and the price increased from 100 to 150 per cent. over the present cost. In this increase the people of my State and the entire South are to be taxed beyond measure and endurance to benefit the manufacturers in one or two districts of Ohio, and yet the honorable chairman of the committee in charge of this bill has the temerity to say that it is not a sectional measure.

What is the necessity of the increase? It is stated as a reason that the present price of cotton-ties is so low that the manufacturers in America can not compete with those in England. It is admitted that by increasing the tariff the price will be increased sufficiently to render the manufacture of ties profitable to the Ohio capitalist. He will grow rich; there is little doubt of that; but the tax which enriches him is forced as a tribute from the toiling farmer of the South, who is the exclusive consumer.

Mr. Chairman, this proposed increase is in harmony with the avowed principle underlying this bill. The Democratic party proposes to reduce the tariff on imports, to reduce taxes, and at the same time reduce the price on the necessaries of life, having due regard to existing conditions of trade, but at the same time giving relief to the people and obviating the necessity of extravagance in appropriations as a means of keeping our money in circulation by thus preventing its accumulation in the Treasury. By reducing the tax on imports and by a proper revision of internal taxes, relief will come to the people and prices will be lowered on all they consume. The principles which underlie this bill check imports by increasing the duties, and at the same time, as a natural sequence, reduce the income of the Government from customs taxes.

Gentlemen who advocate this theory of reduction seem to forget the fact that the great masses of the people obtain no relief through it. They seem to forget that under this theory the farmers of the West are burning their corn for fuel, while they will be forced, under this bill, to pay a still higher price for the coat which shields them from the cold, by the higher taxes proposed on woolen goods and blankets.

Let us hope, Mr. Chairman, that this mad career may soon have an end, that the masses of the people may at length be aroused from their lethargy, and that the monopolist and plutocrat, now dictating our legislation, may bend a suppliant knee before the patriotic power of the American people.

Silver.

SPEECH
OF
WILLIAM S. HOLMAN,
OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 6, 1890.

The House having under consideration the bill (H. R. 5381) authorizing the issue of Treasury notes on deposits of silver bullion—

Mr. HOLMAN said:

Mr. SPEAKER: During the progress of this debate on the silver question it has been asserted by a very distinguished gentleman prominently identified with Congress for many years and who was a member of the Senate when the bill was passed striking the silver dollar from our coinage that there is no evidence that the act of the 12th of February, 1873, was either a covert and underhanded measure or directly designed to benefit a small class at the expense of the great mass of our people. I wish, sir, having participated somewhat in the events which led to the passage of that bill in the House, that I could, for the credit and honor of our legislation, reach the same conclusion; but the facts, to my mind, do not justify so favorable a judgment.

I remember distinctly what transpired in the House when the bill was passed, and I have before me the record of the proceedings of the House when that bill was passed, and I am forced to the conclusion that it was intended to be passed and was passed without the House understanding its purport and effect. Mr. Hooper, of Massachusetts, a distinguished gentleman of that State and a leading banker of the city of Boston, had reported from the Committee on Coinage, Weights, and Measures a bill to the House on the subject of reorganizing the mints of the United States. Afterward, on the 27th of May, 1872, Mr. Hooper obtained the floor and said:

I desire to call up the bill (H. R. 1427) revising and amending the laws relative to mints, assay offices, and coinage of the United States. I do so for the purpose of offering an amendment to the bill in the nature of a substitute, one which has been carefully prepared and which I have submitted to the different gentlemen in this House who have taken a special interest in the bill. I find that it meets with universal approbation in the form in which I offer it. I move that the rules be suspended and that the substitute be put on its passage.

* * * * * * *

Mr. HOLMAN. I suppose it is intended to have the bill read before it is put upon its passage?

The SPEAKER. The substitute will be read.

Mr. HOOPER, of Massachusetts. I hope not. It is a long bill and those who are interested in it are perfectly familiar with its provisions.

Mr. KERR. The rules can not be suspended so as to dispense with the reading of the bill?

The SPEAKER. They can be.

Mr. KERR. I want the House to understand that it is attempted to put through this bill without being read.

The SPEAKER. Does the gentleman from Massachusetts [Mr. Hooper] move that the reading of the bill be dispensed with?

Mr. HOOPER, of Massachusetts. I will so frame my motion to suspend the rules that it will dispense with the reading of the bill.

The SPEAKER. The gentleman from Massachusetts moves that the rules be suspended and that the bill pass, the reading thereof being dispensed with.

That motion was not sustained by the House.

At a later moment, after some other business had been transacted, the question was again brought forward, and I read from the report of the proceedings:

Mr. HOOPER, of Massachusetts. I now move that the rules be suspended and the substitute for the bill, in relation to mints and coinage, passed; and I ask that the substitute be read.

The Clerk began to read the substitute.

Mr. BROOKS. Is that the original bill?

The SPEAKER. The motion of the gentleman from Massachusetts [Mr. HOOPER] applies to the substitute, and that on which the House is called to act is being read.

Mr. BROOKS. As there is to be no debate, the only chance we have to know what we are doing is to have both the bill and the substitute read.

The SPEAKER. The motion of the gentleman from Massachusetts being to suspend the rules and pass the substitute, it gives no choice between the two bills. The House must either pass the substitute or none.

Mr. BROOKS. How can we choose between the original bill and the substitute unless we hear them both read?

The SPEAKER. The gentleman can vote "ay" or "no" on the question whether this substitute shall be passed.

Mr. BROOKS. I am very much in the habit of voting "no" when I do not know what is going on.

Mr. HOLMAN. Before the question is taken upon suspending the rules and passing the bill I hope the gentleman from Massachusetts will explain the leading changes made by this bill in the existing law, especially in reference to the coinage. It would seem that all the small coinage of the country is intended to be recoined.

Now, it will be observed that the attention of Mr. Hooper was called to two matters.

First:

I hope the gentleman from Massachusetts will explain the leading changes made by this bill in the existing law, especially in reference to the coinage.

Second:

It would seem that all the small coinage of the country is intended to be recoined.

Mr. Hooper, of Massachusetts, and I were standing close together in the central portion of the Hall, so that the colloquy was very distinctly heard by us both and by the House.

Mr. HOOPER, of Massachusetts. This bill makes no change in the existing law in that regard. It does not require the recoinage of the small coins.

Now, Mr. Hooper seems very fairly to answer both inquiries in the negative. There was to be no change in the coinage and no recoinage of the smaller coins. He added:

On the contrary, I understand the Secretary of the Treasury proposes to issue an order to stop the coinage of all the minor coins, as there is now a great abundance of them in the country. The salaries are not increased. They remain as they were.

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Mr. MERRIMAN. Has this bill been submitted to the Secretary of the Treasury? And, if so, does it meet his approval?

Mr. HOOPER, of Massachusetts. It has been submitted to him, and he not only approves it, but strongly urges its passage. He deems it exceedingly important, as there are irregularities in the Mint now which can not be controlled by existing law.

That carried out the idea that prevailed in all that proceeding, that this was simply a bill to reorganize the mints. Later on, nothing further having been said in relation to the coinage:

Mr. SARGENT. I hope we will have a vote.

The question being taken on the motion of Mr. Hooper, of Massachusetts, to suspend the rules and pass the bill, it was agreed to; there being—ayes 110, noes 13.

The negative vote, it will be seen, was not sufficient to justify a call for the yeas and nays, and so no record of the vote was made.

For myself, I was satisfied with Mr. Hooper's assurance that there was no change in the coinage. I voted in the negative because the

substitute had not been read. I am not able to recall all the negative votes. Mr. Kerr, Mr. Brooks, and Mr. Beck were among the number.

Now, Mr. Speaker, the fact appears clear and conclusive that gentlemen had not examined the bill; that it had not been examined by any gentlemen then present except those interested in its passage. The haste was manifest, and the persistent effort to prevent the reading of the substitute and the original bill is an unpleasant feature in this transaction.

Mr. BUCKALEW. If it does not interrupt the gentleman, I would like to know what the date of that was.

Mr. HOLMAN. That was May 27, 1872.

Mr. HEARD. Who was Speaker at that time?

Mr. HOLMAN. My friend is aware that at that time Mr. Blaine was Speaker. On that 27th day of May, a comparatively early period in the session, there was no pretense of any necessity for extraordinary haste in our legislation. It will be observed that the measure was not urged upon that ground. There was no occasion or excuse for haste.

Mr. Hooper did not urge any reason for early action. The simple proposition was to suspend the rules and pass the bill without reading; and if it had been a bill simply to reorganize the mints, inasmuch as he had given the House to understand that there was no change in the coinage and had over and over again said that there was no increase of salaries, why it seemed not specially improper to suspend the rules and to put it upon its passage upon the statement of the chairman of the Committee on Coinage, Weights, and Measures of the unobjectionable character and purpose of the bill; but it is very obvious, Mr. Speaker, that the main purpose of that bill was a radical change in our coinage and to drop the standard silver dollar from the coinage of the United States. That was the central and important provision of that bill. All the other provisions of the bill were comparatively unimportant, and the unpleasant fact to be remembered is that that important and leading provision was concealed from the House when it was the central point of the legislation involved in the bill. The other features of the bill were comparatively unimportant. They related to the organization of the mints, and the House being informed that there was no change in the coinage there was no special necessity for the reading of the bill except a decent respect for the orderly proceedings of the business of the House.

Mr. HEARD. Will my friend allow me a question? I want to ask, was there any discussion in the consideration of that bill as to the propriety or impropriety of the cessation of coinage of the silver dollar?

Mr. HOLMAN. That subject was not referred to except my question to Mr. Hooper whether there was any change in the coinage. Mr. Hooper said distinctly that there was "no change in the existing law in that regard;" that the sole object was a reorganization of the mints. There is a portion of the remarks that were made at the time that I have not read. Mr. Garfield asked a question whether there was any increase in the salaries in the Treasury Department—was there any increase in the salaries of certain officers of the Treasury. The answer was that there was no increase in the salaries; and another question was whether there was a transfer of officials from one part to another of the Treasury Department, and that was answered in the negative. All the colloquy in the whole course of this discussion which I have not read refers to other matters than the coinage. The subject of coinage was not mentioned after Mr. Hooper's answer to my question. The question having been asked if the measure was to interfere with the coinage, the answer being in the negative, the members generally acquiesced. All understood that a reorganization of the mints was a proper measure, and there was no struggle, but a few of us stood up and voted in the negative, not satisfied with this kind of legislation, and the result was a vote of 100 for and only 13 against the bill. There was no call for the yeas and nays, the negative vote being so small.

It is very true that this bill lay in the Senate from that time until near the close of that Congress, but it seemed to attract no attention. More than a year, nearly two years, after the passage of the bill, in talking with three or four distinguished Senators who were generally vigilant and watchful of what took place in that body, I mentioned the fact that the standard silver dollar had been demonetized. I was promptly contradicted with the statement that it was impossible that any such measure could have passed the Senate without the fact being generally known, and an appeal to the law was necessary to settle the question.

Now, Mr. Speaker, there is another fact to be considered in connection with this matter. The time was favorable for just that kind of legislation. The money of our country was paper money. There was no coin in circulation. The reorganization of the mints seemed to have reference to the future, when specie payments should be resumed, rather than to the necessities of the hour, so that a measure concerning the coinage would not command special attention either in the House or Senate except on the part of gentlemen interested personally and directly in financial affairs and eager to mold legislation in the interest of wealth. To men whose fortunes would be promoted by the abolition of the silver dollar and the adoption of gold as our only measure of value the then condition of our affairs furnished a golden opportunity.

The fact, a very unpleasant fact, was called to mind in this Hall within three years after that remarkable bill was passed, that during the pendency of the bill certain distinguished European financiers were here at this Capitol watching the course of events and that, too, at a time when a very large portion of our bonds were held in Europe.

Whether their presence or their suggestions had anything to do with the framing or passing of the bill I do not pretend to say, because I do not know; but the attention of the House was called to the fact soon after the effect of that bill on our silver coin was known and the inference was drawn, rightfully or wrongfully, that their presence was intended to aid the passage of the measure.

Now, sir, what was the motive for such legislation? Let me answer that question. Our bonded indebtedness, all of which by the infamous act of 1869, known as "The act to strengthen the public credit," was made payable, principal and interest, in coin, silver and gold, although the principal of the greater part of the bonds, the five-twenties, was by the terms of the bonds expressly payable in lawful money (greenbacks, for which, greatly depreciated, they had been sold), and by striking down the silver dollar the whole of our bonds, principal and interest, were made payable in gold coin only. The act of 1869, it is estimated, added $200,000,000 to the value of the bonds, and, of course, correspondingly increased the burden of the public debt on the labor of our country.

No one can say how greatly the elimination of silver dollars from the means of payment of the bonds increased their value, yet it is obvious that the increased value of the bonds has been many millions, but the partial restoration of the silver dollar in 1878 of course diminished the advantage to the bondholder which the abolition of the silver dollar was intended to give. Again the fact is known that in 1872–'73 a very large portion of our bonds were held in England, France, and Germany. Gentlemen who talk so eloquently about English influence in American affairs may be called on to explain how it happened that when English capitalists held a large portion of our 5-20 bonds their value was enormously increased, at the expense of the labor of our country, by the two extraordinary acts of Congress of 1869 and 1873, the one act making the principal of the bonds held by them payable in lawful money, payable in coin, and the other making them, principal and interest, payable in gold. Besides all this, the aggregate public debts of the nations were greater at that time than at any other period in the world's history. Our own great debt was being reduced slightly, but the aggregate debts of the nations had reached the enormous sum of $19,550,000,000, and was greater than at any other time in all history. It was at this period Germany was demonetizing silver; the Latin Monetary Union was falling to pieces. If the United States, with a great public debt on their shoulders and being at the same time the leading silver-producing country of the world, would join in the work of striking down silver as a measure of value and means of payment, leaving gold alone the standard of value in which public and private debts should be paid, the triumph of capital over productive labor, on which rests the burden of all national debts, would be complete.

If there was not concert of action of the capitalists of Europe and America in all this, with a common interest and purpose, how did it happen that this bill passed Congress at a period when the advantage it would confer on capital by the adoption of the gold standard, both in Europe and America, would be of such astounding magnitude?

When all the facts are considered, the enormous public debts of the nations, with our bonds largely held in Europe, the whole movement in Europe and America seemed to justify the charge that it was a sinister movement of the capitalists of the world, seizing upon that unhappy opportunity—a conspiracy of capital, not only against labor in America, but against the labor of the human race, increasing enormously the burdens of national indebtedness and of the debtor class, and thereby adding enormously to the wealth of the creditor class, the bondholding class, and the favored classes of all nations. [Applause.]

All men must admit that the record of the proceedings of the House in the passage of the bill by which the standard silver dollar, the old unit of value, was eliminated from our monetary system, is a very extraordinary one. Why did Mr. Hooper wish to suspend the rules and pass the bill without its being read? The period in the session shows that there was no occasion for haste. Why was the fact withheld from the House that the bill eliminated from our monetary system the standard silver dollar, which had been the unit of value in our monetary system ever since our coinage of money commenced? No one has ever asserted that that fact was known to the House when the bill passed and no one can truthfully assert that the bill was ever read in the House. The reading of the bill which passed the House was, I admit, commenced, and barely commenced, when the assurance was given by the gentleman having charge of the bill, Mr. Hooper, that it made no change in the coinage, and this assurance gave rise to a series of questions as to subordinate matters, salaries, and the like.

I am able to assert positively, as I saw and heard all that transpired in the House in the passage of that bill, that when the assurance was given that the bill did not provide for any change in the coinage that assurance was accepted as final, and the bill was never read in the House, neither the original bill nor the substitute.

I might distrust my memory after this interval of seventeen years as to what occurred at the time the bill passed, but I find on examining the records of the House that soon after the passage of the bill my recollection of what transpired at the time is the same as it is now.

In a speech I delivered in the House on the 13th day of July, 1876, but a few years after the event occurred, I said:

I have before me the record of the proceedings of this House on the passage of that measure, a record which no man can read without being convinced that the measure and the method of its passage through this House was a "colossal swindle." I assert that the measure never had the sanction of this House, and it does not possess the moral force of law.—*Congressional Record*, volume 4, part 6, Forty-fourth Congress, first session, appendix, page 193.

And again, on the 5th of August, 1876, in a speech on this subject, I said:

The original bill was simply a bill to organize a bureau of mines and coinage. The bill which finally passed the House and which ultimately became a law was certainly not read in this House.

* * * * * * *

It was never considered before the House as it was passed. Up to the time the bill came before this House for final passage the measure had simply been one to establish a bureau of mines; I believe I use the term correctly now. It came from the Committee on Coinage, Weights, and Measures. The substitute which finally became a law was never read and is subject to the charge made against it by the gentleman from Missouri [Mr. BLAND], that it was passed by the House without a knowledge of its provisions, especially in relation to coinage.

I myself asked the question of Mr. Hooper, who stood near where I am now standing, whether it changed the law in regard to coinage. And the answer of Mr. Hooper certainly left the impression upon the whole House that the subject of the coinage was not affected by the bill.—*Congressional Record*, volume 4, part 6, Forty-fourth Congress, first session, page 5237.

The fact must and will go into history that the bill which revolutionized the monetary system of this country, and which inflicted irreparable injury and injustice on the debtor class, and enormously increased the value of the securities held by the bondholding class of our people, and benefited enormously the class favored under our laws, the foreign bondholders and the creditor class, and correspondingly oppressed the debtor and all men engaged in productive labor, adding millions to the wealth of the favored classes and imposing a corresponding burden on labor, passed this House under a suspension of the rules and upon an untruthful statement of its provisions and without the bill being read.

In relation to the presence in this city of European capitalists during the pendency of this bill which struck down the standard silver dollar, I ought to say that their presence, notwithstanding the manifest interest of the capitalists of Europe in the passage of the bill, does not necessarily or perhaps fairly justify the inference that they were here to influence our legislation in a matter of vital moment to the people of the United States, for the reason that European capitalists are constantly in this Capital. But the fact remains that the holders of our bonds in Europe as well as the American holders of our bonds and the creditor class in Europe as well as America had a direct and immense interest in the passage of the bill. No man can tell how many hundred millions of dollars were involved.

It is no answer to all this to point to the amount of silver dollars we had previously coined. The Mexican silver dollar, the Spanish milled dollar, the five-franc coin of France, the German thaler, and other foreign coins had occupied in former years an important place in our currency. Their value was determined under provisions of law, from time to time, by the Secretary of the Treasury, especially in relation to the payment of tariff duties, and all men now understand that when Congress determined that specie payments should be resumed, if the coinage of gold and silver, on the same basis of free coinage, had been authorized by law, the severity and hardships of that measure would have been avoided in a great degree, countless citizens would have escaped bankruptcy, and countless homes, wrecked by the operations of that inexorable law, would have enjoyed prosperity; but gold alone was declared to be the standand of value and all estates and property had to shrink to that measure of value. The triumph of Wall street and of the money-changers was complete.

The course of our legislation after the close of our late war and after the ability of our Government to meet the demands of our enormous public debt was certain is without any example in history. An ignoble, mercenary spirit controlled the Government in wonderful contrast with the loyal and manly spirit that inspired our people during the war. A great debt, mostly expressed in the 5-20 bonds, the principal of which was payable in lawful money, greenbacks, the currency with which the bonds were purchased by capitalists at an average discount of 40 per cent., was by the act of Congress of March 18, 1869, made payable in coin, and then by the act of the 12th of February, 1873, silver coinage in our monetary system was stricken down, so that the principal of the 5-20 bonds, the great body of our public debt, was made payable in gold coin, adding at the most reasonable estimate by the first act $200,000,000 to the value of the bonds and imposing a corresponding burden on the labor of the country.

It is impossible to estimate the benefit to capital and the injustice to labor of the second act of Congress, but it could only be expressed by millions of dollars, speaking carefully, for no one can state the exact or approximate result of such a measure. In the history of the world, few, if any, instances have occurred by which such enormous benefits have been conferred on capital. It may be found that monarchies have, in some instances, in regulating public securities and the coinage of money, conferred on a favored class an extraordinary advantage; but that such legislation should occur in a government like ours, where the people govern, seems absolutely incredible.

I have given the history of the passage of the bill through the House which demonetized the silver dollar for the reason that it is manifest that the section of our Union that has been especially benefited by acts of Congress, by tariff legislation, and in countless other forms of legislation, and has become thereby the creditor section of the United States, is determined that the debts due to it shall be paid on the gold basis. We do not complain of the prosperity of any section of our national Union; but we of the West must object to such a regulation of our currency as shall give them an unjust advantage. Tariff legislation unexampled in the history of the world in its favoritism of capital has enabled the capitalists of that section of the Union to loan millions of dollars to other sections of the Union, North and South, necessarily oppressed by such legislation.

But the favored section can not justly complain if Congress shall restore to our monetary system a coin in payment of debts expressly recognized by the constitution. Of course, gentlemen of the East, you will vote against the full restoration of silver to our circulation, for of course it will reduce the per cent. of your capitalists, and yet it will increase the chances of your debtors to pay their debts without being reduced to bankruptcy, it will, I admit, reduce the value of the money through which the payment is to be made, but they will still pay in the money recognized in express terms by the constitution of the United States. Can you complain of this? If they had not the right to pay on the basis of the coinage prescribed by the constitution, have they not the right to complain?

The effort in Europe and America, especially in view of the great public debts of the nations, to make gold the only standard of value, justifies the charge that, while slavery in its most offensive form has been abolished in both continents, a system has been devised through public debts and oppressive taxation to re-establish the servitude of mankind. Still a favored class, the holders of public securities; and an oppressed people! A new form of servitude hardly less oppressive than the old!

It has been vehemently denied that the demonetization of the silver dollar was brought about by covert or fraudulent methods or that a conspiracy among capitalists, international, was formed for that purpose; and I have presented the record of the proceedings of the House when the bill was passed, not only for the purpose of showing the clandestine method employed to pass the bill through the House, but to illustrate the spirit of the persistent opposition displayed ever since that time in the House and Senate to the restoration of silver money to its position in our monetary system as declared by the Constitution of the United States.

Among the powers conferred on Congress is the power "to coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures" and among the powers denied to the States is the power to "make anything but gold and silver coin a tender in payment of debts."

Gold and silver money have from the beginning of the history of the human race been the recognized standards of value, and in the earliest dawn of recorded history silver alone was the measure of value. It is an interesting fact that the Bible furnishes the earliest evidence we have of the use of money, the purchase by Abraham of the "field of Ephron."

The imperishable record is as follows:

And Abraham weighed to Ephron the silver, which he had named in the audience of the sons of Heth, four hundred shekels of silver, current money of the merchant.

Since that remote period, through all the ages, silver and gold, in proportions which have never greatly changed until in recent years, have been the measures of value and standard of exchange throughout the civilized world. Only within the present century has any nation sought to obtain a temporary advantage over other nations by reducing the volume of money and hence increasing its value, by eliminating either silver or gold from its monetary system. It was left to the mercenary and grasping spirit of the British bankers and merchants during the present century to enact the part of Shylock in the greed of gain by reducing the amount of the common medium of exchange and enlarging the measure of value, by rejecting silver and compelling payment on the basis of gold alone, striking down one-half, as a general rule, the means of payment, and thus enhancing the value to be received and the burden of the payment.

It is easy to see with gold only the measure of value how readily the capitalists of the world can, by hoarding the one metal, in any given emergency reduce values and impoverish the producing and debtor class and correspondingly increase their own wealth. With silver and gold both measures of value such a result could hardly be possible; hoarding could scarcely include in any great degree the united volume of both silver and gold, and judging from the experience of former ages would never be attempted.

Wall street and the exponents of its views in the House inform us that, if silver is fully restored to our monetary system, the more valuable money, gold, will go to Europe, leaving us with our greenbacks and

silver only. These "accomplished financiers" gave us this same information with greater vehemence eleven years ago, when silver was partially restored to its old relations with our monetary system, and yet during every year since then the amount of gold in the United States has been increased until last year, 1889. During the last year, as is shown by the Comptroller of the Currency, an unexampled number of our people, generally persons of wealth, visited the Exposition of France. It is stated by the Comptroller that the public records show that the number who embarked from New York alone exceeded 178,803 and that the amount of money expended by them in Paris alone was $92,771,950, and it is shown by the official reports that the greater part of this great expenditure was in Paris, so that the shipment of gold to France can readily be accounted for by that fact; and therefore this exception as to the course of the movements of gold furnishes no argument against the restoration of the silver dollar. But as a matter of fact the expenditure of our wealthy class of people in Europe annually exceeds $50,000,000.

I wish to present the statistics furnished by the Comptroller of the Currency on this point, as follows:

The following table, showing the number of passengers to Europe by the steamship companies from New York during the last fiscal year, has been made up from copies of half-yearly statements furnished by the companies to the custom-house:

Passengers from New York to Europe during the fiscal year ending June 30, 1889.

Steam-ship line.	Adults.		Children.		Total.
	Cabin.	Other.	Cabin.	Other.	
French	9,841	8,405	.....	.....	a18,246
White Star	4,381	9,263	166	426	14,236
Cunard	14,761	11,465	611	1,029	27,866
Netherlands	1,947	5,843	243	655	8,688
State	2,034	1,942	202	205	4,383
Guion	3,809	5,299	303	380	9,791
Hamburg	3,825	5,141	412	340	9,719
Thingvalla	216	1,792	67	224	2,289
Fabre (Italian)	14	3,685	.....	17	3,716
Anchor	6,223	6,665	647	805	14,350
Inman	7,503	7,321	652	883	16,359
North German Lloyd	12,360	15,760	1,621	1,937	31,678
Red Star	3,729	7,342	279	593	11,943
National	442	1,825	56	175	2,498
Spanish	475	143	65	6	689
Various	643	1,504	62	143	2,352
Total	72,214	98,395	5,376	7,813	178,803

a Includes children.

The average amount used on letters of credit, issued by eight leading banking houses of New York, was about $1,500.

An estimate of $1,000 (say one hundred days at $10 per day for all kinds of expenses and purchases) as the average amount expended by or on account of each cabin passenger would certainly be low.

While it is difficult to estimate the amount expended by third-class passengers, an average of $150 for each would seem safe.

The result would be as follows:

Cabin passengers (77,590 at $1,000)	$77,590,000
Third-class passengers (101,213 at $150)	15,181,950
Total estimated expenditures by passengers from New York to Europe	92,771,950

I have a double purpose in presenting this table of the Comptroller of the Currency. I wish to show by it the vast number of our people who visit Europe and to call attention to the extraordinary advantage which our wealthy citizens enjoy who visit Europe under the McKinley tariff bill, for each of them, men, women, and children, may return with $500 worth of clothing purchased in Europe for personal use, worth here from $900 to $1,000, without the payment of any tariff tax whatever.

The following table shows the product of gold and silver in the United States, as stated by the Comptroller of the Currency. It will be seen that while this table is manifestly furnished as an argument against silver, the silver production only bears a fair relation to the production of gold:

The product of gold and silver from the mines of the United States since 1878 has been as follows:

Gold product of the United States.

Years.	Fine ounces.	Value.
1878	2,476,600	$51,200,000
1879	1,881,787	38,900,000
1880	1,741,500	36,000,000
1881	1,678,612	34,700,000
1882	1,572,187	32,500,000
1883	1,451,250	30,000,000
1884	1,489,950	30,800,000
1885	1,536,325	31,800,000
1886	1,693,125	35,000,000
1887	1,596,375	33,000,000
1888	1,604,841	33,175,000

Silver product of the United States.

Years.	Fine ounces.	Commercial value.	Coining value.
1878	34,960,000	$40,270,000	$45,200,000
1879	31,550,000	35,430,000	40,800,000
1880	30,320,000	34,720,000	39,200,000
1881	33,260,000	37,850,000	43,000,000
1882	36,200,000	41,120,000	46,800,000
1883	35,730,000	39,660,000	46,200,000
1884	37,800,000	42,070,000	48,800,000
1885	39,910,000	42,500,000	51,600,000
1886	39,440,000	39,230,000	51,000,000
1887	41,260,000	40,410,000	53,350,000
1888	45,780,000	43,020,000	59,195,000

As bearing on this question of the reduction of the amount of gold in the United States in 1889, I present the following table prepared by the Director of the Mint, showing the stock on hand in the United States of gold and silver, and showing, as I think, the extent of the drain from this country of gold incident to the exceptionally great expenditure in France of money by our people in 1889:

The metallic stock at the commencement of the fiscal year was as follows:

Metallic stock, July 1, 1888.

Coin and bullion.	Value.
Gold	$705,818,855
Silver	386,611,108
Total	1,092,429,963

From the above figures it will be seen that the stock of gold in the country was reduced during the last fiscal year $25,755,350 and the stock of silver increased $33,937,821.

These changes in the metallic stock are worthy of note for the reason that since 1875 there has been an uninterrupted increase in the accumulation of gold in the United States, and the past year is the first in a long series of years in which there has been a reduction in the gold stock of the country.

It is obvious that these tables furnish no ground for anxiety. The reason for the decline of the amount of gold in this country in 1889 is very apparent from the facts already stated. It is clear that if the rate of exchange in 1889 between the United States and France was in favor of France, as upon the facts stated, gold would be the more convenient medium for the settlement of the account. It was a special and exceptional incident and does not bear on the general question; besides France has more silver money than any other country and gold bears the relation of 1 to 15½ of silver; with us 1 to 16. Silver, therefore, is, and always has been, less valuable in our monetary system than it is in France, and, of course, more valuable under the monetary system of France. Gold, therefore, to them was the cheaper money; hence the accounts of 1889 between us and the French were adjusted on the gold basis and hence the comparatively small decline in our volume of gold.

For the purpose of showing still further the relation of gold and silver in our monetary system, but especially to show the actual state of our money in circulation, I submit the following table prepared by the Director of the Mint:

Location of the moneys of the United States, July 1, 1888.

Items.	In Treasury.	In national banks.	In circulation.	Total.
METALLIC.				
Gold bullion	$110,469,018	.....	.....	$110,469,018
Silver bullion	3,950,388	.....	.....	3,950,388
Silver bullion (melted trade-dollars)	6,545,554	.....	.....	6,545,554
Gold coin	203,636,984	*$95,709,782	$296,003,071	595,349,837
Silver dollars	243,879,487	6,906,432	48,922,871	299,708,790
Subsidiary silver coin	26,051,741	2,819,278	47,535,357	76,406,376
Total	594,533,172	105,435,492	392,461,299	1,092,429,963
PAPER.				
Legal-tender notes	†52,398,204	81,995,643	212,287,169	346,681,016
Old demand notes	.....	.....	56,807	56,807
Certificates of deposit	250,000	12,315,000	2,100,000	14,665,000
Gold certificates	22,135,780	68,761,930	51,125,440	142,023,150
Silver certificates	29,104,396	7,094,854	193,292,522	229,491,772
National-bank notes	7,054,221	125,130,431	220,183,669	252,368,321
Total	110,942,601	195,297,858	679,045,607	985,286,066

* Includes $20,884,000 clearing-house gold certificates.

† Includes $14,415,000 held for the redemption of certificates of deposit for legal-tender notes, act of June 8, 1872.

‡ Includes $3,787,026 of their own notes held by the different national banks.

From an examination of the above tables it will be seen that the amount of metallic and paper money in circulation in the United States (outside of the Treasury) on July 1, 1889, was $1,380,418,091, against $1,372,240,256 at the close of the preceding fiscal year, showing an increase in the amount of money in circulation between those dates of $8,177,835.

And the following table from the last report of the Comptroller bears on the same question:

The coinage executed is exhibited in the following table:

Coinage, fiscal year 1889.

Description.	Pieces.	Value.
Gold	1,639,285	$25,543,910.00
Silver dollars	33,793,860	33,793,860.00
Subsidiary silver coins	6,477,134	721,686.40
Minor coins	51,516,861	906,473.21
Total	93,427,140	60,965,929.61

The coinage of gold was $2,820,260.50 less than during the preceding fiscal year.

The coinage of silver dollars exceeded that of the preceding fiscal year by 1,075,187 pieces.

The coinage of subsidiary silver was $695,735.85 less than in the preceding year.

The minor coinage was $312,503.36 less than in the preceding fiscal year.

As bearing on the exportation of gold in 1888–'89 I submit the following statement of the Comptroller of the Currency:

The bulk of the gold exported since May, 1888, when shipments commenced, consisted of United States gold bars shipped from the port of New York. The value of the fine gold bars exported from May 1, 1888—about the commencement of the movement—to September 30, 1889, was $61,435,989.

These bars were invoiced to three countries, namely, France, England, and Germany, in the following proportions:

France	$27,692,855
England	18,717,087
Germany	15,026,047
Total	61,435,989

This, of course, shows an export of $61,435,989, but the imports and exports together with domestic production show only a decline in our gold of $25,755,350, as shown by the Director of the Mint. I submit this table only to show the exceptionally large exportation to France, with which Government it is well known we have but limited commercial relations. But a fair presentation of this matter requires the following statement of the exports of gold bullion and coin from 1875 up to 1889, when the decrease began, which covers the period since the silver dollar was remonetized.

Imports and exports of gold bullion and coin to and from the United States, each year from 1875 to 1888.

Fiscal years.	Imports.	Exports.
1875	$13,606,793	$66,980,977
1876	7,982,709	31,177,050
1877	26,246,234	26,590,374
1878	13,330,215	9,204,455
1879	5,624,948	4,587,614
1880	80,758,396	3,639,025
1881	100,031,259	2,565,132
1882	34,377,054	32,587,880
1883	17,734,149	11,600,888
1884	22,631,317	41,081,957
1885	26,691,696	8,477,802
1886	29,743,349	42,952,191
1887	42,910,601	9,701,187
1888	43,934,317	18,376,234
Total	456,903,037	309,522,856

So that in nearly every year since the silver dollar was at least partially remonetized, until last year, when larger exports of gold than usual took place and are satisfactorily explained, the imports of gold have been largely in our favor, and that, too, it may be remarked, whether the balance of trade was against us or not.

The following table of the Comptroller of the Currency bears on this question, as showing the comparative production of the two metals:

Product of gold and silver in the world.

Calendar years.	Gold (value).	Silver.	
		Value at average price of silver for the year.	Value (coining rate).
1885	$103,435,600	$97,564,565	$118,445,150
1886	106,163,877	93,397,200	120,626,800
1887	106,954,900	95,086,005	125,578,710
1888	105,994,150	103,536,280	142,437,150

The coinage "value," of course, refers to the United States, where silver even in our coinage is now always treated as an article of commerce, while gold is always considered the standard of value, exactly the reverse of the policy of the founders of our Government, who made the silver dollar the unit of value in our monetary system.

Last year gold was imported into the United States to the amount of $10,372,145. It is true that the importation of silver exceeds this and reached $24,682,380, but $12,687,832 of this was in foreign coin, showing that it was brought by immigrants, and $6,004,165 was foreign ores (Mexican), showing how little silver we receive from Europe in our commercial transactions.

The whole world's coinage, 1885, 1886, 1887, and 1888, as shown by the Comptroller of the Currency, is as follows:

WORLD'S COINAGE.

The value of the gold and silver coinages executed during the calendar years 1885, 1886, 1887, and 1888 by the nations of the world, so far as reported, is presented in a table in the appendix.

In compiling this table the silver coinages of foreign countries have been converted into United States money at their coining value.

This table is believed to include substantially the entire coinage of the world for the years named.

The following summary is presented:

Calendar year.	Gold.	Silver.
1885	$95,757,582	$126,764,574
1886	94,642,070	124,854,101
1887	124,992,465	163,411,397
1888	134,720,639	149,737,442

The large increase, during the last two years, in the amount of gold and silver employed in coinage, is worthy of note.

In regard to the silver coinage, it may be said that the only mints which are open to the coinage of silver for depositors are those of India, Mexico, and Japan.

The silver coinage of Mexico is unimportant, as a comparatively small amount remains in the country. The conversion of silver bullion into Mexican dollars is simply a convenient means of putting it into some merchantable shape for oriental trade.

The bulk of the silver coinage of Mexico is either remelted and used in other coinages or is absorbed by Asia.

This table, the last I shall submit, is to my mind a very instructive one. It is obvious that it was not prepared in the interests of free coinage, and yet it appears that with all the mints of the world restricted as to the coinage of silver, except India, Mexico, and Japan, the coinage of gold and silver during the years from 1885 to and including 1888 bore a fair and nearly natural relation, such as the coinage of the two metals has borne for hundreds of years.

But all of these tables show one fact beyond dispute, that, if the world ignores silver as a measure of value, the currency of the world, always based finally on coin, is reduced substantially one-half, in some countries more, and all debts are correspondingly increased as against the debtor and increased in favor of the creditor to the same extent. All fair-minded men see the infamous injustice of this. And yet that state of things has been going on. It has wrecked thousands and perhaps hundreds of thousands of homes in our country during the last seventeen years. The evil was only partially checked by the partial restoration of silver in this country in 1878. But the effect of reducing by one-half the standard of value and means of payment in our country is still felt in multitudes of impoverished homes. The conscience of all honest men must revolt against this.

I admit, speaking for myself, that I have always been anxious to adopt the principle in the complete restoration of silver to our coinage that the seigniorage, the difference in value, at any time, between the commercial value of silver or gold and its monetary value, resulting from the stamp of the United States upon it, should inure to the Government, the whole people. As the price of gold and silver bullion depends on the act of Congress fixing its value as money in given proportions, it would seem that the difference between the commercial value of gold or silver bullion on a given standard and its value as money ought to inure to the Government. The men who own silver or gold bullion are only entitled to its commercial value. I do not believe in increasing the wealth of any class of people merely by an act of Congress.

But it is obvious, from the nature of the contention between the men who believe that both gold and silver should be the basis of our monetary system and those who believe that gold only should be the basis of the system, that silver will either be placed on an equal footing with gold on the basis of 16 to 1 or else silver will occupy an uncertain and subordinate relation to our monetary system. Under these circumstances, for the general interest, I unhesitatingly vote for the full and free coinage of silver on the same basis as gold.

Taking it for granted that in a few years, with the steady reduction of the public debt and cancellation of the Government bonds, the national-bank system, a system which, resting exclusively on the public credit, has cost the people of our country hundreds of millions of dollars and done much in centralizing the wealth of our people, aiding in the creation of the imperial estates which now imperil our free institutions by exerting a dangerous influence in our legislation, State and national, will disappear as a system of banks for issuing money, it is obvious with the present drift of opinion in Congress that gold alone and gold certificates, with the present volume of greenbacks, $346,681,016, will constitute our currency, or that gold and silver and gold and silver certificates, full legal-tender money, with the greenbacks, will constitute our money.

The conflict of interests involved is obvious. Accumulated capital, fixed estates, and permanent incomes and salaries demand the former, for it would more than double the value of money, while labor in all fields of productive industry, the farmer, the mechanic, laborers, in fact, in every field of human enterprise, will demand the latter, for it would secure an ample and absolutely safe currency, "a sufficiency of real money," which has been found in all ages to be the life blood of industry, enterprise, and labor.

I will give my vote in favor of the full and free coinage of silver, placing it on the same footing as the coinage of gold, as a measure best for the whole people, setting aside the scheme of capitalists who sought to obtain, and did for the time obtain, a dishonorable advantage over labor, and give by assurance of a good and ample currency new life and spirit to the industries and enterprise of our people.

Just Pensions.

SPEECH

OF

HON. MARK H. DUNNELL,

OF MINNESOTA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 11, 1890.

The House having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 389) providing for dependent and other pensions—

Mr. DUNNELL said:

Mr. SPEAKER: I have not hitherto asked the attention of the House on the subject of pensions. In the many speeches which have been made, the just claims of the men who fought the battles of the Union have been fully and eloquently set forth. Some legislation was determined upon at the very beginning of this session of Congress. The Republican members of the House were pledged to it, and not a single member of the party has been found voting against such legislation.

There have come to Congress very many petitions asking for further pension provision. Some of the petitions have asked for appropriations or provisions which exceeded the ability of the Government to meet them without a large increase of the public debt. This has an illustration in the demand for a repeal of the limitations to the full operation of the arrears act. The justice of a repeal of these limitations can not be overcome by any good argument. The only argument which could prevail is the inability of Congress to favor the repeal because of the consequences to which I have referred. Good legislation can never fail to consider the financial condition of the Government.

Congress should ask how much the Treasury holds for the various objects to be cared for, or for which appropriations are to be made, including pensions. The public has demanded a reduction of revenues to the amount of $60,000,000. The interest on the public debt, amounting to $34,000,000, must be provided for. The amount required to meet pensions now provided for is not less than $120,000,000. When these and the other various objects of legislation and appropriation, such as the Army, Navy, public works, the various Departments of the Government, were counted, there were found to remain from the expected revenues not exceeding $50,000,000. With these demands upon the Treasury, with but this $50,000,000 remaining, Congress has been forced to consider how best to use this amount in the interest of the Union soldiers not now provided for. No Republican has objected to the use of this additional and remaining amount as above indicated.

Let me now consider the various propositions which have been made to Congress. Many thousands, and perhaps hundreds of thousands, have asked for a repeal of the limitations to the arrears act. This demand could not be met, for this repeal would involve an expenditure of $478,000,000. Such an increase of the public debt would not be indorsed by the tax-payers of the country. If the pending bill shall become a law the pensions for the coming fiscal year will amount to not less than $160,000,000, an amount equal to two-fifths of the entire income of the Government. Another class or kind of pension legislation asked for was presented by the Grand Army of the Republic.

The committee of the Grand Army of the Republic on pension legislation urged a service-pension law. Here again has Congress been confronted with a lack of money in the Treasury. The cost of such a provision has been variously estimated from $80,000,000 to $140,000,000. This would be the annual cost for the present. If it should cost $100,000,000, then the pension appropriation for the next fiscal year would considerably exceed $200,000,000, fully one-half of the entire income of the Government. If such a law had been passed, the widows of deceased soldiers, their children, and dependent parents would have necessarily been left with far less provision than was given them in the bill which passed the House or in the bill now under consideration.

The Committee on Invalid Pensions in this House have given to the questions above referred to, and the various other propositions coming to them, an amount of labor, study, and patriotic devotion not surpassed by any committee ever organized in any Congress. The honorable chairman [Mr. MORRILL], himself an old soldier, has won the admiration of the entire House for his zeal in behalf of his old comrades.

The bill (H. R. 8297) granting pensions to soldiers and sailors who are incapacitated for the performance of labor, and providing for pensions to widows, minor children, and dependent parents, reported by this committee, came before the House for consideration and action April 30. That bill placed upon the pension-roll every honorably discharged soldier and sailor who had served ninety days and had reached the age of sixty-two years. This was the age limit recognized in the laws granting pensions to the soldiers in the Revolutionary war, the war of 1812, and the Mexican war. Under this provision it is estimated that 80,493 survivors would have gone at once on the pension-rolls at $8 per month, costing $7,727,338. In regard to the age-limit provision in the original House bill the chairman used these words:

> Mr. Speaker, the policy of the Government in regard to the payment of pensions was declared at its very beginning and has ever since been steadily pursued. One hundred years ago it was enacted that officers and soldiers of the militia called into the public service, being wounded or disabled in actual service, shall be taken care of and provided for at the public expense by being placed on the invalid pension-list. The principle of providing a service pension when the soldier had reached an age which impaired his ability to earn his subsistence by labor was soon added. In a government formed by the people for their own benefit, and one intended to depend for its defense on its citizens, and not on its regular Army, this provision is eminently proper and wise. It is in every way better to spend a hundred millions of dollars a year in pensions than it is in maintaining a large standing army.

I confess to my regret, that the pending bill does not retain this provision. It seems to me that we are able to do this and at the same time do full justice to the disabled and dependent who have not reached the age of sixty-two years, as well as to the widows, minor children, and dependent parents. By the second section of the House bill, it was provided that the claimant for a pension on account of disability should not be required to furnish evidence that his disability was a result of his service. Service and existing disability were to settle the right to a pension.

The third section provided that the widow of an honorably discharged soldier should be placed on the pension-rolls, on reaching the age of sixty-two, without being required to prove that the husband died because of his service. The House amended the bill so as to make the age-limit sixty instead of sixty-two years. The fourth section of the House bill provided that all widows of honorably discharged soldiers and sailors, who were left without other means of support than their daily labor, should be placed on the pension-roll at $8 per month, without regard to the cause of the death of the husband. The estimated cost of the House bill, in round numbers, was $39,000,000. The bill to whose provisions I have now called the attention of the House passed the House April 30, as follows: Yeas 179—Republicans 146, Democrats 33; nays 71—Democrats 71, Republican 0.

But, Mr. Speaker, we are not now so much interested in the bill which passed the House or which passed the Senate as in the bill which is reported to us by the conference committee and which will be the chief pension legislation of this session.

Under the provisions of this reported bill we give a pension to every disabled soldier not now on the pension-rolls, who is incapacitated by any mental or physical disability, not the result of his own vicious habits, for the performance of manual labor in such a degree as to render him unable to earn a support.

The rate of pension shall not exceed $12 per month and be not less than $6. By this provision we shall take many thousands from the poor-houses of the country. Two hundred thousand men who served their country in its days of peril will be taken from distress and want. It does not require these brave defenders of the nation to make proof that their incapacity is the result of their military service. It only asks for proof of service and inability to earn support by manual labor. The bill also provides that the dependent parent of the soldier whose death was the result of his service and who left no widow or minor children shall have a pension and shall not be required to prove dependence at the time of the soldier's death.

Many thousands of parents now poor and dependent will here find relief. Many such parents have come into the condition of dependence since the son gave his life to his country. This bill makes provision for widows and minor children. The widow must prove the service of the husband, her marriage, her lack of other means of support than her daily labor, and the birth and age of her children under sixteen years, and then she is placed on the pension-roll at $8 per month and the children each at $2 per month.

The supreme object and purpose of the pending bill is to lift the burden of want and dependence from every old veteran, from every widow doomed to toil, from the minor children of the dead soldier, and from any needy parent whose son gave his life that the nation might be saved. The existing pension laws remain unrepealed. The more this bill is considered, the more, in my judgment, will its beneficence be seen and felt. Happily those to whom this beneficence is to come do not fear a Presidential veto, if we shall unite in its passage. It is fair to expect the same vote against it as was given against the passage of the House bill.

The pending bill should have the vote of every member of Congress who believes that the men who saved the nation, and especially those who are now suffering from the effects of service, should be cared for. As already said, it does not go far enough; yet the reasons given for this legislation will, in my belief, be accepted by the veterans of the nation. In this legislation some of the words of the immortal Lincoln will be answered when he said:

Let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans; to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

The chairman of the Committee on Invalid Pensions [Mr. MORRILL] in his remarks on the House bill, April 30, closed with these words:

Mr. Speaker, I believe that my old comrades are as loyal and true to the Government to-day as when they left their firesides and their homes and went forth to battle for the preservation of the Union, and I believe those who have been successful in the world's strife, who are now surrounded with the comforts of life, and who are in the enjoyment of health and strength, will willingly forego any claims which they may have against their Government until their more unfortunate comrades are kindly cared for. The passage of this bill will lift the burden from thousands of the old veterans and brighten the homes of many a poor widow toiling unceasingly to care for those who look to her for support. I am confident that the liberty-loving citizens of this great country will heartily indorse our action and look upon it as a simple act of justice; certainly nothing more, perhaps something less.

These grand words I commend to the considerate judgment of those to whom they apply, and I sincerely hope the day is not distant when all the gallant defenders of the Union shall, if they ask it, be placed upon the pension-rolls of the Government. It is in harmony with our national policy. We are not burdened by an immense standing army, as are nearly all of the governments of Europe. The United States should so legislate and so treat the volunteers that our liberties may be safely left with them to defend whenever put in peril.

As I have already said, the pending bill would be greatly increased in attraction to me if, in addition to all the beneficent provisions contained in it, there could be added to it the provision that every soldier and sailor, on arriving at the age of sixty-two years, could be placed on the permanent pension-roll, if he should ask it. This would add at once, as estimated, the names of 80,493 survivors. This would cost for the first year $7,727,338. This could be done and not exceed the limit of $50,000,000 for the increased pension legislation for this year.

Still, Mr. Speaker, the bill reported back from the committee of conference is so humane and beneficent that we should not delay its passage by further attempts to secure provisions which have been discussed in both Houses and which, after mature consideration, have for the present been left out.

I will, with the permission of the House, extend my remarks by the insertion of the conference bill upon which we are now to vote and which will, we trust, soon become a law of the land:

An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in considering the pension claims of dependent parents the fact of the soldier's death by reason of any wound, injury, casualty, or disease which, under the conditions and limitations of existing laws, would have entitled him to an invalid pension, and the fact that the soldier left no widow or minor children having been shown as required by law, it shall be necessary only to show by competent and sufficient evidence that such parent or parents are without other present means of support than their own manual labor or the contributions of others not legally bound for their support: *Provided*, That all pensions allowed to dependent parents under this act shall commence from the date of the filing of the application hereunder and shall continue no longer than the existence of the dependence.

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States and be entitled to receive a pension not exceeding $12 per month and not less than $6 per month, proportioned to the degree of inability to earn support; and such pension shall commence from the date of the filing of the application in the Pension Office, after the passage of this act upon proof that the disability then existed, and shall continue during the existence of the same: *Provided*, That persons who are now receiving pensions under existing laws or whose claims are pending in the Pension Office may, by application to the Commissioner of Pensions, in such form as he may prescribe, showing themselves entitled thereto, receive the benefits of this act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act: *Provided, however*, That no person shall receive more than one pension for the same period: *And provided further*, That rank in the service shall not be considered in applications filed under this act.

SEC. 3. That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged, has died, or shall hereafter die, leaving a widow without other means of support than her daily labor, or minor children under the age of sixteen years, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his Army service, be placed on the pension-roll from the date of the application therefor under this act, at the rate of $8 per month during her widowhood, and shall also be paid $2 per month for each child of such officer or enlisted man under sixteen years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of sixteen years, such pension shall be paid such child or children until the age of sixteen: *Provided*, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child or during the period of such disability, and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute, and such pensions shall commence from the date of application therefor after the passage of this act: *And provided further*, That said widow shall have married said soldier prior to the passage of this act.

SEC. 4. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than $10, which sum shall be payable only upon the order of the Commissioner of Pensions by the pension agent making payment of the pension allowed, and any person who shall violate any of the provisions of this section, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding $500, or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

Federal Election Law.

SPEECH

OF

HON. HENRY STOCKBRIDGE, JR.,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 26, 1890.

On the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.

Mr. STOCKBRIDGE said:

Mr. SPEAKER: I am glad to avail myself of this opportunity to say a few words upon this subject, not because I cherish any hope of bringing forward anything that is novel in theory or fact, not because I have the hardihood to believe I can add any material arguments to those already adduced in support of this bill, but because, on a measure of as great importance as this, one which brings a new feature into our elections, I believe it to be the duty of every Representative upon this floor to give expression to his views, to reflect as best he can the sentiments of his district, that thereby the House may have the largest possible consensus of opinion.

The subject naturally divides itself into two entirely distinct propositions. The first of these involves the conditions in the various States attendant upon the elections and the question of the need of any national legislation upon the subject; and this being affirmatively answered there follows the no less important consideration whether the proposed bill is a proper one, adequate and adapted to the conditions under which it must operate.

I have the honor to represent a constituency in one of the border States, as they were formerly called, a State upon the dividing line between the North and the South, a State wherein there is enough of a colored vote to have it an important factor in our elections, and a State which I do not believe to be appreciably above or below the average of the forty-one other States in the purity of the ballot.

The question of a Federal election law does not present itself to my mind as a sectional one, nor should any law framed be directed solely at existing conditions in any one section of the country. It should have for its aim the giving effect to the honestly declared will of the majority as expressed at the ballot-box, alike in Maine and Missouri, in Minnesota and Mississippi. No State can claim preeminent virtue for the purity of the ballot. In the South the cry is of violence, intimidation, and false counting, and the testimony which has been laid before this House in the various contested cases which have been heard is conclusive as to the fact of its existence in greater or less degree. As to its extent there is, of course, difference of opinion, but of the fact there can be no dispute. How far it goes may be inferred from such a case as the McDuffie-Turpin contest, wherein 13,000 of the ballots were held as fraudulent, and even by the report of the minority of the Committee on Elections over four thousand of the majority credited to the contestee by the State authorities were rejected, and this in a single Congressional District of Alabama.

The ingenious ballot-box lately before this House in the Featherston-Cate contest was an ocular demonstration of how in a different way human ingenuity was employed to subvert the will of the people, and so also in the case of Waddill against Wise the minority of the Committee on Elections could make no stronger report in behalf of their associate than that there had been no election, which was tantamount to a public declaration that it was the result of illegal methods that the contestee had occupied for months a seat upon this floor.

These are recent examples, still fresh in the minds of all of us as to the condition of the elections in one region, and coupled with them is the fact already often alluded to that several Representatives on this floor hold their seats by a total vote so small as to be absolutely ridiculous, when it is borne in mind that each district contains, or should contain, 153,000 persons, and in some instances so meager has been the vote as compared with that of other members that it may be fairly questioned whether this is in a proper sense any longer a representative body of the people.

I am not unmindful that it has been stated by some of those gentlemen upon this floor, and inserted by them in the Congressional Directory, that there was no opposition in their districts, and hence only an imitation of an election, a form without a substance. But why, let me ask, was there no opposition? I can understand perfectly that there was none on any personal ground to the gentleman from Georgia who made this statement the other day in the course of his remarks, but will he pretend to say for a moment that there is an absolute concurrence of sentiment in all of these districts, where there is said to have been no opposition, upon the great economic questions of the day upon which the parties are divided? I for one can not believe such a condition to prevail in any portion of our country, and where differences do exist upon the issues which are national in their scope it is an attribute of not merely the American citizen, but of human nature to seek for an opportunity for giving them expression. The conclusion is therefore forced upon me that there must be some cause for this unanimity, and as I read the testimony in the case of Featherston *vs.* Cate, and the circumstances under which it was compelled to be taken, and find the corroboration of it in the newspaper accounts of the political atmosphere in another district of Arkansas, the key seems to be at hand which opens the mystery.

But this is not a sectional question. Frauds upon the ballot-box are not limited to the Southern States only. While this debate has been in progress New Jersey has been trying in her courts as precious a set of scoundrels as ever conspired anywhere to subvert the will of the people, and to her credit be it said that over the wire has flashed the news of their conviction, and there is now a reasonable probability that these most heinous of all offenders will spend a season in confinement, a feeble expiation of the wrong they have done. If the reports I have seen of this case are correct, the New Jersey miscreants are not adherents solely of one political party, but in their conviction there is cause for all men to rejoice who desire to see the purity of the ballot preserved. It is not a question of party or of the political supremacy of any man or set of men; it is the preserving inviolate of the fundamental principle of our republican form of government.

In my own State and city judges and clerks of election have falsified returns, have perverted the will of the people, and a few of them have been convicted for their offense, only to receive the pardon of the governor of the State, than which was executive clemency never more abused. From Chicago, Cincinnati, New York, and San Francisco, at one time or another, have come the loud-voiced protests of honest citizens against the corruption of the ballot in those localities. Some of them have been already alluded to in the course of this debate, and I mention them only to show that the question now before the House is in no sense a local one, limited by no sectional boundaries, and not necessarily an accusation against any political party. In New England the charge has frequently been made that manufacturers controlled and delivered the votes of their employés to the candidates of the political party of their preference, and I fully believe that there is ample foundation for this statement. The demand of the present is that North and South, East and West, there shall be a free, untrammeled, unbought, and unintimidated ballot cast by every citizen, and that ballot honestly counted and given effect, and the people of this country are to-day looking to Congress, to their Representatives on this floor, to enact the necessary legislation to this end.

The question is sometimes asked whether elections are any more corrupt to-day proportionally to our population than they have been in the past, whether the individual voter is more restrained in his liberty of casting his ballot, and I have no hesitation in answering in the negative. But at the same time it is worthy of note that the public sentiment is aroused to a pitch that it never has been before on this matter, and the cry for honest elections is going up to-day not only from the politician and professional reformer, but from every class and condition. Labor organizations are alive to the importance of the matter, and as the best preventive of corruption and bribery are demanding a secret ballot and in many States are getting it. The press, the pulpit, and the bench are speaking out in no unmistakable terms, and all to the same effect.

In the New Jersey case, to which I have already alluded, Judge Lippincott said in his charge to the jury:

> The government of the ballot-box-stuffer and repeater is no government at all. Such crimes are the most dangerous that can occur. Honest ambition and honest aspiration are crushed. Intelligence is scorned. The patriotism with which you would imbue your children becomes to them a useless acquisition. To instill in their minds a love of country so governed would be only to invite them to a sickening fraud feast. The history which would be placed in their hands would only be the cruel story of bribery and corruption of the ballot-box. Under such rule property becomes the prey of confiscation. Under the name of taxation communistic parasites and sinecurists would eat up the heart of mankind.

No less direct was a recent sermon of Dr. Parkhurst, of New York, which is quoted and commented upon in the July Century, as follows:

> Dr. Parkhurst says with regard to the men who dominate New York municipal life that "their only title to candidacy was their deviltry, and their only apology for being elected the apathy of the saints and the subserviency of respectable men to political boasism." He adds:
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> "We maintain in this city schools of the prophets, we ship missionaries to all countries, and we annually export tons of Bibles and evangelical literature, and yet there is not concrete holiness enough on Manhattan Island to insure us against a system of political brigandage that excels even the organized outlawry of Italian banditti in the monstrousness of its demands and the frank cheerfulness of its methods.
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> "It is as much a christian's duty to love his country as his God. To an American the Stars and Stripes ought to be as much of his actual religion as the Sermon on the Mount. It is as much the duty of a New York christian to go to the polls on election day as for him to go to the Lord's table on communion day. What is needed is a christian conscience vital and real enough to damn iniquity even when it would be more convenient to have it taken up into glory. So that if you are a Democrat and hear a Democrat lie, you will be prepared to brand it as a lie then and there. If you are a Republican and know a man is a bribe-giver, you will be prepared to brand him as a bribe-giver, even though he be a Republican and worth a good deal to his party."
>
> If a christian minister, with noble frankness, thus must needs remind members of christian churches of their civic duties, need the churches be surprised if those who are not actually within their fold, but whose whole hearts are engaged in the attempt to establish really free institutions in the New World, look with astonishment upon the lukewarmness of professed christians in matters of such vital and enormous import? Every christian church is a society for the cultivation of the highest and purest ethics; every community in the United States has at least one of these societies; the larger communities are crowded with them. Are these numerous, these busy and well equipped, these dominant societies having the effect they should have upon the standard of public morals? Do known scamps constantly get to be aldermen, mayors, legislators, governors, Representatives, Senators—here where hundreds and thousands of these societies for the culture of the highest ethical standards are sprinkled thickly through the land? Are men of known lack of conscience openly intrusted with the management of local or general elections and election funds? And are political tricksters and notorious corruptionists associated with, trusted, supported, by prominent members of these ethical societies, these christian churches?
>
> If these things are so—if Dr. Parkhurst 's right—to what influence shall we look for the purification of public morals? "Would to God that all the Lord's people were prophets," like Dr. Parkhurst, "and that the Lord would put his spirit upon them."

I make these quotations only to show that the public sentiment is keen upon this subject, earnest in its demands for the bringing about of pure elections, and that demand it is our duty to advance so far as lies in our power by the enactment of a law which shall regulate that over which the Constitution has given us the power, namely, the election of members of Congress.

I come now to the consideration of the second of the propositions involved in the question, namely, whether the so-called Lodge bill meets the requirements of the situation. At first the idea of bringing the judiciary of our Government into contact with politics and political strife was obnoxious to me and I felt the force of the argument of the gentleman from Tennessee at the opening of the debate, when he addressed himself to this point. It is, however, apparent that in any scheme for a Federal election system this power must be vested somewhere, and should be in such individual or official as is least apt to be influenced or swayed by partisan clamor. Of all the institutions of our Government none has commanded and deserved greater respect than the judiciary, and to no set of men has their due meed of praise been as readily accorded.

Impartial observers, like Mr. Bryce, speak emphatically upon this point, and call attention to the fact that in cases where even pronounced partisans have been placed upon the bench, their partisanship has been laid aside and their functions discharged with a full realization of the duty which they owed the whole people. Where else in all our governmental machinery can be found a set of men who give equally striking evidence of that sterling impartiality which is the dominant impulse of the Anglo-Saxon race in its love for fair play? Where else can be found another such body of men who from training and association are as competent to measure out even-handed justice? To them it thus becomes a matter of personal and professional pride that no taint of suspicion shall linger about any of their acts. In occasional instances heretofore have matters of political moment been brought before them for final arbitrament, and in their determination the people have readily acquiesced, content in the consciousness of their rectitude. To them, therefore, can with confidence be left the discharge of the functions imposed on them by this bill.

The duties imposed upon them are of a quasi-judicial nature, not widely different from what under existing laws they have at one time or another been called on to perform, and their position, independent as it is of subserviency to senseless outcry, owing to their tenure upon the bench, places them where they can mete out absolute justice. It is not, as has been asserted, subordinating the legislative branch of our Government to the judicial, but it is insuring through the judicial the untrammeled choice of the legislative by the people.

As pointed out by the learned Speaker of this House in the July issue of The North American Review, the English practice in cases of contested elections in Parliament has undergone a great change in the last century by their reference for adjudication from the House of Commons to the courts; yet no one will seriously argue that as a result of this change the British House of Commons is less free in its action or that it is in any sense under the domination of the courts of law or the judges. By our Constitution each House of Congress is the judge of the election and qualifications of its own members. That power it can not delegate to the courts, though if it could less of partisanship would enter into their adjudication; but we can, as is sought to be done by this bill, require certain of the preliminary steps towards an election to be conducted under the supervision of the judiciary, and thereby in part correct some of the errors which, it is openly charged, are committed on this floor.

Universality of the application of the law is an undoubted essen-

tial, and some of the objections made to it are based upon the statement that this does not in fact exist. If such were in reality the case, it would be a serious objection, enough so to justify every member upon this floor for opposing it. What, then, are the limitations which are supposed to render it obnoxious to this objection? It is this, that there shall be a petition of fifty or one hundred citizens of the district for its enforcement in a given locality, in order to set in motion the Federal supervision. The number is the same in every one of the forty-two States; it is a right inherent in no political party; it may be demanded and obtained by Republicans, Democrats, or Prohibitionists in almost every district in the land, for there are few where even the Prohibitionists can not number one hundred adherents of their views. In fact, the only States or districts where it might be expected to fail of application are some of those in the South where there is "no opposition." And yet the Representatives from these very districts will be found, when the vote shall come, unfaltering in their attitude against the bill. They say they do not want the bill and so will vote against it; yet the measure looks only to the honest conduct of the elections; it abounds in provisions for securing the right to the voters to have their ballots received and counted, but makes no provision for excluding a single honest vote, and yet the cry goes up: "There is no opposition in my district; elections are absolutely fair, relatively pure, but I do not want a law requiring them to be so." The logic of the position I leave to those who assume it to wrestle with.

For myself and my own district I want the law. I, too, believe that elections in my district are relatively pure, but I welcome any statute which shall confirm them as such. For years now Congressional elections in the large cities have been conducted under the existing system of supervisors, and it has been a powerful influence for purity. That which I have thus seen, and the value of which I have learned to appreciate, I would now see extended, that it might be enjoyed by others, in every State and district, its purifying influence extended all over our land.

A further ground of objection advanced by some grows out of the power of certification proposed by the bill, under which the Federal officials render their account of that which it has been their sworn duty to guard and supervise. This is a necessary incident to their office; without it the function of the supervisor would be merely to gain information for possible contests, and it would leave the law in a shape to foment contests, when its purpose is to diminish them. To supervise without the accompanying power to declare the result, would be the same as in a case of a vote through the tellers upon this floor, with no power in the tellers to announce the number who had passed between them. If the certification is to be left to the States, by the same reasoning the entire conduct of the elections should be, but any supervision that does not carry with it the right of certification is almost an absurdity, clearly one if the proposition is to have a national law upon the subject.

Observe clearly what is comprehended in the proposition. We have now and have had for years in all of the larger cities, at all elections for members of Congress, United States supervisors; they have watched the registration; they have been spectators on the day of election. That was all. They might see the count of ballots deliberately falsified, yet possessed no power to check it. They could only come forward as witnesses and give evidence that the will of the people had been disregarded, while he who was the beneficiary of the fraud was enjoying the honor and emolument of a station to which he had never been chosen.

It is now proposed to extend the field within which this supervision shall be exercised, to end the farce of making the supervisor little else than a mere spectator, and to require him under the solemnity of the oath which he has taken to officially declare the result of that over which he has been the appointed guardian, and to give that return the effect of the prima facie evidence of the result. Greater effect might not unreasonably be given, and all the machinery of canvassing boards or district or State returning officers be done away with, but to vest the supervisor with less power would be a sham and a pretense. He is either an official or he is not. If he is he must be charged with the discharge of certain duties or the reason for his existence ceases, and the plain object and intent of this bill is that he shall have certain clearly defined duties and shall perform them.

And it is right at this point that the great merit of the law comes to me. The one desideratum in every election is that the people shall have confidence in the counting of the ballots and honest declaration of the result. If they believe or suspect fraud to exist or that it is likely to be perpetrated, that the ballots are not counted as cast, or that there is any sort of manipulation or tampering with the contents of the ballot-box, one of two results is sure to follow: either an apathy upon matters of public concern which leads to a rule of ballot-box-stuffers, with all that must follow in its wake, or else revolution then and there. The bribe-giver and bribe-taker are coming more and more to be regarded with public abhorrence, the time is fast approaching when public sentiment will no longer countenance the expenditure of vast sums of money at elections, but with it must come a popular confidence in the integrity of those who handle the ballots.

Under the bill before us there will be a double certification: one on the part of State officials to State authority and one on the part of Federal officials to Federal authority. When elections are pure and honest these will agree, and the great mass of the people will hail with satisfaction a result which none can question. When they disagree, it becomes the easier to ferret out the discrepancy and to know whether it is the result of an honest and unintentional error or the deliberately conceived fraud of some party menial who would prostitute the very instrumentality upon which the abiding force of our Government exists.

Let members upon this floor occupy their seats by a title against which neither here nor in any corner of our country can one word of question be raised; let them be known as being in fact the representatives of the people, not the creatures of a band of men linked together by the consciousness of mutual criminality, whose subservient tools they are bound to be, and then to be a member of this body will be a post of honor not surpassed by any in the world. Pass this bill; say to the world that, while in various States laws are being enacted to render more certain the freedom and purity of the ballot, the Congress of the United States recognizes in the pure elections of its members and in the passage of such laws as shall secure that end it is not only performing its most important work for itself and the American people, but for the universal liberty of man.

Federal Election Law.

SPEECH
OF
HON. SAMUEL W. PEEL.
OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. PEEL said:

Mr. SPEAKER: In the limited time that any member has on this floor to-night it would be impossible to discuss this bill in all its bearings. I shall not therefore attempt to go into a general discussion of the character of the objectionable features it presents to my mind.

Sir, this great Government of ours has existed for over a hundred years with the election machinery in the hands of the people, where it properly belongs. During that period our Government has prospered beyond human conception. Our people have been intrusted with the right to elect their own public servants. We have seen parties rise and fall. We have seen great leaders come and go, and no man in the history of this country has ever been bold enough until now to say, "The people can no longer be trusted to select the officers to represent them and to make the laws by which they are to be governed."

It would not be so bad if this political machine was equally divided between the two great parties in this court; but that is not so; it is all on one side—all Republican.

Mr. KERR, of Iowa. If equally divided, would they ever agree?

Mr. PEEL. If equally divided they might not. But they have no business deciding at all. We have law in this country. We have still reverence for that law We have State governments whose integrity is unimpaired, undisturbed; and they will certify the returns to the Clerk of the House correctly.

If you gentlemen think it necessary to have additional bystanders around the ballot-box to see that men vote as they please and have their ballots counted, you can amend the present law and increase the number without transferring it to partisan returning boards to do the counting and the certifying to this House. It is about as fair, Mr. Speaker, to place an illustration by the side of it that I think is about worthy of the combination in this bill, if you, sir, had to engage in a game of poker with a professional blackleg and give him the shuffle, cut, and the deal, with four aces in his hand to draw to. Do you think you would ever win a game? [Laughter.] And yet you would have as much chance of winning a game as a Democrat running for Congress under the provisions of this bill would have before any one of your returning boards. The game is all stocked against you. I hope and trust, for the sake of honesty and integrity in this country and in behalf of the people who sent us here to make laws and not returning boards, that there is conservatism enough left to stop this rash, radical, unprecedented law that you are attempting to place on the statute-books of the country.

Could I face my constituents when I go home and tell them that I voted for a bill which said in terms that they can not be longer trusted? Mr. Speaker, I could not hold up my head and look the people of Arkansas in the face and tell them I distrusted their common honesty and wanted to appoint a set of gentlemen of whom they know nothing to come down and inspect the elections, spy around the voting-places, and tell the country that my people are not honest, that they

are not to be trusted, and that all the virtue in the country belongs to the other side.

Mr. Speaker, I can select judges in my Congressional district, and, all of them being Republicans, I would not be afraid to trust with the certification of any election held there. And at this point let me say that districts in the Southern States have been reflected upon time and again in this debate, and because the entire vote of the district, according to the census returns, has not been polled it has been used as a handle to cast suspicion on the whole vote. We have been told that because the vote was light in some years that all was not well and that there was wrongdoing. My own district has been presented as one of these. I stated before during this debate and I repeat now that I defy mortal man to bring a particle of evidence from a Republican or any one else to show even a suspicion in that district in any election.

I was born and reared in Arkansas. Until we had the unfortunate reconstruction era I never heard of an unfair election. Since we have got rid of that miserable gang and the people of Arkansas who belong to the country have succeeded in controlling their own affairs, I have never heard of a Federal election where there was a disturbance to amount to anything. Of course there are at almost all elections a few trifling local disturbances; but they do not amount to anything, and I suppose they are found in every community throughout the country.

Why, gentlemen seem to expect the South in election matters to proceed as if it was to be absolutely perfect in all respects. That is unreasonable and nonsensical. Why, even our courts are not perfect; our churches are not perfect; our social relations are not perfect.

Mr. KERR, of Iowa. Was it not in your State a man was killed who was elected a member of Congress?

Mr. PEEL. He was killed, but not elected; but I defy you, gentlemen, to bring one particle of proof to show that it was because he was a Republican. Republicans in Arkansas are just as safe, as I have said before, as they are anywhere else in the United States; just as safe as if on this floor. Democrats have been assassinated in Arkansas, but not for political reasons, either. Men will kill each other all over the land until their nature is changed. It is the history of the world.

But they talk of these elections as though they expected perfection. I tell you, gentlemen, if you adopt this bill, and if it becomes a law, and you expect to cure all of the evils that necessarily flow from gatherings of the people at elections or elsewhere you are going to be mistaken.

And you are mistaken in another respect. You seem to think this is applicable to any other district than your own. You seem to think it will not be applied until it is absolutely needed, and that in your own district it will not be put in force. But ask yourself the plain question, is there a district in the United States where you can not find around the saloons and houses of ill-fame, men sufficiently low for the dollars that are in it to bring this law into force in your district? Even if the whole country is against it a hundred men can bring it into force in your district, though all the rest may oppose it.

Mr. Speaker, the bill is entitled "An act to amend and supplement the election laws of the United States," etc. This, Mr. Speaker, is a misnomer. It should be entitled "An act to stir up strife and cause bloodshed in the South and to rob the States and the people of the whole country of the right to elect their own officers," for if it should become a law elections by the people and self-local government are gone forever, at least until recovered by revolution.

What have the people of this country done, what sin have they committed that should deprive them of the confidence of the world? Is it because in 1884 they dared to elect Grover Cleveland President of these United States and a Democratic House of Representatives? Was it this event that causes the Republicans, now in power, to attempt by this bill to take the election of members of Congress from the people and to place it in the hands of a partisan returning board of their own selection, or is it because you are afraid to rely again upon the fat-frying and blocks-of-five system, and prefer whilst you have the power to place the States and the people completely under your own control and then bid them defiance? The latter is your purpose if to be judged by the provisions of this bill.

Mr. Speaker, such a political machine as this was never conceived or written by a statesman or by a man possessing common fairness. Sir, it is an insult to the integrity of the States and to every man, woman, and child in this broad land, and should be denounced and condemned by the civilized world. If this measure is right, then local self-government is a failure, the ability of the people to govern themselves is also a failure, and our form of government, which has been the admiration of the world for over a hundred years, should be torn down and a monarchy established upon its ruins.

What is this bill and what does it do? Its friends pretend that its object is to secure fair elections; in other words, a free ballot and a fair count. Let us see. It provides that the circuit judges of the United States courts only (all Republicans but one or two) shall appoint one chief supervisor of elections, who shall control through his deputy supervisors and deputy marshals all the elections in his circuit at which a Member or Delegate in Congress is to be elected.

Will these chief supervisors, who are to be appointed by Republican circuit judges for life, be Republicans or Democrats? Republicans, of course. No sane man doubts that these life officers, partisan Republicans, are given the power to appoint as many supervisors and deputy marshals as they please to control these elections. The supporters of the bill claim that he can only appoint three for each voting precinct, not more than two of which shall be of the same political party. I beg their pardon. He can appoint all he desires; he can only assign three to active duty at each precinct. The fifth section of the bill will settle the dispute. It is as follows:

SEC. 5. Supervisors of election shall be appointed in the following manner, namely: The chief supervisor of elections in any judicial district who has received any petition provided for in section 2 of this act shall thereafter, from time to time, prepare, present, and certify to such circuit court lists of persons whom he shall believe to be eligible for appointment as supervisors of election in the place or places for which petitions for supervision have been received; in preparing such lists the chief supervisor shall not be confined to the applications he may have received, and lists may be presented for each place from which a petition for the supervision of the registration or the election shall have been received, until the court shall have appointed such number as the chief supervisor shall believe to be sufficient to enable him to properly provide for the filling of all election districts or voting precincts within his jurisdiction and the filling of all vacancies which may from any cause be created or arise, which number shall not, however, be less than double the whole number of supervisors which each such city or town, county or parish, or entire Congressional district is entitled to the services of. From the appointments so made the chief supervisor shall, from time to time, select for duty, and shall designate and assign for each election district or voting precinct in any such city or town, county or parish, or entire Congressional district as they shall have been appointed for, three persons, but two of whom shall be of the same political party; from the three persons so assigned but two of them, who shall be of different political faith, shall be required to perform and discharge any duty prior to the day of election. The appointment of any supervisor of election may be at any time revoked or renewed by the circuit court, and every list of eligible persons presented to such court for appointment as supervisors of election shall, after action thereon by the court, be filed in the office of the chief supervisor of elections, who shall cause the same to be fully entered of record therein in index and tabular form for further reference.

From this it will be seen that the chief supervisor can have appointed such number of supervisors as he may believe sufficient to enable him to properly provide for the filling of all election districts or voting precincts within his jurisdiction and to fill all vacancies which from any cause may arise, which number shall not be less than double the whole number of supervisors which each city, town, county, or parish, or entire Congressional district is entitled to the service of.

Where is the limit? The only one is, he shall appoint not less than double the number required for service, not more than double, but not less than double that is needed for service; there are three to each voting place needed, hence at least six for each must be appointed, and as many more as the chief may desire or call for. All who do duty are to be paid out of the Treasury of the United States.

Again, this fifth section very artfully provides that only two supervisors (one of each party) shall be assigned to do duty prior to the election. Look at it; only two prior to the election, but how many during the election and after? All he wants, all he may think necessary to carry the election for the Republican ticket. And this is called a free ballot and a fair count. Great God, what a fraud and what a lie!

This bill also allows these political henchmen (that is what they will be) to boss registration, absolutely walk over the State boards of registration, and judicially decide for the States who can and who can not vote. Sir, such an outrage will stir the blood of every freeman in this land. Think of it; three political spies at your own expense, standing over a State board of registration deciding who shall and who shall not vote—and vote for what? Members of Congress? No, indeed; for everything in many of the States from township constable to Presidential electors, including members to the State Legislature, who elect the United States Senators.

By this infernal board, backed by all the deputy marshals they want, they can and will, if allowed to execute this law, absolutely control the election of every elective officer in this land to suit themselves, and from whose decision there is no appeal; and this is called a bill to secure a free ballot and a fair count. This bill, if enacted into law and executed, will cost the tax-payers of this country from ten to twenty million dollars.

For one, I ask in the name of my constituents, if you are determined to pass this bill, to stop and create a board of kings, composed of QUAY, Dudley, and for the third I would nominate the Speaker of this House, with power to issue commissions to all needed officers and save the expense of a farcical, pretended election, and call it a free ballot and a fair count.

The greatest safeguard in our form of government is the power of the people, a power higher and greater than that of kings or returning boards; that power is supreme, and should be; the people are our masters, and not our slaves; they have been so in this country for over a hundred years. Who is it that is trying by this infamous measure to bind them to political slavery?

Who is it that is trying by this bill to rob the States and the people of their inalienable and constitutional right to govern themselves and elect their own public servants? Who is it to be the first in this country to proclaim that the people can not be trusted? Who is it that proposes to create a life returning board of one political party, backed by armed deputy marshals, to throttle the people and say who shall vote and who shall not, and who shall serve as public servants and who shall not? The author and supporters of this bill answer.

Mr. Speaker, this is the Fifty-first Congress. We have had fifty before, covering a period of one hundred years. All this long time the States and the people have been trusted to control all our elections, from ward constable to the President of the United States. They have done their duty well. Under that system we have grown from a fragment of poverty-stricken colonists to sixty or seventy millions of people. We have astonished mankind. We have seen great political parties rise and fall, come and go. We have had wars, both foreign and domestic, and the people have never faltered—always true and brave to America and American interests.

Are they to be told now, in the first Congress after a hundred years of loyalty, that they are not to be longer trusted, that "We, the Republican party, though less than half the people of this great Government, now say that this country belongs to the saints and we are the saints? We have all the virtue and all the honesty; all the rest stand aside. Ye Greenbackers, ye Prohibitionists, Woman Suffragists, Farmers' Alliances, and all others, walk under the yoke! We are the chosen, we are the anointed. We, and we alone, from this time on will run this business as we please; a free ballot and a fair count we are going to have. We are going to have the offices, draw the salaries, and you pay the taxes."

This bold and heartless scheme is but the climax of a long and well matured plan of party leaders, protected classes, and gold sharks to abolish free government and to establish a strong, centralized power, so they can grind the great mass of the people at will.

Why do I say this? I judge from the tendency of things for many years, and, when connected with the one-man power displayed in this Congress and this bill, I have no doubt of it.

Sir, we have seen the Speaker of this House, the House of the people, reign king supreme over this body without rules, save his own autocratic will. We have seen his kingly gavel silence the Representatives of the people. We have seen him count votes for and against measures, whether they voted or not. In other words, we have seen him count members as present refusing to vote when they were hundreds of miles away. We have seen him do this over and over, against the protests of the people's Representatives. We have seen him ruthlessly walk over and break down well matured precedents of a hundred years—precedents made world-wide by the distinction and greatness of their authors. We have seen him walk over as of chaff not only the precedents made by all political parties, including his own, but over his own declarations, deliberately made from his place upon this floor.

Was he sincere then when talking as a sworn Representative of the people, as a member of Congress, when not interested in the rules more than other members, or was he sincere when he walked over his own words as Speaker to carry out his party purposes? I leave a candid world to say. After two months of such despotic reign we have seen him crowned by the majority of this House with a set of rules that makes him complete dictator over all legislation.

What are we here for, if one man is to rule the whole? Under these rules the Speaker can declare and hold a motion for the yeas and nays a dilatory motion and refuse to entertain it; at same time hold an appeal from his decision out of order; hence you have the beautiful spectacle of keeping off the record any measure the Speaker wants to cover up. The yeas and nays is the only way to put members on the record so their own constituents and the world can see how they vote. So when a bad measure comes up the party in control of the House can pass it into law without disclosing to the world that they voted for it.

Just think of it! A set of rules that can be used so as to hide the names of the members voting for or against measures. What is the record for, if not to show the world what we do and how we do it? Yet we have a Speaker crowned with a set of rules empowering him to make or not make a record of votes, and therefore the people who elect us can not tell how we vote.

This despotism is in line and harmony with this bill. But, oh! they say, it is all for a free ballot and a fair count, and that we have no right to be alarmed and charge them with an attempt to rob the States and the people of electing their own Representatives; that we should sit quietly by and wait until the halter is around our necks.

Sir, under our criminal law an American citizen is not required to wait until the assassin's bullet has passed through his brain before he can defend himself, but upon the mere motion or attempt to draw a deadly weapon he may take the life of the assailant; and here you are with a bill, deliberately prepared, considered in committee, and, if reports be true, further considered in a Republican caucus, which takes from the American citizen that which is dearer than life, his liberty and the right of home rule. The member that votes for this measure, in my judgment, betrays his trust and records himself against free government and in favor of despotism.

The honorable member from Massachusetts [Mr. LODGE] who reported this bill said in his speech that the black citizens of this country are not here of their own accord, and he seems not to know how and when they came. I can only say to him that if he will consult the history of his own ancestors he will find out how they got here.

He says there is a widespread belief in this country that elections in the South are not what they ought to be. He has doubtless heard this, and he and some of his constituents may believe it, for I see from the papers that a very distinguished constituent of mine—I mean the Hon. Powell Clayton, of Arkansas, delivered a learned lecture to the cultured people of Boston last winter on the Southern question, in which he told them how the poor black man was treated in my State. He posed himself before that refined and philanthropic people as a great lover of human liberty and especially in favor of a free ballot and a fair count. For fear the good people of Boston might think him more of a saint than the colored people of his own State do, I insert an editorial taken from the National Democrat, published at Little Rock, the capital of his own State, edited and published by a colored man who is perfectly familiar with Arkansas politics from reconstruction to the present. Here it is:

We were in hopes when the people of Arkansas, irrespective of party affiliations, repudiated the Clayton government in 1873–'74, that that would be the end of that miserable "gang." But what do we find now? After a penal servitude of nearly seventeen years, not in actual confinement, but on parol, we find them with that hypocrisy and false pretense equaled only by that great bandit and robber, John A. Murrell, standing before a Boston audience preaching and teaching an enlightened people how to conduct the affairs of the South. Let it be understood that we write this without malice, self-interest, or prejudice, but as a duty to our race and country.

Who is Powell Clayton? What has he been from the time he first came before the people of the country? There is one thing certain, he is public property now, and we propose to deal with him as such. During the Kansas troubles he was a Kansas jayhawker, not fighting for the negro then, but to perpetuate slavery. When the war broke out he became a Union soldier and was colonel of the Fifth Kansas Cavalry. Once a jayhawker always a jayhawker. They came to Arkansas and participated in the battle of Helena July 4, 1863. They remained in the State until the close of the war, and that left the colonel upon the soil of Arkansas. His first step was to become governor. In 1868 he became governor. Then commenced one of the worst reigns of terror that were ever known in the history of the American States. No monarch or tyrant ever held power more absolute. Men were murdered for political purposes, not of the South alone, but of their own party if they dared to differ with them even on party management. If a man dared to differ with them he must be put out of the way, if not by sitting down on him, by any means necessary to remove him.

They say this is "scraps of history" and should not be mentioned now after the lapse of fifteen or twenty years. Very good. We would be glad to let them pass by and forever forget them if they would only keep silent and stop their everlasting lying about the condition of the negro. Their hydra heads are forever popping up for the purpose of keeping up strife between the races in order to get such legislation through Congress as will enable them to get into power in this country. But let us say once for all, there is no danger of them ever getting a foothold again. They are well known.

We will give a few facts for the consideration of the American people. Mark you, gentlemen, Mr. Clayton "howls" and dwells at length upon the purity of the ballot in the South. Now, if he is the saint he would have you believe, why did he in person have the ballot-boxes taken from Crittenden County over to Memphis, at the Overton Hotel, and then and there proceed to remove the ballots from said ballot-boxes, the said Powell Clayton and his co-workers, and replace 1,500 ballots in lieu thereof, and proceed to count the same to suit the will and purpose of the said Powell Clayton? Do you want the proof? We have it. If he is the saint he would have a Boston club of business men believe, why did he throw out county after county in the State until he, the said Clayton, could control every branch of the machinery of the State government?

Gentlemen, let us tell you that this was not done against what might be termed at that date rebels and Democrats in many instances, but it was done against genuine, good, and conservative Republicans. If he is the great saint, why did he, the said Powell Clayton, willfully, maliciously, and with felonious intent step down from that high position as governor of Arkansas into the front yard of the capitol at the city of Little Rock, then and there as aforesaid, hand to one Samuel Garrett $4,000, with instructions to pay the same to one Rev. J. T. White, colored, to get out of his way for United States Senator, thereby corrupting and setting the first example in the State of Arkansas to the poor unlettered negro to become corrupt.

Do you want the proof? Saint! Why did he, because E. A. Fulton was on the conservative line of thinking, connive at one of the most diabolical murders (if they had succeeded in their plans) ever perpetrated in the State? Why did the man who did the shooting have a blank pardon in his pocket from the governor of the State and with other assurances that he would not be touched if he succeeded and did his work well? Do you want the proof? We have it. Why was Major or Captain Haynes killed in Crittenden County? Was it not a foul conspiracy to murder an innocent man, a Republican, because he had independent views? Did you not procure one Clarence Collier, of Collierville, Tenn., to do the dirty work (he a mere boy), and then to cover up your tracks fixed up a big reward that was whacked up with the boys who killed Clarence, in order to cover up all traces of foul murder?

Will any one doubt for a moment that there were not hundreds of political murders in the great State of Arkansas under the direct instructions of this same Powell Clayton? Enough indictments for the present. Let him serve out and do time for these offenses, and if he escapes in this life there are others to be made out with proof positive.

With pain we recall these horrors, but why do you still persist in injuring the South? Men like you and Chalmers, who have led men on to a white heat of political passion, have done more to destroy the prosperity of the negro of the South and get more of them killed than all the balance of the politicians we know of. Mr. Clayton would have military rule; so would Mr. Chalmers; so would many of the political men of the South. They would forever vote the negro to put them and their kin in office, but the thinking negro has something else to do.

We want to eliminate ourselves from politics; we desire homes; we desire friendship with our neighbors, but until we can get rid of these political pests we never can do so. Certainly the people of the North are too well posted to believe half of what Mr. Clayton says about the South. There is no trouble in Woodruff County, and, in fact, no other county, but what they have made themselves. Why is it that they have not put a ticket in the field for years in this State? They would have you believe that the Republican party would be bulldozed. Such is not the case. They know too well that neither white nor black would indorse them.

Where do we find the would-be emperor? Now in Boston. Where did we find him in 1864? In Cincinnati, with 1,500 armed deputies in the custom-house for the purpose of defeating the will of the people. We further find him in Oklahoma trying to run the machinery of that Territory. We find him in Washington trying to oust men that were honestly elected in order to advance his own political ends in this State. In short, you will find him everywhere bobbing up, from a cross-roads primary to a Chicago convention.

Just so long as Congress and the people will listen to these men and their miserable advice, just so long will the negro suffer. We, as colored men of this State, live and do better than the average on account of its physical conditions, but just make these gentlemen hands off, and you will see the negro out of politics, into homes, educated, prosperous, and happy.

Mr. Speaker, like the colored editor, I would not allude to the bloody days of reconstruction if my constituent, Governor Clayton, would treat our State fairly.

I am opposed to criticisms on this floor on private citizens, but that distinguished gentleman makes himself prominent in State and national politics. He has been here around this Capitol and in the room of the Committee on Elections, officiating in Arkansas contests, none of which were in his district. He, with his right-bower, Poker Jack McClure—I say Poker Jack because this speech may be read some in Arkansas and they do not know him by any other name; but for the information, of the House and the good people of Boston, Poker Jack is Hon. John McClure, ex-chief-justice of the supreme court of Arkansas under the carpet-bag rule, and who, it is said, can bet as boldly on a pair of deuces as on four aces, and plays politics the same way, especially in contested-election cases—he, too, is for a free ballot and a fair count.

Now, Mr. Speaker, personally I have no ill feelings against either of these distinguished gentlemen. My relations in a personal sense are good with all the people of this country, and it is my desire that they should remain so. I only speak of them in political matters, and when I heard of these two modern reformers being here complaining about unfair elections in my State it sounded to my ears like the devil quoting Scripture, and reminded me of the old-time darky's song about his loud-shouting brother, when he said:

De bigger dat you see de smoke de less de fire will be,
De littlest kind of 'possum is suah to clime de biggest kind of tree,
And de nigger at de camp-meetin' dat can de loudest sing and shout
Is suah to rob some hen-roost befo' de week is out.

Mr. Speaker, we, the people of Arkansas, fully understand these two saintly spirits; we know their tracks in the sand wherever we see them; the ambition of their life is to divide the Democratic party of Arkansas; that party that brought peace out of chaos and war; that party that has regained the credit of the State and made its name honorable everywhere, the State they in four years of misrule disgraced, bankrupted, and ruined. Their party in our State will follow any faction or party, I care not what it is called or what it proposes to do, to defeat the regular Democratic ticket, that is, if they obey these distinguished leaders.

Poker Jack, as he is familiarly called, is now a prominent applicant for the judgeship recently made vacant by the promotion of Judge Caldwell, and if the Administration indorses this bill he ought by all means to be appointed, because the bill allows circuit-court judges to assign their part of the election work to a district judge; and inasmuch as the bill takes the elections out of the hands of the State and the people and transfers it to a gang of Republican party workers, responsible to no one, appointed and selected for their efficiency in that business, Poker Jack would be in the zenith of his glory when in charge, and I recommend him as an expert of rare qualifications in that line; he is truly for a free ballot and a fair count; and I think I can assure him of the appointment if this infamous measure should become a law, for Judge Caldwell is the circuit judge for our State, and he knows that Poker Jack can be relied on in such matters, and that he would perform his duties to the entire satisfaction of his party. He would forever settle the question about which his soul and that of Powell Clayton are so deeply concerned, "A free ballot and a fair count." And friend Clayton, when he next visited his good friends in Boston, could say indeed and in truth that the good work was done, and no mistake, for Poker Jack did it.

Clayton is deputy president at this time for the State he so ruthlessly despoiled. Postmaster-General Wanamaker has turned the postal service over to him in Arkansas while he attends to his Sunday-school. No representative of the people of that great State can get a post-office established until Clayton is consulted. I have been trying for six months to get an office re-established in Searcy County, in my district, and a Union soldier appointed postmaster, but the boss says "No," and I do not suppose he ever was nearer than 50 miles of it in his life.

I beg pardon of the House for wandering off from the bill under discussion.

Now, Mr. Speaker, I want to say that I believe I am conservative in my political views; I feel kindly to every one; but this bill has alarmed me more than anything I have ever seen upon or off this floor. The idea of turning the election machinery of this country over to any one political party, however virtuous, is indeed alarming.

I swear before God I would not vote for a bill to turn the political control of this country for life over to any party on earth. When it leaves the people, farewell to political liberty, and perhaps worse. I say here and now that any party that would ask it ought not only to be kicked out of power, but out of existence. And this attempt upon the part of the majority of this House should sound the death-knell to their rule and stand as a warning in thunder tones to all other parties now and hereafter.

Let the people, one and all, cry out as one man, that we are supreme and will rule this country to the end. It is ours and we intend to rule it.

In conclusion, let me say to the majority of this House, rob the Treasury if you will, demonetize silver if you will, tax our people to death if you must, but in God's name spare the liberties of the people.

Federal Election Law.

For the instruction, meditation, and repentance of mankind it is said in Holy Writ:

"But whoso looketh into the perfect law of liberty, and continueth *therein*, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed." (James I, 25.)

SPEECH

OF

HON. ELIJAH V. BROOKSHIRE,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. BROOKSHIRE said:

Mr. SPEAKER: In no measure which has ever come before Congress, within my brief memory, have I felt so deep and painful an interest. When the rules for the transaction of business in this House were adopted setting aside the constitutional precedents and safeguards of a hundred years, I felt badly, for I then believed, as I now know, that they threw wide open the doors of Congress to the perpetration of the most grievous wrongs ever inflicted upon a free people in a time of profound peace. I saw a tariff bill brought in and passed without proper deliberation or amendment to tax the prime necessities of our people to the last degree. Later I saw the bill passed demonetizing silver. Many other unjust, extravagant, and unwarranted measures of much concern to the masses of our people have passed this session. Not only has this crusade overturned the precedents of a hundred years to carry out its radical purposes, but six Democrats have already been turned out and Republicans placed in their seats, in order that this high-handed programme might be carried out to the letter. One of these Democracts was elected by 13,000 majority. In the Fiftieth Congress this body was Democratic, and though several contests were brought against Republicans in that Congress, not one was unseated.

This House also passed bills to admit as States Idaho, with 1,613 voters, and Wyoming, with 18,008. The district which I have the honor to represent on this floor has over 1,300 more voters than both of these Territories, and which, when admitted in a few days, will give you Republicans four more Senators and two Representatives; yet you never tire of voting against the admission of New Mexico, with 43,000 registered voters, and you do this for no other reason than that the Territory is Democratic.

Did any one ever hear of the majority in this House exercising power so wanton and radical?

I would be discouraged indeed if I did not believe in my heart that the people would rise up in anger and resent such conduct. I can not believe that the people will tamely tolerate such extravagant and unjust measures. Shall the patriotic and beneficent principles of local self-government as taught by Jefferson, Madison, and Jackson fall into utter decay at the end of the first century of our national existence?

Sir, the people have never tolerated with patience, but, on the contrary, they have with vigor resented encroachments on their personal liberty and their right to control themselves. Our ancestors left the Old World to escape the injustice and tyranny of strong centralized governments, and which denied to them the right to govern themselves. For one hundred years the Federal Government apportioned the representation to which each State was entitled in this House on its population, and then each State through its Legislature divided the State into Congressional districts, and also provided by law the time, place, and manner of holding the elections for Representatives in Congress.

Before 1870 it never entered into the mind of anybody that the Federal Government had a right to control the election of Representatives in the States, and I think it is quite evident to any candid and conservative mind that the framers of our Constitution never intended that the Federal Government should be in control of our popular elections. Think of this bill, the purport and object of which, to use its three most conspicuous words, is to "guard," "scrutinize," and "supervise" the elections in the States. Democrats have always believed that the people resident in each political division, be that division a township, county, Congressional district, or State, have the honesty, good sense, and patriotism to manage their own elections, free from outside interference and molestation.

Democrats believe that our people should be encouraged to govern themselves and to be self-reliant. Now, the wisdom of this principle is evident when we reflect that the resident people in a Congressional district, for instance, are pecuniarily, socially, and in every other way interested in having a representative who will do his whole duty. Therefore the people of the district have every reason known to civil government to see that their elections are honest and their representatives competent and faithful. Carpet-bag government in the eleven

Southern States is a painful and suggestive commentary on the denial to the people of local self-government. In about ten years of radical rule in these States, their State indebtedness was increased from about $67,000,000 to $297,000,000. This immense debt, which the people in those States and their childrens' children can scarcely ever pay, was not made for the improvement of the country, but its proceeds were ruthlessly divided among a lot of imported spoliators.

I have before me the CONGRESSIONAL RECORD. I will read a few short paragraphs from the speech delivered day before yesterday by that able and distinguished Republican from the Ninth district of North Carolina [Mr. EWART]. When referring to carpet-bag rule, he said:

> The State governments fell into the hands of the most disreputable gang of thieves and plunderers that ever disgraced a nation, and the very name of Republicanism became a stench in the nostrils of all honest men. By bloodshed, violence, and intimidation these governments were wrested from the thieves and plunderers and to-day without exception are held by the Democratic party. In spite of this long era of misrule and all the evils of reconstruction the South has prospered as never a section prospered before. Go South now, and your journey will be through a continuous and unbroken strain of the music of progress, the whirr of the spindle, the buzz of the saw, the roar of the furnace, and the throb of the locomotive. The next census will show it to be the richest section of our country.

In referring to the colored man, he said:

> As to his political rights, speaking for my own State, I unhesitatingly assert that no Republican in the State, black or white, is prevented from casting his vote. The elections are absolutely fair. [Applause.] Here and there, as is the case in perhaps any State in the Union, local returning boards assume to throw out certain precincts for alleged irregularities, and in that way often wrongs are done. Representatives from other States can speak for their own sections; I only speak positively for my own.
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> * * * * * * *
>
> I am sick and tired of this talk about the negro problem at the South. There is no negro problem at the South. It is no new question there. It is the same question that existed when the shackles were struck off the limbs of four millions of slaves; it is the same question that existed in 1865, when nearly one million slaves were given the right of suffrage. It is not a problem. Side by side the blacks have been there with the whites since the war, and side by side they will be with them until the last syllable of recorded time. [Applause.]
>
> I know the negro. I ought to know more about him than the distinguished gentleman from Massachusetts. For three generations my people were slaveowners. There are no more faithful, generous, or kind-hearted people upon God's green earth. Give them the education that they are so eagerly striving to obtain, and the country will have no more useful class of citizens than they will prove to be. But instill into their minds that the white people of the South are their enemies, that they desire to crush them, to strip them of their legal rights, and you do the negro a wrong that you can never atone for. I say that the negro is to-day thinking for himself. It is a delusion to suppose that he is voting the Republican ticket solidly. He is doing nothing of the kind. Thousands of them to-day are voting the Democratic ticket as willingly and as openly as the Republican ticket is voted by myself or any of my colleagues on this floor.
>
> It is getting more and more difficult every year for the Republican party to control him. Thousands, as I have stated, openly vote the Democratic ticket. Thousands do not manifest interest enough in an election to go to the polls. He is growing skeptical about certain pledges and promises which have been made and broken by the political organization to which for so many years he has shown his loyalty. Widespread dissatisfaction exists among the colored voters of the South to-day. There never was a proposition as dear to the negro heart as the Blair educational bill. The negro knows the power of education. He looked eagerly to the great Republican party to redeem in honor and good faith the pledge it had made in its platform at Chicago to extend national aid to the common-school system of the country.

A few minutes ago I said I believed the people would resent the passage of this cruel bill. You will remember that the first law affecting Congressional elections was approved July 14, 1870. It introduced the United States deputy marshals on the scene, under the pretense of preserving order at the elections. On February 21, 1871, an act of some twenty sections was approved, which not only provided for United States deputy marshals at the polls, but also provided for Federal supervisors at each voting precinct, to be appointed by a Federal judge, in cities of over 20,000 inhabitants. When this crusade against free government was begun by the Radical party in 1870 the eleven Southern States consisted of five conquered provinces presided over by five generals of the Army. It was in full control of almost every Northern State.

Sir, we certainly have occasion to be profoundly grateful to such noble and conservative men as Horatio Seymour and Samuel J. Tilden, of New York; Governor William Allen and Allen G. Thurman, of Ohio, and Thomas A. Hendricks, of Indiana, and many others, living and dead, whose names I could now mention, who sounded the bugle of alarm and met face to face the enemies of local self-government in the campaigns of 1872, 1874, and 1876. In the year 1876 the people witnessed the overthrow of the Radical party and the placing of the Democratic party in control in every State government in the Union, with the exception of six, the loss by the Radical party of both branches of Congress, and the election of Samuel J. Tilden and Thomas A. Hendricks to the Presidential and Vice-Presidential offices by a popular majority over their Republican adversaries of more than 260,000.

Mr. KERR, of Iowa. May I ask the gentleman from Indiana a question?

The SPEAKER *pro tempore*. Will the gentleman permit a question?

Mr. BROOKSHIRE. Yes, sir.

Mr. KERR, of Iowa. Was not the defeat of the Republican party due to the fact that we failed to enforce the Federal election law?

Mr. BROOKSHIRE. Certainly not. Public sentiment in the North, as everybody knows, drove the soldiers from the polls of the South and restored the conquered country to home rule. Sir, all this proves that the love of home rule in the hearts of our people defies the menace of the sword. [Applause.] And but for the accursed returning boards such as are contemplated in this bill, the two great statesmen and reformers, Tilden and Hendricks, would have been President and Vice-President of these United States at the end of the first century of our independence.

Let us examine into this bill. It not only provides, as did the act of 1871, for deputy United States marshals and supervisors at the polls in cities of over 20,000 inhabitants, but it also goes further and provides for any number of deputy marshals and three supervisors at every voting place in any county where fifty citizens petition for Federal supervision or in any entire Congressional district on the petition of one hundred citizens. These deputy marshals are to receive $5 a day for not to exceed eight days, and the supervisors from $3 to $5 a day, except on election days, when they are to have from $5 to $10 a day, according to population and registration duties; and these supervisors are to be engaged from three to twelve days. The bill also provides for a United States board of canvassers, to consist of three members in each State, at a compensation of $20 a day each for fifteen days' service, and also one clerk for each member of the board at $12 a day for fifteen days. Each circuit judge in the United States is to appoint a chief supervisor for life in each judicial district of his circuit, whose compensation will probably amount to $2,000 per annum. There are about fifty-five thousand election precincts in the United States, and it is estimated that if this bill becomes a law and is generally enforced it will occasion an expenditure at each general election of more than $15,000,000. In Montgomery County, Indiana, my home county, there are forty-two voting precincts; so the application of a Federal election law such as this bill contemplates would increase the cost of a Congressional election in that county alone perhaps $10,000 or more.

Under the judiciary bill which passed this House recently we will have twenty-seven United States circuit judges. The new judges will be appointed by the President and will hold their offices for life. Only two of these judges will be Democrats. When we construe together the many high-handed and revolutionary acts which the radical and violent majority have matured in caucus and rushed through this body in such extreme haste, the purpose of the party in power becomes evident and simple. It proposes to maintain itself in power, though it destroy local self-government. This is the most bitterly partisan bill on record, I have no hesitancy in saying. All the Federal judges, all the jury commissioners, all the marshals and deputy marshals will be Republicans; and when we contemplate the character of the State canvassing boards and the supervisors of election, do we not see involved in this a "machine" for the exercise of the very refinement of tyranny?

A few years ago, when this House had under consideration the proposition to have the United States deputy marshals appointed equally from both political parties, Mr. Garfield said:

> The argument that these officers should not be appointed by the court because they are under the orders of the marshal falls to the ground when the plain fact is known that they serve the supervisors rather than the marshal. But we are told that, if the special deputies be appointed from different political parties, there would be no unity of action in the execution of the law. I am not willing to confess, for I do not believe it to be true, that this country is so far gone into debasement and anarchy that the fair-minded people in any Democratic township or ward can truthfully say: "There is no Republican in this precinct who can be trusted to aid in executing the election laws." Or that they will in any Republican community say: "There is no Democrat in all the borders of this district whom we can trust to carry out a fair election law." When I am compelled to believe this, I shall say that my country is no longer capable of self-government, is no longer worthy of freedom.

It would be an insult to the intelligence of this House for me to presume to comment on the words of this distinguished citizen.

Instead of the people being intrusted with the absolute management of their own elections and instead of the ballots being counted and the result tabulated and officially declared and certified by the officers of the people, elected by the people and directly responsible to the people, it is now proposed to have Congressional ballots counted by Federal officers, and the results tabulated and certified up to the Clerk of this House by United States officers, appointed by a Federal judge, and not dependent upon the will of the people for their official life; and these Federal judges, as we all know, are only punishable for misconduct in office by censure and impeachment at the bar of the Senate, and if the Federal officers appointed by the judge violate the law and trespass upon the rights of the people they are to be tried in the courts that appointed them, far removed from the people whom they have wronged and offended, and to be tried before a jury selected by three jury commissioners, who may all be of one political party. Perhaps no item in this bill reflects its bitter partisan character more than this provision empowering United States Federal judges to select jury commissioners in such a manner. Now, the present law requires that the Federal court appoint a jury commissioner of opposite political faith from the clerk of the Federal court, who, along with the clerk, selects the jurors; but for some reason the radical majority puts it within the power of the court to select a board of jury commissioners wholly from one party. Now, this is without precedent.

Mr. Speaker, the radical party whose ideas we are now combating, has, I think, inherited from the old Federal party which passed the alien and sedition laws, some of its most intolerable and obnoxious ideas, and much of this bad blood was transmitted to the Republican party through the veins and arteries of the old Knownothing party.

Some Republicans occasionally venture to talk about what they term the principles of the party. Has it in fact any well grounded principle for the administration of civil government? Would you call high and exorbitant tariff taxes, laid upon the masses of the people for the benefit of a small class, a principle? Do you call the constant contraction of the currency when the population and the business of the country are constantly expanding a principle? Is the strong, mailed hand of the Federal Government, with which you propose to control the election in the States of this Union, directed by a principle? Do the management and distribution of the offices by the Federal Administration at the behest of QUAY, Clarkson, and Dudley, involve a principle? I assert that these are not principles, and that any party without principle is dangerous to the people and can only maintain itself in power by acts leading on to an absolute despotism.

It is a significant fact that a Knownothing anti-naturalization bill was the twin brother of the Federal election law first passed in 1870. Sir, I propose to show before I sit down that this bill reveals two purposes on the part of its authors, the destruction of local self-government and the vexing of the foreign-born citizen to the last degree.

In 1870 this House passed a bill, No. 2201, to amend the naturalization laws and to punish crimes against the same. Its first section took from every State court the power to grant certificates of naturalization and invested these powers in the Federal courts. Had this bill, which was approved generally by the Republican leaders, become a law, an applicant for naturalization could not have declared his intention to become a citizen in the State court, perhaps located at his very door, but, on the contrary, he would have been forced to go into the Federal courts, at the loss of much time and money, perhaps located hundreds of miles from his home. The bill required that he file notice in the Federal court, or before one of the commissioners, at least one month before making his application for naturalization. All this would likely have required a second journey by him to the Federal court. His evidence to prove his application had to show him a resident of the United States for four years and six months. He could prove his application only by citizens of the United States; no matter how many reputable persons he produced in court, if they were not citizens of the United States they would not be heard to prove his application.

I have referred to this proposed bill of 1870 to show that the radical party was unfriendly then as now to our foreign-born citizen. You will remember how the Federal election law was enforced immediately after its passage in 1872 and how United States deputy marshals took forcible possession of the naturalization papers of citizens in New York and refused to ever return them to their rightful owners. My distinguished and learned friend from New York [Mr. CUMMINGS], when commenting on these outrages on last Saturday, said in this House:

> I say there are to-day hundreds of foreign-born citizens entitled to vote who can not exercise the franchise because they were robbed of their papers at that time—

Meaning 1872.

This bill would have delighted the old Federalist who voted for the alien and sedition laws, which stabbed that party to the heart at the very dawn of this century. Sir, if this bill becomes a law it will not only clothe the deputy marshals with additional means to vex the foreign-born voter, but it expressly empowers the supervisors five weeks before the election to hound him into the most sacred recesses of his home, and there question him and the members of his family about his age, nativity, naturalization, etc., as though he were a criminal. This autocratic power does not stop here, for they are empowered to enter the State courts and there scrutinize the naturalization of citizens. Behold the spectacle of a mere satrap, a ministerial officer, drawing from the public treasury $5 a day, going into the State courts, presided over by judges elected by the people, and there assuming to supervise the naturalization of citizens. Sir, if this we tolerate, let us never boast again of having descended from the patriots of the Revolution. [Applause.]

There is one other point I wish to make before I close. We Democrats have long contended that the East, and especially the New England States, is the part of the Union which prevents the great West and South from having just legislation. Are we right in this? The chief advocates of this bill live in New England, and nearly all this loud talk about a "free ballot and a fair count" is borne on the winds from that section. Are these people saints or Pharisees, which? I shall append to my remarks an article which appeared not long ago in the Baltimore Sun, which very fully and justly sets forth the hypocrisy and absolute insincerity of these bigoted and presumptuous advocates of the worst ideas and traditions of the old Federal and Knownothing parties.

Mr. Speaker, these New England statesmen in the past twenty years have molded and directed the policy of the Republican party as artfully and perfectly as the potter molds his clay. When these Pharisees and money-lenders of New England say "Demonetize silver," it is demonetized. Look at your CONGRESSIONAL RECORD and examine the silver vote and refute this if you can. When these same people ask for a higher tariff, that they may rob the farmers, laborers, and consumers of the West and South of their earnings under the forms of law, is it not done? Again the RECORD will disclose the fact that they contend for the highest taxes possible; and their votes are a solid phalanx for rates of duty as high as those of which the most avaricious would dream.

Sir, I would ask in all sincerity, why are these gold-bugs and high-tax people pressing with such hot haste the passage of this bill? Do they not feel the impending storm beating with fury on these legislative halls? Do they not know that this storm bears the hot and angry breath of an overtaxed and oppressed people in the West and South? Ah, I know your answer, if you would but honestly speak. It is quite evident that it is your purpose here and now, when you have the power, to enact a law to menace and limit the Democratic vote in the whole country, and especially in the South, and in the great labor centers where there is a large foreign population. These New England statesmen, representing an area of country not twice as large as Indiana, propose not only to perpetuate themselves in office and in wealth and to control the lion share of the patronage of this colossal Government, but they propose to rule the destinies of this Republic, come what may; and they, like all oppressors of the past, forever propose to fill their coffers from the earnings of the masses they oppress.

Mr. Speaker, let me say right here that the law contemplated in this bill would be in irreconcilable conflict with the election laws in almost every State in this Union. Our election law in Indiana provides for a secret ballot and for the destruction of the ballots when counted. This bill provides for the supervisors being everywhere present on election day, and for the preservation of the ballots for further use by the Federal "inquisition." On the Congressional tickets, under our State law, also appear the names of persons voted for for the Legislature and for county offices; so this proposed law could only result in interminable conflict between the State and Federal officers.

Is there any member of this body who lays to his soul the flattering unction that the great masses of our people, North and South, East and West, whose lives are a constant reproach to despotism, will tamely submit to the outrages here proposed? Sir, my people, I am sure, desire liberty. They desire the greatest liberty consistent with organized society. They desire, above all things, to be let alone in the management of their own domestic concerns. They desire to nominate and elect their own officers. They believe in their own capacity for self-government, and I know they would despise the man who would distrust their honesty and ability to manage their own elections and select their own public servants. On this issue between local self-government and ultimate tyranny I am forever with my people. [Applause.]

For the instruction, meditation, and repentance of mankind it is said in Holy Writ:

> But whoso looketh into the perfect law of liberty, and continueth *therein*, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed. (James I, 25.)

I submit an extract from the Baltimore Sun, which sets out the inequalities of representation as they exist in some of the States:

WASHINGTON, *June* 10.

Some brief mention has heretofore been made of the remarkably disproportionate influence and power in national affairs exercised by the Republican voters of New England. It is an interesting subject and will well repay entering upon details. The bulk of the political literature which almost ingulfs the CONGRESSIONAL RECORD is contributed by New England Senators and Members, the burden of whose lay is the alleged denial of representation to voters in other sections than their own. Mr. Speaker REED in speeches and interviews and magazine articles in the last six months has clamored without cessation for the doctrine that so many black voters in the South, constituting a certain percentage of the population, are entitled to a proportionate number of Representatives in Congress. It is for securing this end that the election measures which he so earnestly advocates are to be directed. If he will only consent to apply the same principle to his own section the measures to be brought forward would most probably receive a much stronger support than is likely to come to them under existing circumstances.

It is really astonishing that so little comment has been provoked by the condition of political affairs in New England. It is marvelous that the descendants of the Anglo-Saxon race have not risen in revolution at the denial of political rights which has prevailed for more than half a century. No such Congressional and legislative gerrymandering has been continued or enforced elsewhere in the world as that existing in New England for Republican benefit. At the last Congressional elections in November, 1888, the Republicans polled an aggregate of 449,000 votes and the opposition polled 378,477, or very much more than two-fifths, yet the Republicans have all of the twelve Senators from New England and twenty-three out of twenty-six Representatives.

In Connecticut the Republicans were in a minority of more than three thousand, yet they have the two Senators and three of the four Representatives. In New Hampshire the Republicans polled 45,271 votes and the opposition 45,430, yet the Republicans hold on to both Senators and both Representatives. In Rhode Island the Republicans have held on to power not only by unfair apportionments, but by the most wholesale disfranchisement of citizens. That State is bound to slip from them now, and if it is ever possible to receive a reasonably fair apportionment Connecticut and New Hampshire would soon follow suit.

The Republican Senators and Representatives from New England, so many of whom are occupying seats to which they are not justly entitled, have put themselves into positions of commanding influence in both branches of Congress. In the Senate they are at the head of the most important and influential committees, and exercise a control over legislation monstrously unequal. Of the two Maine Senators Mr. FRYE is at the head of the Committee on Commerce and Mr. HALE is chairman of the Committee on the Census. The two New Hampshire Senators respectively head the Committees on Education and Labor and Immigration. The Senators from the insignificant State of Vermont, which hardly contributes enough to the national Treasury to pay its own office-holders, preside over the Committees on Finance and the Judiciary. The Massachusetts Senators have the chairmanships of the Committees on Privileges and Elections and on Indian Affairs. Senator ALDRICH, of Rhode Island, is chairman of the Committee on Rules. The two Connecticut Senators hold the Committees on Territories and on Military Affairs. Mr. DIXON, of Rhode Island, is the only New England Senator who is not a chairman. This is because he only came to the Senate in

November last. But it may be taken for granted that in a short time he will be found at the head of some big committee.

In the House we have Mr. REED, of Maine, whose election is only compassed by wholesale and open bribery, assuming despotic power in the Speaker's chair and at the same time acting as chairman of the Committee on Rules. Of his colleagues, Mr. DINGLEY is a member of the Committee on Ways and Means, which is equivalent to a chairmanship; Mr. BOUTELLE is chairman of the Committee on Naval Affairs, and Mr. MILLIKEN of the Committee on Public Buildings and Grounds; Mr. SPOONER, of Rhode Island, is chairman of the Committee on Accounts; Mr. GROUT, of Vermont, is chairman of the Committee on the District of Columbia; Mr. BANKS, of Massachusetts, is chairman of the Committee on Expenditures of the Interior Department; Mr. LODGE, of Massachusetts, chairman of the Committee on the Election of President and Vice-President, and Mr. CANDLER, of Massachusetts, chairman of the Committee on the Quadro-Centennial.

It need not be supposed that these New England Republicans, who have walked into Congress over the slaughtered political rights of nearly one-half the population of their section, are satisfied with monopolizing the chairmanships of the principal committees. They will be found stowed away in top places of all other desirable committees, so that their influence permeates every species of legislation for every section. Effrontery has long been characteristic of the New England Republican Congressman, but it is difficult to conceive how they, the beneficiaries of the almost complete practical denial of political rights to hundreds of thousands of white voters, can assume to discourse so much upon alleged and imaginary similar instances as to black voters.

Federal Election Law.

SPEECH
OF
HON. ALBERT J. HOPKINS,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,
Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. HOPKINS said:

Mr. SPEAKER: If this bill inaugurated a new principle in legislation or if it contained any principle that had not been practiced for nearly twenty years, the note of alarm from the gentlemen from the Southern States might have some effect upon parties who are interested in and earnestly endeavoring to form such legislation as shall protect the interest of all people, both North and South, rich and poor; but when we turn to the records of our country and find that since 1871 the same principle which is embodied in this bill has been ingrafted upon the law of our country and when we find that it has been practiced in the greatest of all the commercial cities in this country to the entire satisfaction of the Democrats who are in favor of honest elections, as well as Republicans, it seems to me that a large part of the rhetoric which has been indulged in by gentlemen who oppose this bill is unwarranted.

The law of 1871 was opposed by the Democratic party quite as vehemently as the bill under consideration. The most direful results were predicted by the leaders of that party if the law were enforced. The history of the years which have followed has shown them to have been false prophets. The unnumbered woes which they so glowingly pictured time has demonstrated were the "figments of a distempered brain." Honest men, where this law has been enforced, have been protected in the exercise of their political rights, while those who practiced fraud for personal and party gain have met the just punishment which should be meted out to all offenders.

The gentleman from South Carolina [Mr. HEMPHILL] stated in debate the other day that this old supervisor law had been used in certain assembly districts in the city of New York by the supervisors to deprive several thousand naturalized voters of their naturalization papers. That is true, but in every instance it was shown that the naturalization had been fraudulently issued and that the persons who, by means of these false papers, were about to exercise the greatest right accorded to an American citizen were not legal voters. The gentleman has unconsciously borne testimony both as to the need and efficiency of the law. Wherever this law has been enforced it has borne fruitful results in favor of honest elections. New York, Brooklyn, Cincinnati, and Chicago can all bear witness to its necessity and efficiency.

The following letter speaks eloquently for this law and its extension to other sections of the country, as proposed in the pending measure:

WASHINGTON, *December* 10, 1884.

DEAR SIR: We, the Representatives in Congress from Brooklyn, N. Y., unite in asking that you modify your instructions to Marshal Tate, under date of November 19, 1884, which were in part as follows: "Each supervisor is to be paid $5 per day for the number of days served, not exceeding five days in number."

* * * * * * *

We do not believe that in any other city the Government gets as much service from the supervisors or that in any other city the compensation is more honestly earned. We know that in none are the election laws enforced with greater thoroughness or efficiency. * * *

We remain, very respectfully, yours truly,

DARWIN R. JAMES.
FELIX CAMPBELL.
W. E. ROBINSON.
HENRY W. SLOCUM,
Congressman at Large.

Hon. BENJAMIN H. BREWSTER,
Attorney-General, Washington, D. C.

Mr. James was one of the leading members of the Forty-ninth Congress on the Republican side. Messrs. Campbell, Robinson, and Slocum are well known to you all as prominent Democratic Congressmen from the State of New York in previous Congresses. These men had seen the working of this law, and with honest impulses, politically as well as personally, favored its enforcement. They believed that an honest administration of the Government was of the first and highest consideration, and that the way to secure it was to have a fair election and an honest count.

Now, gentlemen from the Southern States, why have you any more fear of an honest administration of this law, if you believe in fair elections, than the citizens of New York, St. Louis, or Chicago? If you believe in permitting all the legal voters of your respective States to vote at Congressional elections and to have their votes counted as they cast them, I ask you where is your danger in this bill? The gentleman from Georgia [Mr. TURNER], when he addressed the House a few minutes ago, asked:

What is there in our situation that invites this new crusade against my section?

Is it a "crusade" to insist upon an honest election in the State of Georgia? Is it a mortal offense to insist that the legal voters of that State shall be permitted to cast their ballots with the same freedom and security on election day from violence or fraud that prevail in Illinois? That is all this bill contemplates. Since the law went into force in 1871 there has never been a Congressional contest to be decided by this House from the cities of New York and Brooklyn. Nor has there been the complaint so often and so truthfully made before the enactment of the law of the issue of fraudulent naturalization papers to secure voters to swell the party strength.

This bill is neither a party nor a sectional measure. It is national. It is as applicable to the Seventh district of Illinois as it is to the Seventh district of South Carolina. Wherever the rights of the humblest citizen are interfered with in the exercise of that privilege which is and should be dear to every American heart, the right to cast his ballot on election day and have that ballot counted as cast, this law is made applicable, and is intended to inflict quick and severe punishment upon all offenders. To those who obey law and respect the rights of their neighbors and all citizens, it has no terrors; but to those who prosper politically by depriving other men of their constitutional rights, who by fraud, intimidation, or murder take from any number or class of American citizens in any State of this Union this proud privilege, it is intended to and will deal with them with an iron hand.

The purity of the ballot-box is the safety of the Republic. He who tampers with it is guilty of a crime as great as treason to his country. Now, Mr. Speaker, it would seem that for a measure so equitable and just there should be no party lines; that a measure which treats all alike and which is to be exercised or enforced only against fraud, corruption, or intimidation, and always in the interest of honest elections, would be supported by members of this House, irrespective of party affiliations. And yet, sir, we have witnessed the strange spectacle since the debate on the bill commenced of the Democratic members of the House being apparently wildly agitated over the prospect of the passage of the bill.

A stranger unacquainted with the provisions of the bill would be led by their talk to believe that the officers named therein are to do all the voting as well as counting at elections. Those who represent constituencies north of the Ohio and Potomac Rivers have even gone to the extent of issuing an address to the public in which they denounce the bill as unconstitutional and even call for "town-meeting" gatherings to denounce it.

Mark the fact, Mr. Speaker, that the Democratic members who join in this address for public meetings to discuss and condemn this measure are not joined by their colleagues from the Southern States and do not appeal to the people from that section of our common country. There is an enlightened public sentiment in the North which is quick to condemn any measure of legislation not in the interest of the people. The Democratic members of the House from Northern States realize and appreciate this, and by issuing their address have endeavored to forestall that sentiment and turn it against the pending bill before a fair and full discussion of its provisions in the House demonstrates to the country not only its constitutionality, but its necessity if we are to perpetuate in all its integrity our republican form of government.

The whole scope and purpose of this bill is to maintain the purity of the ballot-box, the fountain of popular government. The Democratic address has, however, placed in strong contrast the condition of the citizens in the North and those in the old slave States of the South. It is a confession that in the Southern States the people are not consulted in such matters. They are made the "hewers of wood and the drawers of water" for the favored few. You have a class there now, as you had before the days of 1860, who dominate and control the great mass of the voters, regardless of their rights, their sentiments, or their interests.

Why did not these Democratic patriots in their appeal to the people include those of the Seventh district of South Carolina, where the colored voters, with a majority of 25,000, are *misrepresented* on this floor by a Democrat. What a delectable spectacle it would be to see one of the "preservers of the liberties of the people" who signed this address

down in that black belt in South Carolina denouncing the provisions of this bill—a bill which, if it becomes a law, will secure to each of those now practically disfranchised negroes the rights guarantied him under the Constitution. And what is true in this district is equally true in the States of Alabama, Mississippi, and Georgia——

Mr. OATES. Will the gentleman yield?

Mr. HOPKINS. My time is too limited.

This address of the Northern Democrats is at the request and to aid and assist their Southern colleagues. History is repeating itself. The Democratic party is controlled to-day, as it was before the war of 1861–1865, by Southern men. They see that if the provisions of this bill are carried out the "solid South" will be a thing of the past. Their supremacy is endangered. I care not what reasons they may assign on this floor for opposing this bill; the true reasons are given by General CATCHINGS, of Mississippi, in a remakable letter to a friend, published in the St. Louis Globe-Democrat, from which I quote:

You are mistaken, I think, in your idea that good would come from a general election law. In such event I fear that many whites would leave us, destroying our solidity and cementing and making effective that of the negroes. I would regard it as a great calamity. If Cleveland had been elected the Republicans would have offered as a settlement of the question the repeal of the fifteenth amendment.

Ah, gentlemen, that is what you want, the repeal of the fifteenth amendment which guaranties to the colored men of this country the rights and privileges of which they have been so long deprived.

Now, they will not listen to anything, because they think they have satisfied the North and broken the solid South, and it looks as if they had done both. With a coercive election law nearly all the Southern districts would soon be represented by white men largely elected by the negro vote, and the negroes would be even more intense and aggressive than they are in Virginia, for they would be more numerous. We would have race collisions at first, but gradually they would be allowed to vote and would capture everything, and this would cause them to organize in county and State elections also and give us additional trouble. I hope we will never have the law forced upon us.

This letter gives the true reason for Democratic opposition to this bill. It will break up the solid South. It will secure to the colored men of that section the rights of a freeman. Not only this, but it will secure to a large class of white citizens some degree of safety in maintaining their political convictions. The home-rule principle in government so well illustrated in the township organization in the New England and Northern States has ever been unknown in the Southern States.

From the early days of our Constitutional Government to the late war an oligarchy composed of a select few ruled these several States with as supreme a sway as that wielded by any of the monarchies of Europe. The liberation of the slaves and the adoption of the constitutional amendments, which enfranchise them, do not destroy this oligarchy. By methods which are a blot on the civilization of the age they have stifled free speech and fair elections in all sections of the South where the colored men are in the majority. The gentleman from Alabama said in the debate to-day:

There is one chapter in our political history so full of bitter memories that every American would gladly forget it forever, if he could—the era of reconstruction. But it must be opened now for the lessons it teaches.

And then he went on to tell of the enormous State debts incurred in those States during that period by the "negroes and their allies" who were in power. I have no word of justification or excuse for the men who sought political power for corrupt and personal aims or who used the newly enfranchised negroes to oppress or distress those lately in rebellion against their Government. Their experience had been a bitter one, and God knows the people of the North did not wish to humiliate or cruelly or unjustly treat them. They did expect they would accept the results of the war as forever settling the status of the negroes and would interpret the constitutional amendments in their spirit as well as letter. In this they have been sadly disappointed.

The same chapter in American history which the gentleman mentions as showing the "corrupt carpet-bag" government also describes the formation in those States of the ku klux klan, white-liners, and other political organizations, formed to deprive the negroes of their political rights. The record of those political organizations is one of the most bloody and terrible in the history of any country or time. I can not better describe it than by quoting from an argument made by the late Reverdy Johnson in defense of men charged as being members of the ku klux klan in South Carolina. He said:

But Mr. Attorney-General has remarked and would have you suppose that my friend and myself are here to defend, justify, or to palliate the outrages that may have been perpetrated in your State by this association of ku klux. He makes a great mistake as to both of us. I have listened with unmixed horror to some of the testimony which has been brought before you. The outrages proved are shocking to humanity; they admit of neither excuse nor justification; they violate every obligation which law and nature impose upon men; they show that the parties engaged were brutes, insensible to the obligations of humanity and religion. The day will come, however, if it has not already arrived, when they will deeply lament it. Even if justice shall not overtake them, there is one tribunal from which there is no escape.

This is the language of one of the greatest lawyers of his generation and one of the leading Democrats of his time. He had no political sympathy with the negroes of the South, but the crimes of these associations of midnight marauders, as shown at this trial in Columbia, S. C., so shocked and amazed him that when he came to address the jury he gave utterance to the burning words just quoted. Justice to the negro and fair treatment to the white voters of the South who do not believe in the methods which restored the Democratic party to power in many of these States and which now maintain it in its supremacy are all that is asked.

This bill takes away no rights which the Constitution and laws of our country give to an American citizen. On the contrary it seeks to protect him in the enjoyment of those rights.

No bloodshed, no riots, no turmoils, and no disturbances of any kind will occur on the enforcement of this bill if it becomes a law unless it be the wanton act of men who set at defiance all law and all questions of right in their blind opposition to the exercise by the colored men of the South of their constitutional rights. The life and prosperity of the Republic demand honest elections. The proper enforcement of this bill will secure that, and all honest men of whatever political party should unite in upholding it.

The constitutional arguments urged against it are untenable. The Supreme Court of the United States has forever put this question at rest, unless gentlemen feel as the gentleman from Virginia [Mr. TUCKER] expressed himself, who stated, when interrupted in his constitutional argument against the bill and reminded that the Supreme Court, in the case of *Ex parte* Yarborough, 110 United States Reports, page 625, had held directly the opposite doctrine to that for which he was contending—

I say this: That neither the Supreme Court nor any other court can bind my conscience as a Representative of the people as to the construction of the Constitution.

This answer may satisfy the Democrats of this House, but it will not suffice for the people of this country. I contend that it is useless to pay any attention to the claims of our Democratic friends that this bill is unconstitutional in the light of this decision which I have just mentioned. The people of this country are intelligent, and they will not be misled by any talk either upon this floor or elsewhere that this bill is not in perfect harmony and accord with the organic law of the land.

Had I the time, Mr. Speaker, I could demonstrate to the satisfaction of any unprejudiced mind that the other objections urged by the Democratic members of this House against this bill are equally untenable. They carp and criticise, but they have failed utterly to advance any valid reasons why this bill should not be enacted into a law.

The arguments which have been indulged in by the gentlemen from the South against this bill are the arguments which are indulged in by the hardened criminal who seeks to avoid the just punishment of the crime which he has committed.

Mr. CULBERSON, of Texas. That is too rough.

Mr. HOPKINS. It may be rough, but it is true.

Mr. Speaker, the dearest interests of the people of this country demand protection such as this bill affords. It is the boast of an American citizen that he is a sovereign; that sovereignty consists in his right to cast his ballot on election day for the party and persons that his free and unbiased judgment may dictate, and to have that ballot counted as he cast it. If this bill becomes a law it insures him that sacred right. Every impulse of the heart for good government, as it seems to me, should favor it.

I trust, Mr. Speaker, it will become a law.

Federal Election Law.

SPEECH

OF

HON. JOHN H. O'NEALL,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. O'NEALL, of Indiana, said:

Mr. SPEAKER: While I cheerfully accord to those upon that side of the House the right to surrender the principle of self-government—government of the people, by the people, and for the people—the principle of home-rule, for myself I can not do it. I am a Democrat, a Democrat by birth and a Democrat by education. When I use that word, I mean to use it in its best accepted sense. I could not, without doing violence to my education and to my feelings, sit silent and let this bill pass without a protest.

The old gentleman who raised me, and who gave me my first ideas of political economy and of civil polity, not only taught my mind Democracy, but infused into my very soul the spirit of Democracy. That old gentleman was not a lawyer, was not learned in the law, but was a farmer, an old-fashioned Democrat, with a mind well stored with information and, above all, well endowed with horse-sense. Could I but call him from the grave to-night long enough to hand him a copy of this bill and ask him what he thought of it, I know what his answer would be. He would read it—read it carefully—and then cast

it from himself and say: "That, my son, is unconstitutional." When asked why, he would say: "Because it is contrary to the spirit and genius of our institutions."

The history of the adoption of the Constitution, the conduct and arguments of the fathers in adopting it, the circumstances that surrounded them, their conditions, the conditions of the country, and the condition of the several States entering the Union, are all good things to appeal to in a fair effort to determine the constitutionality or unconstitutionality of legislation, such as that proposed in this bill. That side of the House does not believe in looking back to the conditions, the surroundings, and the circumstances that then existed. Their interests are better subserved by turning their backs upon, and by shutting their eyes against, the past.

For the sake of discussing the constitutionality of this bill let us not fuss with them about that. Rather let us call their attention to the sum total of our Government as it is and as it has been, to the product of that sum total, to the growth and workings of that sum total. Let us take an inventory of that sum total, size it up in all its bearings and in all its relations, Federal, State, and municipal.

We have a great country, one of which we are all proud. We have a great and good Government. Its praise is upon the tongues of all. Republicans and Democrats alike extol it, imperfect though it may be. All human government is and ever must be imperfect; hence ours is not without its faults. Many of its supposed faults are not faults, but a failure on the part of the people to live up to the full measure of its requirements. The people in one part of the country do not always have the right, because not in keeping with the spirit of our system, to make the people in every other part live up to the full measure of those requirements.

There is a system about our Government, a most beautiful system, a most admirable system, the system of home rule. Derange not the operation of its workings. The ills we have, so far as our elections are affected thereby, are not the ills of government, not the ills of the system, but are the ills of the people. The remedy is with the people; infinitely better let them work it out. Better bear such ills than fly to others we know not of. Do not become impatient. Conservative methods are usually the best. For the sake of our Government and of our whole people do not make sore the machinery of Government. That machinery, to the extent now being measured, will work best if left to its own lubricating oils. Do not try doubtful and impolitic expedients.

Let us first stop and ask: What is there about our country or our Government that so commends itself to our approbation? Is it because of our broad territory, extending over twenty-five degrees of the latitude and over fifty degrees of the longitude of the earth's surface, all wholly within the temperate zone, and embracing within its limits a good sunshine, an equitable rainfall, a variable and healthy climate, inexhaustible mineral wealth, a fertile and generous soil, and other blessing of nature that surround us? For all these we are, and of right should be, profoundly thankful.

Is it because of our numerous, industrious, and rapidly increasing population, possessing a high degree of christian civilization? Of that we may well be proud. All these would be useful adjuncts to good government in any form. The beauty, the symmetry, and the excellence of our Government consist in and depend upon that great and underlying principle of home rule. In the language of Mr. MCADOO, the eloquent gentleman from New Jersey, in a speech last week:

> The cardinal principles of American liberty evolved in the Constitution were these: Federal unity, local sovereignty, and individual liberty, a heaven-born trinity to bless mankind.

Home rule! A principle for which the people all over the world are struggling. A principle which is growing stronger and stronger every year, everywhere, and with everybody, except with those whose ambition it is to dominate others. Home rule! Who is not for home rule, for the rule that permits, ay guaranties, to the people in the smallest civil subdivision into which our territorial area is divided, largely and in the main, to govern themselves; work out their own salvation and happiness in their own way, without let or hinderance from others?

When we examine the machinery of our entire Government, Federal, State, and local, and fully analyze that machinery, what do we find about it that so commends itself to our approval? What do we find to so admire? We assert: It is the division, the distribution and limitations of power, with checks and balances, all so well provided and so well adjusted that friction in any part shall affect as little as possible regular and healthful movement in the balance and in the whole. A piece of mechanism which constitutes a matchless whole. Disturb not, disarrange not, any of its parts.

What is that mechanism? Let us answer:

A Federal Government with its co-ordinate branches, upon each of which for the Federal purpose is conferred such power as to make those parts complete, such as the people in their sovereign capacity, as the source of all power, were willing to surrender and did surrender for the Federal purpose, for the common good of all and to the common detriment of none, or to secure the greatest good to the greatest number, and to prevent the least injury to the fewest number.

Within the limits and boundaries of that Federal Government are the State governments, with somewhat wider and more general power over the people of the State—with the power to redress grievances and punish wrongs; in short, with powers limited only by those conferred on the Federal Government and by those inherent and inalienable in the people.

Failure on the part of the State to redress grievances and punish wrongs is likely to be remedied by public opinion, public sentiment, and inevitable public criticism.

Again, within the State governments we have our county government, our city government, our town government, and our government for the smaller civil subdivisions, all created by the State, or by the people in pursuance of laws and regulations of the State, and all provided by the State with machinery for the purpose of enabling the people of the county, of the city, of the town, and of the smaller civil subdivisions to attend to their own affairs, elect their own officers, and to select from among themselves the persons they may wish to hold their elections of all kinds.

It is an insult to the people and an indignity to the letter and to the spirit of our system of government to say that the people of a voting precinct, or the people of the township or county in which the voting precinct is located, shall submit to be "scrutinized, supervised, guarded," and bossed by a man ninety-nine times out of a hundred not even a resident of the county, much less of the precinct; by a man living a hundred miles or more away and having no interest in or sympathy for such people; by a man who, generally speaking, would be a professional politician, and in many instances selected because of his partisan bias and partisan activity. Will an independent and liberty-loving people submit to such flagrant and unwarranted interference?

All the parts, the Federal, the State, the county, the town, or other smaller civil subdivision, constitute a complex yet simple whole, whose beauty, symmetry, strength, and healthful mechanism and operation depend on keeping each within its own proper sphere and on requiring each to mind its own business. When the county, the town, or the smaller civil subdivision is organized, the State, and not the Federal Government, should provide the necessary machinery to enable the people of that county, that town, or that smaller civil subdivision to control its own affairs.

Who knows better than the people of that county, that town, or that smaller civil subdivision, or has a better right to say, how the affairs of that county, of that town, or of that smaller civil subdivision shall be managed than the people therein? Or who knows better or has a better right to say who shall be elected to do that managing than the people therein themselves? It may be said that the people of each county in the State are more or less interested in and affected by the selection of some of the officers in every other county of the State. So they are. But is it not better that those in each county should forego interference in every other county than to suffer interference in their own affairs by those from the other counties? It might be that the affairs in many of the counties in many of the States could be better managed by persons living outside of those counties than by the persons residing therein; that persons outside could exercise a wiser discretion in the selection of officers for those counties than the people therein. Yes, might on the outside select from the outside men better, and better fitted, and send them into the county, than any they have therein. Would that make it right? Would that make it politic, best for all interests, best for good government?

If outsiders had the right and were able to do better in some instances, is it not upon the whole better to forego interference and allow others to manage their own affairs than to have to contend with those others when they should want to participate in the affairs of the outsiders? To interfere with others is to invite interference from others. In the long run, it is better not to interfere or tolerate interference. Interference from the outside is calculated to irritate, cause indignation, stir up bad blood, create disorder, and bring about unprofitable and disagreeable conflicts.

How well do I remember the feeling of indignation on the part of myself and Democratic neighbors, at my own Indiana home, when at the Garfield-Hancock election, in November, 1880, we beheld for the first time United States marshals about the polls. There was not a fair-minded citizen of the place, Democrat or Republican, who in his cool moments would have said those marshals were there for any good. Instead of being there for good they were there for actual harm. They were there to intimidate some weak-kneed Democrat, if possible, and prevent him from voting. They were not there for the purpose, and it was not their intention or disposition, to prevent any one from voting, however illegal his vote might be, provided always that he voted the Republican ticket.

At the election in November, 1888, in Lawrence County, one of the strongest Republican counties in Southern Indiana and the only all-the-time Republican county in the district which it is my pleasure to represent upon this floor, the Democrats applied for and procured some United States deputy marshals to "scrutinize and guard" and to secure, as they were pleased to term it, a "fair" election. There was a good deal of excuse for the application, because one of the worst and most successful "blocks-of-five" Dudleyites in the State, an old and

skilled veteran with boodle, was expected to ply his vocation in that county as usual. What effect, if any, was produced by the presence of marshals, is probably not known. But some of the most indignant men the world ever saw were some of the good Republicans of that county. Their exasperation was great.

There may be some excuse for a State or State authority to confer upon officers not resident of a county the power to appoint some of the officers of that county because within the purview of State authority, but such interposition is not without its objections and should be attempted cautiously and under the best regulations; not then, however, by an officer whom the people of that county have had no voice in selecting. When done under such circumstances public opinion, public sentiment, and inevitable public criticism reach in an effectual way the officer who has exercised the appointing power.

Influences are thus brought to bear that make the officer feel his responsibility. Remove that feeling by denying the people any right, directly or indirectly, to participate in these selections, and you at once destroy the greatest check to wrongdoing.

Under the best regulations such methods are more or less in violation of the principle of home rule, and for that reason are objectionable. If objectionable on the part of the State, how much more objectionable on the part of the General Government.

The gentleman from Maryland [Mr. McCOMAS] finds much fault with a Democratic Legislature in his own State for having conferred upon the courts of that State the power to appoint certain school officers. The gentleman grows eloquent in his denunciation of this violation of the principle of home rule. Though a master in the use of language, words fail him to fully express his detestation of the act. After hearing him talk about the laws of his own State as he did one would expect him to jump with both feet upon this bill.

But no; the smaller wrong he condemns in words without measure; the larger wrong he embraces with affectionate zeal and stands and proclaims himself a ready and willing instrument to inflict upon the whole country that which he so condemns when inflicted in a very limited degree upon himself. The little wrong is a Democratic wrong; that makes it all wrong. The big wrong is a Republican wrong; that makes it a consummation most devoutly to be wished. He reminds us of the fellow who strained at the gnat, but hesitated not at the camel. Away with such logic. Away with the statesmanship that can rise no higher. Such statesmanship is little; it is contemptible.

But what are the provisions of this bill? They are that one chief supervisor of elections shall be appointed for each United States court district. Appointed by whom? Ostensibly by a Federal judge, but in reality most likely by Boss QUAY or "Blocks-of-Five" Dudley, answerable to no responsibility except to the whips and stings of conscience and, where there is no conscience, subject to no whips or stings.

Said chief supervisor, if petitioned so to do by one hundred who claim to be legal voters in any Congressional district, may appoint as many subordinate supervisors as he may choose, but it is imperative that he shall appoint at least six for each voting precinct in the district. Or, if petitioned so to do by fifty who claim to be legal voters in any county which forms only part of a Congressional district, then for that county he may appoint as many as he chooses, but it is imperative that he shall appoint not less than six for each voting precinct in the county.

From appointments so made, the chief supervisor shall, from time to time, select for duty, and shall designate and assign for each voting precinct, three persons, but two of whom shall be of the same political party.

No provision is made as to what party the other is to belong or whether he shall belong to any party at all. Two of them may be of the same party faith. These two, it may reasonably be presumed, will be Republicans, and in a matter like this I think the presumption may be fairly indulged that they may and will be political party heelers. The third man may be of any other party or he may be of no party at all. He might, and not infrequently would, belong to the party of sell-outs—always, when the fellow who appointed, either in person or through his party friends, wanted to buy and had the means of purchase.

The duties to be performed by these supervisors are numerous, too numerous for me, in my time, to refer to now. Eight pages of the bill, with an average of two hundred and forty words to the page, are exclusively devoted to their duties. They are given checks upon everybody, except upon themselves.

In cities of 5,000 or upward they are given the power to "verify by inquiry and examination at the respective places of residence of the voters." In cities of 20,000 and upward "they must make a house-to-house canvass" before the election and may exercise a most offensive species of espionage.

These supervisors in cities of 20,000 or upward may each be paid for twelve days' services; in all other places where there is a registration of voters, for six days each, and in all other places, for three days each, and in all cases $5 per day. In cities of 100,000 or upward $10 each on the day of election.

In addition to all this, "special deputy marshals shall be allowed and paid for each day of actual service, not exceeding eight days, $5 per day each. Marshals may be called into service in unlimited numbers.

On top of all and as a cap-sheaf and culmination, a State returning-board is established, a veritable Louisiana affair. The shades of J. Madison Wells! No; but, "angels and ministers of grace defend us," this board is to consist of three persons, who are to be paid $15 per day each and are to be allowed $5 extra per day each for expenses—cigars, lemonade, mint juleps—to which is to be added a clerk at $12 per day.

Uncle Sam is rich, but where does he get his riches? From the sweat of the laboring man is where it all comes from. Who are to constitute this board? Three persons, not more than two of whom shall belong to the same political party. The other man can belong to any other party or to none at all. If we remember history correctly the carpet-bag law of Louisiana provided that not more than two should belong to the same political party, and that the other should belong to the opposite party having the highest number of votes. In that respect the carpet-bag law of that State was a fairer and better law than this bill establishes. Yet we all remember that the J. Madison Wells board, that "counted" Rutherford B. Hayes in and "counted" Samuel J. Tilden out, had none but dyed-in-the-wool Republicans on it.

Who upon that side of the House ever made or offered an excuse for allowing no Democrat to sit on that board? Who ever heard a Republican anywhere apologize for having constituted that board wholly of Republicans. This bill, to insure no friction, provides that two members thereof may "count in" and "certify," and that this certificate shall override the returns from the State authorities.

COUNTING IN.

The Speaker of this House, the honorable gentleman from Maine, affects to think no one honest unless a Republican. Early in the session, by arrangement or otherwise, he was invited down to the little city of millionaires—Pittsburgh, Pa.—to a Republican banquet, gotten up by the rich to give this Republican Congress a good send-off and that gentleman plenty of backbone. At that banquet, in response to the "toast" prepared especially to give him an opportunity, in speaking of Southern elections, he there said:

What, then, is the remedy? Speaking, then, for myself, it seems to me that the only wise course is to take into Federal hands the Federal elections. Let us cut loose from the State elections, do our own registration, our own counting, and our own certification. Then the nation will be satisfied.

"Take into Federal hands" means into the hands of the party in power; just at this time it means "into" Republican "hands."

"Then the nation will be satisfied." If "nation" means Republican party it may be satisfied. But how about the other party? Will it not be badly dissatisfied?

The authority to "count" and "certify"—"counting and certification," is the way the man from Maine, at Pittsburgh, speaking for himself, puts it—the authority to "count" and "certify" is the boon so much coveted. The dexterity of the man from Maine, in the matter of "counting," has become proverbial upon this floor. In his article on contested elections, in the North American Review—just out—he tells the country: "However often the fervid eloquence of some member, who has read the evidence, may exhort the House to act as judges and not as partisans, we are utterly unqualified to do so, and utterly incapable."

Most singular language for a man who believes all honesty is monopolized by himself and his party friends.

The people of this country can not afford to give so much power to any party, and especially a party backed up by the millions of money that the Republican party is able to control. Who believes the gentleman from Maine himself would be safer to trust than the people he so maligns? I am sure among those on this side who know all the parties such a man can not be found; and if party feeling and party bias could be eliminated, very few on that side would so believe.

This man from Maine is the same man who, after the vote on the Lowery-White contest in the Fiftieth Congress, so chuckled in his sleeve at the idea of being able, in a Democratic House, to retain a Republican who was ineligible to his seat. Apropos to that same chuckling, the honorable gentleman, in his article on "Contested elections," in the North American Review, after arguing that in contested elections members usually follow party and committee blindly, without rhyme or reason, uses the following language, to wit:

It is not the intention to assert that the majority of the Committee on Elections is always followed in servile fashion by the majority party. But sometimes the exceptions are more ludicrous commentaries on the House system than the regular cases. One case can be called to mind, not twenty years ago, where all the testimony except the member's own declaration seemed to show that he had not been naturalized. But the question got into such shape that a decision adverse looked like a decision that no man could be regarded as a naturalized citizen who had lost his certificate. As soon as that happened it was amusing to see how many men in districts full of naturalized citizens rose above party and blossomed into language of the loftiest and most disinterested non-partisanship.

All of which illustrates the partisan trend that will be given to any Federal interference.

We all know how a Republican majority of eight in this House has been increased to a majority of twenty, by turning out six Democrats and electing (I will not say seating) six Republicans. How much of this change was inspired by a desire to pass this bill and other partisan

measures can not, of course, be told, but it is pretty evident that this bill could not be passed but for the increase of twelve in the majority. It is also evident to all unbiased persons, cognizant of the facts, that this increase of twelve was secured because the majority party on this floor were "utterly unqualified and utterly incapable of acting as judges instead of as partisans."

APPLICATION OF LAW.

Without going further let us apply this law to the State of Indiana. Indiana is co-extensive with a United States court district and would have one chief supervisor of elections. Who this chief supervisor will be, I do not pretend to predict. While the court will have the power and the name of appointing this very important official, I think it is quite likely that in many instances he would be appointed by the professional politician, and when appointed would himself be a professional politician. Whether a professional politician or not, he would most likely fall into the hands of the professional politicians of his own party.

If presented with a petition from each of the Congressional districts of the State he must thereupon—the command is imperative—he must thereupon appoint at least six subordinate supervisors for each voting precinct in the State. Under our State law—the law enacted by our last Legislature—providing for the Australian ballot system and providing that no voting precinct shall have over 250 voters, there have been made by the boards of commissioners in the several counties in the State, at the June terms just adjourned, about three thousand voting precincts. I am estimating. We polled at the election in November, 1888, 536,900 votes.

A majority of the townships in the State have over 250 voters and less than 400, and hence required division, and when divided will have less than 200. So that three thousand precincts is a fair estimate of the number, basing that estimate upon the presumption that the county commissioners have done their duty. For these three thousand voting precincts the chief supervisor must appoint not less than eighteen thousand subordinate supervisors and as many more as he may choose. Not less than nine thousand of these must be assigned to duty, six thousand of whom will or may be Republicans. And the other three thousand assigned to duty may belong to any other party, not excepting the party of sell-outs.

There are at least six cities in the State with inhabitants in excess of 20,000, namely: Indianapolis, Evansville, Fort Wayne, Terre Haute, New Albany, and South Bend. These will have at least three hundred and fifty precincts, requiring the appointment of twenty-one hundred supervisors, ten hundred and fifty of whom must be assigned to active duty and may perform twelve days' service each, making $60 to each. In Indianapolis, a city of over 100,000 inhabitants, they will be allowed $10 each for the day of election.

Then, counting twenty-six hundred and fifty precincts for the balance of the State, with at least six supervisors each, three of whom must be assigned to active duty and may perform three days' service each, for subordinate supervisors alone it will cost for Indiana at least $200,000 if put in force.

To this are to be added as many deputy United States marshals as the United States marshal and chief supervisor may wish appointed. These deputies may be employed eight days at $5 per day. These deputy marshals may all belong to the same party. No pretense of a provision for division as to them.

As a climax to all is the State returning board, with $15 per day each and $5 each extra for expenses. This returning board is to consist of three persons, "not more than two of whom shall belong to the same political party," the other may belong anywhere or nowhere.

This board, or any two thereof, may "certify" or "count in." Their certificate confers title, the State returns to the contrary notwithstanding. Their certificate, when it reaches the Clerk of this House, must be recorded and the name of the party certified to must be enrolled by said Clerk on the roll of membership. A failure so to enroll him subjects the Clerk to heavy penalties, the certificate of the governor of any State or the law of any State to the contrary notwithstanding.

Has it come to this, that the certificate of the governor of a State—a man in whom the people of the State have expressed their confidence by electing him to the high office—is it possible that the certificate of the governor, backed up by the returns made by the State canvassers, is to pale before the certificate of this mighty trio, or any two of the trio, a trio, perchance, hatched and brought into existence by a midnight junta of professional politicians? Must the people turn their elections over to politicians?

Mr. Speaker, the "Louisiana returning board" has not quit stinking in the nostrils of the Indiana Democracy yet. But pass this bill, appoint this army of officers, establish this "returning board," and a stink may be created that will become so rank that the stink of the Louisiana concern may so pale and be extenuated as to be forever lost to the sensibilities of the olfactory.

Think of it! A quarter of a million of dollars of corruption fund in a State like Indiana, to stimulate and quicken into activity nine thousand ward-heelers and sell-outs, and numerous fat offices and rich postures for the returning board, visiting statesmen, and camp-followers.

Down with home rule and up with centralization! Down with honesty and up with boodle! Do not we all remember how every son of a rascal connected with the Louisiana returning board was given a good fat place?

Oh, what a great aid to the Quays and the Dudleys! What a relief to the Wanamakers and fellows whose oleaginous stuff is to be fried out of them biennially!

Now, Mr. Speaker, I do not know that all I have described would take place in Indiana. That part that calls for and authorizes the appointment of supervisors will certainly be invoked. Not more than ten counties in the State will have less than twenty precincts out of the whole ninety-two counties, and no Congressional district in the State will have less than two hundred. The reward of $5 per day for supervisors will be an inducement, a strong inducement, to stimulate voters in every county and district in the State to petition for them. In fact, sirs, $5 per day for three or twelve days will be no small inducement to a very large number of voters to apply for these positions. The price, $5 per day, is an evidence, to my mind, that the authors of this bill are not caring so much about fair elections as they are about giving to themselves as much boodle as possible and the power to manipulate the elections.

The only qualification required for a supervisor is that he shall be able to read and write. Nine-tenths of our voters can do that. Two dollars per day would secure just as competent men and really better service than $5. Five dollars per day will be a stimulus to induce dishonest fellows to apply and scramble for these positions, while better men will not scramble. Five dollars per day will enable unscrupulous politicians to hunt out the purchasable material for supervisors. Five dollars per day will enable politicians to secure men against whom an assessment of one-half the amount can be made for boodle purposes.

This bill is not only dishonest, but some of its provisions are wicked, brimful of malice. I say full of malice aforethought. You propose by this bill to repeal the law now on the statute-books providing for the selection of jurors, both petit and grand. The law now provides that the clerk of the court and a good man of different politics, belonging to the opposite party of greatest strength, shall act as jury commissioners to select the juries.

To my mind this is just; that anything short of it is unjust. In Indiana our court appoints two jury commissioners of opposite politics. This has been our law for more than ten years and has resulted in giving us good juries. Better than we used to have. I have never heard a man, Republican or Democrat, speak of our method other than with approbation. The United States law now upon the statute-books is substantially the same as our Indiana law. You propose to repeal this provision and vest the whole power in the clerk—otherwise in a Republican—to select the juries. And pray what excuse do you offer?

Your excuse is that, under the law requiring a Democrat to assist the clerk in drawing a jury, a jury can not be drawn that will convict a Democrat. The court appoints this Democratic commissioner, and yet there can not be found a Democrat who will not so far carry his politics into the selection of a jury that the jury when constructed will convict a Democrat. It is a conviction you want, if a Democrat, guilty or not guilty. Hence it is you want a jury "packed" to convict Democrats only.

Think of it! You have a poor Democrat indicted for violating your election law. The court is a Republican; the clerk is a Republican; the marshal is a Republican, and the district attorney, who prosecutes, is a Republican. And you can not convict without a Republican jury, in the selection of which no Democrat is to take any part. I am utterly astonished to hear one of the supposed fathers of this bill defending this repealing provision; equally astonished to hear others frankly advocating it and giving as an argument the reason stated. We have all read about political prosecutions and heard them denounced, but never before heard them defended.

If you can not convict a Democrat with a jury selected as now provided by law, how are you going to convict a Republican who violates this law, with a Republican court, a Republican prosecutor, and a Republican jury? What gall! What wonderful gall! Are you presuming in advance that none but Democrats will violate this law? Or are you preparing to "pack" a jury to convict Democrats and acquit Republicans. To me that seems to be your philosophy.

That side of the House discusses this bill as though all Democrats were rascals and that Republicans can do no wrong.

If you can not trust the white Democrats of the South to "count" and "certify," how do you suppose white Democrats South or elsewhere can trust either white or black Republicans to "count in" or "certify?" Is the kettle not to be allowed to call the pot black? Does a Federal commission make a man any more honest than a State commission? Is a man acting under the laws of a State any more likely to commit crime than one acting under the laws of the Federal Government? You may pretend to think so; yes, you may really think so, and I am inclined to think a good many of you are so prejudiced that you do; but it will be hard for you to convince the great mass of the people of that fact.

Let me quote from the gentleman who says:

For one before I will consent that a minority shall govern the majority—

That is hard to do, for the minority to rule the majority. It is the

majority whose iron heel is felt oftenest; not much danger from minorities—

Before I will consent that a minority shall govern the majority I will favor such legislation as will secure the protection of every ballot by a shooting bullet.

When I say gentleman, I mean the gentleman from the Third Iowa district [Mr. HENDERSON]. What is his language? Let me quote further. He says:

Does it follow that because citizens of your own State hold a Federal commission they are to be called scoundrels, any more than the men commissioned by your State authorities? Where is the logic in any such position? It is not that, gentlemen; it is not that they hold a Federal commission; it is because this well oiled, never-failing State machinery allows a few Southern men to dictate the policy of this Republic. That is what is the matter and that is what we object to.

Now, I would like to ask the gentleman which is the worst, the most dangerous, and the most to be dreaded, "well oiled, never-failing, State machinery that allows a few men to dictate the policy of this Republic," or "well oiled, never-failing Federal machinery" that allows a few men to dictate the policy of this Republic?"

I, for one, say, if the first is wrong, the latter is wrong also, and that the latter, being so much the larger wrong, is the wrong to be more dreaded.

The machinery of a State is much weaker than the machinery of the Federal Government and is incapable of doing more than a small per cent. of the wrong that may be inflicted by the use of the Federal machinery. There is an easy escape from the smaller wrong, but a most difficult escape from the larger wrong. We can not, therefore, afford to place ourselves in the power of that great and overpowering engine of the Federal Government.

Let me follow the gentleman from Iowa [Mr. HENDERSON] a little further. He seems to have worked himself into a white heat over the idea that a minority are ruling a majority, that the white man is ruling the black man. Does he forget that when a minority rule a majority the rule must be just or it will not be and need not be tolerated? It is the rule of the majority that is hard to resist, and for that reason often becomes most tyrannical and oppressive.

Does he forget that the proud Anglo-Saxon will not and can not be ruled by Ethiopian blood? He tells us when the census was taken in 1880 we had over six millions of colored people, that forty Representatives to this House were based upon the colored population of the South, and "that the only Representative of that race here is my friend, Mr. CHEATHAM, of North Carolina." Yes, according to the census of 1880, there were about six millions of colored population in the South, and upon them were based thirty-nine or forty Representatives to this floor.

There were, also, about 610,000 colored people in the Northern States; upon them were based four Representatives upon this floor. Yet in all the ten years that have since elapsed not one colored man has ever been sent to this House from all the North. If forty are based upon the negroes of the South and four upon those of the North, there ought to be as many elected from the North in ten years as from the South in one. Why is it that the gentleman cares so much for the Southern negro and so little for the Northern one? He says that Mr. CHEATHAM is the only Representative of the colored people here. Is he not mistaken?

If, as he claims, the colored people all vote the Republican ticket, then he is surely mistaken. Neither Mr. BROWER nor Mr. EWART—both North Carolina Republicans—would be here but for the colored votes received by them. Where would any of your Republicans on this floor from the South—save TAYLOR and HOUK, of Tennessee—have been had it not been for the colored brother? Besides HOUK and TAYLOR, of Tennessee, you have on this floor from the South twenty-one Republicans, including your Brother CHEATHAM.

From the North there are a number of Republicans here whose legs would never have won had it not been for the colored friend. Four, if not six, from the State of Ohio; six, counting the two Cincinnati districts. As to those two, I am not certain. As to the other four, I am. From other Northern States, Republicans are here instead of Democrats by the assistance of the man and brother. The gentleman might do more to advance the standing of the colored race if he loved the Northern negro more and the Southern one less. The colored man has reason to complain, but mainly at his white Republican master. Surely the gentleman should keep mum.

New York, Ohio, and Indiana were all carried for Harrison by the gentlemen of African descent. But for them Grover Cleveland would now be in the White House. Harrison is the colored man's President to-day. Yet no one has discovered any special zeal manifested by him to show that he appreciates their friendship and devotion. Gentlemen upon that side should show their faith by their works. Teach more by example and less by precept. Fully one-fifth of the gentlemen upon that side are there by reason of the colored man and are specially accredited representatives of the colored man, yet Mr. CHEATHAM is the only one who bears his credentials in his face.

Why should the gentleman from Iowa scold so loud about the minority ruling a majority? But for the suppression of a Democratic majority of 3,000 in the county from which he comes—Dubuque—he would not be here to scold. Dubuque gave Bois for governor 4,324 majority in 1889. It is always largely Democratic, with counties adjoining on the north and on the south which are largely Democratic.

GERRYMANDER.

By a gerrymander that is not surpassed, if it has a parallel, Dubuque was made to go west to grow up with a Republican majority. I have given this question of what is called gerrymandering some thought and feel myself fully competent to speak. I have taken maps of several of the States, and in connection therewith studied the politics of the different counties and localities and applied the law of permutation to the different groupings that have been and might have been made. If there be in the whole United States anything that equals the Second and Third Iowa districts I have failed to find it.

It requires but little mathematics and but little analyzation to see that the gentleman from the Third Iowa district could never have occupied the seat he now warms had the Legislature of his own State had an eye to contiguity and symmetry of territory, rather than to political results. Without any intention of being personal, I hope I may be pardoned for calling the attention of this House and of the country to the configuration of the Third Iowa district. That all may make a map and easily understand, let me state, Dubuque County, the home of the gentleman, gives a Democratic majority of from three to four thousand. It lies on the east side of the State and is bounded by the Mississippi River. Adjoining on the north and adjoining on the south are strong Democratic counties, giving a thousand majority or more each.

In fact, the territory to the right and to the left of Dubuque is strongly Democratic. It requires an expert manipulator to get that county into a Republican district, a true disciple of the elder Gerry. Evidently there was that character of man or men in the Iowa Legislature that stood godfather to that district. That any one may make a map of the district, let me premise. The most of the counties in Iowa, and especially in that district, are rectangular in form and are approximately square. There are nine counties in the district, which, for simplification, I will designate by numbers from 1 to 9. Dubuque I will designate No. 1; No. 2 lies immediately west of 1, and 3 immediately west of 2, and 4 immediately west of 3, while 5 is just north of 4, 6 is immediately west of 5, and 7 immediately west of 6, 8 immediately west of 7, and 9 immediately south of 7.

Make the counties an inch square on the map, follow the directions, and you have it full-fledged like Pallas from the brain of Jove. When completed, behold the picture—"hold the mirror up to nature"—and say that an Iowa Legislature is not "up to snuff." Why Dubuque was not attached to the Democratic counties running down the river and made to include the first four of the six Democratic counties in the Democratic Gibraltar—the Second—represented here by our friend HAYES, can probably be told by the gentleman from Dubuque or some Republican of Dubuque who was ambitious to come to Congress.

That all may know that the Legislature of Iowa did not exhaust its knowledge of permutation or power of combination in the making of the Third district, they need only examine a map of the six counties in the Second district. Take note of the large Democratic majorities in each and observe how those counties are made to wind around so as to leave for utilization all counties giving Republican majorities.

Beginning with the county right south of Dubuque and running down the river one county wide until four Democratic counties are taken in and a Republican one is reached, and there turning, and still going it one county wide, to the west, northwest, and north, like the half of a letter S, so as to include nothing but Democratic territory, and blocked together, because not able to overcome the Democratic vote, and carefully leaving out all Republican territory that it might be utilized elsewhere, these two Iowa districts, the Second and Third, so far as symmetry and configuration go, are perfect monstrosities. Nothing in the United States can possibly surpass them. The brand of Cain is upon them.

Again, look at the Iowa session laws for 1888. Examine how the State is apportioned for legislative purposes. After fixing 24,000 inhabitants as the basis of one representative see how dozens of little Republican counties in the northwest part of the State with less than 10,000 inhabitants each are given a representative, while Democratic counties in the eastern part of the State with four times the population are only given one representative. But for this unequal apportionment, not the Hon. WILLIAM B. ALLISON, but a Democrat, would be representing Iowa in the other end of the Capitol to-day.

ILLINOIS.

Let us now cross the Mississippi River and stop in the Sucker State. Illinois in point of territory is about as wide east and west as Indiana. It extends farther north and some little farther south than Indiana. If a line be drawn from the northwest corner of Indiana straight west to the Iowa line the territory to the north of that line, including Cook County, with its four Congressmen, and the Fifth, Sixth, and Seventh Congressional districts, will contain the Republican majority of the State. The territory to the south of that line, a trifle larger than Indiana and having the same number of Congressmen, thirteen, is and has been Democratic. Anything like a fair apportionment of that part

of the State would give the Democrats a majority of those Congressmen.

But the skill of the Illinois Legislature in the power of combination and in the knowledge of permutation piles the Democratic majority in that part of the State into the Twelfth, Thirteenth, Seventeenth, and Nineteenth districts. Take a map and examine the shape of some of these Illinois districts; especially examine the Eighteenth, Nineteenth, and Twentieth. When you do, keep mum about the districts just east of the Wabash.

But we must pass on. Let us journey to the East and see if the same methods prevail there.

NEW YORK.

How is it in the Empire State? If we are correctly informed, the five counties of New York, Kings, Westchester, Queens, and Richmond, all contiguous and in the same circle, including the cities of New York and Brooklyn and the New York environs, always Democratic, and the county of Albany, with its more than 200,000 people, always Democratic, have fully if not more than one-half the population of New York State and have had for some time. This, to say nothing of a county here and there that is Democratic, like Schoharie, Chemung, Seneca, Greene, Rockland, etc. Yet only fifteen out of thirty-four Congressmen upon this floor are Democrats, and proportionately no larger number of Democrats in the State Legislatures that have been elected from year to year. And why? Because a less representation is given the same population in Democratic territory. To prevent justice from being done, the Republican Legislatures of that State have for years refused to make any new apportionments. While the State for the last twenty years has gone Democratic oftener than it has Republican, yet by the suppression of the Democratic vote in the legislative apportionment two Republican United States Senators continue to misrepresent the people of that State in the highest deliberative body in the world.

Gentlemen upon that side who are opposed to a minority ruling a majority can find a good field for missionary work here in this great center of population.

CONNECTICUT.

How is it with the State of Connecticut, the State of "steady habits?" At the biennial elections for the last twenty years the Democratic candidates have passed under the string ahead of the Republicans oftener than Republicans have passed under ahead of them. At but one election in all that time, at the election in 1874, have the Democrats been able to carry the Legislature. That Legislature elected William W. Eaton a long-term Senator and William H. Barnum a short-term Senator, the only representation the Democrats of that State have been able to get at the other end of the Capitol since the war.

In 1876 the Democratic candidate for governor had a handsome vote over his Republican opponent, yet in the Legislature on joint ballot the Republicans had 37 majority. In 1882 the Democrats elected the governor, but lost the Legislature. Again in 1884, 1886, and 1888 the Democratic candidate for governor had a plurality over his Republican adversary, but because that plurality was not a majority over all combined opposition the election went into the Legislature and each time the Republican was chosen over the Democrat.

But let us give the gentleman from Connecticut [Mr. RUSSELL] an opportunity to be heard. He says:

> But plurality to Republican or Democrat, it makes no difference, except a majority vote be cast for some one candidate; the Legislature—the representative body of local government—elects the State officials in Connecticut.
>
> However much some gentlemen may criticise this form of State elections in my State, yet none can point to a single instance where the State has been misgoverned or oppressed by its State officials, or where the people of either party have failed to accord honor and respect and obedience to the political results attained under the constitution of the State of Connecticut. Our constitution in its present form is the direct descendant of that notable instrument which in 1639 bore the stamp of a settlement in Connecticut and was the first written democratic constitution on record.
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> This Connecticut constitution of 1639, to use the expression of the writer on Connecticut in the series of American Commonwealths, Professor Alexander Johnson, "was the starting-point for the democratic development which has since gained control of all our Commonwealths and now makes the essential feature of our Commonwealth government." The good old Commonwealth of Connecticut has stood firm to her constitution and has grafted her traditions and principles upon the vast territory of the West, until they have been embodied in larger and mightier Commonwealths. She can not now be construed, after her peaceful and prosperous experience of two hundred and fifty years under her present form of legal government, into an excuse or a palliation or a precedent for Southern operations during the last twenty-five years. These operations in crime and trickery have attempted the subjugation of all government, local and national. In effect these operations have oppressed a free citizenship and have destroyed a free suffrage.
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> The town representation which the State of Connecticut has and always had in the house branch of its Legislature, that form of local representation is an old, an honored, and respected one in my State. It has much to recommend it, and I believe it is admitted to be the most complete recognition of the principle of local government. "In Connecticut it was the towns that created the Commonwealth." The Commonwealth still continues a combination of towns, and in each member of the combination remains to-day the political power for the exercise of which the State must first establish its clear and just right. The towns of Connecticut stand in much the same relation to the Commonwealth as the States do to this Union, and it seems strange for gentlemen contending against what they imagine may be an infringement or subversion of local government by the Federal Government to instance Connecticut as a place where there is a misrepresentation of home rule, as they call it.

"The Legislature, the representative body of local government, elects the State officials in Connecticut," says the gentleman. "The representative body of local government," remember you. We will analyze that later on. But, says the gentleman:

> However much some gentlemen may criticise this form of State elections in my State, yet none can point to a single instance where the State has been misgoverned or oppressed by its State officials, or where the people of either party have failed to accord honor and respect and obedience to the political results attained under the constitution of the State of Connecticut.

Certainly, the method of government in the South is much better than that which existed under the carpet-bag régimes, much better than is likely to be brought about by this Federal interference.

Gentlemen, as I understand them, do not so much complain of the method of self-government at the South so long as confined to their local affairs. Speaker REED, in his article in the June number of the North American Review, says:

> Every Southern man knows that there is no possibility of negro domination in the United States. No Federal taxes will ever be imposed by the negro. No Federal control is within his power. If all this wrong at the ballot-box be needed to preserve a proper local State government to keep the Caucasian supreme in the State, not a living soul can dare to say that the same wrong or any other is necessary for Caucasian supremacy in the United States.

What gentlemen seem to complain of is the fact that the power or supremacy of party here is affected by what they affect to believe so very wrong in the South. The poor negro they care nothing about. It is only to the extent that they are denied the power to use him to pull the chestnuts out of the fire that they feel any interest in him. The South may count him out as much as they please in matters purely local, but they must not shift or affect the party strength here.

We may retort, we do not so much complain of the methods of Connecticut or New York Republicans or Republicans in other States so long as confined to Connecticut, New York, or other States, but only when our party strength is affected or party supremacy is shifted in either branch of Congress.

In fact, sirs, I do not believe that this side of the House is disposed to criticise or find fault about these matters at all. For one, I believe that what Connecticut does is none of our business. We call your attention to these matters, however, not for the purpose of complaining, but for the purpose of showing you that your demands are unreasonable and unjust, and that your complaints are without proper foundation, and can not be assented to.

But we are not done with the gentleman from Connecticut [Mr. RUSSELL]. In his judgment all States represented in the Congress of the United States by Democrats are all wrong and all represented by Republicans are all right, and that chiefest among the elect is Connecticut. In 1888 Cleveland carried Connecticut over Harrison. The Democratic candidate for governor had more votes than his Republican competitor, but not over that competitor and the Prohibition candidate too. The Legislature elected at the same election was Republican. By how much majority? In the senate 17 Republicans to 7 Democrats were elected. In the house 152 Republicans to 96 Democrats. Majority on joint ballot, 66. The Legislature put the Republican in for governor.

To show something of the workings of the town system (in Indiana we call them townships), of which the gentleman boasts so highly, we have prepared a table, showing the number of voters—Republican, Democratic, Prohibition, and all others all told—in 31 towns, each of which elected 2 representatives to the lower branch of the State Legislature, in all 62, all Republicans; in 49 towns, each of which elected 1 representative—49 more—to that Legislature, all Republicans—in the aggregate, 111 legislators—and showing the number of voters—Republican, Democratic, Prohibition, and all others all told—in 4 towns, each of which elected 2 representatives to the same Legislature, in all 8, all Democrats—80 Republican towns, with 31,624 voters all told, electing 111 Republicans, while 4 Democratic towns, with 44,431 voters, 12,807 more votes than in the 80 Republican towns, yet elect only 8 Democrats. It takes 5,554 voters in these Democratic towns to elect 1 member to the Legislature, while in these Republican towns that many votes elect between 19 and 20 members.

I take it the statistics I use are reliable. I get the whole number of voters in each town from the annual Connecticut State Register and Manual for 1890, as found on pages 324 to 332, inclusive, and the persons elected and their respective politics from same book, pages 66 to 77, inclusive.

Following is the table showing number of votes of all parties:

Republican towns.

Name of county and town.	Voters.	Representatives.
HARTFORD.		
East Hartford	929	2
Glastonbury	924	2
Suffield	763	2
Windsor	699	2
East Windsor	647	2
Wethersfield	424	2
Granby	389	2
Hartland	169	1
Berlin	587	1
Canton	570	1
Plainville	497	1

Republican towns—Continued.

Name of county and town.	Voters.	Representatives.
HARTFORD—continued.		
West Hartford	407	1
Marlborough	89	1
Thirteen towns	4,924	21
NEW HAVEN.		
Guilford	690	2
Orange	865	1
Branford	863	1
Seymour	711	1
North Haven	395	1
Madison	377	1
Southbury	299	1
East Haven	231	1
North Branford	221	1
Woodbridge	199	1
Middlebury	129	1
Prospect	117	1
Wolcott	108	1
Thirteen towns	5,222	14
FAIRFIELD.		
Fairfield	845	2
Ridgefield	503	2
Redding	331	2
Huntington	807	1
Bethel	755	1
New Canaan	613	1
Wilton	413	1
Brookfield	248	1
Easton	241	1
Weston	207	1
Sherman	190	1
New Fairfield	168	1
Twelve towns	5,321	15
NEW LONDON.		
Colchester	585	2
Lebanon	399	2
North Stonington	382	2
Griswold	549	1
Old Lyme	268	1
Sprague	210	1
Voluntown	210	1
Franklin	147	1
Eight towns	2,750	11
WINDHAM.		
Putnam	909	2
Plainfield	756	2
Thompson	601	2
Woodstock	517	2
Pomfret	272	2
Brooklyn	351	1
Sterling	219	1
Eastford	177	1
Chaplin	147	1
Scotland	134	1
Ten towns	4,153	15
LITCHFIELD.		
Woodbury	460	2
Norfolk	328	2
Barkhamsted	281	2
Harwinton	241	2
Thompson	748	1
Kent	338	1
Roxbury	254	1
Bethlehem	164	1
Warren	132	1
Nine towns	2,941	13
MIDDLESEX.		
Saybrook	339	2
Durham	224	2
Cromwell	407	1
Clinton	367	1
Chester	313	1
Old Saybrook	306	1
Westbrook	238	1
Middlefield	216	1
Eight towns	2,409	10
TOLLAND.		
Mansfield	431	2
Somers	315	2
Tolland	282	2
Hebron	270	2
Wellington	214	2
Bolton	125	1
Andover	117	1
Seven towns	1,754	12

RECAPITULATION.

Hartford County, thirteen towns	7,074	21
New Haven County, thirteen towns	5,222	14

Republican towns—Continued.

RECAPITULATION—continued.

Name of county and town.	Voters.	Representatives.
Fairfield County, twelve towns	5,321	15
New London County, eight towns	2,750	11
Windham County, ten towns	4,153	15
Litchfield County, nine towns	2,941	13
Middlesex County, eight towns	2,409	10
Tolland County, seven towns	1,754	12
Total, eighty towns	31,624	111

Democratic towns.

New Haven	17,894	2
Hartford	11,419	2
Bridgeport	9,187	2
Waterbury	5,931	2
Four towns	44,431	8

When a Democratic candidate for governor or for any other State office, with a pluralty over all his competitors only, is compelled to go before the joint ballot of a Connecticut Legislature, the lower house of which is elected by a rotten-borough system, such as shown above, the gentleman from that State says, "The Legislature, the representative body of local government, elects."

Where can the gentleman go in this country to find such a mockery of representative government? Yet, if it suits him and his people, I do not see that we have a right to complain, even though it does result in keeping two Republican Senators in the other end of the Capitol, with power to assist in forging chains upon the balance of us. For one, I say, go it; the people of Connecticut are more interested in the system than I am. Connecticut would be a grand field for the gentleman from Iowa to bring out his "shooting bullet."

The honorable member from Connecticut tells us that this represents the equality of the towns, but he tells us the senate is the "popular branch" of their Legislature; that the "senate is based on population;" that "the division of the State into twenty-four senatorial districts is as equitable as is possible according to population."

In this assertion how is he borne out by the facts? Though the Democrats carried the State for Cleveland in 1888, as above stated, the Republicans elected seventeen and the Democrats only seven senators. How "equitable as possible" the State is divided for senatorial districts may be seen by studying the votes polled—Democratic, Republican, Prohibitionist, and all others all told—at the election of 1888. In that "equitable" division not only the knowledge of permutation and power of combination is shown in a marked degree, but even that was not enough, and Democratic districts must be made much more populous than Republican districts—on an average almost twice as populous. The total vote—Republican, Democratic, Prohibition, and all other—polled in the several senatorial districts of the State at the election in 1888 is as follows:

REPUBLICAN DISTRICTS.

	Vote polled.
Second	6,014
Third	6,011
Fourth	7,442
Seventh	8,009
Tenth	5,358
Eleventh	4,677
Twelfth	6,868
Thirteenth	6,973
Fifteenth	7,789
Sixteenth	3,733
Seventeenth	3,889
Eighteenth	4,331
Twentieth	3,819
Twenty-first	4,106
Twenty-second	4,104
Twenty-third	2,784
Twenty-fourth	2,585

The other seven districts, the first, fifth, sixth, eighth, ninth, fourteenth, and nineteenth, were Democratic, and the total vote in them was as follows:

	Vote polled.
First district	11,160
Fifth district	8,138
Sixth district	7,929
Eighth district	17,645
Ninth district	8,845
Fourteenth district	9,094
Nineteenth district	4,132

It will be seen that the eighth district, which is largely Democratic, polled more votes than all the five Republican districts numbered from twenty to twenty-four, inclusive; and that the first district, which is also Democratic, has as many votes as the sixteenth, seventeenth, and eighteenth, all Republican.

It will not do to say that such division is as equitable as it is

possible to make it. To be convinced that it is as inequitable as it is possible to make it, one only need take the town map of the State of Connecticut, found in the Connecticut State Register and Manual for 1890, page 425, and give it a little study as to the population and politics of the several towns. He will readily see that not only a disciple of Elbridge Gerry had a large hand in the districting, but to that was added the injustice of inequality of population.

MASSACHUSETTS.

Adjoining Connecticut and made out of much the same kind of cloth is Massachusetts, the grand old Commonwealth, a Commonwealth that gives this Congress a LODGE, instead of lodging him in some vast wilderness. And LODGE lodges this bill here and wants to lodge its machinery all over the country. A true representative of his State, a State that has produced many learned men, but few statesmen; many narrow treads, but few broad gauges.

Foolish in her own self-conceit, she is cranky in the belief that everybody is a heathen except herself; that she knows what is good for the heathen and that she is the chosen instrument of God to proselyte the heathen. Her old-time reliable Republican majorities may have led the unwary to overlook the fact that her statesmen need to or would deal in anything but fair apportionments. A glimpse of the Congressional Directory, showing the disproportion of votes polled in the different Congressional districts, coupled with the further fact that it was necessary to put parts of Suffolk County into four Congressional districts, parts of Middlesex into four, parts of Worcester into four, parts of Hampden into four, parts of Norfolk into three, and parts of Essex into three, and parts of still others into two, should suffice to convince the thoughtful.

This thing of fairness and honesty in elections Massachusetts seems to think is good medicine to prescribe for others, but very poor medicine for herself.

Her anxiety to adopt any method to beat the balance of the world may be gathered from the following, taken from the Boston Herald last winter, when the Republican party were trying to establish a protectorate over the State of Ohio to prevent the Democratic Legislature of that State from seeing a former Republican Legislature on the subject of gerrymandering and going it one better:

Massachusetts has probably used a greater variety of methods in choosing her Presidential electors than any other State has tried. The first method tried was that of choosing them by popular vote. The State was divided into eight districts for the choice of Representatives in Congress and Presidential electors. Each district selected two candidates, and the general court, by joint ballot, selected one of the two, adding two electors at large, chosen by the Legislature, making the ten votes to which Massachusetts was entitled.

At the next Presidential election another method was adopted. The State was entitled to sixteen electors. Four districts were created, two having five electors each and two districts having three each, no electors being chosen at large. Each district voted for its own electors only. Only five electors succeeded in securing an election by the people, and the Legislature chose eleven to fill the vacancies.

In 1796, the number of electors being sixteen, as before, the State was divided into fourteen districts, each choosing one elector by popular vote, while the Legislature chose two at large and also filled nine vacancies in districts where the people failed to make a choice.

When the fourth Presidential election took place a still different plan was adopted. The Legislature assumed the power to choose the electors, and selected one from each Congressional district and two at large. The electors were authorized to fill any vacancies which there might be when they came together. This plan was a political scheme to get a solid electoral vote from Massachusetts for Mr. Adams, which could not have been accomplished if the electors had been chosen by districts, for Mr. Jefferson had many friends in the State.

Four years later a still different plan was adopted. It is said to have been devised by the friends of Mr. Adams. The people were dissatisfied with the Legislature for having taken away their right to choose electors in 1800, and in order to satisfy them, and still hold the solid vote of the State for Mr. Adams, a law was passed providing for the choice of the electors—nineteen in number—by the people on one general ticket. When the votes were counted the friends of Mr. Adams were astonished to find that the entire Adams ticket had been beaten and that Jefferson electors had been chosen.

When the election of 1808 approached it found the Legislature in the hands of the Federalists, who were determined to secure the electoral vote of Massachusetts for Mr. Jefferson's opponent. They accordingly did not pass any law authorizing the people to choose electors, but adopted a joint order providing for an election by the Legislature. If they had passed a law for this, Governor Sullivan would have vetoed it, but the legislative order did not require his approval. The Legislature then chose a solid Pinckney electoral college.

For the choice of electors in 1812, the State was again divided into districts, six in number, having from one to six electors each. The plan was a compromise, the senate and house being of different political complexion. The electors chosen were all Clinton men, however.

At the next Presidential election the Legislature selected the electors, and in 1820 the people again chose them. Each Congressional district selected one elector and two were chosen at large. In 1824 the electors were all voted for by the voters of the whole State, the entire fifteen being upon one ticket.

A glimpse of a county and Congressional map of other States controlled by Republican Legislatures will disclose the work of the gerrymander. But time will not permit a further analysis now.

INDIANA.

I must, however, before leaving the subject not overlook Indiana, my own State. Indiana seems to be a thorn in the flesh of gentlemen upon that side. Even the great Speaker, who holds in the hollow of his hand the Lilliputians upon that side and who by a wink or nod, or, if that is not observed, by the use of a page as messenger, can bring to time any failure to servility, in the North American Review for June said:

Our apportionments of Congressional districts, are by no means utterly fair, but there is a limitation to injustice, beyond which no party dares to go, except in Indiana, where 4,000 majority in the State gives the Republicans three out of thirteen Congressmen.

What seems to Dr. REED so wanting in equality in Indiana, when made a rule of conduct by Republicans, to him would be evidence of fairness and statesmanship.

A study of a county and Congressional map of Indiana, with the Democratic and Republican vote therein, as compared with a study of like maps and votes in Illinois, Iowa, or the Ohio arrangement that sent its sixteen Republicans and five Democrats to this Congress, will be to the favor of Indiana every time. Or if compared with the last apportionment of the State made by the Republicans of that State it will appear as the very embodiment of fairness. Indiana is somewhat more favorable to an apportionment to secure Democratic members than it is to secure Republican members, growing out of the fact that on the east side of the State are four counties, Wayne, Randolph, Delaware, and Henry, lying in a square with an aggregate Republican majority of near ten thousand.

These counties by reason of location, contiguity, and symmetry of territory, naturally go together, in any fair apportionment of the State, from a territorial standpoint, in the making up of a Congressional district. Randolph and Wayne are bounded by the Ohio State line, while Delaware and Henry adjoin them on the west. Any apportionment that separates these from counties does violence to territorial arrangement. These counties are in the Sixth district, so ably represented for years by Hon. THOMAS M. BROWNE. Though in 1876, and again 1878, the first two times Mr. BROWNE was elected, Delaware and Henry were not in the district, but only Randolph and Wayne, the Republicans in 1873, to utilize the Republican vote of Delaware and Henry elsewhere and to the end that the large majorities of Randolph and Wayne might be put where they would do the most good, put them with Union, Franklin, and Dearborn Counties, three counties on the Ohio State line to the south, and which with Randolph and Wayne formed a line five counties long from north to south, and running from the northeast corner of Randolph south on the Ohio State line to the Ohio River, forming a sort of shoestring district.

For symmetry of shape and contiguity of territory the district would not compare at all with the present districting.

Taking this Sixth district out, and the territory composing the other twelve districts as a whole was Democratic at the election in 1888 by more than 7,000 majority and has been Democratic at every election for more than twenty years. At the election in 1888 the Republicans carried the State for President and for governor by about 2,300 plurality, but without this Sixth district they would have lost the State by more than 7,000. (This district, because of its Quaker influence and abolition sentiment in *ante bellum* days, was dubbed the "Burnt district.") The territory to the south, to the west, and to the north is Democratic.

In Indiana we apportion our State for legislative and for Congressional purposes every six years, in pursuance of a provision of our State constitution. The apportionments with which I am familiar are those made by the Republicans in 1867 and 1873 and those made by the Democrats in 1879 and in 1885. Of these I know whereof I speak. I was in the Legislature of 1867. In 1879, and again in 1885 I did some of the figuring upon which were based the apportionments then made. And I know that skill in the power of combination, when applied with a knowledge of permutation, was not only not exhausted, but the limit was not nearly reached ineither of those last apportionments.

In several places in the State transfers could be made of counties from district to district, and without any violence to contiguity or symmetry of territory or equality of population, that would greatly strengthen some of the districts that elected Democrats to this Congress by meager majorities. I think I know that in the last Republican apportionment, the one made in 1875, the limit of Republican ingenuity was not only reached, but exhausted.

I have already said that Republican and Democratic majorities were so distributed in the counties throughout the State as to make it easier to make Democratic districts than Republican districts. Yet at the election in 1876, the first election after the last Republican gerrymander, the Democrats elected their governor and State officers by majorities ranging between five and six thousand; they gave Tilden for President a majority of over 6,000 and had an aggregate majority on Congressmen of over 7,000. Still the Republicans secured nine out of the thirteen Congressmen. Only two of the nine had less than 1,000 majority. Those two had majorities of 276 and 332, respectively. So if the Democrats had carried the State by a majority of 10,000 it would not have overcome the two smaller majorities of 276 and 322 and would not have secured more than the four members out of the thirteen.

Again, in 1878, the Democrats carried the State by 13,736 on State officers and by 13,255 on Congressmen. In the face of this big majority the Republicans elected seven and the Democrats only six Congressmen. By a close shave the Democrats obtained a working majority in the lower house, and by the assistance of one Greenbacker, of Republican antecedents, had twenty-six out of the fifty members in the senate—the least number under our Constitution, all voting "yea," that can pass a bill.

This being the year for redistricting, the Democrats apportioned the State, but were compelled to do it by the grace of the Greenbacker in the senate. At the next election, 1880, the Republicans carried the State by a majority of 6,000 (about the same majority the Democrats had in 1876), elected eight out of the thirteen members of Congress, and fifty-seven out of the one hundred members of the lower house, while the Greenbackers held the balance of power in the senate. On joint ballot, however, the Republicans had a majority of 12 over all and easily elected Benjamin Harrison to the United States Senate.

Again, in 1885, the Democrats, having a working majority in both branches of the Legislature, apportioned the State, but possessed with a spirit of fairness unknown to their opponents so districted it that the Republicans at the next election, 1886, elected seven out of the thirteen members of Congress and a majority in the house branch of the Legislature on a majority of less than 2,500 in the State. The Democratic hold-overs in the Senate gave them one majority on joint ballot.

The house unseated a Democrat and the senate unseated a Republican, leaving still one majority on joint ballot. That one majority lost Harrison his own successorship and made Hon. DAVID TURPIE United States Senator. At the next election, 1888, on the same apportionment, the Democrats captured ten out of the thirteen Congressmen. And this is spoken of and criticised as unfair with about as much bitterness of feeling as the supposed, so-called frauds in the South. Had the Republicans' majority been 900 greater, their membership here would be five instead of three, and had it been as large as the Democratic majority was in 1876, in proportion to the votes cast, they would have seven, if not eight, on this floor; yet in 1876 the Democrats got four out of thirteen.

Sir, since the days of Elbridge Gerry all parties have endeavored to make the most that could reasonably be made out of an apportionment Had I made the Indiana apportionment I could easily have placed the Republican majorities in two districts, and instead of ten we would have had eleven Democrats, members in the Fifty-first Congress. This could have been done with less ingenuity than that shown in the last Republican apportionment. In so doing equality of population and symmetry of territorial configuration could have been maintained better than our present districting, better than the Illinois or Iowa districting, and much better than the last Republican emendation in Indiana.

These methhods may be unfair and to that extent wrong, but they will continue as long as men remain selfish. They are largely, if not fully, offset by each other, so far as parties are concerned, as are all other fraudulent methods. These wrongs should be corrected, but not by centralizing the power to correct. That only strengthens and makes one-sided the power to perpertate and perpetuate wrong. If we ever lose our liberties it will not be by local irregularities, here and there, but by centralizing the irregularities all along the line.

Pass this bill, Mr. Speaker? What does it mean? What is it intended to mean? Centralization; more power in the few and less power in the many; the use of Sambo and Pomp to pull the chestnuts out of the fire for Eastern Republicans and the money power. And that means bondholders in the saddle and the Western and Southern farmers afoot; the monopolist on top and the laboring man on the bottom; higher taxes to enrich the millionaire, build up the rich, oppress the poor; silver demonetized, to continue a commodity, not money; gold the sole standard of values, and it continuing to increase in value.

That, Mr. Speaker, is what is intended by the passage of this bill. Its intention will miscarry. The yoke is getting too galling. The Western Republican is beginning to see that he had better dissolve his partnership with the Yankee and go into business with the white Democrat of the South, his supposed late foe, but now beginning to be recognized as his friend, because having a common interest.

And now, in conclusion, I hope there will be no objection to my inserting the following article taken from a recent issue of The Baltimore Sun:

WASHINGTON, *June* 10.

Some brief mention has heretofore been made of the remarkably disproportionate influence and power in national affairs exercised by the Republican voters of New England. It is an interesting subject and will well repay entering upon details. The bulk of the political literature which almost engulfs the CONGRESSIONAL RECORD is contributed by New England Senators and Members, the burden of whose lay is the alleged denial of representation to voters in other sections than their own. Mr. Speaker REED in speeches and interviews and magazine articles in the last six months has clamored without cessation for the doctrine that so many black voters in the South, constituting a certain percentage of the population, are entitled to a proportionate number of Representatives in Congress. It is for securing this end that the election measures which he so earnestly advocates are to be directed. If he will only consent to apply the same principle to his own section the measures to be brought forward would most probably receive a much stronger support than is likely to come to them under existing circumstances.

It is really astonishing that so little comment has been provoked by the condition of political affairs in New England. It is marvelous that the descendants of the Anglo-Saxon race have not risen in revolution at the denial of political rights which has prevailed for more than half a century. No such Congressional and legislative gerrymandering has been continued or enforced elsewhere in the world as that existing in New England for Republican benefit. At the last Congressional elections in November, 1888, the Republicans polled an aggregate of 449,090 votes and the opposition polled 378,477, or very much more than two-fifths, yet the Republicans have all of the twelve Senators from New England and twenty-three out of twenty-six Representatives.

In Connecticut the Republicans were in a minority of more than three thousand; yet they have the two Senators and three of the four Representatives. In New Hampshire the Republicans polled 45,271 votes and the opposition 45,430; yet the Republicans hold on to both Senators and both Representatives. In Rhode Island the Republicans have held on to power not only by unfair apportionments, but by the most wholesale disfranchisement of citizens. That State is bound to slip from them now, and if it is ever possible to receive a reasonably fair apportionment Connecticut and New Hampshire would soon follow suit.

The Republican Senators and Representatives from New England, so many of whom are occupying seats to which they are not justly entitled, have put themselves into positions of commanding influence in both branches of Congress. In the Senate they are at the head of the most important and influential committees and exercise a control over legislation monstrously unequal. Of the two Maine Senators Mr. FRYE is at the head of the Committee on Commerce and Mr. HALE is chairman of the Committee on the Census. The two New Hampshire Senators respectively head the Committees on Education and Labor and Immigration. The Senators from the insignificant State of Vermont, which hardly contributes enough to the national Treasury to pay its own office-holders, preside over the Committees on Finance and the Judiciary. The Massachusetts Senators have the chairmanships of the Committees on Privileges and Elections and on Indian Affairs. Senator ALDRICH, of Rhode Island, is chairman of the Committee on Rules. The two Connecticut Senators hold the Committees on Territories and on Military Affairs. Mr. DIXON, of Rhode Island, is the only New England Senator who is not a chairman. This is because he only came to the Senate in November last. But it may be taken for granted that in a short time he will be found at the head of some big committee.

In the House we have Mr. REED, of Maine, whose election is only compassed by wholesale and open bribery, assuming despotic power in the Speaker's chair and at the same time acting as chairman of the Committee on Rules. Of his colleagues, Mr. DINGLEY is a member of the Committee on Ways and Means, which is equivalent to a chairmanship; Mr. BOUTELLE is chairman of the Committee on Naval Affairs, and Mr. MILLIKEN, of the Committee on Public Buildings and Grounds; Mr. SPOONER, of Rhode Island, is chairman of the Committee on Accounts; Mr. GROUT, of Vermont, is chairman of the Committee on the District of Columbia; Mr. BANKS, of Massachusetts, is chairman of the Committee on Expenditures in the Interior Department; Mr. LODGE, of Massachusetts, chairman of the Committee on the Election of President and Vice-President, and Mr. CANDLER, of Massachusetts, chairman of the Committee on the Quadro-Centennial.

It need not be supposed that these New England Republicans, who have walked into Congress over the slaughtered political rights of nearly one-half the population of their section, are satisfied with monopolizing the chairmanships of the principal committees. They will be found stowed away in top places of all other desirable committees, so that their influence permeates every species of legislation for every section. Effrontery has long been characteristic of the New England Republican Congressman, but it is difficult to conceive how they, the beneficiaries of the almost complete practical denial of political rights to hundreds of thousands of white voters, can assume to discourse so much upon alleged and imaginary similar instances as to black voters.

Federal Election Law.

SPEECH
OF
HON. JOHN A. BUCHANAN,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. BUCHANAN, of Virginia, said:

Mr. SPEAKER: Before I begin to discuss the provisions of this bill I want to say a word in reply to the charges made this morning by the gentleman from Michigan [Mr. BURROWS] against the Democratic party, against the great body of the white people of Virginia. I shall not say anything in bitterness nor unkindness. I do not think that the differences between the people of the North and the people of the South upon the race question or upon any other question can ever be settled by denunciation of men or by misrepresentation of sections.

The gentleman from Michigan in his speech this morning attempted to give a history of the political condition of Virginia from the year 1879 to the year 1883, as well as to make charges against her people. But his statement of facts (some of which are matters of record and where it would seem there should be no mistake) are incorrect. He says the white people of Virginia "outnumbered the blacks two to one," when the census of 1880 shows that there were 880,858 whites and 631,616 blacks. He says the Readjuster party was successful in the State in the year 1882, carrying the executive, when, as a matter of fact, there was no election for the executive that year. So much for his history.

Now, as to his charges. He says that the Democratic party of that State deliberately raised the race issue in the year 1885, and "for no other purpose than to influence the passions and prejudices of the people and under its sway to subvert popular government" and that "Danville was selected as the scene for drawing the race issue by the Democracy, to be drawn, as the sequel shows, in blood."

In the very short time (ten minutes) allowed me in this discussion it is impossible to give a history of the political contest of the year 1883 in Virginia or of the causes which brought about the Danville race difficulty, but in behalf of the white people of Virginia and of the city of Danville I wish to say that the charges made by the gentleman from Michigan against them are not true, and that if he had taken the trouble to look into the facts as they are he would have known it. They are slanders upon the people of Virginia, which are reiterated from time to time for partisan purposes and as often shown to be false.

The white people of Virginia deliberately going to work to "subvert popular government," and in order to accomplish it murdering the colored people, their fellow-citizens! Who that knows anything of the history or the character of the people of that old Commonwealth, in peace or in war, believes any such charges? What other people in this country or on the earth has done more or suffered more for civil liberty or popular government than Virginia and her people? I append to my remarks some extracts from an address issued to the people of Virginia a few days after the election of the year 1883, by the Hon. John S. Barbour (now United States Senator from Virginia) and others, which show the causes of the Democratic victory of that year in Virginia, and also the facts as to the Danville race troubles.

Now, a word as to her treatment of the negro. Slavery and many of the evils that have followed it were brought upon her by outside interference, by men, like the authors of this bill, who desired to regulate the affairs of other people, of which they were ignorant. African slavery was forced upon the people of Virginia over their protest. From the year 1699 to the year 1772 her General Assembly passed twenty-three acts to discourage and prohibit the importation of slaves. These acts were all vetoed by the King of England or his colonial governors. The last act was accompanied by a petition to the throne urging the King "to remove all restraint which inhibited his majesty's governor from assenting to such laws as might check so very pernicious a commerce as that of slavery." This petition was disregarded, and so deep was the indignation of the people against the King for his conduct that the preamble of the constitution of Virginia of 1776 complains of this as one of the "acts of insurmountable and detestable tyranny" of the King of Great Britain, that he had prompted our negroes to rise in arms against us, "the very negroes whom by an inhuman use of his negative he refused us permission to exclude by law."

In the year 1778, as soon as Virginia obtained control of her own affairs, she prohibited the importation of slaves either "by land or water" under the penalty of £1,000 and the freedom of the slave, and thus gave to the world the first example of abrogating the African slave-trade. This was thirty years before England prohibited it or New England was willing to have it prohibited; and but for the fact, when she declared her independence in 1776, that two-fifths of all her population were slaves and one-third of all her property consisted in slaves, slavery would have been abolished at once.

The gradual emancipation of all her slaves would have been accomplished before the terrible struggle of 1861 but for the outside interference of our New England friends, whose zeal was without knowledge [applause on the Democratic side] then as now; who, by their fanatical agitation of the question, then, hindered their emancipation in a peaceable manner and brought on the civil war of 1861, with all its evils.

Mr. Bancroft, in his history of the Constitution, says that "Virginia, more than any other State in the Union, was opposed to the slave-trade." But for the whole of New England and the extreme Southern States the slave-trade would have been prohibited upon the adoption of the Constitution and not allowed to continue until the year 1808.

The very State in which the gentleman lives who makes these charges against Virginia was once a part of that old Commonwealth, acquired by the foresight, the genius, and the courage of her sons, and ceded, along with all of her northwest territory, to the United States as a free gift in the interest of "popular government." Not only did she do this, but, knowing the evils of that slavery which had been forced upon her, she, by her grant of that territory to the Federal Government, declared that it should forever remain free territory and that its citizens should never suffer the curse of slavery. In the face of all these facts the gentleman from Michigan charges the descendants of the Virginians of that day with a deliberate purpose to "subvert popular government" in Virginia, when their only offense is that they are and have been, and I trust will ever be, unwilling that their State shall be turned over to the control of the Republican party as now organized in Virginia and their property wasted and their civilization destroyed.

The white people of Virginia are paying taxes and providing schools for the black children as well as the white and doing all that they are able to fit them for the duties of citizenship. If outside people will only allow Virginia to manage her own affairs, she will do it much better for all of her people, both white and black, than it can ever be done by the alien or the stranger.

This bill is another effort to interfere with her local affairs, which interference has postponed and will continue to postpone the settlement of the race question, which has kept alive and will continue to keep alive and aggravate race prejudices, and may produce race conflicts.

I shall not discuss the question of the power of Congress to enact a Federal election law, nor the question of the necessity for it. These questions have been fully and ably considered by the gentlemen of the committee and others who have preceded me. But suppose it be true, as is claimed, that Congress has such power and that the necessity for the exercise of that power has arisen, because corruption has licked its way into the great popular heart, because violence and fraud are abroad in the land, because the State governments are no longer able or willing to conduct their elections fairly and honestly, because local home rule is a failure and fair elections can only be had through the intervention of the Federal Government (none of which do I believe) will the bill under consideration accomplish that object? Is it fair and just in its provisions? Or is it not a partisan measure, framed in violation of sound principles and in the interest of the party in power? Ours is a government of laws, not a government of men. In all free governments this must be the case. Civil liberty is only possible when regulated by law and not left to the discretion of rulers. The duties of the officers who are to execute the laws must be clearly defined and their powers rigidly limited. That government is best, other things being equal, which leaves least to the discretion of its officers.

This bill violates those great principles. The powers it confers upon the chief supervisor of each judicial district are very great, not clearly defined nor regulated by law. He alone determines how many supervisors of election and how many special deputy marshals shall be appointed. The court can appoint no one unless he is recommended by the chief supervisor, so that practically he not only determines the number, but he selects the men. They are not selected for nor from any particular precinct, but can be taken from any place and assigned to duty at any other place in the same Congressional district, without any regard to the wishes of the people or of the supervisors. Roughs and rowdies can be sent from the cities to the country to watch over and take charge of the elections at country precincts.

All supervisors are under the absolute control of the chief supervisor. He details them for duty as the commander of an army does his soldiers. His instructions and directions are their chief, if not their only, guide in the performance of their duties. If he is a partisan, as he is almost sure to be, he can disfranchise all the supervisors taken from the party to which he does not belong by assigning them to duty on election day at precincts where they do not live and at which they can not vote. He can use his power in this and in many other ways to strengthen his own party and to weaken the opposition. He can use the money raised by taxation from all the people in such a way as to corrupt the voter and control the elections in the interest of his own party, and thus perpetuate its power and defeat the real will of the people. All these things can be done under the forms of law, under the provisions of this bill, and there is no remedy for the wrong, no punishment for the wrongdoer.

No election law is just that provides for or allows such things. It is useless to say that such wrongs will only be done where bad men are appointed to office and that such will not be appointed. The history of one section of this country for the last twenty-five years shows how, in many instances, the Federal judges have prostituted their offices to the basest purposes and Federal officials have used their power for oppression and wrong. Our rights and privileges ought not to be made to depend upon the character of men appointed to office. They should be secured by laws which even bad men must obey or suffer swift and certain punishment for violating. A wise people do not trust their rights nor their condition to the happy accident of favorable times or good hands. They are jealous of power. They know that of all earthly things power is that thing most likely to be abused, and therefore they have always defined the duties and limited the powers of those who are to execute their laws.

The author of this bill seems to have had no knowledge of or no regard for the rights of the States. By its provisions it attempts to override State laws in matters where the States are supreme and Congress has no power whatever. It authorizes Federal supervisors to count the ballots for officers of the State and directs State officers what they shall do in reference thereto. It authorizes and requires Federal supervisors to take the property of the State, the poll-books furnished for her own officers and for her own purposes, and to hold the election for Congress to the exclusion of the officers of the State in some instances. It imposes heavy fines and long years of imprisonment upon State officers for violating the provisions of this bill, many of which are in direct conflict with State laws, which they are sworn to obey and for the violation of which the State inflicts its own punishment. It punishes illegal voting for State officers, which is clearly beyond Federal power and belongs to the States alone. It appropriates, without the consent of the States, the penitentiaries and jails of the States in which to confine men convicted under its provisions in the courts of the United States in direct violation of the rights of the States and the express language of the Revised Statutes.

The enforcement of this bill will inevitably result in conflict between Federal and State officials. Our wisest and best men at all periods in the history of the country have endeavored to so legislate and act that such conflicts might be avoided. The theory upon which our Government is founded is a very complex one, two sovereignties to which the people owe allegiance, each supreme in its own sphere. The Federal Government exercises certain powers with which the States as such have no concern whatever. The State governments exercise powers with which the Federal Government has no concern.

There are certain other matters in respect to which both the Federal and State governments have power, but the right of either to exercise such power is determined by the fact that that government exercises the exclusive power whose jurisdiction is first invoked, and the other government in such cases never interferes.

There are certain other powers which the States have exercised,

which the Federal Government has a right to take jurisdiction of whenever it determines to do so, but until it does so they are left with the States. Whatever right the Federal Government has to regulate the elections for members of Congress belongs to this last class of powers.

If these powers are exercised as above described, serious conflict can be avoided, and only by such exercise can it be done. Chief-Justice Waite, in the case of the United States vs. Cruikshank, 92 United States Reports, page 550, says:

The people of the United States, resident within any State, are subject to two governments, one State and the other national; but there need be no conflict between the two. The powers which one possesses the other does not. They are established for different purposes and have separate jurisdictions.

But by the provisions of this bill there are two sets of officers, one Federal and the other State, acting together in the conduct of elections in which both Federal and State officers are to be elected. In the election of the State officers the Federal Government has no power whatever, yet under this bill the Federal supervisors have the right to challenge voters who desire to register, or, if registered, who desire to vote, and if the State officers do not decide challenges as promptly as the supervisors think they should, they (the supervisors) decide the question and say whether or not such challenged voters are entitled to vote, and that, too, when the said voters may not wish to vote in the Congressional election at all, but only for other persons then being voted for.

Federal supervisors are authorized to guard, scrutinize, and supervise the action of State officers, in every election at which a member of Congress is voted for, in everything, to the minutest details, as if they were a set of thieves. No such mongrel body can work harmoniously. No right-thinking man would wish to take an oath to faithfully perform his duty and then to see another placed over him whose chief business is to see that he does not commit fraud and perjury.

This bill not only disregards the rights of the States, but the rights of the citizen as well. Any citizen may be appointed a supervisor, whether he is willing or not, and when notified of his appointment he is required to qualify. When he has qualified the chief supervisor has the power to transfer him "from service in one election district to another in the same city or town, in the same county or parish, or in the same Congressional district." And until his resignation is accepted he is not relieved from duty, no matter how onerous or objectionable the duties assigned to him may be. Citizens can thus be compelled to perform duties which they are unwilling to perform, and by the performance of which they may be deprived of their own right to vote.

A Federal returning board for each State is created by this bill and clothed with dangerous powers. Their powers are not merely ministerial, as are those of a State returning board—the power merely to add up the returns, and from those returns determine who is elected—but this Federal board can consider not only the returns, but also all statements and papers sent by the precinct supervisors to the chief supervisor's office, and in some instances can summon witnesses and hear parol proof in order "arrive at the facts." Was it not intended to give it judicial powers or powers so great and so indefinite that it would exercise judicial power where party exigencies might demand it? The certificate of this board takes the place of that of the State returning board and practically is conclusive of the result——

Mr. BOOTHMAN. Will the gentleman yield for a question?

Mr. BUCHANAN, of Virginia. Certainly.

Mr. BOOTHMAN. Is not that certification simply *prima facie* evidence?

Mr. BUCHANAN, of Virginia. *Prima facie* evidence simply, when the man who gets the certificate takes his seat upon this floor, and in a contest over it here that contest is decided, not according to the rules of evidence or the right of the case, but by party lines, by this aisle which separates the two parties. I am not claiming more credit for the Democrats than for the Republicans in this respect, but I am contending that the rights of the people of this country ought not to be made to depend upon the act or the decision of one man or set of men whom the people have no voice in choosing, no matter to what party they belong or from what part of the country they may come. [Applause on the Democratic side.]

This right to be governed by laws, not by men, has cost our race five hundred years of bloodshed and toil, and we should not allow it to be taken from us. [Applause.]

Mr. BOOTHMAN. Will the gentleman yield for another question?

Mr. BUCHANAN, of Virginia. Certainly.

Mr. BOOTHMAN. Does not your position assume that when the member comes here with the *prima facie* right, derived from certification, that *prima facie* right, whether right or wrong, will be sustained by a majority of this House?

Mr. BUCHANAN, of Virginia. I assume that if his party is in the majority, and I am sorry to have to assume it. When I came here I supposed that the Committee on Elections would come into this House, like the judges in the English House of Lords, and deliver their opinions with judicial fairness and in judicial language and temper upon the questions of law and fact involved in the contest; but in many instances their opinions have been more bitter and extreme than the expressions of the avowed partisans on this floor, and unfortunately some on this side of the House have followed that bad example. [Applause on the Democratic side.]

To allow a returning board to go behind the returns or hear parol proof is a most dangerous power. From the exercise of such power the will of the people in some of the Southern States during the carpet-bag régime was defeated and the most shameful proceedings were had. The temptation to do wrong is so great in the midst of high party excitement that no such power should ever be conferred. The true rule is laid down by McCrary on Elections when he says that such boards should never be allowed to go behind the returns for any purpose and that they must decide all questions from the face of the returns themselves without other evidence.

In Virginia the only instructions election officers receive is a copy of the laws of the State. They are sworn to execute those laws, and they are furnished them for their guidance. Under the provisions of this bill the chief supervisors furnish the instructions and directions for the Federal officials. There is no provision that such instruction shall be made public, so that the people may know what they are, yet fines and imprisonment are imposed upon any one who willfully disobeys any lawful command of a supervisor of election. The people are not only to be punished for violations of law, but for disobeying the commands of Federal supervisors.

One of the provisions of this bill is to repeal the act known as the Thurman act for the selection of jurors for the United States courts. Under that act, which is now in force, jurors are selected by the clerk of the court and by a jury commissioner of a different political party from that of the clerk, so that there may be no packed political juries for the trial of any case. But this bill proposes to put the whole power of selecting the juries in the hands of a partisan clerk, so that if he desires to do it he can pack juries to acquit his political friends and to convict his political enemies. Not only does it contain these and many other unconstitutional, illegal, and tyrannical provisions, but it further provides that the President of the United States, or such person as he may empower for that purpose, may employ such part of the Army or Navy or militia as may be necessary to prevent the violation and enforce the due execution of the provisions of the bill.

The execution of the laws by soldiers or their presence at the polls has always been regarded by the people of this country as an outrage and a wrong for which there can be no apology or excuse in times of peace; but it is in this way that the rights and the liberties of the people have been taken from them.

If we are to have a Federal election law give us a fair one. Let the officers who conduct it be governed, not by their own discretion, not by the direction or instructions of higher officials, but by the law of the land. Let there be no conflict between State and Federal laws or between State and Federal officials. Let there be no returning boards with judicial powers. Let there be no packed political juries. Let there be no invasion of the rights of the States or of the people. Let there be no army at the polls. [Applause on the Democratic side.]

[Here the hammer fell.]

APPENDIX.

ADDRESS OF THE DEMOCRATIC STATE COMMITTEE TO THE PEOPLE OF VIRGINIA.

The State central and executive committees desire to congratulate the Democratic party of Virginia upon a great and signal triumph at the polls. This is their formal duty, but, to give full rein to the feelings of the hour, their congratulations must extend further and embrace all the people of this State and all the friends of republican government in every part of the Union, for an ancient Commonwealth has been redeemed; a travesty of free institutions will no longer disgrace the earliest home of political liberty in America; Virginia has shaken off the degrading chains of a corrupt and corrupting tyranny.

The late election illustrated many of the best features of popular government. Nothing ever more deeply stirred the hearts of the voters; yet, in substance, the peace was nowhere broken.

A revolution in the government was effected; yet the machinery of the election was under the control and absolutely in the hands of the party now driven from power.

The colored race, inflamed by ambitious demagogues, with unreasoning prejudice against their white fellow-citizens, were led, with rare exceptions, in solid battalions to cast their votes against the party now triumphant; yet no trace of passion or resentment against the colored people will find any place in the conduct or the legislation of that party. The liberal declaration of principles to which the Democratic party pledged themselves in July last, when they asked the votes of the people, will not cease to be their guide in the hour of victory. Every pledge of that declaration will be fulfilled as the most sacred promise.

These general statements would suffice in Virginia, where the facts are known, to give the only answer needed—an indignant denial—to the unfounded charges against the good people of this State contained in a recent address from the leader of the Coalition party. But, as that manifesto was meant to affect the opinion of distant communities, its principal allegations must be noticed in detail.

It is not necessary, however, to expose minutely the mistakes in figures and fallacies in argument which pervade and vitiate all the boastful claims therein made as to what the Coalition party has accomplished for Virginia.

It is sufficient to say that the public schools, both in the acts establishing them and the later legislation which prevented a diversion of the funds rightfully their own, are the creation of the Democratic party.

The railroad and industrial progress of the last few years has been achieved in Virginia in sympathy and co-operation with the great movement of energy and enterprise which has enriched neighboring States during the same period, and in spite of bad laws and worse administration. The boastful utterances of the Coalition manifesto may be thus dismissed with a few words, but its charges of intimidation of voters and systematic violence and bloodshed shall have a more careful and detailed refutation.

If the voters were intimidated, as alleged, the result ought to appear in a diminished total vote, or, at any rate, in a diminished Coalition vote.

What are the facts?

The total vote cast in Virginia in 1876—the largest ever cast before this year—was 235,228.

The total vote cast this year was 272,654, or 37,000 more than in 1876.

In 1876, as at this election, the payment of a capitation tax was not a qualification of voters.

In 1880 the entire vote cast was 21,000 less than the vote of this year. In 1882 it was 75,000 less. One-sixth in number of the entire population, white and black, minors and adults, male and female, voted in the late election.

Upon these figures alone the question may well be asked, where are the voters who were deterred from voting? Intimidation at elections by secret ballot must operate almost exclusively to prevent voters from voting at all. Now, the enormously increased aggregate of the total vote must alone go far to remove the suspicion of such undue influence; but, when it further appears that the Coalition party actually increased their vote by more than 13,000, if the comparison is with the election of 1881, and by more than 26,000—that is, by more than one-fourth—as compared with the Coalition vote of 1882, it may be fairly asserted that all the general indications which ought to disclose intimidation of voters are absent from this election. In truth, the only ground on which the charge rests is the partisan necessity of suggesting some reason other than the natural reason to explain the defeat of the Coalitionists at the polls. Now, it is fortunately possible to analyze the votes of certain counties in which the perfect purity of the election, so far as the Democrats are concerned, has never been impugned, and in which the negro element is comparatively unimportant. Take the votes of the counties shown in the following table, many of which had been strongholds of the Coalitionists:

Counties.	1882.		1883.	
	Coalitionists.	Democrats.	Coalitionists.	Democrats.
Buchanan	200	47	396	199
Dickenson	170	27	258	320
Giles	499	426	578	686
Highland	500	287	482	519
Botetourt	683	1,008	701	1,640
Craig	39	105	74	630
Patrick	497	886	708	1,154
Pulaski	554	562	661	290
Rockingham	3,699	1,998	2,677	2,633
Scott	1,022	277	1,595	1,291
Shenandoah	1,608	1,308	1,912	1,794
Smyth	864	534	1,054	1,051
Tazewell	1,349	409	1,615	983
Washington	1,052	1,625	1,943	2,630
Wise	407	206	702	437
Wythe	887	502	1,229	1,521
Total	12,951	10,309	16,675	18,578

SUMMARY.

Coalition majority 1882	2,642
Democratic majority 1883	1,903
Democratic gain 1883	4,545

It here appears that in the election of 1882 the Coalition majority in these sixteen counties was 2,642 and that in the late election they gave a Democratic majority of 1,903, making a Democratic gain of 4,545, which is about one-fourth of the Democratic majority in the State, and nearly one-fifth of the total Democratic gain as compared with the last election. These counties contain only about one-eighth of the population of the State. One-eighth of the State, then, in counties where the purity of the election is not impeached by the wildest Coalition partisan, has contributed nearly one-fifth of the total Democratic gain. What caused this revolution of public opinion in these sixteen counties?

That is a story which the public will never hear from General Mahone. It may be well for the representatives of the Democratic party briefly to recite it. In the first place, Virginia is by history and conviction a Democratic State. The miscarriage of the Democratic party in the elections of the last few years was solely due to a division in its ranks which had been produced by difference of opinion on the State debt. That vexed question alone gave a plausible reason for the formation of the Readjuster party. But the State debt is no longer a political issue. By the resolution of the Democratic party at their last State convention to acquiesce in the settlement made law by the last Legislature and pronounced constitutional by the Supreme Court of the United States, that question has been taken out of politics in Virginia. With the removal of this issue the only proper reason for the existence of the Readjuster party disappeared.

What, then, could be more natural than the immediate return of all the Democrats in its ranks to their old party allegiance?

But that return was quickened by the spectacle of the unnumbered woes the ambition of one man had brought upon the State, and the apprehension of worse evil to come, from which accident alone had just saved the Commonwealth.

A Legislature pledged by its majority in advance to obey every mandate of a party caucus; that caucus sitting only to register and transmit the decrees of its master; the executive and judicial offices greedily seized by the dictator's personal adherents; blind loyalty to one man set up as the sole test of fitness for positions of trust; the asylums for the insane, those touching monuments of the public charity, and the free-school system, that nobler monument of the public wisdom, thrown in to swell the dirty heap of party spoils—so much of this wild revel of mock statesmanship has passed into history. What was threatened—rearrangement of Congressional districts and judicial circuits, repeal of municipal charters and usurpation of the powers long vested in chancery courts to control, through their own commissioners, judicial sales of land—all this was intended to fix, confirm, and perpetuate the power of the autocrat, this new Dr. Francia.

Well, here are the causes of the revolution of public opinion among one-eighth of the purest and best voters in the State. Is not the inference irresistible that the same causes produced a like change in the remaining seven-eighths?

Why go about to look for secondary causes when these great primary causes are staring all the world in the face?

The truth is that all the conditions concurred which thinking men recognized as the necessary forerunners of the downfall of the coalition. The uprising of the people of New York and Pennsylvania last year against "bossism" and other vicious methods in politics; the marked success of the Democrats in the local elections last spring in this State; the recent Democratic triumph in Ohio; the steady and predestined march of the Coalition party into the arms of the Stalwart Republicans; the patriotic fervor animating the Democratic ranks and kindling in old and young a very contagion of public spirit—all the portents of the political skies plainly foretold that Virginia would prove true to her Democratic traditions.

The peaceful revolution has come. To doubt its coming would have been to despair of free institutions, to doubt the justice of the final judgment of the people.

* * * * * * *

8. Town of Danville.

The public has already read the temperate and convincing statement made by a committee of forty citizens of Danville, of which Maj. W. T. Sutherlin was chairman, after examining under oath thirty-seven witnesses of the street fight of the 3d of November, who were personally known to the committee, including the two policemen present. It is therefore only necessary briefly to recapitulate the testimony accompanying this report, the whole current of which negatives the idea of any preconcerted plan on the part of the whites to attack the blacks or to provoke an attack from the blacks. The white people of Danville will, on the contrary, be found to have displayed the utmost forbearance and self-control under the most trying circumstances. This, coupled with the absence of any reasonable motive to bring on a bloody conflict in the midst of their wives and children, ought to predispose every fair-minded man to that rejection of so unnatural a charge to which he will surely be led by the irresistible logic of the facts.

Let these undisputed facts speak.

It must be premised that since the election of May, 1882, Danville has been under negro government, with negro policemen, and that a belief had grown up in the minds of the negroes that, as against white men, they would, in every case, receive the support and protection of the municipal government. In consequence they had become rude and insulting to the whites, and bad feeling had been mutually brought about. This tendency to race excitement had been aggravated by the heated canvass of the last few months, and had been specially intensified on the night of the 2d of November by an incendiary speech delivered by a Coalition leader (Sims) to an audience of five hundred negroes. In this fevered state of feeling, on the 3d of November, between 2 and 3 o'clock, a fist fight, the second of that day, between a white man (Noell) and a negro (Lawson) struck the spark which kindled a violent but brief explosion.

And here it is important to observe that both of these fist-fights were brought on by insults first proceeding from the negro Lawson and his companion, and the negro Lawson is the same who had on the 1st of November offered an unprovoked insult to a white man (Taylor) who was quietly passing through a crowd of colored people.

A little after midday on the 3d of November Noell, passing down the street, had without any provocation been insulted by Lawson and his colored companion. This Noell resented with blows, and passing on determined to let the matter drop and go into the country, expressing his determination to keep out of further trouble on account of the prevailing excitement. But afterwards, as he was driving along in a buggy, he was, without provocation on his part, three times defiantly jeered at by his late assailant, Lawson, who followed him with a crowd of negroes. Not able to brook these insults, Noell rapidly called to his side, to secure fair play, his friends, Lea and Taylor, white men, to whom he declared he would strike Lawson only with his fists, and again got to blows with the negro.

A great crowd of blacks were now pressing around, and Lea and Taylor bade them stand off, as it was a fair fight and the two men should be left to fight it out. To enforce this Lea and Taylor drew their pistols.

Shortly afterwards, as the testimony of B. F. Williamson shows, a negro named Adams ran up behind Lea and attempted to snatch his pistol from him. In the scuffle which followed the pistol was discharged. This pistol-shot, for which the negro George Adams, as the aggressor, is distinctly responsible, seems to have wrought up the crowd of 100 to 150—some say 300—negroes to an uncontrollable pitch of excitement; and though the colored policeman Withers and his white comrade, and Booth, Oliver, and other white citizens, entreated the colored people to disperse and keep the peace, cries were now heard from the negroes—outnumbering the whites by certainly five, and probably ten, to one—that "they might as well have it out there as anywhere," firmly answered by the little band of whites, "We are ready for you. If you won't disperse, we'll settle it." Then a negro jumped up in the crowd and, holding up a pistol, shouted, "Damn you, come on." At that moment the firing began—from which side can not be ascertained—and was kept up from both sides, though the negro policeman (Withers) testifies that "at first the white people shot up in the air as if to scare the people away, and then the firing seemed to be on both sides at each other."

What seems certain is that if the ten or fifteen brave white men, standing there and facing that angry crowd so enormously outnumbering them, had flinched for an instant, or retreated one foot from the ground they occupied, they themselves would have been butchered, and the town would have been at the mercy of an infuriated mob. That there was a predisposition on the part of the negroes and their Coalition leaders to bring on a disturbance is shown by the unprovoked insult offered to Taylor on the 1st of November, and twice repeated on the 2d to Noell; by the declaration of Epp Barksdale, an active white Coalitionist, on the night of November 2: "We have got the negroes solid against you, and I'll be damned if we can't turn them loose on you in five seconds;" by the statement of Arrington (colored) that he heard Taliaferro, a leader of the negroes, say about 12 o'clock on the 3d of November, "There will be a difficulty here to-day;" and, lastly, by the inflammatory speech of Sims on the night of the 2d.

During the fight all the leading white men of Danville were gathered in a public meeting in the opera house. A few of them reached the scene of the conflict towards its conclusion, and by their aid peace and order were immediately restored by the local authorities, so that on election day there was not a quieter town in the country than Danville. But before quiet was restored two whites and seven negroes had been wounded. Of the negroes, four afterwards died. One of the white men wounded was certainly shot by a negro, and the other most probably also. A third white man, patrolling the streets as a special policeman, was shot on Saturday night by a hidden assailant.

On Sunday and Monday preceding the election prominent citizens and the superintendents of both political parties published circulars guarantying to all citizens, without regard to color or party, a free and undisturbed opportunity to vote. As a matter of fact there was not thereafter the slightest disturbance of the peace. Upon this head the testimony of James Wood, Coalition sergeant of the town, and many others, is absolute. So is that of the negro policeman, Withers, who says: "I did not vote, but I was not afraid to vote. I was at the polls, and everything was quiet."

That the negroes mainly abstained from voting in this town was the result of an order from their leaders designed to effect a party maneuver—namely, to lay a foundation to contest the seats of the Democrats which the county of Pittsylvania, embracing Dan ville, was certain to elect, it being well known that the whole negro vote of Danville would not avail against the overwhelming Democratic majority in the county, with which it must be reckoned.

The news of the riot did not reach the remoter parts of the State till after the election. It did immediately reach and consolidate the negro vote of the Coalition party in what is known as the "black district."

In the counties of Accomac, Northumberland, Westmoreland, and many others, where these troubles were not heard of till after the election, the Democrats made large gains of votes—a fact which conclusively controverts the Coalition leader's suggestion that the news of the riot was a controlling influence for the Democrats at the polls.

It will, indeed, always remain a question of doubt which party obtained an increased vote in the State in consequence of this accidental and deplorable encounter.

So much it has been necessary to say in detail in recital of the few, isolated, and fortuitous breaches of the peace, upon the strength of which General Mahone has lightly propagated libelous charges against a brave and generous people. It remains to declare that the only intimidation practiced in Virginia was the intimidation of Coalition negroes upon negroes. All their social and religious organizations were used to this effect with ruthless power, and proofs are not wanting that the leaders of the Coalition party knew how to employ negro preachers for such coercion.

The election machinery, as has been said, was almost without exception in the hands of the Coalitionists. Their registrars and judges committed many illegal and fraudulent acts which in due time will be brought to light. They registered illegal and fraudulent voters; they allowed men to vote who were not registered or duly transferred, the judges of election sometimes declining to examine the registration-books to ascertain whether men offering to vote were registered, their only test being the voter's Coalition proclivities.

To sum up, a fairer, a more peaceful, a more legal election—so far as the Democratic party is concerned—was never held in Virginia than the election whose results are now proclaimed.

These results, as ascertained by a returning board composed exclusively of Coalitionists, are a popular Democratic majority in the State of over 17,000, and a majority of 8 in the senate and of 22 in the house of delegates.

In bringing about this great work the Democratic party have had the active support of nearly all the native Virginians, who constitute by their mind, their moral worth, or their intelligent labor that civilization which is the life of the State, and of nearly all the adopted Virginians of Northern birth in every field, from the ingenious mechanics, who have made the city of Roanoke spring up in a day like a creation of magic, to the capitalists, manufacturers, and engineers who have brought their money and skill to share in the development of the Old Dominion.

They have in like manner had the sympathy and good wishes, without regard to party lines, of a large majority of the most progressive, liberal, and enlightened people of the North and West. It is therefore distinctly a triumph of light and civilization in full accord with the best progress of the age, and not the victory of a reactionary party, which is here announced.

In conclusion, the real truth of the matter is that on the 6th of this month of November the people of Virginia rose, as patient, long-suffering, law-loving American freemen will always rise against outrage and oppression, a majestic spectacle for all lovers of civil and political liberty in every part of this abounding land. The fullness of time had come, the petty dictator had played out his selfish and treasonable game till even the blind could see that bitter end which a short time ago only the wise could predict.

Then came the uprising of the people in their might. Then came that resounding voice of Virginia, uttered with all its volume, with all its power, with all the earnestness of men who know and felt that the struggle was for good government, for honest administration, for the peace of their homes and the security of their rights. Let the people jealously guard the liberties thus restored to their keeping.

JOHN S. BARBOUR, B. T. Gunter, Phil. Gibson, Thomas W. Waller, Warner T. Jones, W. A. Jones, M. Glennan, J. F. Bryant, J. W. Hubbard, John D. O'Dell, George E. Rives, Richard F. Beirne, R. H. Cardwell, B. H. Nash, B. A. Hancock, J. M. Hudgin, Archer Anderson, Thomas W. Smith, R. T. Wilson, John Jackson, C. G. Holland, P. A. Krise, S. J. Graham, John D. Horsley, R. D. James, C. T. O'FERRALL, John E. Massey, Edward Echols, J. R. Wingfield, A. M. Bowman, Henry Heaton, T. P. Wallace, W. W. Moffett, Wm. Taylor Thom, R. A. Ayers, S. W. Williams, A. Fulkerson.

RICHMOND, *November* 28, 1883.

Federal Election Law.

SPEECH

OF

HON. EDWARD LANE,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. LANE said:

Mr. SPEAKER: The measure under consideration, called the Federal election bill, is a misnomer.

It should be called "A bill to perpetuate Republican ascendency in this country by placing the machinery of elections in the hands of partisan United States supervisors and marshals, backed up by partisan United States judges who will sustain them in whatever they do." I wish briefly, Mr. Speaker, to call attention to some of the provisions of this measure and to state some reasons why it should not be enacted into a law.

The bill requires the appointment of a chief supervisor of election in every judicial district of the United States, and, on the application of 100 voters in any Congressional district, it is the duty of such chief supervisor to take charge of, manage, and practically control the election. He is authorized to appoint three supervisors for each voting precinct in the district, who, if there be a registration law, may be employed six days at $5 per day each. It is the duty of the United States marshal, on the application of the chief supervisor, to appoint as many deputy United States marshals as the chief supervisor may want, who may be employed as much as eight days and paid $5 per day each. These are the provisions for the rural districts. In large cities such officers may be employed a longer time. The effect of this is to permit the chief supervisor to appoint thousands of Federal officials in each Congressional district, who are to be paid out of the Federal Treasury. As to supervisors, not more than two shall be of the same political party. As to deputy United States marshals, they may all be of the same political party.

It then authorizes the President to use the Army and the Navy to preserve the peace at the polls or to aid in the enforcement of the law. Under this provision the President may, prior to any election, order troops to any State in the Union for the ostensible purpose of aiding in the enforcement of the law, and they may be used, as they have in the past been used, to influence and control the elections.

The bill then changes the methods of obtaining juries in the Federal court. Ever since 1879 the law requires that the judge shall appoint a jury commission who shall be of different political faith from the clerk of his court, and those two persons shall select the names of citizens qualified to serve as jurors in the Federal courts.

This statue was passed to create confidence in the administration of justice and in order to secure an impartial jury.

This bill repeals that statute and allows jurors to be selected by the clerk of the court alone. This provision is evidently intended and designed to obtain partisan jurors in the Federal court for the trial of persons who may be charged with violation of the election laws, and of course the same jury will have to be used for the trial of all civil causes in such courts, so it necessarily becomes a partisan and corrupt jury, and for that reason, if no other, this measure should not become a law.

Then, again, if this bill becomes a law, Federal officials will supervise and scrutinize all registration of voters, the casting of the votes, the counting of the ballots, the making of returns, and the certification of the result. True, the State officers are permitted, under such a supervision, to discharge their duties, but wherever there is a conflict the return of the Federal officers prevails. In other words, the governors and secretaries of state and other local election officers are to be set aside and subordinated to the Federal officers. The governors of our States are selected by the people of the whole State, and they are generally men of learning and ability, selected with a view to their fitness for that exalted office; yet by this bill their acts and judgments are to be ignored and overridden by three persons appointed by judges of the United States circuit court, who are required to have no qualification other than that they shall be able to read and write and I suppose must be faithful to the Republican party.

And this is what is called a "returning board." This returning board receives the returns from the precincts in the counties, and may hear evidence outside of the returns and certify under their hands and seals who was elected to Congress. Two members of the board constitute a quorum, and not more than two shall be of the same political party. The individual holding their certificate is to be by the Clerk of the House of Representatives placed upon the roll of the members elected and thus authorized to participate in the organization of the next House.

The bill then provides for the manner of registering the voter, of receiving the vote, of counting the ballots, and of certifying the result. The manner and method is different from that now established by the laws in the several States. In the rural districts it will be difficult to conform to the law, and men honestly striving to carry it out will often fail in many particulars.

It is evident that the bill is not framed for the purpose of obtaining a fair election. It puts in the hands of the party in control of the Government such power as will enable it, even against the will of the people, to retain control. The great number of Federal officials that may be appointed and paid out of the public Treasury is one of the chief objections to the bill. We may reasonably expect all deputy marshals to be partisans of the Republican party. Hundreds or thousands of them will be appointed in each district. They may be employed eight days at $5 every day each, and they can and doubtless would be used to advance the interest, not of a free election, but of the Republican party. If generally enforced, the cost of an election under this bill could not be less than $8,000,000 or $10,000,000. The report of the minority of the committee places it at the last-named sum, but no person is able to form a correct estimate of the cost, and it may amount to $12,000,000 or $15,000,000 for each election.

The committee in their report find that there are 54,649 election precincts in the United States. It is quite safe to say that if this law is fully executed there might be from 400,000 to 450,000 persons employed whose pay is fixed by the bill from $5 to $15 per day, and the latter class are to have $5 a day additional for expenses. In the present depressed condition of the country and the burdens now resting on the people this new expenditure is simply appalling, but I suppose we must provide more places for the few remaining Republicans now out of office.

Mr. Speaker, there is really no necessity for the passage of any such law. For more than one hundred years States which prescribed the qualification of the voters have also prescribed the manner and place of the election. The sentiment of the people of each State on the question of elections is illustrated by their laws. There is not a State in the Union to-day where statutes can not be found to enable the voter to deposit his ballot, and provision for an honest return of the same. These laws may sometimes be violated, but so are laws enacted for the protection of human life and property, both national and State.

There is no reason to suppose that an act of Congress would not be violated as soon as the statute of a State, and any person who so insists simply reflects on the honesty and integrity of our State laws and their administration.

The returning-board feature of this bill is most obnoxious. Three citizens are to be appointed to certify the result. Not more than two of them shall be of the same political party, two to constitute a majority, whose certificate is conclusive. The individual holding that certificate is entered upon the roll of Representatives-elect and participates in the organization of the House. Corrupt or venal returning boards can, against the will of the people, return as elected a Republican majority. We have had in this country some experience with such boards—in Louisiana and in Florida in 1876. Certificates which were untrue in fact were given. On these certificates Hayes was counted in as President, and the venal and corrupt members of these returning boards were rewarded by the Republican party by high and lucrative Federal appointments.

I will give details further on, but I am quite confident that with the power to appoint venal boards, with the patronage of the Government to reward them for villainous conduct, with an expressed design to do their own registration, counting, and returning, if this bill becomes a law the people may confidently expect a repetition of frauds of 1876.

The purpose of the bill evidently is to destroy the power of the States and centralize all power in the General Government and keep the Republican party, with all its offensive methods, in power I think this is clearly indicated by the Speaker of this House in his Pittsburgh speech, lately made before the Americus Club of that city. He used the following language on that occasion:

Let us cut loose from the State elections, do our own registration, our own counting, and our own certification.

The Speaker has been doing the counting and voting of members during this Congress, and now he wants an enlarged sphere of operations, where he can do the counting and certification for the entire country.

Will the people sustain any such a measure? I think not.

I wish now, sir, to assign in detail some reasons why this bill should not become a law. The report of the minority of the committee finds that the passage of this act by Congress would be unconstitutional. With this position I fully concur.

This is the language of the Constitution on this subject:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Gentlemen on the other side of the Chamber insist that under this section Congress has full power to deal with the election of Federal Representatives; that it has power not only to make the regulations as to the manner of holding the elections, but to authorize the appointment of officers by the President to pass upon the qualifications of voters, receive and count the votes, and declare the result of the election.

I believe that the advocates of this measure further admit that the Constitution is their authority for the passage of this act.

The Constitution is the will of the people, or, in other words, a contract between the ruled and the rulers that no powers shall be exercised except those specially granted by the Constitution.

To properly understand the Constitution we must, therefore, look to the whole instrument to learn their will, and that it should be so construed that all its provisions will stand, and not one section to the destruction of another.

Section 2, Article I, reads as follows:

The House of Representatives shall be composed of members chosen every second year by the people of the several States.

It will be noticed here that it is "the people of the several States" who are to choose their Congressional Representatives, not the "people of the United States."

The power to elect is therefore "in the people of the several States."

Mr. Story, in his valuable work on the Constitution, says:

What is a power but the ability or faculty of doing a thing? What is the ability to do a thing but the power of employing the means necessary to its execution.

Who, then, is authorized to exercise the power to choose? Clearly the people of the "several States." It would, then, be a perversion of this rule of interpretation to say that while the people of the several States possess the power to choose their Congressional Representatives they lack the power to regulate the machinery by which, and the conduct at the polls at which, the choice is made.

Section 2, Article I, of the Constitution is as follows:

The electors of each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

Then under this clause who can vote for members of Congress? Clearly those who are qualified electors for members of the most numerous branch of the State Legislature. Who alone has the power to pass upon the qualifications of the latter class? Who alone can determine who can or who shall vote for members of the State Legislature? Unquestionably the State inspectors or judges of election, and nobody else. But the determination of this fact is the determination of who is qualified to vote for members of Congress. In a word, the qualifications of a person to vote for members of the most numerous branch of the State Legislature is a condition-precedent to his qualification to vote for a Congressional Representative; and the power to determine this condition resides alone in the State officers.

When, then, can the authority of the Federal Government be exercised? By section 4, Article I, of the Constitution, it is very clear that a primary and general power is conferred upon the State Legislature to regulate in all respects the times, places, and manner of holding Congressional elections, and also a secondary and conditional power to make regulations for those purposes, and to change them, and that the permissive and contingent power of Congress is to be exercised according to section 8, Article I of the Constitution, which provides that Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing power."

I therefore fully agree with the minority of the committee that, if the States shall have performed their duty and exercised the general power of regulating the question, the contingency upon which Congressional action depends will not have occurred. In case a State shall have neglected to enact laws for the election of Congressmen by its people or shall have enacted laws in hostility to the General Government, either to deprive its people of representation in Congress or to prevent that right from being exercised in a reasonable manner and at proper times, then Congress is permitted to intervene and to establish regulations which will secure representation to the people of such State.

What was given to Congress as the law-making power of the Government in this case was a defensive power against State hostility or negligence, by which popular representation would fail and the necessary power of the Federal Government would be impaired or paralyzed for a want of representation in the House.

This view of the Constitution is not mere matter of opinion begotten by the necessities of debate, nor a novel view introduced to support a foregone conclusion dictated by party interest or passion. It is a view supported by the most decisive proofs drawn from the history of our country at the time of the making of the Constitution and the organization of the Government of the United States.

In most of the States opposition was made to the ratification of the Constitution because it was alleged that this particular provision was liable to perverted and dangerous construction, extending national power to interference with State elections. In other words, those opponents apprehended the very abuse of construction which is embodied in and illustrated by this bill, but the friends of the Constitution met them in debate and gave to this provision the construction above stated, vindicating this construction by substantial and satisfactory reasoning which convinced our fathers and ought to convince us.

Without considering the questions upon the construction of this provision of the Constitution which have been heretofore debated in Congress and considered by commentators upon constitutional law, relating to the manner and extent to which Congress may act in case of State default or hostile action, I am prepared to say that this bill is plainly unconstitutional because the States have not failed to pass laws for the representation of their people in Congress, nor made laws hostile to such representation and to the Government of the United States in connection therewith. On the contrary, their legislation upon this subject by the States has been apparently enacted in good faith to this Government and to their own people.

I am willing to admit that Congress may make the regulations as to the manner of holding the elections, but must not withhold from the people the incidental powers conferred by section 2, Article I, necessary to the exercise of their choice of Representatives, because the Constitution says the people shall choose, and the canons of interpretation say that with the power to choose is coupled the exercise of the means necessary to the choice.

Congress may alter the State regulations as to the manner, but should remember that no man can vote for a member of Congress unless he is qualified to vote for a member of the State Legislature. There is but one class of electors, and they are the electors for the most numerous branch of the State Legislature. There is but one enumeration of qualifications, and those are the qualifications requisite for electors of the most numerous branch of the State Legislature. In fact, there is but one condition of qualification for an elector for members of Congress, and that the State alone has the power to fix, and the State judges or inspectors of election alone the power to determine.

In exercising its powers, Congress must remember that the Constitution of the United States does not confer the right to vote, but it is a right derived alone from the State constitutions, and it would be a violent assumption of power for Congress to attempt the regulation of a prerogative the Federal Constitution does not create.

It also must be remembered that section 4, Article I, confers upon Congress the same power "to make or alter" the regulations for the election of Senators as of Representatives, except as to the places of choosing Senators. If, then, Congress can authorize the appointment of Federal officers to take charge of and conduct the election of Representatives, pass upon the qualifications of the voters, receive and count their votes and declare the result of the election, then would it not have the power to authorize these same officers to take charge of a State

Legislature assembled to elect a Senator, decide what body is the State Legislature, and hence pass upon the qualifications and election of its members?

The exercise of the power to elect members of Congress at the same time both by the State and the Federal Government is impossible of execution. It must be done by the one or the other.

Under the law of the State of Illinois, the election board are required to file all papers and ballots connected with the election with the county clerk of the proper county, and they are to be sealed up and be by him preserved for a certain time. This is enforced by a penal statute. Now, under section 11 of this bill the Federal board of elections have a right to take possession of some of these papers and ballots and file them with the Federal board of canvassers. So if the State board surrender the papers to the Federal board and do not file them with the county clerk they are liable to indictment under the State law, and if they do not surrender them to the Federal board they are liable to indictment in the Federal courts. It could not be the intention of the framers of the Constitution that any citizen should be placed in such a position.

The whole measure is absolutely vicious from beginning to end. The exercise of the powers mentioned in this bill would nullify the entire Constitution by depriving the people of all sovereignty and vesting absolute control in a faction of Congress in conspiracy with the Executive. If the people of the States can not select honest men to register them, to count their votes, and to make the returns; if that power is to be turned over to politicians bent on re-electing themselves to office by legislating in one Congress to control the election for the next, the ballot is necessarily a fraud and popular elections are a farce. It would bring the judiciary of the country into politics and would thus destroy its independence.

Every judge of the Federal or district court is an aspirant for promotion, and under our law the President of the United States has the appointing power and the power of promotion, and there would be great danger under this bill that the judge might be tempted to serve the man who could help him. Temptations of this character should be avoided. If there had been no apples in the Garden of Eden our first parents could not have eaten thereof, and possibly now we would not require an election law to defeat the will of the people.

Mr. Speaker, if this bill is enacted into a law it means revolution, and, I fear, bloodshed. The Federal election officers have a right to supervise the action of the State election officers and determine who is a qualified voter under our State law and who is entitled to vote, and yet as to our State law they are not sworn officers. The returns of the Federal election officers have priority over the returns of the governor of the State, and the Clerk of this House is required to place the name of the Representative so returned by the Federal board on the roll of members to Congress under a penalty of from $1,000 to $5,000 or of imprisonment for not less than one nor more than five years, or of both fine and imprisonment. This is the point to the whole measure; that is, to keep the Republican party in power.

By section 8 the Federal supervisors are authorized to go into the State courts and actually dictate to the judges on the bench as to their duty in naturalization and revise their acts. There are many other equally offensive provisions, but I will mention but one more. If the bill becomes a law as it is, it will only be operative and in force in cities of 20,000 inhabitants and over. If it is desired to put the law in force in a single county or parish in a Congressional district then it can only be done on the petition of fifty citizens of such territory. The bill does not provide that even these fifty persons shall be able to read and write. They may be jail birds, ex-penitentiary convicts, slums of saloons, or ward bummers. Possibly fifty such characters can be found in any county in the country. It is a sad condition of affairs, gentlemen of the majority, when you delegate the power of making laws to such characters.

I hold, Mr. Speaker, first, that Congress has not the constitutional right to delegate the power of making the laws of this country to any person. Congress may create a corporation with certain powers to pass by-laws and regulations touching its own domestic affairs, and a State may charter a municipal corporation which can pass or enforce by-laws or domestic statutes, but I deny the right of any legislative body to delegate its right to pass laws.

What authority would Congress have to pass a law that would give the force of a statute to all measures passed by any of the committees of this House? Suppose that under such a law a committee would enact a statute to bind the people, would any person say that such a statute would be constitutional? What is the difference, then, in the case before us? By the terms of this bill it is not a law until enacted into a law by the petition of fifty persons. I insist that a law can not be put in force in that way. The Constitution declares that Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers." Congress must pass the laws, not delegate this right to political bummers, who can thereby have the people of the United States taxed for the expenses of conducting an election in a single county from $4,000 to $5,000.

This question has been before the courts of the country, and I mention particularly in Illinois. The supreme court there held that a legislative body can not delegate this authority; that it is a personal trust that they and they only can execute.

This provision of the bill is simply ridiculous, for if the right can be delegated to fifty persons, then the same right can be delegated to one person, and thus the people of an entire county be placed under the domination of one man. If this bill is to become a law it should apply to the whole country and all its parts alike. But gentlemen of the majority would not dare do that. The people of Ohio, Indiana, and Illinois would not tolerate it, and would unseat every member from those States who would support it. They would regard it as a reflection on their intelligence and patriotism, and it would be.

For over one hundred years the people have been capable of self-government. Are they now less intelligent and patriotic than they were fifty years ago? Has the degeneracy supposed to exist among the people been brought about by our public and private schools and the millions of dollars that have been expended in the education of the people? If so, we had better wipe out our educational system and confess to the world that the American people are not capable of self-government, and the passage of this bill would amount to such a confession.

Mr. Speaker, in making these remarks as to the constitutional objections to this bill I have not been unmindful of the decisions of our Supreme Court on a kindred question to the one presented by the passage of this bill. I have read those cases with care, and I find that in the leading case two of the judges dissented from the opinion of the majority, and I suppose that I have the same right to dissent that the two judges had. Some of the judges who concurred in the opinion are now dead and new members hold their places on the bench, and it is impossible to say what the views of the court now might be.

But that is immaterial; the people of this country are not willing to surrender their liberties even to the Supreme Court, especially in view of two of its latest decisions, in the first of which they held that a United States judge who invaded a sovereign State accompanied by an assassin who murdered a citizen of that State was not liable to the laws of such State and rescued the assassin from the operation of the laws of said State against murder. The other case is the original-package decision in the Iowa case, where they held that the Constitution of the United States authorized the shipment of such packages into the State and then held that Congress can grant relief in such case and that the Constitution can be repealed by act of Congress, and there is a measure now on our Calendar, known as the Wilson bill, for that purpose.

I am unable to say what view the Supreme Court might take of this question now if it was brought before it, but every expression that comes from the people denies the right of Congress to take from them the right of self-government.

But, Mr. Speaker, I will now pass from this branch of the measure and discuss the reason why this bill should not become a law on the grounds of public policy.

The friends of this bill say that the purpose of the measure is to secure a "free ballot and a fair count." They roll these words over and over under their tongue as a sweet morsel and would have us believe that the Republican party and the Republican party only was all the party in this country that was in favor of a free ballot and a fair count; in other words, that the Republican party is possessed of all the honesty, virtue, and patriotism of the country, and this bill is brought forward in order to suppress some fraudulent practices of the Democratic party claimed to exist in the South.

Gentlemen, people who live in glass houses should not throw stones. The record of the Republican party will not bear inspection. Its history for the last twenty-five years has been a history of fraud. I mean the leaders of the party, and not the great masses of its people who have been deluded into supporting that ticket. Where are the frauds of 1862 and 1863, when that party sold out the financial policy of the country to Wall street? How about the fraud in demonetizing silver in 1873, when that party sold out to the gold bugs of the country and within the last few days refused to remonetize silver? What about the frauds in Louisiana, Florida, and South Carolina in 1876, when the Republican party stole the Presidency? How about the frauds of Montana last year, when two Republican Senators were fraudulently returned to the United States Senate? Why did the Republican party reward with high offices the parties who were assisting in the frauds of 1876? How about the wholesale bribery and corruption of the Republican party in the last election? Where is Dudley and his blocks of five? What party sold a cabinet position and the Vice-Presidency for money?

Gentlemen of the majority, you began this quarrel by bringing this measure forward and showing to the world that you would rather destroy the liberties of the people than suffer the defeat of the Republican party. The very principle of the Republican party, namely, protection, is a living fraud.

What did your Republican Senator from Colorado [Mr. WOLCOTT] say the other day in the Senate when he was discussing the silver bill?

This is his language:

I wonder how long the Republican majority in Rhode Island, for instance,

would last, if the interests upon which the people depend for their livelihood were no longer fostered and protected by the party in power.

This expresses the whole thing.

The Republican party is held together in Rhode Island and other protected States by the cohesive power of public plunder. It says to its followers, Vote for protection and it will be money in your pockets. Whose money? Why the money of the toil, sweat, and labor of the country. Not the money of the foreigner, because whatever is gained to one man in this country by protection is paid by some other man. The manufacturer is induced by the Republican party to vote for protection, and he in turn compels the men in his employment to vote the same ticket on penalty of losing their work, and then the Republican party fries the fat out of the manufacturer to carry the next election. But the honorable gentleman from Ohio [Mr. McKINLEY] calls this "results."

So when the highway robber obtains the money of his victim at the point of a pistol that is also a result, and when the pirates at the Straits of Gibraltar robbed every ship that passed through the straits in the way of a tariff, they also obtained results, but it was the result of some other person's labor.

But, Mr. Speaker, I will pass from the frauds of protection to the frauds of the Republican party in the manner of conducting its elections, and will give a few of the methods of that party in securing a free ballot and a fair count, or what it calls a free ballot and a fair count.

Is there a doubt that the election of 1888 was bought by the Republican party through the monopolies and trusts created by that party? What did James P. Foster, president of the Republican League of the United States say in his circular letter when the first gun of the campaign was fired? Here is a part of it:

[Confidential.]

HEADQUARTERS REPUBLICAN LEAGUE OF THE UNITED STATES,
New York, May 25, 1888.

MY DEAR SIR: The Republican League of the United States desires to bring you face to face with the startling fact that the coming Presidential election is not to be fought on the old party lines which have heretofore divided Democrats and Republicans, but upon the direct issue of free trade *vs.* protection. We will win this fight if you will do your share and help us to finish what we have begun. We want money and want it at once.

It may not be of your personal knowledge, but it is a fact nevertheless that the manufacturers of the United States who are most benefited by our tariff laws have been the least willing to contribute to the success of the party which gave them protection and which is about to engage in a life-and-death struggle with free trade.

* * * * * * *

The campaign which we are about to enter will concern, more than anybody else, the manufacturers of this country. They have hitherto been very laggard in their contributions to the Republican cause. In fact, if I could punish them without punishing the cause of protection itself, I would consign them to the hottest place I could think of on account of their craven parsimony. If this class of people do not care to contribute to the success of the Republican party they are welcome to try their chances under a Democratic Administration; I can stand it as long as they can.

In fact, I have it from the best possible source that the manufacturers of Pennsylvania, who are more highly protected than anybody else and who make large fortunes every year when times are prosperous, practically give nothing towards the maintenance of the ascendency of the Republican party. Of course I shall not violate what I consider to be a proper principle of action, but if I had my way about it I would put the manufacturers of Pennsylvania under the fire and fry all the fat out of them.

This is a sample of a free ballot and a fair count.

The Republican party wanted money, and, as Mr. Foster declared:

We want money and want it at once.

The fat was fried and money was obtained, and money purchased the election of 1888 and defeated Grover Cleveland.

Mr. Wanamaker, who holds a Cabinet position because of money, in explanation of his connection with this matter, said:

When QUAY sent for me I was surprised. I had no more idea of what he wanted with me than you might have if he telegraphed for you. But I knew he was not the kind of man to send for me unless he had important business with me, so I went. Then he told me that the national Republican committee needed money and his scheme for my raising it.

The country is acquainted with the balance of the disgraceful scheme. Thousands of dollars were raised by Wanamaker, and voters were corrupted and Wanamaker received his reward—a place in the Cabinet—and still the Republican party want a free ballot and a fair count.

Now, as to how the money was used we have some testimony from The New York Mail and Express of date November 22, 1888, as follows:

Of the money so liberally contributed by the Republicans in this city for election expenses, three very large sums were paid out which brought in only about 1,350 votes as the result of these expensive negotiations. The Coogan Labor vote cast for Harrison and Miller amounted to 1,200; the James O'Brien Protection Democracy vote, 50; the John J. O'Brien vote, beyond what is the normal vote in the Eighth district, to 100 votes. On Saturday before election there was paid by the national committee for use in this city to a Republican State leader, as we are informed, the great sum of about $150,000, and as none of this went to the county committee, it is fair to presume this very large sum was used in the three negotiations referred to.

The Manufacturers' Record, of Philadelphia, of April, 1889, contained this statement in regard to Mr. Wanamaker's services in the election:

It is, therefore, to the men that give the cash that a large, if not the largest, share of success is due. These, almost always, are the business men. We make the assertion that the money contributed by this (Manufacturers') club last year had more influence upon the result of the national election than all the skill, the ingenuity, the labor, and the wire-pulling of all the professional politicians in the city of Philadelphia. We believe this proposition to be capable of positive proof. If, therefore, control of patronage is rightly the reward of victorious effort, the right of this club to name the Federal office-holders of Philadelphia rests upon solid grounds. * * * The leaders, we suppose, will claim that they are the men who win victories and that their generalship entitles them to special consideration. But they can win no triumphs without strong backing in money and votes from the best members of their party. If the politicians had had to fight single-handed the battle of last November Mr. Cleveland would now be in the White House. They were literally smitten with paralysis until the manufacturers and other business men came to the rescue, not only with abundant supplies of money, but with a determination to carry the day by hard work and actively exerted influence. That was how the fight was won.

I will make but one other reference in this disgraceful drama of fraud and corruption, and that is to the letter of W. W. Dudley and his letter to those in charge of the Republican campaign in Indiana in 1888. This statement is contained in that letter:

Fourth. Divide the floaters into blocks of five, and put a trusted man with necessary funds in charge of these five, and make him responsible that none get away and that all vote our ticket.

Through the instrumentality of Judge Wood, of the Federal court at Indianapolis, and Chambers, the district attorney of that court, Dudley was never prosecuted for this crime against the ballot-box, and it was shown by the public press of the country that the Administration did not desire the prosecution, and he is to-day one of the trusted admirers of that Administration.

Many more similar instances of what I have mentioned could be produced, but I deem this sufficient to show to what extent the Republican party appreciates a free ballot and a fair count, especially if it is counted on the Republican side. Now, Mr. Speaker, let us see how the Republican party regard a free ballot and a fair count in Illinois, for example. In that State 348,000 Democratic votes elect seven Representatives, while 370,000 Republican votes elected thirteen Representatives. The average number of Democratic votes to one Representative is 49,000; the average number of votes to each Republican Representative is 28,000. Thus it takes 21,000 more Democratic votes in Illinois to elect a Democrat than it does to elect a Republican. Yet under their gerrymandering laws the Republican party think this is all right.

In Iowa, 179,000 Democratic votes elect one Representative, while 211,000 elect ten Republican Representatives. The average number of votes to the Representative on the Democratic side is 179,000, while the average number of votes to each Republican Representative is 21,000. In other words, it takes 158,000 more Democratic votes in Iowa to send one Democratic Representative here than it takes to send one Republican Representative.

In Maine 73,734 Republican votes have chosen four Representatives, while 54,516 Democratic votes have chosen no Representatives at all. In other words, there are four Representatives here from Maine representing 73,734 people and there is not one man here from Maine representing 54,516 people.

In Michigan 213,469 Democratic voters elect two Representatives, while 236,387 Republicans elect nine. Average number of votes to the Representative: Democrats, 106,734; Republicans, 26,625; difference, 80,469.

In Minnesota 142,492 Republican voters have five Representatives; while 120,793 voters not of that party have no political representation.

In Nebraska 108,425 Republican voters have three Representatives, while 94,228 voters not of that party have no political representation.

In the great State of New York it takes to elect a Representative: Democrats, 42,389; Republicans, 34,105; difference, 8,284.

In Ohio it is as follows: Democrats, 79,251; Republicans, 26,003; difference, 53,248.

In Pennsylvania it is as follows: Democrats, 63,805; Republicans, 25,052; difference, 38,853.

These figures are given by The New York World, and their accuracy is supported by the Congressional Directory, and they are not questioned by gentlemen on the other side of the Chamber.

The result of the figures, then, is that in fourteen Northern States there are 3,386,000 Republicans, who elect 126 Representatives, the average being not quite 27,000 to each Representative, while 3,074,000 Democrats elect in the same number of States only 47 Representatives, or an average of 65,000 Democratic votes to elect a Representative.

Thus it will be seen that about one-third of the Democratic votes of these States are suppressed by fraudulent gerrymandering laws. This seems to be all right in the eyes of our Republican friends, as it tends to keep the grand old party in power, but if a colored vote in the South is supposed to be suppressed what a dismal howl goes up for a free ballot and a fair count. "Why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye? First, cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye." Gentlemen, consistency is a jewel, but it has no abiding place with the Republican party this year.

In 1877, when Senator CULLOM was governor of Illinois, in his message to the Legislature of that year he used the following language:

As citizens of the State of Illinois we claim the right to hold our elections in our own way, giving all our people a fair and equal chance to cast their votes. We claim the right to prescribe the manner in which our polls shall be purged of fraudulent votes and how and by whom the result of our elections shall be ascertained and announced. All these things we regulate by the laws made by our State Legislature, and when the result is so ascertained and announced, we expect it to be respected, as well by our own citizens as by others. We claim

these rights for our own State, we concede the same to every other State in the Union.

If this was good doctrine in Illinois in 1877, why is it not a good law now. It is to be presumed that the thirteen Republican Representatives from Illinois now in this House indorsed that doctrine then, but now they seem to discard it and do not think that the States are entitled to equal rights under the Constitution. We will see what Senator CULLOM himself thinks of this measure when it goes to the Senate in a few days. There should be no other ground assumed in this country than that assumed by Senator CULLOM in his message, that the people of the several States are capable of self-government. The measure under consideration assumes that they are not and will not enforce the law.

The people have for more than eighty years proven themselves capable of self-government in the several States. But this measure is revolutionary in this, that it changes all existing systems, and it enables the party in power to intrench itself in permanent power by seizing the machinery through which the will of the people is expressed. No party actuated by a love of liberty would seek to put such a law on our statute-books. Its evident intent is to strike a death blow at local self-government and transfer all power to a central despotism.

The horde of supervisors, deputy United States marshals, spies, and informers created by this bill will not owe their appointment to the people and therefore will not be liable to the people for their action.

The people do not make such offices and therefore have no power to unmake them, nor will the judges of the Federal court be responsible to the people.

This Congress has created eighteen more officers for Federal judges at a salary of $7,500 each per annum, and of course these positions will be filled with eighteen Republican judges who will hold their office for life, as well as the supervisors, and they will not be responsible to the people, not having been elected by the people, and the great political prizes of the country will seem constantly within their reach, and the danger is that they will debase these high offices for partisan purposes.

The functions conferred on the judges by this bill are not judicial, but are essentially political and partisan. They will disgrace the judiciary rather than exalt it. They will be expected in great public crises to stand with their party, and it is certain they will do so. Heretofore the Government has been divided into three great divisions, the legislative, judicial, and executive, each being a check on the other; but this will blend all these in one. The Executive will appoint the judges and they, through the supervising "returning boards," will take charge of the Congress or the legislative department, and thus the Government in the end will be in charge of the executive or administrative department, and this, in turn, means the Republican party.

The report of the Federal supervisors are to have priority over the return of the governors of the several States, and this is for the purpose of defeating the will of the people as expressed at the polls. The people of the North will not tolerate this usurpation of their rights whatever the people of the South will do.

We will find in the free cities of the North greatly increased majorities in the coming election, and the Republican party will not dare apply this law there. You may send your satraps from door to door with their pockets filled not with money fried from the fat of the manufactories, but taken from the public Treasury, as contemplated by this bill, and it will do you no good.

The people will not be corrupted by the base minions sent out by this measure, but will resent the act as an insult to their patriotism and love of country. They will not long endure the treacherous spy and the base informer, those loathsome wretches created by this bill for party purposes and under the pay of the Government. The liberty of ancient republics was based on free cities and freedom of the republic, but the freedom of our Government is based on individual, personal freedom and local self-government, and without this our institutions of Government could not endure.

The history of the Anglo-Saxon race for more than two thousand years, with the blood of conquest coursing in their veins, establishes their right to dominate all other races of the earth and makes their posterity, the people of this country, the foremost race that ever lived in all the tide of time. For over a century this people have maintained the greatest and freest government known to civilization in all ages, and its turret and foundation-stone rest on the right of local self-government, which form of government that grand old statesman Gladstone has been trying to secure for suffering Ireland for the last quarter of a century; and now, while that people are enduring untold hardships to secure self-government, this bill if passed will destroy that form of government in America and sadden the hearts of the true lovers of liberty throughout the world.

I pray you, gentlemen of the majority, as you love the liberties of your country, do not enact this measure into a law. Discard all strange gods and new and untried methods of government and let us preserve the Government as created by our fathers and hand it down to our posterity unimpaired with all the exalted and priceless blessings which it bestows. Let us trust the people with local self-government, and, my word for it, our God-given liberty will be safe in their hands.

Federal Election Law.

SPEECH
OF
HON. SYDNEY E. MUDD,
OF MARYLAND,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. MUDD said:

Mr. SPEAKER: As one of those who have felt somewhat the force of the evils aimed at by this bill I believe in the wisdom and the efficacy of its passage, and shall state briefly the reasons for my faith.

I submit, sir, that there is a Government of the United States. It is said to be a republic in form. We call it a Government of the people, or, as high authority has phrased it, a Government of the people, by the people, and for the people. If it be ordained that such a government shall exist in reality and in substance, and not merely as the echo or the shadow of a name, the voice of the people and the whole people must be heard in the administration of that Government and the legislation through its representative bodies, that furnish the life, the vigor, and the potentiality for good or evil of the organism which we honor by that name.

At the foundation of all that constitutes government as the function creative and the right preservative of the form, the theory, and the character thereof, is the question of the elections by which the agents of that government are chosen and by which its powers are executed.

I shall not enter, Mr. Speaker, into the question of the constitutionality of the legislation now pending before this body.

In the very forefront of the instrument which we call a Constitution, under which we derive the right to sit in this Chamber, and which in the fondness of our faith we have called the supreme law of the land, the powers which we are here seeking to exercise are clearly and specifically set forth.

The highest judicial authority of this country, the Supreme Court of the United States, a tribunal in the character of its organization and its dignity second to none perhaps on the face of the earth, has passed upon and declared the constitutionality of such laws. I may remark, in passing, Mr. Speaker, that my respect for the decision in the leading case rendered (that of *ex parte* Siebold) is none the less intensified because the malefactors of the law against whom was aimed that decision came from Maryland, from the seventeenth ward of Baltimore City and my own district, and from a section thereof where there is no fear or possibility of "negro domination."

I shall not enter either, Mr. Speaker, upon a discussion of the harrowing details of fraud and forbidden practices that at this day and hour furnish the condition and the necessity that call for the exercise of the powers that are embraced in the provisions of this bill.

Upon the facts in that particular we are not left to conjecture. They exist in all portions of the country in a greater or less degree.

They exist in a larger and more general and systematic sense, I say it more in sorrow than in resentment, in that section of the country which we designate as the South.

The managers of this bill have predicated its necessity upon the desire for the prevention of frauds in elections all over the country, and for the curtailment of the power for wrong-doing of its beneficiaries; gentlemen of the other side, hailing from the section called the South, arise with alacrity and promptness and utter the cry of pain that comes from one who is hurt.

We say we will stop fraud in this country, and blast its dominion all over our broad land; gentlemen arise and complainingly say, "You utter malediction upon our section." So be it, gentlemen, if you will.

You place the *locus* of this legal battle where other battles have waged before. Constitutionally we will meet it and root it out if possible in that quarter.

Two gentlemen from two noble old States, one of them basing his very becoming love for his State largely upon what she has done in the past and the glory that was and is gone, have made fearless, argumentative, able, and eloquent speeches. They are brave men, both of them. I honor them for their valor and their frankness. There has been no traverse, and they made none, of the facts upon which are founded the justice and the necessity of our action through this bill. They have pleaded by way of confession and avoidance, or, as the gentleman from Virginia [Mr. TUCKER] expressed it, have demurred.

There is a propriety in the term "demurrer." The lawyer demurs when he wishes to admit the facts. The gentleman from Virginia is a lawyer. He knew he had no standing on an issue of fact before the jury of his countrymen, and with the lawyer-like habitudes of his mind he, no doubt wisely, entered a demurrer.

In sustaining his cause, which he did in a manner worthy of a better one, he found himself obliged to deny the obligation upon his con-

science of any binding effect of the decisions of the Supreme Court of his country, and intimated as a contingency in which Federal authority might conflict with State rights, the significant event that the State might, as it had a right to, he said, prescribe a property qualification for voting.

I will say here, Mr. Speaker, that Democracy, or so-called Democracy, ever had a fancy and an affinity for the aristocracy of property as a qualification for political prestige.

The untitled in mock dignity and the unpossessed of fortune find no proper alliance after all in the traditions and the policies of so-called Democracy.

The gentleman from South Carolina [Mr. HEMPHILL] said, as near as I can remember, "We are going to rule, or we must rule that country, or we must leave it," and with an apotheosis that was almost touching, if it were not so serious, of the grandeur of his State, he declared, "We are not going to leave it."

No man would have him leave it, Mr. Speaker; but would rather hope that in the unquestioned brightness of his intellect he should remain there as a leader and a light to his people, and, touched with more liberal views, he should build them up on the high plane of equal and exact justice to all people in the complete enjoyment of political rights.

This, then, Mr. Speaker, is the situation which we must confront and which we must deal with. This, then, is the vision upon which our eyes are asked to feast in revelry. This the political banquet of which we are invited to partake or go hungered of our rights.

We must see the Constitution of our country, in the interpretation placed upon it by the highest tribunal of the land, set at naught and defied.

We must let the operation of such ignoble restrictions as property qualifications for suffrage or other proscriptions, if need be, forbid the passage of laws needed for the protection of our national life, to permit the exercise of prerogatives which gentlemen apostrophize as the embodiment of local self-government.

We must let the agencies that enthrall and dominate many of the fairest sections of the country rule, as they do rule, as they have ruled, and as they will rule, against majorities, against the people, against the Constitution and the laws which we call the supreme law of the land.

The official returns made out by Democratic sources for members of Congress from the majority of States south of Mason and Dixon's line, other than those denominated Border States, show that the average number of votes cast for members of Congress in the bulk of the districts therein rank less than one-half of those returned in the great majority of districts in other portions of the country, in many cases less than one-third, in some less than one-fifth, and the average population of those districts is about the same as elsewhere.

The question then to be considered by this Congress, and it is our sworn and bounden duty to consider it, is whether in elections for members of the National Legislature the vote of one man South is to count as much the vote of two men in the North or East or West, or in Maryland or Virginia; and for our attempting to act upon this question, to the end that the evil complained of may be removed, we are told that we are nullifying that Constitution which is based upon equality of rights.

The measure of public estimation of candidates for elective office is gauged, or supposed to be gauged, in large measure by the proportionate number of votes that each receives; and yet the fact remains, and the question for us to determine is shall it continue to remain, that men from those sections of the country are returned elected to Congress by one-half, and, as I have said, in some cases by one-third or one-fifth the votes, receiving which in other sections party candidates are defeated, and squarely and admittedly defeated.

It will not do, Mr. Speaker, to say that people in those sections of the land do not care to vote. As a matter of fact, sir, the people of the South by temperament, both the old and the newly enfranchised, take a keener and more intense interest in politics than in any other section of the country. I know whereof I speak in this regard. Men do not resign the exercise of their political rights through choice.

The colored man of the South treasures his right of the elective franchise with a sanctity not less than that with which he clings to the religion that binds him to his God. He ceases to vote only when not permitted to vote, or because his vote is not counted save to make up a representation for the benefit of a minority that robs him of his right.

We are told, Mr. Speaker, that all these things are necessary and are justified because of the fear of negro domination in certain sections of the country. This is not the case, sir, in all respects. It is not alone a revolt against alleged negro domination, in my judgment.

The negro who votes the Democratic ticket there is allowed to vote, and protected in the exercise of the largest and completest enjoyment of that right.

It is only when he votes the Republican ticket and helps to make up Republican majorities that this domination becomes offensive, and then it is that gentlemen invoke the departed spirits of their forefathers to nerve their arms in the work of compulsion that preserves the precious heritage of local self-government.

For my part, Mr. Speaker, I should not want to disturb the manes of my ancestors unless in a cause more holy than that of a spoliation of the sacred rights of the humblest citizen.

The spirit that inspires these assaults upon the purity of the ballot-box is a sentiment of hostility to Republicanism and the fraud-committing and fraud-loving tendencies of the Democratic party. It is in great part, sir, the spirit fed upon memories of the past that vents its hostility to-day against the man and the party that stand for the nationality of the Government and the supremacy of the Constitution thereof against the counter-claim and theory of so-called State sovereignty.

Look, for instance, at the condition of things in my own State of Maryland as an illustration of the truth of the proposition for which I am contending.

The city of Baltimore, under Democratic auspices, for many years past has witnessed the commission of frauds as gigantic and offenses as rank against the freedom of the ballot as any other portion of the habitable globe. The population of Baltimore is overwhelmingly white. The Seventeenth ward of Baltimore City in my own district has for many years been the Gibraltar of unterrified Democracy. Equally and coextensively it has been the Gibraltar of flagrant and most stupendous frauds. There is not a handful of colored men in that ward.

In the face of all these things, Mr. Speaker, gentlemen ask us to let them alone. Let them alone for what? Let them alone to snatch from defenseless people the benefit of representation based upon suppression of votes, and double in extent to that enjoyed by other sections of their common country; let them alone not only to commit fraud, but to do it in the name of liberty and under the guise of the privilege of local self-government; let them alone when outraged constituencies send to this body contests, most of them well founded, equal in number to the number of Representatives from that section upon this floor; let them alone when fresh done barbarities, as detailed before committees of this Congress and upon this floor, indicate the existence of conditions unsurpassed in the disorders of Warsaw, under the dominance of that "solitude" which men have called "peace."

Mr. Speaker, when the great Roman orator in his grand philippic against the arch-conspirator of his country portrayed the evils that had fallen upon her, the splendid and tremendous power of his language was not more masterful in the description of the wrongs that had been done than in that of the times, the places, and the manner of their doing.

It was not so much that Catiline had conspired against the peace of the state, but that, so conspiring, he came within the circle of the senate, under the eyes of the consul, took part in the deliberations of the body, and marked out the downfall of those who were the defenders of the city.

Not less, Mr. Speaker, has it come to pass that here in this Western Empire, in this age of civilization and peace, men, in effect, have borne a part in the commission of outrages upon the Constitution and the laws of their country, have set up the reign of fraud almost within the shadow of the sacred circle of this Capitol—shining temple, as it ought to be, of justice and of terror to evil-doers—and then have come within the sanctuary thereof, taken part in deliberations of this body, to pass laws for the guidance of the people. I will not carry the analogy further.

Mr. Speaker, I challenge any man to go before me in weight of sincere regard and friendship for all that relates to the prosperity of the section from which I hail.

I love the State of Maryland and her people, among whom I was born and reared and among whom I expect to die. I thank God for Maryland, sir, that she is ridding herself of the conditions that prevail, I regret to say, among her less fortunate sisters. She is ridding herself of Democracy as well.

I love the people of the South that possess the affinities and habitudes of sentiment and action and industries akin to my own State. I have respect for the government of my State and the modified sovereignty thereof, but I owe a greater allegiance to the Government of this country.

I have a greater admiration for the more exalted rank of grandeur and boundless enterprise that belong to us under the enlarged nationality of free government that in a higher sphere we enjoy as citizens of the United States.

And as Representatives of the country and the people thereof, and not alone of the States, we each have the right to expect and the duty to demand the enforcement of equal civil and political rights over every the humblest citizen in every the humblest and remotest corner of this broad land. And because I have an aspiration for the good of my section and of that South of which I rank myself a son, I would have her take her proper place in the enjoyment of the munificent blessings that God and nature have bestowed upon her.

I would have her uplifted above the charge and suspicion of fraud, which false friends have brought upon her, to go forward in alignment with the progressive tendencies of other sections in their march to a greater and higher destiny among the peoples of the earth.

I know full well, Mr. Speaker, that he who stands here in his place and speaks the plain, unvarnished truth about these things, which all

men know and all good men lament, will be censured by some as being the maligner of his people and an enemy of his community. So be it, sir, if such shall be my fate.

That man, sir, in my judgment, is less the enemy of his people who states the naked fact about them and pleads for their deliverance than he who brings the blight and tarnish of these things upon them; than he who, in apologetic tones, dwarfing the full measure and the seriousness of the facts, stands forth as a champion of fraud and the brazen defender of his country's disgrace and the pleader for its continuance.

The pathway of our duty in the premises is plain to my mind, Mr. Speaker. That Government is a farce and itself a fraud which permits high-handed lawlessness to go unrebuked and unwhipped of justice, and that fails to extend the full measure of its strong-armed protection to him who, in suppliance bent, asks and pleads for it.

Hesitation in such cases is turpitude, and timidity itself is cowardice.

The Republican party for these many years past, sir, in its treatment of this question has hovered close to the border line of cowardice.

We clothed the colored man of the South in the habiliment of equal rights and bade him exercise them. It is our sacred and solemn duty to stand by him and protect him in the exercise of those rights.

For what was it that we led him out of the land of bondage and placed him on the high mount of hope and political promise, if, forsooth, we abandon him at the entrance of that promised land in which we bade him go when we clothed him with the insignia of the ballot?

Better had we left him in his semi-barbaric happiness and contentment down among the cotton fields and corn, where in his chattel condition he received at least kind treatment, than to have led him out of the thralldom of slavery into the pitfall of a political serfdom.

There stands in this city, Mr. Speaker, a few squares from this Capitol, if I mistake not, a statue more striking in its form and more significant in its teachings of a great idea than any I remember to have seen.

I remember well a few years ago, when a student in this city, I came out one evening from college, buoyant in the glow and ardor of youth that sees in the sculptured marble the image of immortal thought, to witness the unveiling of that statue. It represented the form of Abraham Lincoln, standing erect and noble as in life, with his outstretched arm over the bended head of a kneeling slave. The hand that drew the veil was the hand of Grant. I have sometimes wondered, Mr. Speaker, if that picture were a dream or if that statue should not again be veiled.

And I suggest that when this bill shall have been defeated, if it shall be, and aught that remains of hope of the realization of the dream of Lincoln or the vision of Grant in the equal protection and complete enfranchisement under the law of the former slave shall be gone, this Congress or the Republican party should cause that statue to be veiled and the gentleman from North Carolina [Mr. EWART] should be master of ceremonies upon that occasion.

If gentlemen, Mr. Speaker, may not relish the situation in which they find themselves under the enactment of such a law as this they must commend to their own lips the chalice which they have prepared for others in forcing upon us the necessity for calling it into power.

If the things which are said and charged as to the conditions which prevail in the South do not in fact exist, then it is for you gentlemen from that section to remove the suspicion which a thousand evidences point to, and which has become so widespread that it is no longer safe to disregard its monitions.

From all over the country comes the complaint of frauds against the ballot-box in the South. The people here and there and everywhere say that you do not permit fair elections. The voice of distress that comes from that quarter and the wail of political desolation that wells up from the downtrodden therefrom have become too loud to be drowned in mere denial. The testimony has become too strong to be discarded in the tribunal of public opinion.

We have listened to the voice of the siren that would bid us shut our ears to that cry already far too long; the lullaby and gush about peace and good-will and the prosperity of the negro there we have heard enchanted, lo! for these many years. The time has come for action. The time has come for an assertion of the powers and the full powers of the Government under the Constitution, which under God and justice, we must, perforce, invoke if we would be true to our fellow-man and be not recreant to ourselves. It is due not only to the black man, but to a host of wronged and injured white men as well.

There are thousands of those in the South to-day who would break away from the thralldom of the Democratic party could they count upon the Government's protection in the exercise of their rights when the ties and associations that bound them to Democracy have been severed. They are kept there now by the false cry of negro supremacy. They are kept there because in the suppression of the voice of the negro in his Republicanism and all who side with him across the pathway that leads to him in the domain of his politics there stands inscribed the warning, "Let all who enter here leave hope behind."

There are those among the young men of the South who, born beneath the star of secession, down in the darkness of the night of war and threatened disunion, beheld the flag of nationality born by the Republican party, as they believed, to a better and a higher life, and they followed it as a tutelary god, because they believed it was right.

Down among the barren fields of their own fair land made desolate and upon the banks of their streams that bore no commerce to the seas, they saw in the operation of your policies and your principles the opening of a roadway to a higher progress and prosperity for a new and regenerated South. They adopted the slogans of your party faith and called them their own.

They yearned for participation in the homogeneity of nationality, that under the operation of just laws and the equal and unstinted protection thereof they fondly hoped would have followed in the wake of your creed, overspreading all the sections of this country, North and South alike.

They cherish that hope to-day. And they ask that you extend to them the full protection of your Constitution under the broad panoply of your Federal power, commensurate with the loyalty which they gave to you.

They can only get it through fair elections. Full nationality can not be secured without it. The right of a free and fair and untrammeled ballot stands at the base of all others.

It will not do, Mr. Speaker, and it is no excuse for us to say that the laws which we shall pass and which no man dares to say are not right, in their prevention of cruel, crying wrongs, will cause irritation and excite bad blood and ill-feeling among the people against whom they will have to be executed.

The aims of great justice will not permit or tolerate the adoption of such a halting, timid, hesitating policy as that, in the face of a solemn duty.

In the prosecution of our rights under the law, sir, I should make the political atmosphere of our country so hot for evil-doers against the ballot that, in the language of Daniel Webster, "they can not breathe the air thereof and live."

It will not do for us to falter in the discharge of a great and solemn duty because, forsooth, it may be contended that we have not the power or the capacity to secure practical enforcement of the law.

Great Government that we are, we should render ourselves contemptible in the eyes of the nationalities of the earth by the avowal of so humiliating and so cowardly a confession as that.

On such reasoning as that we should hand over society to the unbridled license of the evil-doer in every field of crime; and the shackles that fell from the limbs of the helpless slave at the touch of the wand of freedom under the great soul of Lincoln would have weighed upon his body to-day had sentiments of the stamp voiced by the gentlemen of the South on this side of the House found lodgment in the hearts of the brave men who wrought his liberation. There is no sense in such a plea, no justice in the sentiment that gives it birth.

But it is said, sir, that the experiment of this legislation is costly, and gentlemen pause to enter into estimates of expense.

The blessings of free government, sir, are not measured in dollars and cents, and the aims of nationality are superior to considerations of revenue.

When the people of this country struck the blow for independence of a foreign power they did not stop to calculate the cost of the maintenance of the cause of freedom; when the men of a later day went forth to battle for the suppression of the rebellion they did not halt or hesitate to conjure with arithmetic or weigh the estimate in dollars and cents that would be expended to preserve liberty and union in the land.

Blood-stained tracks of veterans that left their impress upon the mountain slopes and valleys of a thousand battle-fields; eyes bedewed with tears of many a sorrowing widow or stricken orphan that wailed the sacrifice of loved ones lost, reckoned not of the quantum of expenditures that sustained the struggles fought and won for liberty and law.

These were struggles for nationality, Mr. Speaker, for wide-spread, practical, priceless liberty, whose legitimate expansion finds its only logical result in complete and unstinted enfranchisement as voiced in universal manhood suffrage. It is that for which we are contending to-day. The victory is not complete without it.

There is no middle ground between civil and political liberty in a republic. There is no political liberty that does not stand upon and find its fullest expression in the ballot.

I understand, Mr. Speaker, that there are a few in the South that call themselves Republicans—and I hope that they believe that they are—who stand against us and against their people in that section in their opposition to the passage of this bill. I understand that, sir. It is hard to speak for the defenseless and the disfranchised of the people at all times. It requires nerve and courage and sometimes sacrifice to do it. All men are not endowed with these qualities.

I understand that there are some Representatives from the South whose districts—like my own, perhaps, in Maryland—do not need this law. But I had thought they would be more mindful of their brethren of other States and districts who do need this law, and need it because they can not get justice without it.

There are those again, Mr. Speaker, who love to luxuriate in the favors of what is called the "aristocracy" of society, and feel the friendly fawning of what is known sometimes as the chivalry of the South. Stalwart Republicanism gives no sesame to those who foster and feed upon such agencies.

There are those who, because of the profit and the policy thereof, are lip-serving in their own politics and, because of dalliance with Democracy, grow faint in the avowal and weak in the expression of their own creed to bask in the sunlight of some pleasant ballot scoundrel's smile. There are some of these among the Republicans of that section, sir. We have all seen them and feel a tinge of shame in their comradeship whenever we see them, and it is the sentiment or the want of it that comes from such as these that finds its fit indorsement in the phrases, honeyed of apology for fraud and pregnant of encomiums upon its doers, in the utterances that fell from the lips of the gentleman from North Carolina.

There is another element, sir, self-portrayed, that will not fail to have been noticed in connection with the opposition on this side to this bill—a grievance against the President, the Speaker of this House, or the action of a committee of a co-ordinate branch of this body.

For my part, Mr. Speaker, I want to say that I place my Republicanism and my patriotism and sense of public duty on higher grounds than these. The President of the United States exercises his duty under the Constitution in the light of his own conscience and according to his own best judgment as we may assume. And though he may err in individual cases, and I have no doubt he has done so, I believe in the long run, and in the calm and sober judgment of the great majority of the people, he will be found to have discharged the functions of his high office upon policies and public questions, as well as in the recognition accorded to public men, with sound discretion and discrimination. But whether he has or not, sir, I shall endeavor for my part to discharge the independent responsibility of my Representative position here regardless of what I may conceive to be the lack of judgment or neglect of duty on the part of co-ordinate branches of this Government.

The gentleman from North Carolina does himself injustice when he parades the views of defeated aspirants for district attorney, or those of some black-faced Iscariot, himself hungry for appointment, in support of his own views.

Doth the wild ass bray when he hath grass, or loweth the ox over his fodder?

Mr. Speaker, in the language of Roscoe Conkling, at the close of a memorable speech upon a subject somewhat akin to this, there is a sentiment which I would fain adopt and make my own. He said:

One of Rome's famous legends stands in these words:

"Let what each man thinks of the Republic be written on his brow."

I have spoken in the spirit of that injunction. I have spoken frankly of the things that are and yet ought not to be, because I would stamp them out of existence in the section where they prevail and look to the dawning of a better and a brighter day for the South.

Richard W. Townshend.

REMARKS
OF
HON. CHARLES E. HOOKER,
OF MISSISSIPPI,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 15, 1890.

The House having under consideration the resolutions of respect to Hon. Richard W. Townshend, late a Representative from the State of Illinois—

Mr. HOOKER said:

Mr. SPEAKER: When requested by the gentleman from Illinois [Mr. WILLIAMS], the immediate successor of our deceased friend, to take part in these obsequies of our lamented brother, I responded that I would regard it not only as a duty to do so, but one which, in view of the relations which existed between Mr. Townshend and myself, I should feel myself remiss if I did not consent to perform. And though I have no written speech to deliver commemorative of the virtues and public services of our friend and brother, I have a word to say in reference to my connection with him in the rendering of those services.

Sir, death to the old or those whom Providence has afflicted with infirmities seems natural, but when it comes to those who are in the meridian of life and at the very acme of their usefulness it is hard for frail humanity to exclaim, "The Lord gave, and the Lord hath taken away; blessed be the name of the Lord." Mortality is the fate of all, but he whose magic hand swept across the chords of the human heart with a touch probably never equaled by another has told us that even in this case—

> The weariest and most loathed worldly life
> That age, ache, penury, and imprisonment
> Can lay on nature is a paradise
> To what we fear of death.

That sentiment of the great English poet may be true, Mr. Speaker, but there is another equally true: that to him who has met the duties and obligations of life and discharged them faithfully death comes but once, and once only to the brave, come when it may. Thus it came most unexpectedly to our deceased brother.

I was associated with him in many Congresses in which he served, and in the Fiftieth Congress, which had just closed. Only a few days before his death I met him in these Halls and had familiar social intercourse with him. He looked the picture of health, and he was animated, as his distinguished colleague, General HENDERSON, has said, by the hope, the elastic spirit, and the fine temper which always distinguished him, little apprehending that he in his turn, and in a few days, must pay the debt of mortality which all humanity must pay. And I was grieved ere yet I had reached my home to learn by the telegraphic wire that he whom I had left in such robust health, in such vigorous physical condition, and such hopeful frame of mind had, alas! passed away in the prime of his manhood.

It was my fortune, Mr. Speaker, to be associated with Mr. Townshend from his first entrance into these halls. The history of his life has been given by his distinguished successor from his own Congressional district and given, too, by my friend from Maryland [Mr. Compton], who represents the district in which Mr. Townshend was born. At an early age he left the home of his nativity and came to this city, exhibiting even in his boyhood those marvelous traits of his character—zeal, intrepidity, energy, fidelity, and honesty in the discharge of whatever duty was devolved upon him.

Moved by the spirit which moves so many of our young men in the Eastern and Middle States, he sought his fortune in the great West. Making his home in the State of Illinois, he was there the recipient of many honors. Admitted to the bar at the age of twenty-two, elected to the responsible position of representing his constituency in the central executive committee for several years; elected as a delegate to the convention which met in 1872; and then, sir, the same spirit that animated him in the discharge of these duties recommended him to the constituency in whose midst he lived, and he had the honor to be selected by a large majority to the Forty-fifth, the Forty-sixth, the Forty-seventh, the Forty-eighth, the Forty-ninth, the Fiftieth, and the Fifty-first Congresses. In all these positions he discharged the duties that devolved upon him with wonderful zeal and fidelity.

When he was nominated by the Speaker of the last House of Representatives as chairman of the Committee on Military Affairs I must confess that I felt some anxiety, some trepidation as to how he would meet the responsibilities of the grave position to which the Speaker had assigned him; for I had not understood that he had been so situated as to acquire knowledge of military affairs. But I was more than gratefully disappointed when I, as an humble member of that committee, associated with him in the last Congress, found that he brought to the discharge of the duties of the chairmanship of this great committee, having in its care the Army of the United States and the laws which govern it—I found that by zeal and industry and study and familiarity with military men, whose society he always courted, he had made himself pre-eminently familiar with the questions coming before him in the position to which the Speaker of the last House had assigned him.

No man has exhibited on this floor a greater knowledge of the laws which should govern the country in providing for its soldiers and officers. He familiarized himself most thoroughly with all the laws that had been enacted on this subject. In the debates on this floor when he imagined, and probably imagined correctly, that the particular jurisdiction of his own committee was invaded by others, he defended it with all the zeal and earnestness, and even, I may say, aggressiveness, which characterized him whenever he spoke upon any subject. No public position was ever filled with greater honor, fidelity, zeal, and courage than his chairmanship of that committee.

The honorable gentleman [Mr. CUTCHEON] who has now the honor to preside over that committee was associated with us in the last Congress. The best wish that I can make for him is that in the administration of his great duties he may imitate the zeal, the ability, the learning, and the bravery which distinguished our deceased comrade in the discharge of those responsible duties.

Others have spoken of Mr. Townshend's private and social virtues. It was my fortune to be with him in the Forty-fifth Congress, the Forty-sixth and the Forty-seventh, and to be with him again in the Fiftieth Congress. It is a source of profound regret to me that I can not have the pleasure of being with him in the present Congress.

But early as he departed this life, soon as the great destroyer mowed him down, he has left behind him a name and a record upon the Congressional history of this country that will cause him to be forever remembered in the estimation of those with whom he associated and the constituency whom he served so faithfully and bravely.

Long as was my association with him, Mr. Speaker, I did not discover that he had a single vice or fault. If he had, intimate association for several years never disclosed it to me. We may now commit his remains to the bosom of our common mother, the earth, with the declaration that no man knew him so intimately as to discover that he was ever afraid to speak his sentiments, ever afraid to announce his

views. Performing faithfully all the duties of life, if he had any faults I did not know them; and if there were such we commit them with him to the judgment of that Great Author of our common being who holds the scales of justice to weigh us all with even balance and omnipotent power. We commit them to the keen gaze of Him "who hath measured the waters in the hollow of His hand, and meted out heaven with the span, and comprehended the dust of the earth in a measure, and weighed the mountains in scales, and the hills in a balance."

Federal Election Law.

SPEECH
OF
HON. EDMUND WADDILL, JR.,
OF VIRGINIA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. WADDILL said:

Mr. SPEAKER: That the present measure is one of great importance to the people of this country no impartial person will dispute. The authors of the bill claim for it that it will secure to every citizen in the land the right to cast one honest ballot and to have that ballot counted. If it shall succeed to only a limited extent in that particular it is a measure that the American people should hail with delight. Far, in my judgment, does the importance of such a proposition exceed all others before this House. What do we care for silver bills, for tariff bills, for copyright bills, and such like questions in the light of a measure that has for its purpose and object the guarantying to every citizen in the land—rich or poor, lettered or unlettered—the free and untrammeled use of the ballot?

It is alleged by the authors of this bill that a necessity exists for its passage, and that in many sections of the country elections are controlled by fraud, perjury, violence, and bloodshed, and a general suppression of the popular will, and to that charge there is not always a denial, though not unfrequently a justification of such things is made. I say here from my seat on the floor that if such things exist then all other questions fade into insignificance beside it. Little do your laws to protect property amount to, little do your laws to protect persons amount to, if in a free and enlightened age you fail to protect what alone gives us our manhood. The ballot has been truly said to be the right preservative of all rights. And without it, in its simplicity and purity, our Government, in its present form, must in the near future tumble and fall to the dust. It will truly be a repetition of a house built upon the sand, and which the floods and the rains soon overcame.

Least of all, Mr. Speaker, is it a bill as to which there should be any sectional dispute or quarrel? I say for the Southern people, as one of them, that I am ashamed to know that any Southern Representative will intimate upon this floor that the people of the South do not want honest elections. This bill is entitled to a fair consideration, and, after the quiet, cool, able, non-partisan, non-sectional speech of the distinguished gentleman from Massachusetts [Mr. LODGE] in its behalf, I am sorry and surprised to know that sectionalism should be dragged in here, so that in this House for the last three days we have heard what ought to make the heart of every American patriot bleed. We have seen that side and this side of the House indulge in violent sectional tirades, each side to blame somewhat, but you gentlemen on the Democratic side started it—speeches that would have done credit to 1863.

Now, Mr. Speaker, I appeal to any Democrat here to put his hand upon any word of a sectional character uttered by the gentleman from Massachusetts [Mr. LODGE], the author of this bill.

Our distinguished friend from South Carolina [Mr. HEMPHILL] who led off on the other side cracked the sectional whip, gave notice to the world that this bill if it became a law could not and should not be operative in his section. Why, Mr. Speaker, what is the excuse? I ask my Democratic brethren to stop and reflect a moment. The only defense you urge against this bill is that your section should be "let alone;" that you should be allowed to "attend to your own business." That is your demand. Why, sir, to be "let alone" was all that the South asked in 1861. This bill applies to every section of the country alike. In this particular it is substantially the same as the present law. I am surprised, Mr. Speaker, that a gentleman of intelligence who undertakes to represent a constituency on this floor should by his very declaration admit or claim that his section is not a part of the Union.

What is South Carolina going to do about it? Why, sir, whatever affects South Carolina affects every other portion of this Union in respect to elections for members of this House. Whatever affects Virginia, whatever affects Iowa, affects every portion of this common country. The cry, then, of "Let us alone," "Let us attend to our own business," is child's play when dealing with the subject of elections for the whole country. Think of the folly and nonsense of the people of Virginia getting into fever heat every two years as to who shall be their Congressmen, if, for illustration, in the State of Massachusetts as many Congressmen can be counted or otherwise illegally selected as is desired. If they thus have Republicans returned would not the voice of our Democratic Representatives be stifled and *vice versa?*

Sir, I listened to that beautiful outburst of eloquence of the gentleman of South Carolina when he spoke of his fatherland and his determination to hold it and not leave it. Sir, in the memory of some of us, there was another period of this nation's history in which South Carolina led the van. I do not want to talk about the war; I do not want to revive its memories or to apologize for what was then done. We believed we were right and we acted. But I am not untrue to the Southern Confederacy when I say that her people do not want any more war. Her people are tired of it. Sir, there are too many unpleasant reminders of that conflict. Ruin and devastation on all sides. Go North, go South, go East, or West, and the vacancy at the family hearthstone is a monument to the rash words of South Carolina before. [Applause.] A stricken father, a widowed mother, a missing boy, a widowed daughter, whose husband sleeps beneath the turf, are sad reminders of the danger of rash and hasty action.

Now, my friends, be careful, be prudent, move slowly; and do not forget this: that nullification in 1890 may do what secession did in 1860. Let the Southern people reflect. Let them ask before opposing a measure of this kind, is it honest and right? I say the Southern people can not be excelled in the civilized world for honesty and fair play. Is it right to accept the increased representation based upon the negro vote and then suppress that vote? The Southern people ought not to do it. The "sober second thought" of the Southern people will not do it.

The gentleman from South Carolina makes a great mistake. In his discussion of this question he ignores grave matters involved in the controversy, and particularly one of the most important features of this proposition. He has brought the "Solid South" here, he has brought sectionalism here. I want to ask him what he is going to do with the white Republicans of the South when he proposes to exterminate the negroes or rule by force? He says that they, the Democrats, are their fathers' sons and that the blood shall not first turn back in their veins.

We, too, sir, are our fathers' sons, and we stand upon our native heath. I represent in part a State that has in it 75,000 white Republicans, as pure, as honest, as good citizens as any men who occupy seats on this floor. I say now we want peace; we want honest elections; and I tell the gentleman that we are our fathers' sons too. He wants to know whether the blood is expected to turn back in his veins. I tell him no; but if he proposes to rule the Republicans of the South by force, if he proposes to exterminate them, then the blood will flow back in the veins of the white Republicans of that section not until the last drop of it shall have been shed. [Applause.]

I am sorry, Mr. Speaker, that this question could not be considered calmly and without any partisan feeling. Now, what is it? What do you say about this law?

THE ORIGINAL LAW.

I want to remind Republicans in this House, some of you who have some doubts about this measure, that not a single objection is now urged against this bill that was not urged twenty years ago against the law providing for national supervision of elections. At that time the leader of the Democratic party, Senator Bayard, said:

> It will either be rendered a nullity by the sentiment of the people of the United States, the sober second thought that politicians can not reach, or else I can not see how it can help provoking a conflict of which God alone can see the end. (See Appendix to Congressional Globe, second session, Forty-second Congress, volume 81, pages 416, 418.)

Hon. J. S. Smith, of Oregon, in the House of Representatives May 27, 1870 (Appendix to Congressional Globe, volume 81, page 416), among other things, said:

> But this bill, if passed and enforced, will effect an entire and most pernicious revolution in the practice of the Government, one fraught with danger to every citizen and subversive of liberty.
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> * * * * * * *
>
> Why, sir, with this bill as a part of the law of our land, with the hordes of hungry, interested officials provided for in other sections prowling about the country seeking for victims, with the inducements and opportunities offered to the mercenary and the malignant, it will not be safe for men to discuss political questions with their neighbors or to transact the ordinary business of life with each other about election time. It will have a tendency to breed universal distrust and uneasiness, to encourage litigation, to promote the gratification of spite and greed of gain by unfounded accusations and prosecutions.

Scarcely an objection either as to constitutionality or otherwise has been urged at this time against the passage of this bill that was not urged against the passage of the present law. All sorts of dire predictions were made as to its dangers and the evil effects to follow its passage. The above extracts from speeches of Messrs. Bayard and Smith give an idea as to the then feeling and apprehension. But with twenty years' experience all these predictions are shown not only to be ill founded and that the law in its conception and operation was and is

in every way wise and conservative, operating everywhere, as it does, to insure fair elections and nowhere doing any harm; but in many places it has proven to be the only safeguard afforded for a free and fair election. Nowhere, so far as I have been informed, has this law operated otherwise than to facilitate fair and honest elections.

I say there is no danger from this law. Naught but the facilitating of honest elections will come from it, as has been the case with the original law. At the passage of that law danger might well have been apprehended; it was a new and untried path, but now the way is blazed and marked for us. None but those who will not heed can get hurt.

CONSTITUTIONALITY OF THE LAW.

At the time of the passage of the original law grave doubts as to its propriety and expediency might well have been entertained. Indeed, the constitutional question had not then been settled and the then lawmakers had only the opinions of the framers of the Constitution to guide them. The Supreme Court had not then, as now, passed upon and settled this imaginary trouble.

WHAT THE FRAMERS OF THE CONSTITUTION SAW.

The possible necessity of this or a similar law was seen by our forefathers, the framers of the Constitution, and although the clause now under consideration, namely, section 4 of Article I of the Constitution of the United States, which is as follows:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators—

was the one over which more controversy was had than any other; nevertheless they in their wisdom adopted it, and full record is made of the views of many eminent statesmen to show what their meaning and intent was. They apprehended that a day or a time might come when passion and prejudice would override cool judgment; when men's local interests and their ambition might overcome their love for their country; when State and local affections and imagined duties might outweigh their national love.

Surely naught but great wisdom and a prophetic vision could have portrayed the events of the future as they did.

In the Federal convention Mr. Madison said:

The necessity of a General Government supposes that the State Legislatures will sometimes fail or refuse to consult the common interest at the expense of their local convenience or prejudices. The policy of referring the appointment of the House of Representatives to the people, and not to the Legislatures of the States, supposes that the result will be somewhat influenced by the mode. This view of the question seems to decide that the Legislatures of the States ought not to have the uncontrolled right of regulating the times, places, and manner of holding elections. These were words of great latitude. It was impossible to foresee all the abuses that might be made of the discretionary power. Besides, the inequality of the representation in the Legislatures in particular States would produce a like inequality in their representation in the National Legislature, as it was presumable that the counties having the power in the former case would secure it to themselves in the latter. What danger could there be in giving a controlling power to the National Legislature? Of whom was it to consist? First, of the Senate to be chosen by the State Legislatures. If the latter, therefore, could be trusted, their Representatives could not be dangerous. Secondly, of Representatives elected by the same people who elect the State Legislatures. Surely, then, if confidence is due to the latter, it must be due to the former. It seems as improper in principle, though it might be less inconvenient in practice, to give to the State Legislatures this great authority over the election of the Representatives of the people in the general Legislature, as it would be to give to the latter a like power over the election of their representatives in the State Legislatures. (Madison Papers, pages 401, 402.)

And Rufus King added:

If this power be not given to the National Legislature, their right of judging of the returns of their members may be frustrated. No probability has been suggested of its being abused by them. Although this scheme of erecting the General Government on the authority on the State Legislatures has been fatal to the Federal establishment, it would seem as if many gentlemen still foster the dangerous idea.

And Gouverneur Morris observed:

That the States might make false returns and then make no provisions for new elections.

A prophetic observation.

Patrick Henry said in a speech in the convention of Virginia:

Congress is to have a discretionary control over the time, place, and the manner of holding elections. The Representatives are to be elected, consequently, when and where they please.

SUPREME COURT DECISION.

A discussion of the question of the right to pass the bill, in the light of the decisions of the Supreme Court of the United States, seems almost an insult to this House, and I would not venture even to mention the question of constitutionality but for the remarks of my Democratic friends who seem to have grave and serious doubts on the constitutional question.

And I shall be content to quote the decision of the Supreme Court as a sufficient answer to Democratic doubts. In the case of Siebold (*Ex parte* Siebold, 100 United States, 371), Mr. Justice Bradley delivering the opinion of the Court, Justices Clifford and Field dissenting, the following passages give the views of the Court upon this important power of Congress:

It seems to us that the natural sense of these words is the contrary of that assumed by the counsel of the petitioners.

After first authorizing the States to prescribe the regulations, it is added, the Congress may at any time, by law, make or alter such regulations. "Make or alter!" What is the plain meaning of these words? If not under the preposession of some abstract theory of the relations between the State and National Governments, we should not have any difficulty in understanding them. There is no declaration that the regulations shall be made either wholly by the State Legislatures or wholly by Congress. If Congress does not interfere, of course they may be made wholly by the State; but, if it chooses to interfere, there is nothing in the words to prevent its doing so, either wholly or partially. On the contrary, their necessary implication is that it may do either. It may either make the regulations or it may alter them. If it only alters, leaving, as manifest convenience requires, the general organization of the polls to the State, there results a necessary co-operation of the two Governments in regulating the subject. But no repugnance in the system of regulations can arise thence, for the power of Congress over the subject is paramount. It may be exercised as and when Congress sees fit to exercise it. When exercised, the action of Congress, so far as it extends and conflicts with the regulations of the State, necessarily supersedes them. This is implied in the power to "make or alter." (Pages 383, 384.)

This decision alone would seem to be conclusive of this question. But later still and more explicit even, if possible, we have another decision of the same high tribunal.

In *Ex parte* Yarborough (110 United States, 651), Mr. Justice Miller, delivering the unanimous opinion of the court, said:

That a government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the Legislature is elected by the people directly, has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud is a proposition so startling as to arrest attention and demand the gravest consideration.

If this Government is anything more than a mere aggregation of delegated agents of other States and governments, each of which is superior to the General Goverement, it must have the power to protect the elections on which its existence depends from violence and corruption.

If it has not this power it is left helpless before the two great natural and historical enemies of all republics, open violence and insidious corruption. (Pages 657, 658.)

Will it be denied that it is in the power of that body to provide laws for the proper conduct of those elections? To provide, if necessary, the officers who shall conduct them and make return of the result? And, especially, to provide in an election held under its own authority for security of life and limb to the voter while in the exercise of this function? Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation and the election itself from corruption and fraud?

* * * * * * *

If the Government of the United States has within its constitutional domain no authority to provide against these evils, if the very sources of power may be poisoned by corruption or controlled by violence and outrage without legal restraint, then, indeed, is the country in danger, and its best powers, its highest purposes, the hopes which it inspires, and the love which enshrines it are at the mercy of the combinations of those who respect no right but brute force on the one hand and unprincipled corruptionists on the other. (Page 667.)

DUTY OF STATE OFFICIALS.

The court in *Ex parte* Siebold also ruled very plainly in regard to the power of Congress under this clause of the Constitution to treat State officers conducting elections as officers of the United States:

It is objected that Congress has no power to enforce State laws or to punish State officers, and especially has no power to punish them for violating the laws of their own State. As a general proposition this is undoubtedly true, but when in the performance of their functions State officers are called to fulfill duties which they owe to the United States as well as to the State, has the former no means of compelling such fulfillment?

In view of the fact that Congress has plenary and paramount jurisdiction over the whole subject, it seems almost absurd to say that an officer who receives or has custody of the ballots given for a Representative owes no duty to the National Government which Congress can enforce, or that an officer who stuffs the ballot-box can not be made amenable to the United States. If Congress has not, prior to the passage of the present laws, imposed any penalties to prevent and punish frauds and violations of duty committed by officers of election it has been because the exigency has not been deemed sufficient to require it, and not because Congress has not the requisite power. (Pages 387, 388.)

VIRGINIA BILL OF RIGHTS.

And in this connection section 3 of the Virginia bill of rights seems apropos:

That the Constitution of the United States and the laws of Congress passed in pursuance thereof constitute the supreme law of the land, to which paramount allegiance and obedience are due from every citizen, anything in the constitution, ordinances, or laws of any State to the contrary notwithstanding.

May we not affirm in the light of these authorities that the power of Congress in the premises is supreme? To contend otherwise would be to deny facts too plain to admit of controversy and would be an acknowledgment that the National Government was powerless to prevent its own overthrow at any moment.

Now, Mr. Speaker, we have the constitutional provision, we have the construction given it by its authors, and we have the decisions of the highest courts in the land, leaving no question as to the meaning of the Constitution. Now, what as to proposed law?

PROPOSED LAW.

I have listened with the deepest interest to all that has been said, and do not hesitate for one moment to say that if I in the slightest particular feared the operations of this law, as many of my Southern brethren appear to do, or believed that it was exclusively aimed at the South and would injuriously affect its interests and harshly and unjustly bear upon its citizens, then I should vote and work against the passage of the measure; but I have studied this bill in vain to see if there is any cause for all this fear and apprehension, and my deliberate conclusion is that there is not a provision in it that can even hurt the hair of the head of an honest man in America.

PEOPLE OF VIRGINIA.

And right here I want for one, at least, to remove the imputation sought to be cast upon the people of Virginia by those who affect to

speak for her here, when they imply by their conduct that any law looking to an honest election will ever injuriously affect her people.

The people of Virginia are a law-abiding people, a law-loving and God-fearing people, and in no land, in no clime upon which an all-wise Creator has allowed the light of His countenance to shine is there a better, a nobler, and a purer people than hers. Many, and an overwhelming majority, of her sons are as true, as honest, as loyal, as law-abiding, and as patriotic as any citizen to be found anywhere in the Union, and her women are to-day, as ever, the very highest and purest type of the American lady, noted the world over for their virtue, refinement, and christian simplicity of character.

HONESTY IN ELECTIONS.

That, however, there is in our midst unfortunately too large a number of persons upon whom the reflection as to lack of honesty in elections is properly cast there is no doubt. More unfortunate it is that there is a large class of our people who wink at and condone election frauds. And that this unfortunate state of affairs is to some extent carried on in high life and high places, so to speak, is also sadly true; but for the class of these individuals, small comparatively in numbers, who participate in crime, apprehension as to the effects of this bill is not ill founded. Fortunately, though, this class—prominent as they sometimes are—do not and should not represent our people. Let there be a fair and effective law passed and this lawless class—for lawless they are, whether their station be high or low—will disappear as sora in frost time, and in the end will live to despise themselves. Cowards they are; criminals they should be, unless for pity sake.

But, Mr. Speaker, there are bad people in all communities, and you should not and can not charge what they do to a whole people.

I have the honor to represent on this floor a large white district having 2,516 white majority and was elected on an honest count by about 1,000 majority. And for the white people and for the colored people who voted for me I say we want absolutely fair and honest elections, and I believe I can say the same thing for a large majority of my Democratic fellow-citizens. Hence, I believe all the talk about this law injuriously affecting the South is merely political clap-trap seeking to prejudice the people against it.

The operation of the law of which this is an amendment has proved of value and has done much to facilitate a fair ballot and an honest count, and I insist that the people of Virginia make no objection to Federal supervisors. Both parties always, as a rule, under Democratic and Republican administrations alike, ask for their appointment, and the rule in Virginia has shown that the Republicans always do better with supervisors than without them, and I do not believe the present system would operate differently from the old law.

THE APPEAL TO PASSION.

Why attempt to array the prejudices of the people and to fire the Southern heart on account of this measure?

The Southern people are to be put in the position of taking its passage to themselves. I for one protest against this imputation on the Southern people. The original bill was not passed on our account, but mainly on account of frauds in certain large Northern cities, notably the Democratic city of New York, and that it was a necessity and operated wisely there no one will question. The statistics show that in some wards in the city of New York, prior to the passage of the supervisor's law, more votes were polled than there were inhabitants, men, women, and children, all together. Not so, however, after the passage of that law.

But it is solely aimed at the South, it is insisted; to show that this is not true, some thirty-odd Northern Democratic members of Congress have, within the last few days, published an address setting forth that the law was aimed at the overthrow of their party in the large cities of the North. You, my Democratic brethren, disagree among yourselves as to where this bill hurts. I tell you it does not bear specially on any one section, but operates to facilitate honest elections everywhere, and I doubt not that fraud committed by both parties, for all parties sin enough in this particular, will be lessened.

NOT A FORCE BILL.

But they say it is a force bill. Why call it a force bill? This is another mean effort to arouse the passions of the Southern people and make them place themselves in a false light. This name is seized on because unpopular in the light of the past. If nothing is done wrong, what is there to force? If things are crooked, a little force possibly will not be hurtful; but there is no force about this measure. It merely provides for Federal supervision and a plan whereby the supervision may become of use in the event of fraud or crime by the State election officers; in a word, to make them watch and see everything that is done, as at present; and, in the case of wrongdoing, to keep a record of what goes on, and that that record may be effective in certain named contingencies.

It is insisted, however, that it is a sectional law because not operative everywhere, and the Southern people are falsely told that it applies to the South, and not to the North. This sort of reckless talk is a shame.

Identically like the present law it applies to the whole country, but to no part of it unless petitioned for by so many voters. This is known to be the case by every one, and in this way is the present law used.

In many of the counties of my State the supervisors are petitioned for and appointed, in many others it is never thought of. Under the present law ten citizens in any county can ask for the supervisors. Under the proposed law fifty citizens can ask for it, and it is, as at present, thus put in operation in any and every part of the United States. What our Democratic friends seem anxious for is that there shall be an absolute appointment of supervisors everywhere, whether petitioned for or not, whether necessary or not. This apparent anxiety for Federal interference, which they seem so much to abhor, is a little too transparent, and will hardly fool the most credulous or scare the most timid.

PROVISIONS OF THE ACT.

I will here refer to some of the leading provisions of the bill, as to many of which it seems to me there can be no valid objection.

1. The provision providing for three instead of two supervisors is certainly wise.

2. To require these supervisors to keep a record of what they do and to make such record effective in certain named contingencies.

3. Another clause is to supervise the registration of voters' names and the striking of names from the books, so that reckless and lawless men can not, as was done in Virginia last election to an extent hard to believe and realize, strike in some cases well-nigh the whole population at many precincts from the poll-books. Surely no honest person will object to this provision.

4. Another clause is to provide against fraudulent naturalization. This is certainly desirable.

5. Another clause is to provide for special canvass in large cities for illegal voters on the eve of an election. Surely this is desirable.

6. Another clause is to keep a list and record of voters illegally rejected on the day of election.

7. To provide for compensation of supervisors in the country as well as in cities.

8. A returning board is provided, composed of men of different parties, to which supervisors are required to make returns. And it is provided that in the event of dispute between the State election officers and the supervisors the supervisors' returns are to be accepted; and the returning board of the State, created by the act, shall certify the result of the supervisors' returns to the Clerk of the House of Representatives, who shall accept the same, etc. This is one of the provisions about which so much complaint is made. Let us see if there is any serious foundation for the objection. The bill expressly provides that any party interested, when there is a difference between the judges of elections' return and the supervisors' return, may apply to the circuit court of the United States, and that the said court shall hear said case and determine and certify the correct result to the Clerk of the House of Representatives, who shall accept such certificate and enter the name of the party so certified upon the roll of members elect. This determines simply the *prima facie* right to the seat, and of course is subject to be changed by a regular contest for a seat, as at present.

Objection is urged against this plan. Grant, as is the fact, that there is some objection to it. Is there half as much objection as there is to the present plan? Under the law as it now exists the local State judges of election are the sole tribunals to determine who shall have the *prima facie* right to a seat in Congress. There is no intermediate tribunal to review what they do, however wrong or corrupt it may be, for bear in mind that the returning boards, county and State, are mere ministerial bodies; they have only the compilation of the returns as made by the judges of election. Surely if judges of election at the several precincts throughout the United States, ignorant often, corrupt frequently, are competent to determine the *prima facie* right to a seat in Congress, then a judge of a United States circuit court ought to be, and at last he but reviews the action of these judges and supervisors and determines which are right.

Something is necessary to be done. The organization of the present House demonstrated that. For some time it was not known which party would organize the House, and finally the dominant party had only three majority, but on the side of the minority there sat at least ten members who had no claim whatever to a seat in the body further than on State returns, based upon what the judges of election chose to certify. Can this be more clearly shown than in the case of Hon. George D. Wise, of Virginia? He was regularly returned as elected by the State officials and took part in the organization of the House, and for over thirteen out of a term of twenty-four months acted as a member of Congress and accepted the emoluments thereof; yet seriously no person could claim that Mr. Wise had any right to a seat in Congress. His own party friends presented and voted for this resolution.

Resolved, That the seat now held by George D. Wise as the Representative in the fifty-first Congress from the Third Congressional district of Virginia be, and the same is hereby, declared vacant.

And this is signed by CHARLES F. CRISP, CHARLES T. O'FERRALL, J. H. OUTHWAITE, R. P. C. WILSON, LEVI MAISH, and L. W. MOORE, viz, every Democratic member of the Election Committee.

The proposed bill will in large measure prevent outrages of this character. Something is necessary to be done.

9. Various penalties are prescribed for defeating the popular will and no unreasonable punishment is prescribed; no objection surely can be had to this by people who do right. No more objection should be made

than to any other criminal statute. Bad people never like punishment by law; good people care nothing about it.

JURY CLAUSE OF THE BILL.

10. Now, a word to the gentleman from Virginia, who lays great stress upon the jury system. I have had some experience myself in the jury business. It has been my fortune or misfortune to prosecute in the United States courts in that State, and I surely would not have a packed jury. I do not believe in them. No just person does. But I do say that under the present system you can not convict any one, North or South, certainly not in the South, of political crimes. The present plan is absolutely inefficient so far as political crimes are concerned. The present plan insures a jury of partisans. This certainly will not answer. Of course juries should not be formed of only one political party. Such a thing might possibly happen, but would not likely occur anywhere. The selection of men of different parties is a very different thing from a selection of strikers and partisans of either party. I would have no serious difficulty in finding a jury of Democrats in my town who would not hesitate to convict a man of their own party of a political crime, but such men rarely get on juries under the present régime.

Now, we must do something, and what shall be done? Let us return, in the language of Mr. TUCKER, to the days of John Marshall. We have gone back in this bill to the jury system that was in vogue when John Marshall was Chief-Justice.

Mr. CULBERSON, of Texas. I think you are somewhat mistaken in that.

Mr. WADDILL. Possibly, but I think not. I say that the present bill proposes a system in reference to juries substantially like that which was in practice in Virginia until 1883. In Virginia up to that date the county courts appointed the judges of election and the county courts selected the juries. The county courts tried the criminals whether they were election criminals or other criminals.

Mr. CULBERSON, of Texas. Will you permit a question?

Mr. WADDILL. No; I have but twenty minutes.

Mr. CULBERSON. Let me suggest then that under the bill as you propose it the clerk fixes up the jury.

Mr. WADDILL. Well, the clerk is but the arm of the court. The court appoints the clerk and there is not a man on this floor who believes that the judge of a United States court would submit to a packed jury anywhere. I do not believe it; you do not believe it.

Now, that is the system that we had. That is the system we will have under this bill. That is the system we lived under in Virginia up to 1883, when for partisan ends the plan was changed and election officers were chosen by commissioners elected by the Legislature, and I say here that we have had more election frauds in that State since 1883 than in the two hundred years of its previous history.

HOW THE SUPERVISOR SYSTEM HAS WORKED IN VIRGINIA.

My colleague [Mr. TUCKER] asks:

Who wants this law? Who calls for it?

Right here let me say that my colleague forgot himself. I will do him the credit to say that he would not make a false statement on this floor intentionally about anything; but in his excitement, when he was asked whether Virginia was not pretty nearly a Republican State, he forgot himself and said that in 1888 the Republican supervisors suppressed the vote, and that accounted for the difference between the 1,500 majority against Harrison and the 41,000 against us last fall. The gentleman had not thought what he was talking about. In 1888, 19,494 more votes were cast than in 1889, thanks to the supervisor system. I can go back in the history of Virginia for a period of years commencing with 1882, and I will show you that Republicanism has come to the front whenever there were supervisors to give us a square and honest count; and when there were not the result was different. In 1882, with supervisors, Republicans carried Virginia by over 5,000 majority. In 1883, without supervisors, the Democrats took the State, not fairly, I claim, and counted themselves a two-thirds majority in each branch of the General Assembly.

In 1884, under the supervisor system and on a Democratic count, Virginia was returned against Mr. Blaine by only 6,003 votes, whereas, in 1885, without supervisors, on the gubernatorial vote, a return of 16,034 Democratic majority was made.

Again, in 1886 we had another election supervised by Federal authority, and the result was Virginia rolled up the handsome majority of 20,000 for the Republican party.

Mr. BOWDEN. Twenty-two thousand.

Mr. WADDILL. Twenty-two thousand I am reminded.

In 1887 another election was had without supervisors, and while the return was close on the popular vote nevertheless care was taken that a Democratic majority was returned of well-nigh two-thirds in each house of the General Assembly.

In 1888 the election with supervisors came around, and again Virginia, on a Democratic count and returns, was Democratic by only 1,535 votes. And we come finally to 1889, and Democracy, without supervisors, asserts itself, and the result is a Democratic majority of 40,908 was rolled up.

VIRGINIA A REPUBLICAN STATE.

Now, Mr. Speaker, I will answer the question asked Mr. TUCKER, and I say that upon a fair vote and an honest count Virginia is a safely Republican State. Had the vote been allowed to be polled in 1888 the State would have been returned for Harrison instead of Cleveland. At some eight or ten different voting precincts in Virginia enough voters remained in line at sunset demanding the right of the ballot to have changed the apparent plurality of Cleveland of 1,535. This does not take into account that in the Fourth Virginia district, where we have a majority of about 8,000 votes only, some 3,000 majority was returned owing to a party dispute in that district and the advantages taken thereof by the ever-alert Democratic election officials.

All Republicans in Virginia want to win is a fair election and an honest count.

Now, Mr. Speaker, who demands this?

1. The many contests considered by the House would seem to call for some remedy.

2. The election crimes of all conceivable grades and kind shown by these contests would seem to indicate the necessity for some relief.

3. The fact that one contestant was murdered while making his contest speaks louder than words in behalf of some measure. [Applause on the Republican side.]

4. The fact that in the entire country election crimes are too prevalent shows that something ought to be done.

NECESSITY FOR SOME LAW.

The following proceedings in reference to Jones's Store precinct, in my own county, as well as the two tables, A and B, showing something as to the vote in some of the Southern States, will show some necessity for this law and serve to easily account for the falling off of the Republican vote between 1888 and 1889.

MANDAMUS PROCEEDINGS.

At the registration day, October, 1889, just ten days before the election, some three hundred names were stricken from the registration books of Jones's Store precinct without any authority of law and without any proper notice. A new registrar had to be selected to do the work. All this is shown by the record. An appeal was attempted to be taken, but without avail; a mandamus was applied for, but with like results. The order of the circuit court of Henrico County of November 2, 1889, is here inserted, as the petition would be but for lack of space. It will be observed that a demurrer, which admits the facts, was interposed to disfranchise nearly two hundred voters:

ORDER OF COURT.

This day came Ned Anderson and one hundred and ninety-five others, and filed their petition praying the Commonwealth's writ of mandamus to compel P. R. Carrington, registrar at Jones's Store voting precinct, in the county of Henrico, Virginia, to place the names of said petitioners upon the registration book of said precinct, because, as alleged, the names of said petitioners had been illegally stricken from the said registration book. And thereupon the said P. R. Carrington appeared in court by counsel and entered a general demurrer to said petition, in which demurrer the said petitioners joined; and the matters of law arising upon the said demurrer being argued, the court is of opinion that the said petition is not sufficient in law to entitle the petitioners to the writ and the relief prayed for. It is therefore considered that the said demurrer be sustained and the said petition be dismissed, and that said respondent recover his costs about his defense in this behalf expended.

Memorandum. The petitioners excepted to the opinion and judgment of the court, and leave is given them to prepare and tender within ten days their bill of exceptions.

Copies. Teste:

W. S. LEAKE, *Clerk.*

Special complaint is not made of the action of the court, as technically speaking the decision may have been right, but think of the outrage of a registrar coming forward and interposing a demurrer, a mere technical defense, when one hundred and ninety-six of his fellow-citizens, many known by him to be good voters, were claiming to have been disfranchised by his act. Where was the oath he had taken?

The following two affidavits made at the time will give an idea of this outrage:

AFFIDAVITS.

A.

STATE OF VIRGINIA, *City of Richmond, to wit:*

This 29th day of October, 1889, personally appeared before me, William Flegenheimer, a notary public in and for the city aforesaid, in the State of Virginia, William Allen, Edward (or Ned.) Anderson, Andrew Allen, William Allen, J. W. Booker, William Bland, J. F. Bonaparte, Eustes Bonaparte, William Brookins, William Brown, J. C. Braxton, Walker Brown, Fountain Boxley, Andrew Carter, L. Curtis, Henry Edwards, John Fountain, John H. Gaines, Dandridge Green, Robert Graham, Anderson Gates, Simon B. Howard, Christopher Harris, Joseph Johnson, George Jackson, Thomas Jackson, Albert Lewis, Arthur Morton, Jorden Owens, Lewis J. Payne, Andrew Price, Frederick Richardson, Charles Finsley, Solomon Syphax, Henry Strother, C. H. Smith, E. Tunstall, Robert James Thornton, G. H. Washington, Thomas Watson, Grant Williams, Thomas Woodson, John Whiting, Archer Woodfork, and Thomas White, and each of them severally made oath according to law that they and each of them are citizens of the United States of America and of the State of Virginia; that they and each of them reside in Brookland district, in the county of Henrico, State of Virginia; that they were legally registered voters at the voting precinct known as Jones's precinct, in said county; that for many years they, or most of them, have been registered voters and have regularly voted at said voting precinct; that many of them are property-owners within said precinct and in said county; that all of them live within a short distance of said polling place, and most of them within a few squares thereof; that on Sunday, the 27th day

of October, 1889, a day after the regular registration day, they and each of them were surprised to learn of a proposition that their names would be stricken from the registration book; that the registrar, Payton R. Carrington, of said precinct, had adjourned the hearing of said cases until this morning; that these affiants and others in a body appeared at said place of registration in said precinct at the appointed time; when, to their surprise, they found that the said registrar had posted their names as struck off from the registration book and that he had left, and thereby, as far as lay in said registrar's power, had deliberately disfranchised them. Affiants and each of them claim that they are legal voters of said election precinct and are entitled to cast their votes at the election to be held on the 5th day of November, 1889.

Given under my hand this 29th day of October, 1889, in my corporation aforesaid.

WILLIAM FLEGENHEIMER,
Notary Public.

B.

STATE OF VIRGINIA, *City of Richmond, to wit:*

This day personally appeared before me, William Flegenheimer, a notary public in and for the city aforesaid, in the State aforesaid, Jacob Banks, John Cooke, William C. Christian, Charles H. Clay, Newton Hughes, David Crafton, Madison Dandridge, Beverly Ford, Stephen Davis, Mitchell Fountain, R. T. Gates, Garland Hooper, Newton Hughes, jr., Solomon Jones, John W. Kemp, Scipio Lomax, W. O. Lewis, Joh. H. Lewis, William Lomax, Hampton Lomax, W. H. Minor, Thomas Ryland, David Ross, Sil. Robinson, Absalom Terry, Pleasant Sully, Thomas Smith, Lucian Tyler, Pat. Winston, Edward Roy, Peter Cloyd, G. L. Brown, Scott Butler, Dandridge Green, Royal Price, Sam. Kemp, James Tompkins, and John J. Williams, and each of them severally made oath according to law that they and each of them are citizens of the United States of America and of the State of Virginia; that they and each of them reside in Brookland district, in the county of Henrico, State of Virginia; that they were legally registered voters at the voting precinct known as Jones's precinct, in said county; that for years they or most of them have been registered voters and have regularly voted at said precinct; that many of them live near and close by said precinct, and are well known; that on Sunday, the 27th instant, a day after the regular registration day, they were surprised to learn of a proposition that their names would be stricken from the registration book; that the registrar of said precinct, Peyton R. Carrington, had adjourned the hearing of cases of this kind until Tuesday morning, the 29th instant; that quite a number of affiants and others appeared at said place of registration in said precinct at the appointed time and learned that said registrar had posted a list of the names of these and other voters as struck off from the registration book, and that he left, and thereby as far as lay in his power had deliberately disfranchised them. Affiants and each of them claim that they are legal voters of said election precinct, and as such entitled to vote at the election to be held on the 5th day of November, 1889.

Given under my hand this 30th day of October, 1889, in my corporation aforesaid.

WM. FLEGENHEIMER, *Notary Public.*

The following table, showing the falling off of the Republican vote in the Southern States between 1870–1876 and 1886–1888, would seem to indicate that there is some strange and unaccountable disposition on the part of many persons not to vote, and if this failure to vote is not voluntary, but results from some other cause, then relief of some kind is needed:

TABLE A.

States.	Republican vote, 1870–1876.	Republican vote, 1886.	Republican vote, 1888.
Alabama	(1872) 90,272	21,916	56,197
Georgia	(1870) 69,822	1,860	40,496
Louisiana	(1872) 71,634	20,986	20,663
Mississippi	(1872) 82,406	7,180	30,096
South Carolina	(1876) 91,870	85	13,736
Totals	406,004	52,027	171,188

The following table shows the colored majorities in twenty-six Southern districts, and the statistics as to said districts will be valuable as establishing one of two states of facts: either that the negro vote is shamefully suppressed or that it is cast for the Democratic candidates. If the former is the cause some relief is needed. If the latter be the correct view, then there is no danger in this bill, and this talk of negro domination is a mere delusion. But in any event the exhibit shown by this table should shut the mouths of the Democratic statesmen in their boasted talk of a white man's party.

TABLE B.

State and district.	Representative.	Term.	Negro majority.
ALABAMA.			
First district	R. H. Clarke, Democrat	First term	2,858
Second district	H. A. Herbert, Democrat	Seventh term	249
Third district	W. C. Oates, Democrat	Fifth term	3,149
Fourth district	L. W. Turpin, Democrat	First term	26,612
GEORGIA.			
Second district	H. G. Turner, Democrat	Fifth term	3,763
Third district	Charles F. Crisp, Democrat	Fourth term	2,431
Fourth district	T. M. Grimes, Democrat	Second term	2,947
Sixth district	J. H. Blount, Democrat	Ninth term	8,229
Eighth district	H. H. Carlton, Democrat	Second term	4,180
Tenth district	G. T. Barnes, Democrat	Third term	6,145
LOUISIANA.			
Fourth district	N. C. Blanchard, Democrat	Fifth term	5,752
Fifth district	C. J. Boatner, Democrat	First term	22,154
Sixth district	S. M. Robertson, Democrat	Second term	4,545

TABLE B—Continued.

State and district.	Representative.	Term.	Negro majority.
MISSISSIPPI.			
Second district	J. B. Morgan, Democrat	Third term	2,468
Third district	T. C. Catchings, Democrat	Third term	14,720
Fourth district	Clarke Lewis, Democrat	First term	5,773
Fifth district	C. L. Anderson, Democrat	Second term	1,570
Sixth district	T. R. Stockdale, Democrat	Second term	1,327
Seventh district	C. E. Hooker, Democrat	Sixth term	6,440
SOUTH CAROLINA.			
First district	Samuel Dibble, Democrat	Fourth term	2,236
Second district	G. D. Tillman, Democrat	Fourth term	6,643
Third district	J. D. Cothran, Democrat	Second term	1,210
Fourth district	W. H. Perry, Democrat	Third term	1,590
Fifth district	J. J. Hemphill, Democrat	Fourth term	2,610
Sixth district	G. W. Dargan, Democrat	Fourth term	3,296
Seventh district	William Elliott, Democrat	Second term	24,899

The charitable view is that these Democrats secure their seats fairly, and with twenty-six districts averaging 6,453 colored majority, all represented now, as in years past, by Democrats, surely they ought not to complain of the negro or be afraid of his supremacy.

DEFENSE.

Now, what is the answer to all this? What is the alleged assault on this bill, and the reason for it?

Mr. HEMPHILL answers, charging that Northern States gerrymander, and Mr. TUCKER is exceedingly apprehensive on account of alleged bribery of voters in the North. Think, Mr. Speaker, of such answers to a grave and serious accusation affecting every portion of our common country and striking at its very foundation stone. We have no explanation as to why the vote of South Carolina has dwindled from 170,956 in 1880 to only 79,750 in 1888, a decrease of 91,206, more than 53 per cent. And worse still was it in 1886. Only 39,077 votes were cast in the entire State, but this sufficed to elect seven Congressmen, when in the State of New Jersey, a Northern Democratic State, it took 229,373 votes to elect seven Congressmen.

But the State of Georgia presents a more glaring spectacle than in South Carolina. In the year 1886 only 27,520 votes were cast at an election at which ten members of Congress were returned as elected.

THE NEGRO QUESTION—THE OVERTHROW OF OUR CIVILIZATION.

Let me say to you here, my Southern brethren, that the only two alleged reasons for resisting this bill will not answer, namely, the negro question and the overthrow of our civilization in the South.

Let us for a moment consider these two questions in the order named.

THE NEGRO QUESTION.

What of this? That in many respects it presents a serious problem I will not deny, but I do deny that the dread apprehension of negro supremacy is a reality anywhere in the South; and I further aver that it is a mere bugaboo, a fraud, and a sham, whereby the present Democratic oligarchies that are holding sway in the several Southern States hope to retain power.

NO DANGER OF NEGRO SUPREMACY.

I say unhesitatingly that there is no such danger, and, for one, I should be entirely opposed to such a thing; but there is no fear of it. The colored people have never shown a disposition to take charge of affairs, and this pretext of a fear of their supremacy, at least so far as Virginia and well-nigh the whole South are concerned, is a mere subterfuge whereby the doctrines of the Democratic party are sought to be kept alive, and many of these States, especially Virginia, Georgia, Tennessee, and West Virginia, kept in line politically with that organization and the solid South combination, although their every business interest is opposed to the principles advocated by the Democracy of the country.

In all the South how many colored Representatives have we? But a very small number comparatively. On this floor, according to Democratic returns, we have only one colored member, and there were but three colored contestants. And this in the face of the immense colored majorities in the many districts of the South. Does not this sufficiently remove all fear of attempted negro domination? Mr. CHEATHAM, of North Carolina, the only representative of the 6,000,000 of his race in the country.

NOW, HOW HAS IT BEEN IN VIRGINIA?

We have thirty-one counties with colored majorities in them, some with very large colored majorities. Yet have the colored people assumed to take charge of any of the said counties? I think I can safely affirm that in a majority of said counties the Democrats hold nearly every office, and where with only a few exceptions Democrats do not hold the offices white Republicans hold them, and white Republicans, I take occasion to say, are just as good as the white Democratic officials in that State. Look for a moment to the condition of the Fourth Virginia district, and on this subject I desire to quote from a Democratic author, Mr. Lewis H. Blair, of the city of Richmond, Va. Mr. Blair is one of Richmond's prominent citizens, is a man of wealth, high character, prominent in business and social life there, a native "to the manner born,"

and a Democrat to the core. He has recently published a work on the Elevation of the Negro; and from him I shall quote. His work has much in it to commend, and would have done great good, in my judgment, but for his advocacy of mixed schools. This, however, he advocates mainly on economic grounds; but the doctrine was so unpopular that it prevented his work being read to any considerable extent, as might have been anticipated. Such a thing is entirely impracticable, and, in my judgment, not desirable, and is not wished for even by the colored people.

I quote from page 80 of Mr. Blair's work on the danger of negro domination:

Now, are there any counties in Virginia where negroes are in the majority? Referring to United States census 1880 we find there are forty-two counties in Eastern Virginia where the negroes are in an absolute majority, and where, being free to vote, there is consequently negro rule, *in posse* if not *in esse*.

But let us take the example of the Fourth Congressional district, where the negro majorities are so large that negro rule exists not only *in posse*, but also *in esse*. Thus:

Counties.	White.	Black.
Amelia	3,037	7,340
Brunswick	6,022	10,685
Dinwiddie	14,457	18,428
Greenesville	2,787	5,650
Lunenburg	4,611	6,924
Mecklenburg	8,222	16,388
Nottoway	3,012	8,144
Powhatan	2,726	5,091
Prince Edward	4,754	9,914
Prince George	3,256	6,799
Sussex	3,861	6,701
Total	56,214	102,064

Now, nobody can dispute that, if the negroes are not intimidated, that if they vote freely, and that if, generally, they vote in a solid body, here must be negro rule; or, if they deny negro rule here, where else in the South can they possibly fear negro rule? If nearly two negroes to one white does not, with a free ballot, constitute negro rule, then ten negroes to one white does not mean negro rule; or if negro rule is escaped where this proportion of the colors exists, then negro rule will be escaped anywhere and everywhere in the South. Or if negro rule does not mean destructive government, where is the sense of representing negro rule as a return to reconstruction days, where not government, but almost anarchy reigned?

If negro rule means all, or nearly all, the economic, political, and social ills, or even partially, that the opponents of negro suffrage delight so much in picturing, then this Fourth Congressional district must be in a most lamentable condition, must be a cancerous spot on the fair form of Virginia that saps her whole prosperity. The Fourth district may be in this condition, but before deciding let us compare it with the Ninth Congressional district, a strictly white as the Fourth is a strictly black district, which contains, per census of 1888, whites, 133,055; blacks, 17,549; total, 160,604; and with some facts contained in report of auditor of public accounts for the year ending September 30, 1886. The population of the two districts is very nearly the same. Negro rule being the logical and necessary result of unrestricted suffrage, we, of course, find in this Fourth district material ruin and moral degradation, and the annual report of the financial officer of the State must show both conditions to prevail, or, if it does not, then the report must be of no value, or those who talk so glibly and so mournfully about negro rule are false guides and erring prophets.

If the Fourth district is ruined financially it can pay no taxes, but the auditor either falsifies the returns or the two districts pay into the State treasury as follows:

	State.	Schools.	Total.
Fourth district—black	$74,988	$55,770	$130,758
Ninth district—whites	65,609	50,862	116,471

So, then, it would appear that negro rule, which is synonymous with unrestricted suffrage, does not ruin to such an extent that it can not contribute its fair share to public burdens and to public schools.

But, then, negro rule or unrestricted suffrage means official robbery and general demoralization, and perhaps this is the state of affairs in the Fourth district, and, if so, the criminal charges ought to be very large. The auditor of the State reports in Table No 19 the amounts paid out for such expenses in 1885, and the following comparison is made: Fourth district $22,173; Ninth district $33,376.

So, then, it would seem that an unrestricted vote and a fair count—or, in other words, negro rule—renders the Fourth district not much worse off either financially or morally than the Ninth district, where the negroes are few, and although of late years we hear of little else than of the great boom in Southwest Virginia, it must be confessed that if the figures of our auditor are correct the Fourth district is as happy, moral, and well off as the great Ninth district.

Those who go around wearing the frightful scare-face of negro rule are doubtless honest in their apprehensions, but they are nevertheless doing an untold amount of evil to the South, which they love well but not wisely.

The fear of negro rule in the sense of the alarmists is a wild and pernicious chimera, and the experience in the Fourth district ought to convince any honest man that it is. The negro appears to have no ambition to rule, for when he has the majority his almost invariable practice is to give the offices to the most capable white men in his party, and when he can not get good men from his own ranks he selects worthy Democrats, and remains contented with the crumbs that fall from the official table or with the bones and fragments his white leaders throw him.

The six Southern States have no more to fear from a free and fair ballot than has the Fourth Virginia district, and if they are wise they will not only permit, but they will encourage the negroes to vote; for it is only by inspiring all the people with interest in public affairs that they can expect prosperity. The three States of Virginia, North Carolina, and Tennessee, where the opposition cast its full vote in 1886, are no less prosperous than are the six Southern States where the opposition cast only 13 per cent. of its vote in 1886; but, on the contrary, they exhibit greater progress and prosperity, and certainly as much moral and intellectual development.

The negroes are against us simply because we treat them not as citizens, but as creatures who have no rights we are bound to respect. But let us respect their rights, and they will gladly co-operate with us. But as long as public affairs are conducted on the color line, which is in reality simply an appeal to passion, prejudice, and selfish interests of the lowest kind, the negroes will remain solid. Wisdom and statesmanship can then have little voice in their management, for the color line deliberately banishes them from the council chamber and the Legislature alike.

I repeat there is no danger of negro supremacy, nor is there fear of negro domination. The following table from the census of 1880 will show that there are only two States in the United States where negroes are in the majority:

State.	Males of voting age, 1880.		
	White.	Colored.	Total.
Alabama	141,461	118,423	259,884
Arkansas	136,150	46,827	182,977
Florida	34,210	27,489	61,699
Georgia	177,967	143,471	321,438
Louisiana	108,810	107,977	216,787
Mississippi	108,254	130,278	238,533
North Carolina	189,732	105,018	294,750
South Carolina	86,900	118,889	205,789
Tennessee	250,655	80,250	330,305
Texas	301,737	78,639	380,376
Virginia	206,248	128,257	334,505
Total	1,741,325	1,085,518	2,827,043

What a feast we are invited to, namely: Because in South Carolina the negroes have a considerable majority, in Mississippi a small majority, we are invited into a solid South combination with all the other States of the South and are to dance to the music of the war of races, absolutely destroying all hope of internal peace and happiness and placing a blight upon our fair land.

Virginia, with her well-nigh 100,000 majority of white voters, is invited to dance to the music of the war of the races, and that is to be the only issue before her people. I say we are not afraid of it. I say it is a shame that such a thing should be done. I beg of you, my countrymen, to disband the solid South combination. That is the menace to the stability of this Union to-day. It is kept up by wrong; it is based on no principle; it is contrary to the interests of all our people. Think of little West Virginia, part of our old State, God bless her, having 6,000 negro and 150,000 white voters, and she to be afraid of negro supremacy. [Laughter on the Republican side.] Think of that great domain of Texas, which by the last census had 301,000 white voters and only 78,000 negroes. I speak in round numbers; and by the present census I verily believe that Texas will have a half million of white voters, and they are afraid of the 78,000 negroes. Then think of Kentucky, that loveliest of States; that State rich in everything; rich in men, rich in talent on this floor. She, with 170,000 white majority, is told to dance to the cry of the war of races. I say to you, my countrymen, you are making a mistake; you are making an awful blunder; you are making one that only goes to your own section and that you must suffer from.

Shame it is that such a state of affairs exists. These figures show that there is nothing in the alleged claim of negro rule.

In my humble judgment nothing is so destructive of our real peace and happiness as this race issue forced upon us by the Democratic managers. It is so much easier to arouse the prejudices of people than to appeal to their judgment, and hence we see this horrid state of affairs and an effort made by the Democratic party to set itself up as the white man's party, and with that as its shibboleth, and with practically no other issue, to whip everything and everybody into line. With a brazen, pharisaical air they set themselves up as whiter than other people and they assume to occupy a "holier than thou" attitude, and hence by this sort of unmanly procedure to check all opposition and resist every tide against their omnipotent sway; even to prejudice the hearts of the women and poison the minds of the young against everything save their pretended necessity for supremacy, namely, to keep the negro from taking charge.

No, Mr. Speaker, that is not the trouble.

WHAT IS THEIR FEAR?

It is not fear of negro rule; it is of Republican rule. The Democrats certainly in Virginia care nothing about the negroes being Republicans, but it is of white men being Republicans, and they affect great uneasiness on account of the Republican rule in consequence of certain misdeeds and acts of omission and commission that took place twenty-odd years ago under the then reconstruction and carpet-bag régime. No such danger is really feared; it is but another vain effort to appeal to prejudice, to the end that a minority may override a majority. Not at all unnatural that a party that lives only by arraying the strong against the weak should go back twenty years to find a pretext for existence.

GOOD GOVERNMENT GIVEN.

If Republicanism means bad government I, for one, am opposed to it, but I say it means no such thing in the South now, and I am prepared to prove what I say, and I am likewise prepared to show that

it is the desire to keep white men out of the Republican party, or, if they can not be kept out, then in some way to destroy their vote and influence, and not the real fear of negro domination that is the cause of alarm and that makes the necessity for the white man's shibboleth. By the following tabulated statement can be formed an idea of the white vote received for Harrison and of the negro vote received or counted for Cleveland in Virginia.

White counties.

Counties.	Voting population, census 1880.		Presidential vote, 1888.	
	White.	Colored.	Harrison.	Cleveland.
Floyd	2,421	224	1,482	992
Patrick	2,017	441	1,022	1,238
Carroll	2,521	63	1,147	1,322
Grayson	2,430	166	1,250	1,288
Montgomery	2,684	768	1,516	1,335
Roanoke	1,869	942	1,252	912
Rockingham	5,871	644	3,175	2,395
Shenandoah	4,029	226	2,063	2,164
Page	1,973	224	1,333	1,195
Lee	2,826	140	1,295	1,479
Scott	3,241	129	1,800	1,550
Wise	1,496	17	742	722
Buchanan	1,036	5	427	492
Russell	2,593	231	1,333	1,601
Washington	4,539	893	2,548	2,933
Smyth	2,234	421	1,228	1,310
Bland	1,934	45	509	537
Wythe	1,514	505	1,643	1,462
Pulaski	1,425	489	993	1,070
Rockbridge	3,306	1,038	2,074	2,030
Highland	1,044	86	440	454

Now, on the other hand, look at these counties:

Colored counties.

Counties.	Voting population, census 1880.		Presidential vote, 1888.	
	White.	Colored.	Cleveland.	Harrison.
Goochland	993	2,199	674	985
Halifax	3,054	3,814	3,570	2,473
Charlotte	1,398	2,055	1,720	1,066
Prince George	854	1,577	661	1,018
Greensville	692	1,165	714	893
Brunswick	1,396	1,924	1,289	1,521
Lunenburg	1,055	1,222	1,215	806
Nottoway	759	1,471	611	1,116
Amelia	785	1,425	704	1,036
Powhatan	707	1,007	561	767
Prince Edward	1,180	1,972	1,130	1,569
Essex	853	1,315	774	1,088
King and Queen	998	1,092	958	829

Observe, further, that in that First Virginia district, represented by Mr. BROWNE, Republican, there is a white majority of 3,223 voters, yet BROWNE was elected in 1886 by some 1,900 majority and in 1888 by between four to five hundred majority. In the Second district, also represented by a Republican, Mr. BOWDEN, while the colored majority is only 226 Mr. BOWDEN was elected by over 6,000 majority.

In the Tenth district, represented by Mr. TUCKER, Democrat, there is a white majority of 10,089, yet TUCKER in 1888 received only 594 majority, and in 1886 the same district was carried by the Republican nominee, Mr. Yost, by 1,654 majority.

In the Ninth district, the great white district, where there is 24,121 majority, Mr. BUCHANAN, Democrat, was elected by only 488 votes, whereas in 1886 Colonel Bowen, Republican, carried the same district by 3,620 majority.

Another illustration can be given of this purpose to keep the white vote down. In Jackson ward of Richmond City there is a large colored vote, and the Republican majority has averaged about 1,800 to 2,000, and for years past there has been no trouble in polling this vote. But recently the white vote has left the Democratic party in large numbers, and at once the Democratic managers set to work to offset this loss in their ranks and went over into the colored ward and by wicked and lawless methods kept the colored men from voting, thereby killing the vote of the white men that had left; and so far did this infamous procedure go that in 1889 only some 700 or 800 Republican votes were allowed to be cast in the entire ward, containing a registered vote of over 4,000. And the Democratic party came within about a hundred votes of capturing this large Republican ward. But 1,500 votes were allowed to be cast.

TO PRESERVE OUR CIVILIZATION.

This is another battle cry, and it is heard far and wide. Is there danger of its destruction? I answer yes; but only by the methods you are pursuing. Your present régime, my Southern brethren, can not and ought not to last. It is conceived in error, founded on wrong, and held together by a combination destructive of our every interest. In a word, Mr. Speaker, can and ought the solid South to stand? I say emphatically no, if we are ever to have real reconciliation and peace in our borders again. If we are to live in the present and in the future, instead of in the past; if we want to put an end to the smoldering embers of civil war, then disband. I know my Democratic friends will say that it is not the South that keeps alive the memories of that sad strife, and in this they are not entirely wrong. But this is the situation, that the South remains solid, and I insist that as long as the States that seceded remain practically as solid now as they were at the time of secession, the rest of the country having long since ceased so to stand together, there is no real justification for our charge against others. At all events remaining solid, as a section we will be always misjudged on this account, and doubly is this true when the result of the conflict was to well-nigh double our representative strength, and it is publicly charged, and not seriously denied, that much of that additional strength is retained and held by unlawful and wrongful methods.

No, Mr. Speaker, whatever else may work, certainly this plan will not, and as one whose feelings are intensely Southern, and who has no interest to subserve or political aspirations, at least for the near future, to misguide him, I appeal to you, my Southern brethren, to quit ere it is too late.

I quote again from Mr. Blair from pages 126 to 133. He is a Democrat, and I think the most prejudiced who know him will give him credit for unselfishness and for disinterestedness in what he says. He, like myself, has at least all to lose and nothing, for the present, to gain by these views, for scarcely will they be appreciated by many at the present time.

DANGERS THREATENED FROM THE PRESENT CONDITION OF THE NEGRO.

Although sectional divisions on the line of slavery are gone, sectional divisions on the line of geography and interest are still in full vigor. There are yet New England, Middle States, Western, Northwestern, and Pacific sections, all more or less united in interest and blood, and there is yet the Southern section, which is diverse in interest and lineage from the other sections.

* * * * * * *

Having, then, still to deal with sections and sectional interests, let us inquire what are the prospects of the South for increasing, or even holding, her own in this sectional race or strife. Taking only the present thirty-eight States and adding Delaware, Maryland, West Virginia, Kentucky, and Missouri to the eleven Southern States, the population in 1880 was, respectively, 17,622,381 and 31,748,352, and the area is, respectively, 901,740 and 1,185,020 square miles. Present representation in Congress is: Senate 32 and 44, and House 121 and 204.

Now, granting an equal ratio of increase of population in the two great sections, the poportion of the Representatives in 1890 will, on the basis of 30 per cent. increase in population, be 157 and 265, and in 1900, on the same basis, 203 and 344, or the majority against us now of 83 will be increased to 108 and 141.

But this is not all. Back of the States lie a number of Territories, and before long they will be taking their places in the halls of legislation. Let us see how they will naturally divide as for or against the South:

FOR THE SOUTH.		AGAINST THE SOUTH.	
Arizona	113,000	Dakota	149,101
Indian	64,690	Idaho	84,802
New Mexico	122,580	Montana	146,083
		Utah	84,974
		Washington	69,185
		Wyoming	97,896
Total	300,270	Total	632,020

In course of time, therefore, certainly within ten years, the South, as a section, will be still further weakened—that is, relatively, as one to two, for at the most she can only expect to gain six Senators and 300,270 square miles, while the opposing section gains twelve Senators and 632,020 square miles. If Dakota succeeds in being divided the gain will be six to fourteen. In the House our relative increase will not be any greater and most probably much less. As showing that the new States will likely be anti-Southern, we note that nine States have been added to the Union since the annexation of Texas, and all except West Virginia are bitter Republican States. These are the opposing forces the South will have to meet on questions of a sectional character; and what is she going to do if they should arise, as they are sure to do?

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Let us see and let us take for example the denial of suffrage to the blacks. The South makes no denial of the charge, but defends it on the plea of necessity. This plea may satisfy us, and it will, because it appears to be for our benefit; but suppose the other sections are not satisfied, and that they demand a free vote and a fair count in the South, as well as everywhere else; and suppose, further, that the Republican party gains the House, as it already controls the Senate, what may it do? We will take for example the State of Georgia, and suppose that after the House is organized contestants from some or all the districts allege intimidation, what may follow?

Looking at the returns and finding that less than 30,000 voters elected in 1886, ten Congressmen, or, indeed, without looking at them at all, the House may unseat every Congressman, and who, Supreme Court, Senate, President, can prevent? And what can prevent them from doing the same to every Southern State, and it completely deprive them of representation, or let them be represented by Republican contestants? Nothing except the public sentiment of their own section. And all the Senate has to do is to refuse every Southern Senator on the ground that the Legislature of his State was not elected by a fair vote. The South will then be in a bad dilemma, either unrepresented or misrepresented, and there will be no limit to the arbitrary or revengeful legislation that may be enacted, and never again will a Democratic President be elected by her vote. To be weak and right is miserable; to be weak and wrong is deplorable. In the first case, one's right will be a powerful defense against wrong; in the last case, one has no defense, and his misfortune will excite no sympathy, but, on the contrary, the verdict will be, served him right.

If the South wishes to bring this evil upon herself, let her continue in her present course, and she will have her wish gratified by the year 1900. The whites may by that time see themselves disfranchised by rejection of their representatives or they may see themselves misrepresented by contestants who are most likely to be incompetent and revengeful. But if the whites wish to retain control of affairs they can not begin too soon, not only to permit, but to encourage, the blacks to use their franchise freely and fully. Some Congress-

men and legislators will undoubtedly be lost thereby, but better many of them be lost and thus mitigate the just enmity of the negroes and disarm sectional majorities only too eager for pretexts. Sectionalism is powerful and irresistible when founded on right, but when founded on error, time and discussion will rob it of its venom.

While we disfranchise we give sectionalism a powerful lever to root us up, but when we give a free vote to every citizen and a fair count we need not fear sectionalism or anything else, for our right will be a panoply to protect us from all assaults. No man, no party, no section, can afford to plant itself upon a fallacy, much less upon a wrong; and when the South takes her stand upon practical denial of suffrage to her negro citizens she commits a monumental wrong, which must be atoned for by many tribulations. The people, the world, we ourselves, though nursing and defending our own wrongs, are opponents and enemies of the wrongs of others, and on this principle we shall have not only the violent opposition of the other sections, but they will be upheld by the sympathies of the world. * * * When the other sections simply demand that the South shall allow the same unrestricted vote and the same untampered count in the election of Congressmen and of legislators that elect Senators, we can not say in reply, "Oh, the bloody shirt!" but we shall be speechless.

The South would make a tremendous ado, and very rightly, too, if a Northern oligarchy of half the population was to claim and assume the right to vote for the whole population in the election of national Representatives, and it would make a greater ado still if an oligarchy of manufacturers were to exercise this right; but there is no substantial difference between this and what the South does in relation to negro suffrage. The other sections will see, if they do not already, that they are right, and they will not cease their efforts until the South yields voluntarily or is forced, and then, after the South yields through compulsion, we can not blame others if we are forced to take back seats until we have gone through a long probation. Better surrender now with the honors of war, or rather with the honors of right, than to wait for years and then surrender at discretion. If there is any truth in experience these are the only two alternatives.

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What reason can we give for our present stand but the fear that something may occur that would be injurious to the present order of affairs? But this is no better reason, but is the very same that has been offered since man assembled into a rude community, by all abuses, by all tyrants, by all despots. All these oppose change solely on the ground that the pleasant order of affairs of which they are the principal beneficiaries may be altered to their disadvantage, and to maintain the *status quo* they resort to stripes, imprisonments, dungeons, and scaffolds.

Some of Mr. Blair's prophecies have already come true. We have four of the new States and will soon have others. All the new States are Republican. We have a Republican Congress—House and Senate—a Republican President, and Republican Supreme Court. We have coming up from the South, as he suggested, on account of this suppression of the vote, many contests.

One of his fears, however, of an indiscriminate seating of contestants has not been carried out. Thus far, so prudent, careful, diligent, and conscientious has this Congress been that out of seventeen contests nine only have been disposed of and of that number five contestants have been seated and four Democrats allowed to retain their seats. Indeed, in only one case have they turned out a Democrat about which serious question could be raised, and even Mr. BRECKINRIDGE, of Arkansas, whose seat was contested by John M. Clayton, who was murdered while making his contest, has been allowed to retain his seat.

WHAT ARE WE GOING TO DO?

Let us reason together on this subject; let us reckon whither we are drifting; let us cast anchor and reflect; what are some of our troubles? Let us see.

Dr. Thomas Nelson Page, of Virginia, known the world over, and whom all Virginians love, admire, and respect, and a prominent Democrat, spoke thus within the last ten days in delivering the address before the societies of Richmond College:

THE PENDING QUESTION.

This is the question which ever confronts the South, no matter which way she shall turn her face; the question which in her waking hours looms dark and threatening and in her sleep still grows apace; the question which after twenty-five years of peace and prosperity still keeps the South one section and the rest of the nation the other. This is the ever-present, ever-menacing, ever-growing negro question.

It is to-day the most portentous as well as the most dangerous problem which confronts the American people, for it splits the nation into two sections, keeps the Caucasian American divided into parties which hold irreconcilable tenets, renders impossible perfect union, and contains the germ of a discord which may finally burst all bounds and plunge us again into dreadful strife.

The question is so misunderstood that even the terminology for it in the two sections varies irreconcilably. The North terms it simply the question of the civil equality of all citizens before the law; the South denominates it the question of negro domination. More accurately, it should be termed the race question.

Whatever its proper title may be, upon its correct solution depend the progress and the security, if not the very existence, of the American people.

QUIETUDE AT HOME.

We live in so much quietude and have become so accustomed to the condition of affairs that we are sensible of no apprehension, but rest content and calm. So rest Alpine dwellers who sleep beneath masses of snow which have accumulated for years, and yet, quiet as they appear upon the mountain sides above, may at any time without warning, and by the breaking of a twig or the fall of a pebble, be transformed into the resistless and destroying avalanche. Are there no signs of impending peril about us? They are not wanting.

THE WRITTEN LAW.

It is charged that the written law is not universally, fully, and freely executed at the South in matters relating to the exercise of the elective franchise, and I do not understand that the defense is a denial of the charge; it is rather a confession and avoidance. To the charge it is replied that the written law, when subverted at all, is so subverted only to a higher law, founded on the instinct of self-protection and self-preservation.

If it be admitted that this is true, then is it nothing to us that a condition exists which necessitates the subversion of any law? Is it not an injury to our people that the occasion exists which places them in conflict with the law and compels them to assert the existence of a higher duty? Can law be overridden without creating a spirit which will override law; a spirit ready to constitute itself the judge of what shall and what shall not be considered law; a spirit which eventually substitutes its will for law and confounds its interest with right?

This is a grave matter, and is to be considered with due deliberation, for on its right solution much depends. The first step to cure is ever comprehension of the disease. When the patient has swallowed deadly poison the physician may not treat the trouble with levity or indifference; apprehension of the condition and application of the remedy alone can arrest dissolution. The first step therefore towards the proper solution of our trouble is to secure a perfect comprehension of it. To do this we must first comprehend it ourselves, and then only can we hope to enlighten others.

Obedience to law, willing and invariable submission to law, is one of the highest qualities of a nation and one of the chief promoters of national elevation; antagonism to law, a spirit which rejects the restraints of law, retards national progress and may prove its destruction.

MORAL SENSE.

Can any fraud, evasion, or contrivance whatever be practiced or connived at without by so much impairing the moral sense of a people as well as of an individual? Can any deflection whatsoever, no matter how inexorable the occasion, from the path of absolute rectitude be tolerated without inflicting an injury on that sense of justice and right which, allied to unflinching courage, constitutes a nation's virtue? Who will say that the moral sense of our people now is as lofty as it was in the days when men voted with uplifted faces for the candidate of their choice?

The press of a portion of the land is filled with charges of injuries to the negro. The real injury is not to him, but to the white.

The physical peril is not more real than this which impends above our moral force, but it is more apparent. The most obvious danger is the rapidity with which the African race is multiplying in the South. It is true that the exact rate of increase can not be given until the ensuing census shall have been completed, but the most careful estimates based on wide observation of careful observers indicate a prodigious increase. Fifty years ago it was the slavery question; twenty-five years ago it was the negro question; to-day it is the race question.

THE SOLUTION.

The solution of this problem is of more importance to us than to the negro. And its solution depends upon us. Whatever the means by which it shall be solved may be, however the political and social status of the negro may be determined, as determined it will be by the inevitable logic of events, we can not absolve ourselves from the responsibility which lies upon us to aid, inspirit, and elevate him. We may not admit him as a law-giver, but we must uplift him as a man and a christian. We owe this duty to ourselves, to him, to posterity, to our country, and to God. We brought him here under the providence of God; he will stay here or hard by here; whether it shall be as an enemy or as a friend, as a pariah or as a man, depends not so much on himself as on us.

KINDLY CONSIDERATION.

He is entitled to kindness and consideration at our hands by virtue of the long years of kindly intercourse, by virtue of the patience he has exhibited, the friendship, the affection he has in the past borne us, and most of all by virtue of the loyalty with which he has served us and, what was more, stood for us during those lone years of war when the men were at the front and an enemy was within our borders, when the women and children were left at home defenseless on the lone plantations. By virtue of all these he is entitled to our utmost kindness and our firmest friendship. In all that record of four years there is no single act of treachery or horror. Every cabin was a barrack, every servant a body-guard ready to defend his mistress. We owe them a debt; it is due that we should repay them with kindness, with consideration, with equity.

ANOTHER CONDITION.

As old Carlyle, who thought many things worse than African slavery, said on this subject long ago, "There is another condition wanted: That your relation to the negroes in this thing called slavery (with such an emphasis upon the word) be actually fair, just, and according to the facts; fair, I say, not in the sight of New England platforms, but of God Almighty, the maker of both negroes and you. That is the one ground on which men can take their stand. In the long run all human causes, and this cause too, will come to be settled there."

Let the South but take this ground and she must eventually triumph. On her doing so depend the perpetuation of Constitutional Government and the salvation of her people.

Innumerable references of this sort might be given, but this will suffice. They speak for themselves; and what is admitted to be the situation we are in is nothing more than the natural outcome of a forced solid South, nothing more than is natural when everything is to be conducted on the race issue.

PROSPERITY OF THE SOUTH.

I appreciate that it is urged as another reason why this bill should not pass that the South is prosperous and that this measure may to some extent arrest that condition. I insist that it will not in the least check our prosperity; the facilitating of fair and honest elections can never hurt us. But are we prosperous?

That we have made wonderful strides since the devastation of war was upon us no one will deny, and we are entitled to the admiration of the world for what we have done, and I trust will receive the sympathy of all mankind in the struggle we are making.

But we might and would have accomplished much more but for the condition of which I complain.

Our natural advantages are wonderful, our location in every way desirable, our climate salubrious, and naught but our own folly can hurt us.

Think for a moment of the folly of a policy which informs the world that we are constantly in fear of the overthrow of our civilization; that the negroes are about to take charge, and that society is about to be overturned; and to maintain the race-issue policy of the Democratic party this question has to be raised and considered seriously at every election, at least once a year and not unfrequently oftener.

Can we ever expect real prosperity under this state of affairs? Will strangers ever come into our midst and risk their fortunes and their lives? Will that class of outsiders that it is desirable to have come among us ever select a section where such a state of affairs exists as one desirable in which to live and raise their children? Would we ever select such a place in which to settle? I say a thousand times, no.

The people who raise this issue are the South's real enemies; the people who bring about this condition of affairs and who by apologizing for the wrongs it necessarily involves us in putting our people in the attitude of defending dishonest elections and condoning election crimes are our enemies, it matters not how sincere their motives may be.

Our section is improving, but slowly; many of our people, particularly the country people and farmers, are exceedingly poor, while the cities and mining districts are prosperous and some of them "on a boom." Real prosperity, I insist, will not come under the existing order of affairs.

WHAT IS THE REMEDY?

1. We must abandon the race-issue in politics.
2. Must see that every man is guarantied his full rights under the law.
3. Must have an honest ballot and a fair count.
4. We must have free thought and speech, and no proscription for one's political or religious opinions. Let one be as free as the other is.
5. With these the solid South will end and real reconciliation will begin.

Now, Mr. Speaker, my time is about out. I have listened to speeches on that side of the Chamber with interest. I have been greatly interested in the position New York City takes in regard to keeping up a solid South. I want to say to you that New York City is a little more interested in this law than is the South. And right here, my Democratic brethren, let me remind you that you have fallen out among your selves on this question. Your Northern members say it is intended for the large cities in the North, while the Southern members say it is intended for the South. I tell you it is intended for honest elections everywhere in this country.

And in conclusion, Mr. Speaker, I thank gentlemen on that side and on this for the kind references they have made to the South and to the State of Virginia. I listened to the beautiful close of the gentleman from New York [Mr. COVERT], who pleaded for the protection of the property brought in our midst. To that I say "Amen." But the Republicans want more. We have a country that God has blessed, perchance beyond its deserts. We have a country in which we have almost perpetual sunshine. No cold and sterile climate besets us. Our land is interspersed with fertile valleys and lovely seas. Our mountains are laden with the precious treasures of the earth, and through them and by them flow magnificent rivers to bear their products on to the sea, and thither to the world.

We welcome the peoples of all nations to our section, and do not merely want to protect what they bring, but to demonstrate that peace and good order reign in our midst, that we have no race wars or other wars, and that within our borders freedom of speech, freedom of politics, freedom of thought, and freedom of religion, a free ballot and a fair count, and absolute protection of person and property are assured.

This done, the Sunny South will flourish and prosper and will indeed be the garden-spot of the earth.

Original-Package Bill.

SPEECH

OF

HON. DAVID B. CULBERSON,

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 18, 1890.

The House having under consideration the bill (S. 266) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—

Mr. CULBERSON, of Texas, said:

Mr. SPEAKER: The decision of the Supreme Court of the United States, which has called forth the proposed legislation, settles definitely and beyond all controversy that distilled liquors, ale, and beer are subjects of commerce recognized by the laws of Congress and the decision of the courts, and are not subject to the jurisdiction of the police powers of the States.

It follows, from this condition of the law, that Congress has exclusive jurisdiction and power under the Constitution to regulate the commerce of these articles among the States, etc., and that the laws of the States that assume to regulate the traffic in intoxicating liquors within their respective limits that amount to a regulation of commerce or which interfere with or infringe upon the right of an importer to sell the article in the "original package" in which it was introduced into the States are null and void.

THE EFFECT OF THE DECISION.

The States had supposed from the organization of the Government, until this judgment was rendered, that the regulation of the sale of distilled spirits within their respective limits was within the jurisdiction of their police or reserved powers, and such condition of the law had been confirmed from time to time by decisions of the courts and commentators upon constitutional law.

In pursuance, Mr. Speaker, of this supposed power, each of the States has legislated in some way to regulate the traffic in distilled liquors within their own territory. A few of the States have, by constitutional provisions, prohibited the manufacture and sale of intoxicating liquors within the limits of their territory, while perhaps all of the other States have enacted laws establishing a license system that subjects this traffic to official supervision, thus limiting and regulating the traffic as far as they deem practicable, and at the same time deriving therefrom a valuable revenue.

As in some degree illustrating the law upon this subject as recognized by the courts and understood by the people for many years, I desire to read to the House the short but learned and comprehensive opinion of Mr. Justice Grier in the celebrated license cases, determined a great while ago by the Supreme Court:

Mr. Justice GRIER:

I concur with my brethren in affirming the judgment in this and the preceding cases on the same subject, but for reasons differing somewhat from those expressed by the other members of the court; and as I concurred mainly with the opinion delivered by Mr. Justice McLean in the case of Thurlow *vs.* Massachusetts, I had concluded to be silent, and therefore am not prepared to express my views at length. I take this occasion, however, to remark that the true question presented by these cases, and one which I am not disposed to evade, is whether the States have a right to prohibit the sale and consumption of an article of commerce which they believe to be pernicious in its effects and the cause of disease, pauperism, and crime. I do not consider the question of the exclusiveness of the power of Congress to regulate commerce as necessarily connected with the decision of this point.

It has been frequently decided by this court "that the powers which relate to merely municipal regulations, or what may more properly be called internal police, are not surrendered by the States or restrained by the Constitution of the United States; and that consequently, in relation to these, the authority of a State is complete, unqualified, and exclusive." Without attempting to define what are the peculiar subjects or limits of this power, it may safely be affirmed that every law for the restraint and punishment of crime, for the preservation of the public peace, health, and morals, must come within this category.

As subjects of legislation they are from their very nature of primary importance; they lie at the foundation of social existence; they are for the protection of life and liberty, and necessarily compel all laws on subjects of secondary importance, which relate only to property, convenience, or luxury, to recede when they come in conflict or collision. "*Salus populi suprema lex.*"

If the right to control these subjects be "complete, unqualified, and exclusive" in the State Legislatures, no regulations of secondary importance can supersede or restrain their operations on any ground of prerogative or supremacy. The exigencies of the social compact require that such laws be executed before and above all others.

It is for this reason that quarantine laws which protect the public health compel mere commercial regulations to submit to their control. They restrain the liberty of the passengers, they operate on the ship which is the instrument of commerce, and its officers and crew, the agents of navigation. They seize the infected cargo and cast it overboard. The soldier and the sailor, though in the service of the Government, are arrested, imprisoned, and punished for their offenses against society. Paupers and convicts are refused admission into the country. All these things are done, not from any power which the States assume to regulate commerce or to interfere with the regulations of commerce, but because police laws for the preservation of health, prevention of crime, and protection of the public welfare must of necessity have full and free operation, according to the exigency which requires their interference.

It is not necessary for the sake of justifying the State legislation now under consideration to array the appalling statistics of misery, pauperism, and crime which have their origin in the use or abuse of ardent spirits. The police power, which is exclusively in the States, is alone competent to the correction of these great evils, and all measures of restraint or prohibition necessary to effect the purpose are within the scope of that authority. There is no conflict of power or of legislation as between the States and the United States; each is acting within its sphere and for the public good, and if a loss of revenue should accrue to the United States from a diminished consumption of ardent spirits, she will be the gainer a thousand-fold in the health, wealth, and happiness of the people. (5 Howard's Reports, pages 631, 632.)

It will be observed, Mr. Speaker, that this learned judge, and such was the effect of the decision of the court, held that the exclusiveness of the power of Congress to regulate commerce among the States, etc., was not necessarily involved in a contention between a municipal or internal police regulation of the States and the power of Congress to regulate commerce; that the powers which relate to merely municipal or police regulations had not been surrendered by the States or restrained in any degree by the Constitution of the United States; and that it followed that the authority of the States was complete, unqualified, and exclusive.

Without attempting to define the subjects or fix a limit to the jurisdiction of the police power of the States, it was certainly affirmed that "every law for the restraint and punishment of crime, for the preservation of the public peace, health, and morals" was embraced by that jurisdiction. These great subjects of legislation were declared to be of primary importance, lying at the very foundation of social existence, and before which all laws that relate only to "property, convenience, or luxury" recede when they come in conflict or collision.

The restrictive legislation, police or municipal regulations, of the States in respect of the traffic in intoxicating liquors is not based upon any supposed power in the States to regulate commerce or to interfere with regulations of commerce, but they are grounded upon the inherent and inalienable right of the States to preserve health, prevent crime, and protect the public welfare.

This doctrine has been overturned by the recent decision of the court, and all such laws of the States, enacted for the purposes stated, which prevent, hinder, or limit the right of an importer to sell distilled liquors in the original packages in which they may have been introduced into

a State, are nullified and made void by the operation of the judgment of the court.

As a proximate result importers, claiming to be protected by the law, are selling intoxicating liquors in original packages in some, if not all, of the States in despite and in defiance of the laws of such States, which forbid their sale or which require a license to be obtained before such articles are offered for sale.

The evil effects of the unregulated and unfettered traffic in intoxicating liquors to this extent and deprivation of the accustomed revenue from this traffic are made possible and common to all the States.

I desire to call the attention of the House to the following extract, taken from the dissenting opinion made in this case in behalf of three of the justices, and delivered by Mr. Justice Gray.

The learned judge said:

If the statutes of a State, restricting or prohibiting the sale of intoxicating liquors within its territory, are to be held inoperative and void as applied to liquors sent or brought from another State and sold by the importer in what are called original packages, the consequence must be that an inhabitant of any State may, under the pretext of interstate commerce, and without license or supervision of any public authority, carry, or send into, and sell in any or all of the other States of the Union intoxicating liquors of whatever description, in casks or kegs, or even in single bottles or flasks, despite any legislation of those States on the subject, and although his own State should be the only one which had not enacted similar laws. It would require positive and explicit legislation on the part of Congress to convince us that it contemplated or intended such a result.

This is an extraordinary and deplorable condition, and Congress is appealed to from all quarters to apply some remedy to the grievous mischiefs and local disorders wrought by this unfortunate opinion. I have read this extract, Mr. Speaker, to show that I have not misstated the scope of the effect of the judgment of the court, and for the additional purpose of showing that the consequences of the judgment were considered and contemplated by the court.

So far as I am informed, the opinion is universally entertained that each State, by the proper and reasonable exercise of its police or reserved powers, should be permitted to determine for itself the manner in which the traffic in intoxicating liquors should be conducted within its own territory, and that the Congress of the United States should have no control over it.

It is, therefore, desirable that the former condition of the law on this subject should be restored.

The grave and important inquiry which Congress is now called upon to make is how that object may be attained without exceeding its authority, or rather whether it can be attained by Congressional legislation without doing violence to the Constitution.

Before proceeding to discuss the authority or the power of Congress over the subject, I desire to say that I have not the slightest doubt that the Supreme Court itself will in due time, uninfluenced by Congressional legislation, modify its rulings or correct the abuses which seem to be covered and protected by its decision.

In this way, often followed by the courts, the original status or condition of the law might be restored; or, failing in that, the States may be relieved from restraint and interference in the exercise of their police powers by retail liquor-dealers under the guise and device of importers vending "original packages."

There would be, I am sure, Mr. Speaker, no great sacrifice of opinion required of the members of the court to bring about this desirable and becoming result, as it is difficult to perceive how the States can be deprived of a reserved power absolutely essential to the protection of its population against the evils of unlicensed and unregulated traffic in distilled liquors.

Under our system of government there is no other power adequate to that purpose.

If, however, this decision shall ripen into a fixed and accepted interpretation of the Constitution, it will be the duty of Congress to address itself earnestly to an inquiry into its authority and power to arrest, in whole or part, the operation of the judgment of the court.

The influences now being exerted upon Congress to provide some relief against the exasperating evils resulting from the condition of the law are so exacting and commanding that the Constitution is in danger of greater violence from Congress in the effort to arrest the evils than was inflicted upon it by the judgment of the court.

The most serious results of the decision in this case flow from the facility, claimed to be authorized by it, with which an importer may set at defiance the license laws of the State by so constructing the "original packages" as to enable him to retail intoxicating liquors. It is the unregulated, unlicensed retail dealing in ardent spirits by means of so-called original packages which has produced such universal remonstrance against the operation of the judgment.

It can scarcely be true, Mr. Speaker, that importers may, under this decision, pervert the obvious meaning of interstate commerce, overturn the established usages and customs of commercial intercourse by the use of non-commercial original packages, so shaped and constructed as to enable them to carry on a retail trade in liquors despite the license laws of the State, and to the utter destruction of the revenues derived from that source.

The right secured to the importer to sell intoxicating liquors in the original packages in which they may be introduced into a State would not carry with it the means of destroying the license system of the States if importations were regulated and restricted to commercial packages after the manner of importations from foreign nations. A judicial interpretation of what is meant by an original package, within the meaning of interstate commerce, might effectually destroy original-package saloons, which are now being conducted under a "device" unworthy the protection of State or Federal laws.

But if Congress can not await the correction of these disorders by the courts, why may not its power and authority over the subject of commerce among the States be exerted in a proper and lawful way by prescribing a rule or regulation by which to govern and regulate the commerce of intoxicating liquors among the States? The Supreme Court holds that the power of Congress is exclusive, and without words of limitation. A rule or regulation of commerce in these articles, defining what a commercial original package may consist of, in view of the license laws of the States, enacted in the exercise of their police or reserved powers, would effectually destroy the most serious evil which has resulted from the decision of the court. Such a rule or regulation would be uniform throughout the United States, would not be a harsh or unjust exertion of the power of Congress, and would enable the States to exercise their police powers over this subject-matter of commerce.

It is claimed, however, that the Supreme Court has invited Congress to restore the former (supposed) condition of the law by placing this subject-matter of commerce under the jurisdiction of the police or reserved powers of the States by Congressional legislation, and the following remarkable expressions of the court are relied upon to support the proposition:

And while by virtue of its jurisdiction over persons and property within its limits a State may provide for the security of the lives and limbs, health, and comfort of persons, and the protection of property so situated, yet a subject-matter which has been confided exclusively to Congress by the Constitution is not within the jurisdiction of the police power of the State, unless placed there by Congressional legislation.

And again the court declares that—

The conclusion follows that as the grant of the power to regulate commerce among the States, so far as one system is required, is exclusive, the States can not exercise that power without the assent of Congress.

The Senate bill, as well as the substitute proposed by the Committee on the Judiciary, rests on these remarkable and inapt utterances of the court while delivering the opinion on the questions presented by the record of the case before it.

The Senate bill reads as follows:

Be it enacted, etc., That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

It will be observed that this proposition would apply the laws of a State already enacted, or such as might hereafter be enacted in the exercise of its police powers, to all fermented, distilled, or other intoxicating liquors transported into such State or remaining therein for use, consumption, sale, or storage therein.

This is a proposition simply to turn over to the States the entire and complete power to regulate the commerce among the States, etc., as to this subject-matter of commerce. Each State is to be invested with power to regulate the commerce of this article between itself and all other States.

Where does the power to regulate the commerce of these articles among the States now reside? The Supreme Court, in the decision referred to, holds that Congress has the exclusive power to regulate the commerce of these articles among the States, etc. If this interpretation of the Constitution is correct, how can Congress be divested of a power exclusively vested in it by the Constitution? There is but one mode provided, and that is by an amendment to the Constitution.

The laws of the State to which these articles of commerce are to be subjected, if the Senate bill becomes the law, have been declared unconstitutional and void by the decision of the court, so far as they interfere with the right of an importer to sell intoxicating liquors in original packages.

The Senate bill provides that the laws of the States to which this commerce must be subjected shall have been enacted by the several States in the exercise of their police powers respectively. Yet the court decides that this commerce is not subject to the jurisdiction of the police powers of the States.

If the States, as the court decides, did not reserve this power; if no such police power was reserved by the States when the Constitution was adopted; if the States conveyed, delegated, or vested this great and essential power to protect and shield its population from the evils of unlicensed freedom in the sale of ardent spirits, how can Congress reconvey or delegate it to the States? I do not understand how or by what authority Congress can assent to the exercise of a power by the States which was confided exclusively to it by the Constitution. nor do I understand where Congress gets the power to place "by Congressional legislation" a subject-matter of commerce under the jurisdiction

of the police power of the States which has been placed by the Constitution exclusively under the jurisdiction of Congress.

No one, Mr. Speaker, seems bold enough to admit, in advocacy of the Senate bill, that the Senate proposition amounts to a delegation of power by Congress, the exclusive custodian of the power, to the States who parted with it upon the adoption of the Constitution, but they seek to evade the obvious and inevitable effect of the proposition by the assumption that Congress for the time being adopts the laws of the several States as a regulation or regulations by which the commerce in this article among the States may be governed. This would not be in any proper sense a regulation of commerce prescribed by Congress, but it would be an exercise of power belonging to Congress by the States by the permission of Congress.

The object of Congressional regulation of commerce among the States was to secure "one system" applicable to all the States.

Can the object of the framers of the Constitution be attained by allowing the States, with the "assent of Congress," to exercise the power? Instead of having "one system," we shall have as many systems as there may be States. The laws and regulations prescribed by the States would be as various as the characteristics of their population and wholly wanting in uniformity. The Senate bill, Mr. Speaker, rests on the false theory that the States must rely upon Congress for the grant of the great and essential police power to regulate and control the traffic in intoxicating liquors within their own territory as each of them may deem best.

Instead of Congress being the grantee of powers from the States, it assumes to become a grantor of power. The old rule is reversed; the creature becomes the creator.

For one, Mr. Speaker, I am unwilling to vote for a measure which makes the great State that I have the honor to represent in part a mendicant at the footstool of Federal power for the permission of Congress to exercise a police power never delegated to Congress and which was reserved by the States as essential to the welfare of their population.

It is said, Mr. Speaker, that this proposition is a concession to State rights, and therefore a Democrat ought to accept it with thanks and alacrity.

The fundamental principle of the Democratic party, as I understand it, is to preserve the boundary between State and Federal authority as fixed by the Constitution.

If the States have parted with this great police power, as the court decides, what right has Congress to reconvey the power to them? If Congress can delegate this power to the States, why may not Congress disposed of other powers in the same way?

I am aware, Mr. Speaker, that the opinion prevails that inasmuch as this police power has been erroneously drawn from the jurisdiction of the States, the effect of this measure will be to restore the power and no harm will be done by accepting it. This is called practical politics.

Gentlemen do not pause to consider that power wrongfully delegated may be resumed at any time; nor do they apparently appreciate the fact that, having assented as representatives of the States to the false doctrine that the States must exercise this police power with the permission of Congress, it will be difficult to reject such conditions as Congress may impose hereafter upon the exercise of the right.

Such arguments and suggestions assume that Congress will stultify itself by an attempt, direct or indirect, to reverse the theory of the Government by granting a power, or the right to exercise a power, to the States by an act of Congress for the purpose of correcting or avoiding an erroneous ruling of the Supreme Court made possible by overruling its own decisions.

I do not think it will. The substitute for the Senate bill submitted by the Committee on the Judiciary reads as follows:

That whenever any article of commerce is imported into any State from any other State, Territory, or foreign nation, and there held or offered for sale, the same shall then be subject to the laws of such State: *Provided*, That no discrimination shall be made by any State in favor of its citizens against those of other States or Territories in respect to the sale of any article of commerce, nor in favor of its own products against those of like character produced in other States or Territories; nor shall the transportation of commerce through any State be obstructed except in the necessary enforcement of the health laws of such State.

It will be observed that by the terms of this proposition it is proposed to confer power upon each State in the Union to regulate the commerce between it and all the other States and Territories, and foreign nations as well. Whatever product, being a legitimate article of commerce, is imported from one State into another, or from a foreign nation, for sale, is subjected to the local laws of such State, whether such laws are enacted in the exercise of the police powers of the State or not, or whether the subject-matter of the import contains any element, constituent, or ingredient which demands official supervision in the exercise of police power.

The proviso is simply declaratory of existing law, which is that no State shall discriminate in favor of its own products against those of like character produced in other States or Territories. In all other cases full power is given each State by the terms of the substitute to discriminate against the products of every other State, or to forbid their importation or sale altogether for the purpose of destroying competition with their own products, or for any other purpose. Lard compounds would be expelled from every State in which pure lard is manufactured, because they are not products of like character and would not fall within the exception. There might be many other illustrations given of the injustice and wrong which would result from the operation of such a law.

Mr. Speaker, if this substitute should become the law we might as well strike from the Constitution the commercial clause altogether. There will be no further use for it. Commercial chaos, as it existed during the Confederation, would return to blight the great commercial prosperity of the country.

The absolute necessity for well regulated freedom of commerce among the States was the great moving, overshadowing cause of the adoption of the Constitution. The grandeur of the unsurpassed commercial greatness of the United States rests upon the freedom of commerce among the States.

It has inspired the genius and aroused the industry of our people. It has made us a nation of traders and fastened our family of States together with cords of business, friendship, and rivalry. Let Congress abdicate the power to regulate commerce and commit the vast commercial interest of this country to the caprice and greed of State regulation, and the splendid fabric of our commercial greatness will topple to its fall.

I can not, Mr. Speaker, better illustrate and present the results which will follow the enactment of such a law as is proposed by this substitute than by quoting the following from an opinion delivered by Mr. Justice Matthews:

Can it be supposed that by omitting any express declaration on the subject Congress has intended to submit to the several States the decision of the question in each locality of what shall and what shall not be articles of traffic in the interstate commerce of the country? If so, it has left to each State, according to its own caprice and arbitrary will, to discriminate for or against every article grown, produced, manufactured, or sold in any State and sought to be introduced as an article of commerce into any other. If the State of Iowa may prohibit the importation of intoxicating liquors from all other States, it may also include tobacco, or any other article the use or abuse of which it may deem deleterious. It may not choose, even, to be governed by considerations growing out of the health, comfort, or peace of the community. Its policy may be directed to other ends. It may choose to establish a system directed to the promotion and benefit of its own agriculture, manufactures, or arts of any description, and prevent the introduction and sale within its limits of any or of all articles that it may select as coming into competition with those which it seeks to protect. The police power of the State would extend to such cases as well as to those in which it was sought to legislate in behalf of the health, peace, and morals of the people. In view of the commercial anarchy and confusion that would result from the diverse exertions of power by the several States of the Union, it can not be supposed that the Constitution or Congress have intended to limit the freedom of commercial intercourse among the people of the several States.

Finally, Mr. Speaker, it would be far better and wiser to mark the boundary between the police powers of the States and the Federal power to regulate commerce by a proposition to amend the Constitution than wound and mangle it by temporary statutory make-shifts, which the Supreme Court must hold to be unconstitutional.

The Tariff—Sugar Duty.

SPEECH

OF

HON. WILLIAM W. MORROW.

OF CALIFORNIA.

IN THE HOUSE OF REPRESENTATIVES.

Tuesday, May 20, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports—

Mr. MORROW said:

Mr. CHAIRMAN: In the report of the Committee on Ways and Means, submitted to the House explanatory of the provisions of the bill now under discussion, we find the following statement:

We are advised from the annual report of the Secretary of the Treasury that the ordinary revenues of the Government, actual and estimated, for the fiscal year ending June 30, 1890, will be $385,000,000 and that the expenditures for the same period, actual and estimated, will be $293,000,000, leaving a surplus of $92,000,000. The estimated amount required for the sinking fund will be $48,321,116.99, leaving an estimated net surplus of $43,678,883.01.

This estimate, it will be observed, is for the year ending June 30, 1890. For the year ending June 30, 1891, the committee submit the following estimate:

The excess of revenues over expenses estimated for the fiscal year ending June 30, 1891, we are advised from the same source, will amount to $43,569,522.30, which, with the amount of cash now on hand and available, reaching nearly $90,000,000, the committee believe will justify a reduction of the revenue in the sum contemplated by this bill.

That is to say, the estimated surplus for two years is about $90,000,000, or an average of say $45,000,000 per annum. This estimate is based upon the present rate of expenditures and does not take into consideration any probable increase for pensions, postal service, fortifications and defenses, or naval construction. It assumes that the expenditures for the

current year and for the year ending June 30, 1891, will continue substantially as ascertained for the year 1889, as follows:

Total ordinary expenditures ascertained for the year 1889	$281, 996, 615. 60
Total expenditures, actual and estimated, for the year 1890	293, 000, 000. 00
Total estimated expenditures for the year 1891	292, 271, 404. 70

The actual and estimated expenditures for the year 1890 are placed at $13,000,000 in round numbers in excess of the expenditures for the year 1889, and for the year 1891 there is an estimated reduction of expenditures of nearly $1,000,000 from the year 1890. From these premises the committee proceed to discuss the provisions of the bill and arrive at the following conclusion:

Your committee conclude, therefore, that the proposed bill, if enacted into law, will certainly reduce the revenue from imports at least $60,936,536, and probably more, and from the internal revenue $10,327,878, or in the aggregate $71,264,414.

My colleague [Mr. McKENNA] has just explained that he does not approve of that provision of the bill which places sugar on the free-list, and he bases his objection with great force on the ground that it violates in a most flagrant manner the beneficent principle of protection to home industry. It seems to me that his argument is unanswerable. He has, however, proposed a reduction of about 33 per cent. of the rate of duty so that the duty may conform substantially in the ad valorem equivalent to the rate of duty proposed to be levied on other imported articles coming in competition with home products. I am in favor of this amendment, believing that it is a fair and reasonable reduction of the rate, while at the same time it preserves the principle of protection for which we are contending as our guide in the revision of the tariff. We should not only retain a reasonable protection for the benefit of the sugar-cane product of Louisiana, but also for the benefit of the beet-sugar industry now being successfully developed in the Western States and on the Pacific coast. In my judgment, under proper encouragement in the way of protection all the sugar required in the United States would in the near future be our own product.

I am also in favor of the amendment and opposed to placing sugar on the free-list, because I do not think the Government can spare all of the present revenue derived from the duty on that article.

But the bill goes further than merely placing sugar on the free-list. It proposes to pay a bounty out of the Treasury of 2 cents per pound on all sugar of a specified grade made from cane, beets, or sorghum produced in the United States. The Government is therefore to be deprived not only of all the revenues derived from the duty on imported raw sugar, but the expenditures are to be increased by the amount required to pay a bounty on all the sugar produced in this country. Can we afford to do this? Let us see what the effect will be. I find by reference to the statistical abstract for the year 1889 that during last year 2,762,302,967 pounds of sugar were imported at an average duty of 2.3 cents per pound, making the total amount of duty collected $54,896,437.38.

I find, further, that the sugar produced from cane in Louisiana last year amounted to 377,933,124 pounds. To pay the bounty of 2 cents per pound on this production would require the payment out of the Treasury of the sum of $7,558,662.48. In other States the sugar produced from cane amounted to 20,229,440 pounds, which at 2 cents per pound would require the payment of $404,588.80. In California the sugar produced from beets amounted to 5,600,000 pounds, which at 2 cents per pound would require the payment of $112,000. The product of sugar from sorghum amounted to 1,500,000 pounds, which at 2 cents per pound would require the payment of $30,000. The total cost to the Treasury of free foreign sugar with a bounty of 2 cents per pound for the home product may be tabulated as follows on the returns for the year 1889:

Duties on sugar imported during the year ending June 30, 1889, 2,762,202,967 pounds, at an average specific rate of duty of 2.03 cents per pound	$54, 896. 437. 38
Sugar produced in Louisiana during the year ending June 30, 1889, 377,933,124 pounds, at 2 cents bounty	7, 558, 662. 48
Sugar produced in other States, 20,229,440 pounds, at 2 cents bounty	404, 588. 80
Beet sugar produced in California, 5,600,000 pounds, at 2 cents bounty	112, 000. 00
Sugar from sorghum, 1,500,000 pounds, at 2 cents bounty	30, 000. 00
Total cost	63, 001, 688. 66

The bounty on the sugar product of 1889 would be as follows:

Domestic cane product	$7, 963, 251. 28
Domestic beet product	112, 000. 00
Domestic sorghum product	30, 000. 00
	8, 105, 251. 28

The sugar schedule of this bill would, therefore, cost the Treasury, in round numbers, $55,000,000 in deduction of revenue and $8,000,000 in bounty, or a total of $63,000,000. Let us see what effect it would have had on the revenues for 1889:

The total ordinary revenues of the Government from all sources for the year 1889 were	$387, 050, 058. 84
If we deduct the amount of revenue received from sugar	54, 896, 437. 38
We have a balance of	332, 153, 621. 46
The total ordinary expenditures of the Government for the year 1889, including the purchase of bonds for the sinking fund, were	329, 579, 929. 25
If we add to this sum the amount that would have been required to pay the 2 cents per pound bounty on domestic sugar	8, 105, 251. 28
We would have a total expenditure of	337, 685, 180. 53
Deduct the receipts as above	332, 153, 621. 46
Leaving a deficiency of	5, 531, 559. 07
To this sum must be added the amount of the deficiency appropriation bills passed at this session for the year 1889	24, 708, 777. 49
Making a total deficiency of	30, 230, 336. 56

This would have been the state of the account had the provisions of this bill relating to sugar been in force during the year 1889. We would have had a deficiency of a little over $30,000,000. The reply to this claim would be that in the expenditures for the year 1889 is the sum of $47,583,313.65, expended for the purchase of bonds for the sinking fund and for the redemption of notes and fractional currency; that this expenditure was made because of a surplus in the Treasury, but would not have been made had the receipts been reduced as proposed in this bill. This is true, and disposes of the possible actual deficiency that might have occurred under this bill in the year 1889, but this method of avoiding a deficiency would be satisfactory only to those who deem it advisable to suspend the purchase of bonds for the sinking fund, and I am not one of those. I think we should continue to provide for the payment of the public debt. We should discharge every obligation at maturity, and if the national-bank system must be continued let it be upon some other basis than the public debt for its security.

But when we turn to the years 1890 and 1891 and succeeding years, and examine the probable receipts and expenditures for those years, we are confronted with an increase of expenditures that can not be avoided or suspended. We are pledged to additional pension legislation. What amount of money will be required to meet the demands of such legislation can not now be determined, but it will not be less than $30,000,000 for next year, with an increase for several years to come. We must meet our obligations to the veterans of the war fairly and honorably, and we must not reduce the revenue to such an extent as to cause us to hesitate in that direction. We must pay the national debt, provide for fortifications and defenses, and continue the construction of a navy. We should improve our rivers and harbors for the benefit of our commerce, increase our postal service, and extend aid to the shipping industry, that our products may be carried on American ships to every quarter of the globe.

The Committee on Appropriations has been proceeding with great care and economy in providing for the necessary expenses of the Government for the year 1891. We have reported a number of bills which are in no way extravagant, but, on the contrary, they carry every possible safeguard against waste and every needless expenditure. Some of these bills have passed both Houses; some have passed this House only; others have only been reported from the committee, and three bills, the agricultural, Indian, and sundry civil, have not been reported. But we have proceeded far enough with the business of providing for the expenses of the Government for next year to discover that the expenditures are going to be largely increased. Seven of the appropriation bills, namely, District of Columbia, fortification, Navy, pension, Post-Office, river and harbor, and deficiency (1889), increase the expenditure of the Government $55,492,763.40 over the current year.

Four bills, namely, Army, diplomatic and consular, legislative, etc., and Military Academy, reduce the expenditures in the sum of $1,118,103.58. The net increase is $54,374,659.82 over the present year, and arises mainly in the river and harbor bill, where the increase is $21,000,000, and the pension bill, where it is nearly $17,000,000. There is also an increase in the Post-Office appropriation bill of $5,000,000, and in the fortification bill an increase of $3,000,000. I append a statement of the appropriation bills for the year 1890–'91 as far as they have progressed, compared with appropriation acts of 1889–'90.

From this statement it will be seen that the present ascertained ordinary expenses of the Government for the year 1891 will be at least $50,000,000 in excess of what they were for the years 1889 and 1890. It must be remembered, furthermore, that this increase does not take into account any additional pension legislation. If we extend the pension laws so as to increase the number of those entitled to receive pensions or if we increase the expenditures to pensioners on any account we must add such increase to the already ascertained excess of $50,000,000. If we make any additional provision for fortifica-

tions and defenses, an increase in the postal service, or for the construction of a Navy we must add such increased appropriation to this sum of $50,000,000.

But whether we do or not we know now that we will require the amount of the sugar duties or nearly so much to meet our existing obligations. And it seems to me to be the part of wisdom to withhold sugar from the free-list for the present and try the effect of a reduction of 33 per cent. without a bounty. In doing this we protect the Treasury and retain a measure of protection for one of the most important and promising industries of the country. Let us be just to all classes and, treating the responsibilities of the Government with a fair and honorable consideration, leave the wisdom of our action to the judgment of the people.

Mr. HEARD. If this duty is taken off sugar will it not have to be placed on something else?

Mr. MORROW. There is no question about that in my mind. As I have already shown, the revenue is required to meet the ordinary expenses of the Government as now ascertained. If you remove the duty it will be necessary to place the burden (if so designated) somewhere else. The Government requires for its support about $400,000,000 per annum. The sugar duty supplies about $55,000,000 of this sum. The revenue must be obtained from some source. The duty on sugar has always been primarily a revenue duty. It is collected cheaply and effectively, and in my judgment it would be unwise for us to attempt at this time to procure this amount of revenue elsewhere. [Applause.]

Appropriation bills for the year 1890–'91, *as far as they have progressed, compared with appropriation acts of* 1889–'90.

	Regular annual appropriations, 1889–'90.	Appropriation bills for the year 1890–'91, as acted upon up to May 20, 1890.							
		Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law 1890–'91.	Increase over 1889–'90.	Decrease, less than 1889–'90.	Net increase.
Agricultural	$1,669,770.00								
Army	24,316,615.73	$24,458,220.52	$24,288,085.52	$24,187,781.79				$128,833.94	
Diplomatic and consular	1,980,025.00	1,489,925.00						490,100.00	
District of Columbia	5,682,400.91	5,331,934.15	5,332,934.15	6,019,994.15	$6,085,744.15		$403,334.24		
Fortification	1,223,594.00	4,521,678.00	4,521,678.00				3,283,084.00		
Indian	8,077,453.39								
Legislative, etc	20,843,615.81	20,864,326.75	20,842,446.75					1,169.06	
Military Academy	902,766.69	429,996.00	429,996.11	404,766.11	404,766.11			498,000.58	
Navy	21,692,510.27	22,151,335.53	22,160,535.53				468,025.26		
Pension	81,758,700.00	98,427,461.00	98,427,461.00	98,437,461.00	98,465,461.00		16,706,761.00		
Post-office	66,605,344.28	71,976,698.99					5,371,354.71		
River and harbor	(*)	20,932,445.00					20,932,445.00		
Sundry civil	25,297,341.65								
Total	260,060,146.73								
Deficiency (1888–'89)	16,330,518.30	†24,050,213.72	†24,050,213.72	†24,643,263.34	†24,708,777.49	†24,653,277.49	†8,322,759.19		
Miscellaneous	10,253,786.29								
Permanent annual	108,691,055.96								
	395,337,516.27						55,492,763.40	1,118,103.58	54,374,659.82

*No river and harbor bill passed for 1889–'90.

† Deficiency bill for current year.

Federal Election Law.

SPEECH
OF
HON. WILLIAM MUTCHLER.
OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. MUTCHLER said:

Mr. SPEAKER: The gentleman from New York [Mr. RAINES] who has just taken his seat, like all others who have preceded him in advocating the passage of this bill, has attempted to give reasons why the bill should become a law, but has failed to show and has not undertaken to show by what power Congress can enact so revolutionary a measure. It is claimed by the committee that reported the bill that the necessary power is to be found in section 4, Article I, of the Federal Constitution, which is as follows:

The times, places, and manner of holding elections shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Prior to the passage of the act of 1871, elections for members of Congress were held at different times. Some States elected in August, some in September and October, and others in November, but since the passage of that act all elections for members of Congress are held on the same day, in November. In 1872 Congress provided by law that the manner of holding elections should be by ballot. Elections of members of Congress were not uniformly by ballot prior to that time.

Now, I submit that when Congress passed these laws it exhausted its power under the provision of the Constitution I have cited. It has never been claimed that Congress had any other power over elections of Congressmen than it has heretofore exercised, nor that the power to prescribe the manner of holding elections included the right to select the officers to conduct the elections. The Legislatures of all the States in the Union, in obedience to the Federal Constitution, have prescribed the manner for holding elections for Representatives in Congress. That manner is by ballot, and this bill does not alter it. What it does do or will do if enacted into a law is to place the elections in every State under the absolute management of Federal officers, appointed by Federal authorities, who shall be the sole judges of the qualifications of voters and whose returns are to be accepted to the exclusion of those made by the State officers. There is no such power given to Congress by our Constitution.

Now, let us examine this bill briefly and see what it is. In the first place an officer, who is called a chief supervisor of elections, is to be appointed in each judicial district of the United States by the judge of the circuit court of such district. This officer is to be one of the United States court commissioners, now in office, and is required upon petition of one hundred citizens of any city or town having a population of 20,000 inhabitants, or of one hundred citizens of any Congressional district, or fifty citizens of any county or parish, to prepare, present, and certify to such circuit courts lists of persons to be appointed supervisors. Three supervisors are to be selected for each voting precinct, and as two are always to be of the same political party it is fair to presume that in nearly every instance the two will be Republicans. The third may be a Democrat of the mugwump order, but, no difference what or who he may be, he can have no power, because the whole power of the board is granted to the majority. These precinct supervisors are to be at all times subject to the order of the chief or district supervisor. He can assign them to duty in any place within his district he pleases. All orders issued by him and relating to registration, naturalization, and the holding of elections and making of returns, must be obeyed. In the language of the bill, registration and naturalization of voters, as well as the election, shall be guarded, scrutinized, and supervised by them. When required to do so by their chief or "boss," as he should be designated, in cities and towns having 20,000 inhabitants and upward, they shall make a list of all persons naturalized in any State court, showing the date of their naturalization, their residence, place of nativity, and the names and residence of their witnesses, and for this purpose they are to have access at all times to and the right to examine all applications for naturalization. These lists are to be sent to the chief supervisor, for what purpose the bill does not state, but it is to be presumed that this is to be done to assist the local organizations of the Republican party in making their canvasses of voters. On the day of the election these agents of the chief inspector are to be in the room where the election is held and there keep a tally of the votes polled. They are required to make a return to him which they may supplement with any statement with respect to these elections they may see fit to make. These returns and statements, not made under oath, are sent to the chief supervisor, who makes up a return to a board of canvassers, consisting of three persons appointed by the circuit judge, and this board makes out a return which is sent to the Clerk of this House, who must receive it and place the name of the person certified to be elected upon the roll. The certificate of the State authorities, unless it conforms

with that of this board of canvassers, must be disregarded by the Clerk of the House under pain of fine and imprisonment.

Now, Mr. Speaker, it is evident to the mind of every intelligent man who has studied the provisions of this bill that it is a well concocted scheme by which the Republican party hope to retain the control of this House. It is not the work of the amiable gentleman whose name is linked with it. It became painfully evident while he was attempting to explain it that he was not the author of it. Oh, no; it is not possible that a gentleman whose only profession is that of literature and whose moral instincts and high mental culture lead him to detest the queer ways of professional politicians could have conceived such an abominable measure as this is, a measure designed to take from the people the power to choose their own Representatives and place that power in the hands of less than a score of Federal office-holders.

It has been frequently charged upon this floor and not denied that this scheme emanated from the brain of that celebrated expert in the manipulation of voters, Mr. John I. Davenport, of New York, and the fact that he has been seen in company with leading gentlemen on the other side of the House here in Washington gives some color of truth to this charge. He is a gentleman of great experience in matters pertaining to elections and election returns and knows exactly what kind of a law is needed to enable his party to win.

But what else do we find in this bill? By section 8 the chief supervisor may order his subordinates to personally inspect the registration lists of voters and to be present at all times and places fixed for registration, and when required to do so by their superior officers they shall visit every house in their districts or precincts, ostensibly for the purpose of verifying the registry lists, but really for the purpose of influencing the voters and making a canvass of all such as may be bribed or intimidated. This work may be done in towns or cities having 20,000 inhabitants and upward five weeks before the day of election, in order to give ample time to Republican campaign committees to operate upon such voters as shall be reported to be doubtful or purchasable. The object of this provision of the bill is to enable the chief supervisor to obtain a complete canvass of the voters at the expense of the taxpayers.

Under the fourteenth subdivision of this section these supervisors are required to attend and aid the courts in preventing fraudulent naturalizations, and it is provided that this duty shall "apply only to such discreet or special supervisors as shall from time to time be directed and detailed by the chief supervisor of elections." This provision is intended to be enforced only in the cities and mining regions in the North where there is a large foreign element, and it will be the duty of these discreet Federal officers to object to the naturalization of every foreigner who will be likely to vote the Democratic ticket, but to make no objection to any one who will surely vote the Republican ticket. These "discreet" agents of the chief supervisor may also enter the office of the clerk of the court and demand to be shown all applications and affidavits pertaining to naturalizations on file.

Now, Mr. Speaker, I would like to know under what particular clause of the Federal Constitution Congress is given the power to enact or the Executive the authority to enforce this provision of the law? Congress is given the power to enact a uniform rule of naturalization, but not the power to provide for the appointment of officers to scrutinize and amend the decrees of the State courts in making naturalizations. The power to naturalize is in the judiciary, and when an alien has been made a citizen by the decree of the court he can not be deprived of his right of citizenship by a Federal supervisor of elections. It can not be contended that the power to regulate elections of Representatives to Congress carries with it the power to supervise naturalizations. The two things have no relation to each other. Citizenship is only one of the qualifications of a voter, and when that is shown by the production of the certificate of a court his right to vote can not be questioned unless he is not otherwise qualified.

This part of this bill is not intended to purify the ballot, but it is intended to draw from the Treasury of the United States a part of the funds necessary to conduct Republican election campaigns. It will not be executed. It ought not to be executed, because it is not in the power of Congress to enact it. Imagine one of these discreet gentlemen assuming the authority of a satrap, getting a salary of $10 a day paid by the tax-payers, marching into the office of a Democratic prothonotary or clerk of the court and ordering him to lay before him all the naturalization papers in his office, in order that he may obtain information of a political character for the Republican managers of elections. I do not believe his order would be obeyed. I am quite sure I know some clerks who would be most likely to say that they had no time, and would not have at least until after the election, and if the supervisor should persist and threaten to use force they would probably invite him to go, and might give him such assistance in enabling him to accept the invitation as would make it uncomfortable for him to stand upon his going.

There are several sections of this bill, notably the thirty-second and thirty-eighth, which are obscure to most readers of it, and doubtless intended to be so in order that their outrageous provisions may not be detected until after the bill has passed. The thirty-second section reenacts section 2002 of the Revised Statutes, which is that portion of the act of May 31, 1870, that provides for the use of the Army and Navy to keep the peace at the polls. I shall not comment upon this part of the bill any further than to say that the political party that makes use of such means to maintain its power must and will be regarded by the civilized world as the enemy of civil liberty and free institutions. Can it be possible that at this time, being more than a quarter of a century since peace and fraternal relations were renewed between all sections of our great country, and when there is not one disloyal citizen to be found within its confines, the party in power finds it necessary in order to continue its existence to destroy our boasted freedom by the use of the Army and Navy? Such would seem to be the case.

Under existing law United States jurors are selected by the clerk of the court and a jury commissioner appointed by the court, who must belong to a different political party from that of the clerk. This is a wise provision of the law, because it makes it impossible for any one political party to select only members of that party as jurors. Now, section 38 of this bill repeals this law by abolishing the office of jury commissioner and leaving the selection of jurors with the clerk alone. Now, it may well be asked, Why is this done? My colleague [Mr. BUCKALEW], who prepared the minority report on this bill, in my judgment gives the true explanation. He says:

> As this amazing and objectionable provision appears in an election bill with which it has no apparent relation, the question arises as to the purpose of its insertion. Is it intended to insure an efficient execution of the law against offenders or is it intended to shield the party agents appointed under this bill from indictment or conviction for fraud or outrage which they may commit in the course of their employment? If a district supervisor shall make a willfully false return of an election in his district, with the corrupt purpose of seating a defeated candidate, shall he have furnished to him a packed jury of his political friends to investigate his offense? And is it possible that to reach a desired object of party policy or advantage under this bill the entire plan of selecting mixed juries in the United States courts, in which all people are interested, shall be swept away?

As the clerks of the United States courts are, with but few exceptions, Republicans, we have no difficulty in seeing the reason for this proposed radical change in the law regulating the selection of United States jurors. It is done to give assurance to the district supervisors and deputy marshals, who, as a rule, will be selected from the criminal classes (at least such has been the case heretofore, as I shall presently show), that, though they may perpetrate any fraud or outrage they please in the interest of the Republican party, they shall not be convicted, because the clerk of the court, who has the selection of the juries, will see to it that none but their friends shall be summoned as jurors to try them.

Now, it is said by the friends of this bill that it is necessary in order to have a free ballot and a fair count, and it is alleged that without some such law as will place the holding of elections entirely in the hands of Federal officers an honest election can not be conducted, especially in the South. This has been asserted over and over again by gentlemen on the other side of the House who never set a foot upon Southern soil. Is it true? The gentleman from Louisiana [Mr. COLEMAN] and the gentleman from North Carolina [Mr. EWART], both of whom were born and raised in the South and who claim to be as good Republicans as their Northern allies, say it is not. [Applause.] These gentlemen represent Southern constituencies and were elected by Southern Republican votes. They have both addressed the House with reference to this bill and have both denounced it in unqualified terms. They are opposed to it and will vote against it, because they say there is no necessity for it and that if it is passed and executed it will surely make trouble where none now exists.

If this law is put in force in the North, and it will be, because there will be found in every Congressional district a sufficient number of impecunious individuals who will petition for it with the hope of being selected as district supervisors, it will be received with as little favor as it will be in the South. The people of the North, as well as those of the South, are jealous of Federal interference at their elections. Their election boards are non-partisan and their elections are conducted in fairness to all parties. It is by the unscrupulous use of money and the "blocks-of-five" system that the people are debauched and defrauded, and not by their election officers. In the State of Pennsylvania, as in all the other States, the election officers are chosen by a vote of the people.

Mr. SPRINGER. Each party has an equal number.

Mr. MUTCHLER. No, sir; our boards are composed of five members, one judge, two inspectors, and a clerk for each inspector, who is appointed by the inspector. The majority party usually has three and the minority two members of the board. These officers are all sworn to a faithful performance of their duty, and it is very seldom that they disagree as to the proper returns. Their returns are made to the judges of our courts, who examine and certify them to a board of return judges, composed of one from each county of the Congressional district, who meet at the county seat of one of the counties in the district and make up the final return which they certify to the secretary of the Commonwealth.

Sir, under the electoral system of the State which I have the honor in part to represent upon this floor, there is no disturbance at the elections. Every citizen qualified to vote can vote and have his vote counted and returned. Then why shall we be annoyed with Federal

supervisors and deputy marshals in every election precinct of the State? What have the people of my State done, what great wrong have they perpetrated or do they intend to perpetrate in conducting their elections that calls for this extraordinary remedy? If elections there are conducted fairly and honestly—and no one will dare to say that they are not—then why shall the people be burdened with the expense of executing this law? There may be thirteen thousand Federal supervisors appointed in my State and an almost unlimited number of deputy marshals, and the cost of holding our elections in addition to what we now pay will not be less than a half million of dollars.

Sir, the people of Pennsylvania do not want this law; there is not the shadow of necessity for it; and my colleagues on the other side of this House know what I say to be true as well as I do, and yet they will vote for it. Why? Simply because it has been approved by a majority of Republican Representatives in caucus, who hope that it can be executed in such a way as will give their party an advantage and continue it in the ascendency in this House. The fact that it is wholly unnecessary, that it will humiliate our people, because it implies dishonesty in them in the management of their elections, and that it will greatly and unnecessarily increase the burdens of taxation, goes for nothing. The only question with them is, will it help the Republican party to control Congress. It has been determined by a caucus that it will, and that settles it.

Now, Mr. Speaker, it may be interesting to know what kind of people will be selected by the chief supervisor as guardians of the ballot-boxes throughout the country. Of course they should be men of intelligence and unquestioned honesty. They should be men who have the confidence of the people in the districts where they are to perform their official duties, and should be free from any suspicion of being dishonest. Will such men be selected? This question can best be answered after we have examined the character of the supervisors and deputy marshals appointed in Philadelphia and New York in 1870 and 1878. I hold in my hand a list of persons appointed in those cities, but as my time is limited I will not read the whole of it, but will insert it with my remarks in the RECORD.

Mr. TUCKER. Will the gentleman from Pennsylvania state what document that is from which he proposes to read?

Mr. MUTCHLER. Yes, sir. It is a summary of the testimony taken by a subcommittee of the Senate in 1878. Marshal Kearns, of Philadelphia, testified before that committee that in that year he appointed seven hundred and seventy-three deputy marshals in that city, and there were about thirteen hundred appointed in the city of New York. Now listen while I read some of the testimony showing the character of the men then appointed, and you may be able to judge of the character of those who will be appointed under this bill if it becomes a law.

PHILADELPHIA MARSHALS.

Charles Oliphant, marshal second division, Twentieth ward, drunk on election day and insulting voters; seized Mr. Hackenberg without cause.

Charles Herr, marshal second division, Twenty-ninth ward, character and reputation bad, had been arrested for crime. On election day he arrested a voter, who was released by Judge Hare and voted. Herr wore a badge and solicited votes as a Republican.

Arthur Vance, marshal eighth division, Fifth ward, arrested Hutchinson, a voter, without cause. Vance was a notorious Republican worker.

John Homeyard, marshal sixth division, Sixth ward, drunk, and arrested voters without cause; drew a club on a Democrat for challenging a negro repeater. The police blocked up the poll, acted in concert with Homeyard, and brought voters to the polls. Homeyard vouched for Republican voters and distributed Republican tickets. Shriver, a United States revenue officer, kept Republican window-book.

J. R. Desano, marshal first division, Fifth ward, drunk all day; too drunk to arrest any one. There were five policemen at these polls. Desano never voted in that division before that day.

James Brown, marshal fourteenth division, Fourth ward; record of his conviction in 1872 for voting illegally produced. Proof was made that he voted twice on the same day.

William Augustus, fourth division, Eighth ward, acted as marshal, assuming authority as such, but was not on the list; a Republican worker.

Joseph Hilferty, marshal twenty-first division, Second ward, held the Republican window-book all day and electioneered; threatened to arrest the Democratic United States supervisor for procuring bail for a legal voter who had been arrested.

William McGowan, marshal twenty-third division, Second ward. A policeman blocked up the voting-window, and a Democratic United States supervisor ordered him away, when McGowan and the policeman seized him and locked him up in the station-house on a charge of interfering with officers. The case was never tried. McGowan is employed in the gas office and paid by the city.

Charles N. Miller, detective, testified that in the seventeenth division of Nineteenth ward a gang of repeaters were brought to the polls by a letter-carrier; he had one of the gang arrested.

Philip Madden, marshal Fourth ward, one of the most dangerous men in the city; has been in prison twice, once for highway robbery and the second time for shooting a colored boy.

Francis McNamee, marshal Eighth ward, had been arrested for five different robberies.

Andrew Lenoir, marshal First ward, a warrant has been issued for him for larceny.

Daniel Redding, marshal First ward, a bad and dangerous man; had been tried for murder.

Henry Pitts, marshal Seventh ward, a colored man who keeps a gambling-house and been arrested twice; distributed Republican tickets and vouched for voters.

R. S. Stringfield, marshal Fifteenth ward, had been tried for shooting a man; character very bad.

Michael Slavin, marshal Fifth ward, a thief and notorious repeater; had been arrested for subornation of perjury, but never tried.

William Glenn, marshal Nineteenth ward, superintendent of Norris square, and paid by the city for his duties.

Enoch Baker, marshal second division, Third ward, arrested John Carroll, a legal voter, without cause, and locked him up; Carroll was discharged after a hearing.

J. Roberts, marshal sixteenth division, Third ward, arrested John Johnson, a legal voter, and locked him up all night; case never tried. Roberts electioneered for the Republican ticket; was a clerk in the gas office and paid by the city; there were also twelve or fourteen policemen at that poll all day, and they blocked up the poll.

Andrew Jackson, marshal twenty-second division, Thirtieth ward, employed in the gas works under the city. Ackerman, Republican, judge of elections, acted as United States supervisor and judge, and refused to vacate the place of judge after written orders by Marshal Kearns and Judge Elcock. Jackson arrested Feeny, who had been legally appointed judge, and took him away from the polls. Did not return to get possession until 2 p. m.

C. A. Pinnexson, marshal Thirtieth ward, aided in arresting Feeny.

Taylor, marshal fifteenth division, Third ward, arrested Sweeny for illegal voting and locked him up; charge was found to be false and he was released and voted.

James Calligan, marshal eighth division, Sixth ward, so drunk in the afternoon he could not walk; seized a qualified voter by the collar and staggered with him against the wall; policeman brought a repeater to the polls, who was arrested, as was the policeman.

Henry Scott, marshal second division, Seventh ward, a man of bad repute; colored; keeps a low drinking house; electioneered and gave out tickets and tax receipts; was inside at the counting of the vote, and took tickets out of the box; only 5 votes came out for the Democratic candidate for Congress; Democratic overseer contested this, and Scott allowed 17 to be counted for him.

Thomas Donlan, marshal seventh division, Sixth ward, an habitual drunkard and a graduate of house of correction for this; was drunk all day.

William D. Barth, marshal, same place, blocked up the voting window and would not allow legal voters to come to it; there were two United States marshals and six policemen at the poll.

John Archer, marshal twenty-seventh division, Nineteenth ward, acted as United States supervisor; was on both lists and paid as both officers; when a marshal wanted during the day to arrest a Republican repeater he did not make known that he was a deputy marshal; had no badge; heavy Republican division; no policemen there.

Joseph T. Fuller, marshal sixth division, Twenty-third ward, a guard in the house of correction, and paid by the city.

William Stringfield, marshal thirty-second division, Twenty-fourth ward, arrested a legal voter and took him to the magistrate's, where he was discharged; Stringfield was discharged from employment the day before election for stealing.

Charles Male, marshal seventh division, Eleventh ward, keeps a house of prostitution.

Abraham Hoffman, marshal Eleventh ward, a repeater, and had kept a house of prostitution within a year; a thief.

William Eckenbrim, marshal Eleventh ward, arrested for larceny; bill ignored.

David Beckman, marshal thirty-second division, Nineteenth ward, held the Republican window-book and electioneered; threatened to put the Democratic United States supervisor out of the room for challenging a voter; the vote was rejected, and the voter did not return.

William B. Ahern, marshal ninth division, Twelfth ward, employed in the United States revenue office.

Fleming, marshal sixth division, Eighteenth ward, distributed Republican tickets and challenged voters; a legal vote was rejected on his challenge; intimidated many Democratic voters.

William Boehm, marshal eighteenth division, Twenty-ninth ward, plug inspector, and paid by the city; electioneered and distributed Republican tickets.

Charles Prenderville, marshal seventeenth division, Fifth ward, arrested a legal voter; case never tried; electioneered for Republicans all day.

This was the record of a two days' investigation at Philadelphia.

NEW YORK MARSHALS.

J. F. Baderhop, appointed by this estimable Judge Woodruff, at the instance of some of my friend's "bucket-men" in New York, some of those "shoulder hitters" and "rat-pit heroes."

Theodore, *alias* Mike Anthony, *alias* Snuffey, of 24 Cherry street, a laborer thirty-five years of age, married, and can not read or write. Anthony was arrested by Detective James Finn, of the fourth precinct, on July 24, 1870, for larceny from the person, and was held in $2,000 bail for trial by Justice Hogan. He was indicted by the grand jury on the charge on the 23d of August last.

Joseph Frazier, of 279 Water street, is a thief and confederate of thieves.

That is, a union thief. [Laughter.]

James Miller is the keeper of a den of prostitution in the basement of 339 Water street.

James Tinnigan keeps a similar den in the basement of 337 Water street.

James Sullivan, alias Slocum, keeps a house of prostitution at 330 Water street, which is a resort for desperate thieves.

Frank Winkle keeps a house of prostitution at 337½ Water street. The police are frequently called in to quell fights in Winkle's place, and it bears a hard reputation.

Now I come to a good fellow, a great chap. Of course it could not be supposed that the present chief of the supervisors in New York could appoint now any character holding as high a position as this one evidently does in that fraternity:

The radical authorities have appointed one John, alias "Bucky," McCabe a supervisor of the eighth district, Fifteenth ward. He is now under indictment for shooting a man with intent to kill. This precious "supervisor" originated here, and was first known to the police for his dexterity in robbing emigrants. His picture is in the rogues' gallery at police headquarters in this city, No. 225. He was known as Pat Maddon, alias "Old Sow," alias Honsey Nichols, alias Dennis McCabe. His real name is Andrew Andrews. His wife resides in North Pearl street, and the "supervisor" of the eighth district, Fifteenth ward, New York, is down in the directory as a citizen of Albany.

Joseph Hurtnett, supervisor Eighteenth ward. Arrested June 3, 1869, as accessory to the murder of Richard Gerdes, a grocer, corner of First avenue and Twenty-fourth street.

Henry Rail, supervisor Eighth ward. One of the principals in the Chatham-street saloon murder; went off West to escape punishment, and has only been back a few weeks.

James Moran, supervisor third district, Eighth ward. Arrested on Sunday last for felonious assault.

William (alias Pomp) Harton (colored), marshal Twenty-second ward. Arrested a few days since for vagrancy.

Theodore Allen—

It appears to me my colleague and myself have a sort of recollection of that name—

Theodore Allen, marshal Eighth ward. Now in prison for perjury, and keeps a house, the resort of panel-thieves and pickpockets, on Mercer street.

He is in jail to-day for murder, or is out on bail, being charged with murder. Now, who is this man The. Allen? He has been exported from New York into my State in order to interfere in the elections of Connecticut, not I agree by any Government action, not by action of the United States officers; far be it from me to make a charge of that character; but he is well known in our State. One of his brothers served a sentence of six or seven years in the State prison of

Connecticut. Another one of them staid in the inside of our jail at Hartford on a charge of burglary longer than he cared to, and so one night he left, and they have not heard of him since in Connecticut. His name is not in this list, but the family are a rising family of honest Republicans!

Richard O'Connor, supervisor seventh district, First ward; has been for years receiver of smuggled cigars from Havana steamer.

L. H. Cargill, supervisor ninth district, Ninth ward; tried in United States court for robbing the mail.

John Van Buren, supervisor twelfth district, Eighth ward; was at one time in sheriff's office and discharged for carrying a load of seized goods from the establishment of Richard Walters in East Broadway.

Mart Allen, marshal Eighth ward; served a term of five years in the Connecticut State prison; sentenced to Sing Sing for five years by Judge Bedford. His case was appealed, and while waiting for decision he managed to get out on bail. His case has been decided against him, and he has fled to parts unknown to ply his vocation and help the radicals elsewhere.

John McChesney, supervisor fourth district, Ninth ward; associates with thieves; bears a bad character generally.

William Cassidy, supervisor twelfth district, Ninth ward; is a street bummer, without any visible means of support.

Thomas McIntire, marshal Eighth ward; has been frequently arrested for beating his aged mother; sent several times to Blackwell's Island.

Timothy Lynch, marshal sixth district, First ward; a Washington-market lounger.

Peter Mose, marshal Sixth ward; habitual drunkard.

John Conner, supervisor first district, First ward; keeps a disorderly gin-mill, resort of lowest characters.

Francis Jordan, supervisor sixth district, First ward; lives in New Jersey; was turned out of the post-office by Postmaster Jones for bad conduct.

Bernard Dugan, supervisor eighth district, First ward; habitual drunkard. His wife left him on account of his drunkenness, and procured a divorce on that ground.

John Tobin, supervisor ninth district, First ward; arrested about six months ago for grand larceny.

Patrick Murphy, supervisor fourth district, Sixth ward; two years ago distributed fraudulent naturalization papers, and would furnish them to anybody that would promise to vote for Grant.

Edward Slevin, jr., supervisor second district, Fourth ward; has an indictment now pending against him in court of general sessions for cutting a boy named Kilkenney.

Michael Foley, supervisor fourth district, Fourth ward; well known repeater, voting for anybody that will pay.

James F. Day, supervisor seventh district, Fourth ward; shot at a man in a fight between the Walsh association and a gang from Water street.

John Conners, "alias Jockey," supervisor third district, Fourth ward; a well known desperate character.

* * * * * * *

Michael Costello, marshal Sixth ward; bounty-jumper during the war.

Harry Rice, supervisor thirteenth district, Sixth ward; was connected with the Chatham street concert saloon murder, and fled to Nebraska to escape punishment.

Thomas Lane, supervisor seventeenth district, Sixth ward; formerly keeper of a notorious den at Five Points, headquarters of thieves and robbers.

John Lane, supervisor twenty-second district, same ward; was indicted for receiving stolen goods. Has served a term in Sing Sing.

Edward Foley, supervisor sixth district, Ninth ward; arrested last year for stealing a watch.

These are a few specimens of the kind of men who will be selected to supervise our elections and certify the returns.

Now, Mr. Speaker, I have already described the manner of holding elections and of ascertaining the result in Pennsylvania, and I believe systems very similar obtain in nearly every State in the Union; a system by which the votes of the citizens are received, counted, and certified by officers elected by the people from both political parties, by which the State courts tabulate the returns and certify them to a board of return judges representing the different counties composing the Congressional district, who, in turn, certify them to the secretary of the Commonwealth, and he to the governor, who makes his certificate declaring that the person named therein received the highest number of votes and is therefore duly elected, and, after pressing the broad seal of the Commonwealth upon it, sends it, as he is required to do by law, to the Clerk of the House. That document has never yet been discredited. It always has entitled and ought to entitle a member to a seat here, at least a *prima facie* right to it; but the advocates of this bill say: We will not receive it if it certifies the election of a Democrat. It must seat a Republican or it is no good. If it does not seat a Republican then we prefer the certificate of "Bucky" McCabe, or of Madden alias "Old Sow," alias Honsey, alias Dennis, or some other dog-fighter, rat-pit hero, or thief, whose picture hangs in the rogues' gallery. [Laughter and applause.]

Now, the Clerk of the House must under pain of fine and imprisonment place the name of the person certified to be elected by the Federal officer on the roll. The act will be an outrageous fraud, but the perpetrator of the fraud will not be punished, because, as I have already shown, if he is prosecuted he will be tried by a jury of his political and possibly personal friends.

One of the most serious and well founded objections to this bill is that it takes from the people the power to regulate the manner of electing their Representatives, subject of course to the Constitution, and places that power in the Federal judiciary. The three great co-ordinate departments of the Government, the framers of the Constitution believed, should be independent of each other. The power to execute or administer a law is not one which properly belongs to the judiciary. The functions of that co-ordinate department of our Government are exclusively judicial, and should always be kept so. It has been our proudest boast, since the foundation of our institutions down to the present time, that our judiciary is wholly independent of the other departments. It is to it that we look for the vindication of our rights, for the redress of our wrongs, and for the preservation of our liberties. Every citizen of this great country, whatever may be his political convictions or party affiliations, is interested in preserving the independence and purity of our courts, and ought to protest and, if he be a patriot, will protest against this proposition to drag our ermine through the slimy pool of party politics and make it the hateful instrument for the pollution of the ballot-box and the destruction of the most sacred rights of the people.

But, Mr. Speaker, looking at this bill from the standpoint of gentlemen on the other side of this House, it may be regarded as a necessity, I mean a party necessity, and it should be entitled "A bill to continue the existence of the Republican party." That party, like all its predecessors that have antagonized the great Democratic party since the formation of the Government to the present time, must die. The agony of dissolution is rapidly approaching. Its existence has been prolonged to the present time by a stimulant commonly called "boodle," but this is becoming exhausted. The Treasury surplus is gone, the revenues of the Government are no longer sufficient to cover its expenditures, and the Wanamakers and other contributors to campaign funds, who have been made many times millionaires through a system of tariff taxation, may not consent to having the "fat fried out of them" every two years. The leaders of the party have concluded that something else must be done, and they have adopted the plan of this bill, and if it is passed they will have all they want, because they can then count the votes and can afford to be entirely indifferent as to how they are cast. The electoral fraud of 1876, the stealing of two United States Senators from Montana by the present Senate, and the unseating of eight members of this House, all of whom were lawfully elected, leave no doubt as to what that party will do if it is given the power to count the vote. It will then be invincible.

The bill, too, is designed to capture the entire negro vote of the South. The party must have it. It can not exist without it, because if it were not for the negro vote it would not carry a dozen States. [Applause on the Democratic side.] The colored people of the South are becoming very indifferent as to how they vote or whether they vote at all. We are told by the gentleman from North Carolina [Mr. EWART] that in his State not three-tenths of them will go to the polls, and that many of those who do go there vote the Democratic ticket. The Republican party can not stand this. It must have the negro vote or it will cease to exist. Supervisors and deputy marshals as numerous as the locusts of Egypt will be sent among them, and they will be told that unless they vote the Republican ticket the Army and Navy will be used to compel them to do so. But whether they vote or not will make but little difference, they will be counted all the same for the Republican candidates. That has been the rule in the contested-election cases and will continue to be the rule so long as the Republican party is in power.

Mr. Speaker, if this bill becomes a law I hope it will be put in force in every precinct of every Congressional district in the United States. I know that it is intended to be enforced only in the South and that it is made to apply to the North only to give it the appearance of fairness. If it is enforced in each State of the Union it will cost this Government not less than $10,000,000 at the first election; $10,000,000 of the people's money to be used in defrauding them and depriving them of the right of choosing their Representatives on this floor. This is a cunning scheme, but it will not succeed. The people are still the sovereigns of this mighty nation, and they will see to it that the priceless inheritance left to them by their fathers shall not be wrested from them to perpetuate the existence of a corrupt political party. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Federal Election Law.

SPEECH

OF

HON. RICHARD H. CLARKE,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. CLARKE, of Alabama, said:

Mr. SPEAKER: This bill is aimed at the cities of the North and West and at the Southern States, and at them alone.

So far as the South is concerned it is not my purpose to enter upon any extended discussion of the truth or falsity of the charges of fraud and violence upon which it is predicated. The time allotted me is wholly insufficient for any fair discussion of the issue.

The negro vote has not been wholly free in the South. In some precincts it has been kept from the polls by the domination of the whites. In others it has not been counted as cast.

These conditions exist now to a limited extent, much less general

than in the past, and are constantly narrowing. That vote will be suppressed in some measure in sections where the whites are in considerable bodies, but are largely outnumbered by the negroes, so long as the latter remain as now the easy dupes of men who work upon their passions and prejudices and use them to establish corrupt and oppressive governments.

At the same time elections in the South are, upon the whole, as free and fair as in the North and West, and infinitely freer than the voting on the other side of this Chamber. In many of your Republican Congressional districts votes are notoriously bought.

In this Hall voters are terrorized. Have all gentlemen of the Republican side voted their honest convictions and wishes upon the tariff and silver questions? If all of you who have privately expressed your strong disapproval of this bill shall vote as you feel it will be overwhelmed. Yet, who expects you to do otherwise than demonstrate here the irresistible force of intimidation?

VIOLENCE AND FRAUD IN THE SOUTH EXAGGERATED.

That these charges are grossly exaggerated does not rest only upon the assertion of Democrats. You have had the testimony of the gentleman from North Carolina [Mr. EWART], a Southern Republican. In support of him I read the following, clipped from a late issue of the Washington Post:

Mr. M. L. Fox, who was senior editor of the Advance-Herald, Asheville, N. C., during the last campaign, and has been a life-long Republican, warmly indorses Representative EWART's position on the Federal election bill. "While elections are not fair in many parts of the South," said he, "ballot-box-stuffing and the much-talked-of violence and bloodshed are of rare occurrence, and usually the facts are distorted and exaggerated beyond recognition in reaching the North."

If I am correctly informed, the only person from Alabama who appeared before the committee reporting this bill was Threet, the contestant of my seat in this Congress. His notice of contest formulated numerous charges of both violence and fraud, from which I select only one or two of each class.

The vote of Jefferson precinct, in Marengo County, was returned as 191 for me and 168 for him. His notice of contest alleged this to have been a fraudulent count of a true vote of 269 for him and 90 for me.

Among his witnesses to sustain this charge was Garner, the United States supervisor at that poll, appointed upon Threet's nomination. He was the most material witness, and while he did not swear to knowledge of fraud, it was his evident wish to create the impression that it had been practiced; he swore to his belief of it, and that he did not know as many as ten colored men voting for me, whereas, upon the basis of the returns, there should have been about one hundred.

Upon his cross-examination the following letter was produced to him:

NOVEMBER 8, 1888.

N. W. TRIMBLE:

SIR: I hav attend the election. I did not see ennything rong abou the ejection. All that I that saw was verry correct. The Dimocrats beet us by so meany negros voting the Dimocrat tiects. Jafferson went Dimocratic by 191 to 168 Republic.

JOSEPH H. GARNER,
Supervisor of Jafferson, Marengo County, and Mobile, Ala.

To the chief supervisor of the United States,
N. W. TRIMBLE.

He acknowledged he had written it without suggestion from any one and said its statements were true.

Contestant was a third candidate for the Forty-seventh Congress, Gillette, an ex-Union soldier, being the Republican candidate and Herndon the Democratic.

Gillette contested Herndon's seat, and the latter examined Threet as a witness. He testified as to this same Jefferson precinct as follows:

Q. What was the relative strength of yourself and Gillette at that precinct?
A. Major Gillette had more supporters in that precinct than I did, although I did not poll my full strength at that precinct on account of the intimidating influences brought to bear on my supporters by the supporters of Major Gillette.
Q. What is the usual Republican vote at Jefferson precinct?
A. The Republican vote at Jefferson usually ranges from 75 to 100.
Q. What has usually been the Democratic vote at that precinct?
A. About twice as much. I speak of the previous elections.
Q. Do you think that the comparative strength of the Democratic and Republican parties was fairly represented at the last election at that precinct?
A. I do; except that I think that my own vote should have been a little larger than it was.
Q. State the vote at that precinct for Congress, if you know it.
A. Herndon, 229 votes; Threet, 10 votes; Gillette, 108 votes—total, 347 votes

It will be observed that but 12 more votes were cast in the precinct in 1888 than in 1880. The relative numbers of the two races had probably changed as little, yet the same man who declared a return of 229 Democratic and 118 Republican votes fair in 1880 denounced 191 Democratic and 168 Republican votes as fraudulent in 1888. He charged a fraudulent count at Dixon's Mills, in the same county, whereby 101 ballots cast for him and 86 for me were fraudulently counted as 118 for me and 69 for him. He did not examine a witness to sustain this charge, but himself testified as to the precinct in the Gillette-Herndon contest:

Q. Do you know, and if so state, the comparative strength of the Democratic and Republican votes at Dixon's Mills, in Marengo County?
A. I do. The Republican vote there at previous elections has not been over 20. Most of the colored men there are influenced by white men and vote the straight Democratic ticket. The Democrats have usually voted about 100 to 125. At the time I was elected to the Legislature, in 1872, I did not get a vote in that precinct, my competitor, Mr. Kimbrough, being a resident of that place.
Q. How were the colored people influenced by white men to vote the Democratic ticket?
A. By persuasion and not by any improper means.

Another of his charges might well have been the basis of a set oration in the Senate or in this House, suggesting, at the safe distance of hundreds of miles, the torch and the dagger to the negroes of the South:

SEC. 12. That in the county of Clarke, at the precinct commonly called Gainstown, the board of county election supervisors appointed inspectors and other officers of election to hold the election in said precinct.

All of these officers were present on the 6th day of November, 1888, with the necessary boxes and papers, and all the other necessary appliances for holding an election for said office, but all of said officers failed and refused to open the polls at said precinct, except one of the inspectors, L. E. Taylor by name, a colored man, and the returning officer, who was a white man and a Democrat, and your political friend. The other two were Democrats, and friends and partisans of yours. Finding that the two Democratic inspectors would have nothing to do with the election and would not open the polls, the said Taylor, who was one of the inspectors regularly appointed, called in two qualified electors of said precinct and opened the polls; all the formalities required by law were complied with, and the voting began. Four votes were polled for you and 175 votes were polled for me for said office, and 125 other legal and qualified electors were there present, ready and offering to vote for me for said office, when said returning officer, who was a Democrat and your political friend and partisan, backed by a number of others of like political faith, seized the ballot-box and refused to allow any more voting, drove the people away, and broke up the election; and the result was, no returns were made to the county board of supervisors of the election at said precinct.

The only testimony taken to support it was that of three witnesses offered by Threet, two of the inspectors and one of the clerks, who held the election. One of them, Blackwell, a colored man, was the person to whom Threet had intrusted his tickets for distribution in that precinct. Their testimony established that none of the white inspectors appointed were present at the hour for opening the polls, but that the white Democratic returning officer was on hand; that there was a rumor no election would be had; whereupon Blackwell said he had the tickets and the polls must be opened; that upon his demand the returning officer appointed him and two other colored men, Rembert and Washington, inspectors, and two colored men clerks, all of whom were selected by Blackwell; that they opened the polls and the voting proceeded quietly until about 3 o'clock, when, as detailed by the witness Dandridge, one of the clerks, the polls were closed by reason of the discovery of the inability of the inspectors to read the ballots. I quote from his testimony:

Q. What time did the polls close up there?
A. Somewheres about 3 o'clock.
Q. What caused that?
A. The voters got scarce for a while and we began to discuss who would count the tickets out from the box, and while consulting we found that our inspectors were not competent, so were at a loss how to proceed; we read some law about managing the polls, but we could not find where the clerks had any power outside of the returning officers and the inspectors, and as our inspectors were incompetent, I told Mr. Norris that our inspectors could not read the names on the tickets, and we did not know what to do, and that he being a returning officer ought to do it for us, and Mr. Norris said it was not his business.
Q. Was the box open there?
A. No, sir; we did not open it to take ballots out.
Q. What became of the box?
A. When the announcement was made that there was no election we did not know what to do.
Q. The announcement was made that there was no election?
A. Yes, sir.
Q. Who announced that?
A. Both white and colored.
Q. Was there any disorder around the polls?
A. Not that I know of, until we hung up; and then whites and colored gathered around us and told us it was not law, and said nothing we had done was legal.
Q. Had you stopped then?
A. Yes, sir; just had stopped.
Q. Were men there to vote?
A. Yes, sir; still coming.
Q. What became of the box?
A. I don't know; Mr. Norris said the box had to be taken charge of by him.
Q. When did you last see the box?
A. About 3 or 4 o'clock that evening.
Q. Did you leave the polling place then?
A. Yes, sir; I went home.
Q. The box was on the shelf?
A. I left the box on the table.
Q. You don't know what became of it?
A. I left the box on the table.
Q. You don't know what became of it?
A. No, sir.
Q. Was there any return made of that box?
A. No, sir; not that I know of.

* * * * * * *

Q. Was there any intimidation or threats of any kind made?
A. No, sir.
Q. Any violence offered?
A. No, sir; everything went on smoothly.

* * * * * * *

Cross-examination:

* * * * * * *

Q. When the colored men brought their tickets up and handed them in were they open or folded?
A. Folded.
Q. They were put in the box folded?
A. Yes, sir.
Q. They were never taken out of that box?
A. No, sir.
Q. You don't know what was on those tickets?
A. No, sir; our inspectors were found unqualified to read them; it was said that the box had to go to Mr. Norris, but for what I don't know.
Q. Did anybody whatever interfere with the conducting of that election up to the time of the closing?

A. No, sir; it was as quiet as anything I have ever seen.
Q. When the inspectors concluded to count the ballots they found that neither one of them could read or write?
A. Yes, sir.
Q. So they could not count?
A. That's it.
Q. They asked Mr. Norris to count for them?
A. I asked him to do so.
Q. He said that was not his business?
A. Yes, sir.
Q. What happened then?
A. We just stopped and talked.
Q. What did the inspectors do?
A. They remained where they were, talking.
Q. To whom were they talking?
A. Any and every body.
Q. Both white and black gathered around?
A. Yes, sir.
Q. Near the polls?
A. Yes, sir; we were on the inside and they were leaning from the outside.
Q. Was not the crowd a good humored one?
A. Yes, sir; everybody made fun of it.
Q. Both white and black?
A. Yes, sir.
Q. Both colored and white said it was no election?
A. Yes, sir.
Q. Did any of the whites tell you that you should not go on holding the election?
A. No, sir.
Q. Did any of them prevent the inspectors from counting the ballots if they could do it?
A. No, sir; we all said we would quit.
Q. Did not you all say that as you could not count the ballots that you would just quit the election?
A. We had stopped before the question come up; we were consulting together as to who would count the votes.
Q. When the inspectors could not count the ballots, and could not get Norris to count them, did not they then say they would quit and not go on any further with the election?
A. Before they said that, Rembert said so, but I don't know whether Blackwell and Washington said so or not.
Q. Did not they all leave and go off?
A. Yes, sir; every one of us disbanded.
* * * * * * *
Q. Was not the substance of the whole thing that the inspectors could not count and could not get Norris to do it, and they therefore quit?
A. That was the whole matter.

Blackwell testified that the returning officer took the box after "the confusion," without objection from the inspectors, and was in possession of it when the testimony was taken. Washington testified thus:

Q. They concluded to count them?
A. Yes, sir.
Q. While consulting about counting they found out that neither one of the officers could read and write?
A. Neither one.
Q. And they asked Mr. Norris to do it?
A. Yes, sir.
Q. He said it was not his duty?
A. Yes, sir.
Q. He had been registering voters all day?
A. Yes, sir.
Q. He was the returning officer?
A. Yes, sir.
Q. When he refused to count the votes did not they say to come on, they would just quit?
A. I don't know; when the confusion started I walked off.
Q. Were you afraid anybody would hurt you?
A. No, sir; I was not afraid anybody in Gainstown would hurt me.
Q. Nobody ever talked about hurting any one?
A. No, sir.
Q. What made you walk off; you were getting tired of the whole thing and just quit?
A. Yes, sir.
Q. Was not there a good deal of laughing going on by both whites and blacks about the men not being able to count the votes?
A. Yes, sir; the whites were all laughing and some of the colored people laughed.
Q. If the inspectors could have read the ballots was there any difficulty in the way of their counting them right then?
A. I don't think there was.

The returning officer was, under the laws of Alabama, strictly in the line of his duty in appointing the inspectors, registering voters, and taking charge of the ballot-box.

I have referred to these charges and their disproof, not because of my personal connection with them, but because their author was the one man from all Alabama heard by the committee.

In the formulation of the indictment against the South there is a singular incousistency between the real and the putative fathers of the bill. The former, in his Pittsburgh speech, and in his North American Review article says, terrorizing has passed away giving place to the easier and safer methods of ballot-box stuffing and cheating in the count. The latter [Mr. LODGE] attaches to his speech tabular statistics of population and Congressional votes. Like tables are paraded by other gentlemen on his side as their own discoveries and as establishing the guilt of the Southern whites.

A gross error as to the Congressional vote of Alabama for 1888 runs through these tables. It is stated by the gentleman from Massachusetts [Mr. LODGE] as 173,214, by the gentleman from Pennsylvania [Mr. BROSIUS] as 171,934, and by the gentleman from Ohio [Mr. KENNEDY] as 173,175. The last is the only one who states the vote by districts, so as to show how the aggregate is arrived at. He states the vote of the First district as 11,594 and that of the Second as 14,041. These were the respective numbers of votes cast for the sitting members, and he leaves out altogether the vote for the Republican candidate in each district, 7,105 in the First and 7,203 in the Second, making 14,308 votes ignored.

It is evident that the other two gentlemen are equally inaccurate. I have not attempted to verify the tables upon other points. If there were time to do so it would be useless, since the bill is founded upon a supposed political necessity rather than upon facts.

The gentlemen from Pennsylvania and Ohio [Mr. BROSIUS and Mr. KENNEDY] have selected the States of Alabama, Georgia, Louisiana, and Mississippi for their tables. Taking their figures for 1888, correcting the error as to Alabama, and Table VII of the gentleman from Massachusetts [Mr. LODGE], we have the following results:

State.	Males of voting age, 1880.		Vote for Representatives, 1888.	
	White.	Colored.	Democratic.	Republican.
Alabama	141,461	118,423	117,583	68,659
Georgia	177,967	143,471	96,046	35,476
Louisiana	108,810	107,977	86,432	26,827
Mississippi	106,234	130,278	86,814	25,609
South Carolina	86,900	118,889	63,915	10,031

These figures establish conclusively that there was no general stuffing of ballot-boxes with ballots not cast, or fraudulent count of the negro vote. It is known that the white vote of each of these States is practically solidly Democratic. If it be conceded that no negroes voted that ticket, still in no one of the States did the Democratic vote come up to 85 per cent. of the white voting population. With this large reserve of over 15 per cent., easily brought to the polls, if made necessary by a close election, there could have been no motive for stuffing or fraudulent counting.

The logic of the tables relied upon by you gentlemen therefore disproves the assertion of your leader and establishes that negro districts are carried by the whites of the South, not by cheating, but by reason of a very large percentage of the negro vote not being cast. You are driven by them to charge the suppression of that vote to intimidation rather than to fraud. Recognizing this, you have chosen to make the fight on that line in this debate.

The gentlemen from Iowa [Mr. HENDERSON] and Michigan [Mr. BURROWS], with the others, rave of butcheries.

NEGRO VOTE NOT SUPPRESSED BY VIOLENCE.

There are silent but unanswerable witnesses that support the speaker in his assertion that the negro vote is not suppressed by violence.

In 1876, when the last Southern State passed under Democratic rule, the cotton crop of the Southern States was 3,214,632 bales; this year it is over 7,000,000 of heavier bales.

In 1880 Alabama had 16 mills with 49,432 spindles, consuming, 14-702 bales; in 1889, 23 mills with 141,904 spindles, consuming 36,806 bales. In 1870 that State's output of coal was 10,000 tons; in 1889, 4,000,000 tons. In 1880 it had 10 furnaces, producing 132,000 tons of pig-iron; in 1889, 41 furnaces, producing 785,521 tons.

It exports timber to Europe, Africa, and South America. Its other products, agricultural, mineral, and mechanical, have increased in like proportion, and its wonderful industrial development within the last ten years has probably attracted the attention and excited the wonder of the world more than that of any other State in the Union. The timber kings of the Northwest, and particularly those of the State of Michigan, are eagerly seeking the pine lands of Alabama, Mississippi, and Louisiana. They now own hundreds of thousands of acres of those lands, the very cream of them, and upon them are erecting their mills and constructing their logging railroads. They can not look at us with the blood-shotten eyes of their Representative [Mr. BURROWS].

Millions of Northern capital, even of Massachusetts money, have been poured into Alabama and into the other Southern States since our Democratic governments have controlled them. These are not the reckless boasts of one interested. The Vice-President visited the South last winter while you were threatening us with this bill and had already set your "outrage mill" to grinding. Upon his return he spoke of our growth in stronger terms than I have used, saying:

I have noticed with great satisfaction the courage and enterprise which have been exhibited by the people of the Southern States and the amazing rapidity with which their fallen fortunes have been retrieved since peace was restored to our common country. That achievement is without a parallel in the history of the world. And again, the development in agriculture and in the manufacturing and industrial interests during the past quarter of a century will stand as a monument to the enterprise of the people of this section.

Your great crop, cotton, has increased to more than 7,000,000 bales. The number of cotton mills in the South ten years ago was 160, with 14,000 looms. To-day there are 14,000 mills and 215,000 looms. The mileage of railways in the South, which ten years ago was less than 20,000, is now more than 40,000. I might go on to extend these comparative figures to other industries, but those I have used fairly indicate the marvelous development of the industrial interests of this section of the country. That great development is a source of great gratification to all the other sections of the country, because the progress of the South is a material factor in the general welfare of the Union.

Can it be conceived that industry is thriving thus in States where violence rules and murder stalks abroad unreproved; where, in the ensanguined language of the gentleman from Iowa [Mr. HENDERSON], our fellow-countrymen are "butchered on 'the altar of liberty?'"

What stronger evidence can there be of the existence among us of wise, honest, and just governments, protecting "life, liberty, and property?" Have gentlemen who make such serious charges ever asked themselves how it happens that the negroes remain where they are hunted like wild beasts?

They are absolutely free to go. They move from one plantation to another, from county to county, as unrestrained as any white man in any State; sometimes they go in large bodies from North Carolina, Georgia, and Alabama, and almost invariably to Mississippi and Louisiana, where, if you are to be credited, the carnival of blood holds highest riot.

It is impossible, gentlemen, that you can believe yourselves. If you do, it is because of an ignorance that can only rest upon a willful blindness to proofs "strong as Holy Writ." Neither ignorance, nor party exigencies, nor sectional hate, hidden behind a smile and professions of friendship, can justify your war upon the peace and prosperity of the South.

SUPPRESSED VOTE OF REPUBLICAN STATES.

I have been told by gentlemen of that side of the House, for whose opinions I have respect, who would be conservative but for the intimidation of the party caucus, or perhaps I should say of the party ruler, that the Northern conscience is shocked by the suppression of the negro vote as shown by these statistics and ascribes it to the shotgun policy. I think that has been shown to be untenable in view of the industrial progress of the South. I am conscious, however, I should not content myself with disproving the theory advanced by the supporters of the bill, but should endeavor to place upon rational ground the cause of the negro's withdrawal from the polls.

Before doing that, however, it may be well to inquire whether the same condition does not exist in other States in the Republican column, and, if so, why it is not referred back to the same cause. For that I use again Table VII of the gentleman from Massachusetts [Mr. LODGE], correcting the error as to the vote of Alabama, which I have pointed out, though that inaccuracy reduced the State's proportionate vote only about 5 per cent.

States.	Males of voting age, 1880.	Vote for Representatives, 1888.	Vote cast, to males of voting age.
			Per cent.
Massachusetts	502,648	341,028	67
Vermont	93,621	68,251	71
Rhode Island	76,898	35,369	46
Nevada	31,255	12,603	40
Alabama	259,884	187,522	72
Eleven Southern (seceding) States	2,827,043	2,053,832	*73

* Nearly.

Now, if violence is the logical conclusion from the fact that 28 per cent. of the vote of Alabama remained away from the polls, how will you explain the suppression of 29 per cent. in Vermont, of 33 per cent. in Massachusetts, of 54 per cent. in Rhode Island, and of 60 per cent. in Nevada, States that send here fifteen Republicans out of seventeen Representatives?

CAUSES OF THE SMALL NEGRO VOTE.

1. The negro has been disappointed in his expectations of the Republican party and of the material benefits to follow from his exercise of the right of suffrage. At first he was eager to vote. He had been led by the agents of the Freedmen's Bureau to expect "forty acres and a mule" from the property of his late owner.

Those agents were everywhere candidates for office, dependent upon the negroes for election, organizing them into secret "loyal leagues," swearing them to vote the Republican ticket, and filling their minds with vague, vast hopes of some great good to be at once realized. The negro has seen himself abandoned by the men who used him as soon as they lost office. Even in the hey-day of reconstruction the great mass of the negro voters found that they had for their share only "the heat and burden of the day," their leaders taking the substantial spoils of the victory, a disappointment well put by the story told by one of them during the Virginia campaign of last year, and which has gone the rounds of the press:

Feller freemen, you all know me. I am Abram Jasper, a Republican from away back. When dere have been any work to do I has voted early and often. When dere has been any fightin' to do, I has been in de thickest of it. I are above proof, old line, and tax-paid. And I has seed many changes, too. I has seed de Republican up. I has seed de Democrat up. But I is yet to see de nigger up. 'Tudder night I had a dream. I dreamt dat I died and went to hebben. When I got to de pearly gates, old Salt Peter, he says:

"Who's dah?" says he.

"Abram Jasper," says I.

"Is you mounted or is you afoot?" says he.

"I's afoot," says I.

"Well, you can't come in here," says he. "Nobody's 'lowed in here 'cept dem as come mounted," says he.

"Dat's hard on me," says I, "arter comin' all dis distance." But he nebber says nothin' mo', and so I starts back, and about half down de hill who does I meet but Gen'l William Mahone. "Whar is you gwine, Gen'l?" says I.

"I is gwine to heaven," says he.

"Why, Gen'l," says I, "'taint no use. I'se just been up dar, and nobody's 'lowed to get in 'cept dey comes mounted, and you's afoot."

"Is dat so?" says he.

"Yes, it is," says I.

Well, de Gen'l sorter scratched his head, an' arter a while he says, says he: "Abram, I tell you what let's do. Suppose you get down on all fours, an' I'll mount an' ride you in, an' dat way we kin both get in."

"Gen'l," says I, "do you think you could work it?"

"I know I kin," says he.

So down I gits on all fours, and de Gen'l gets a-straddle, an' we ambles up de hill agin an' prances up to de gate, an' ole Salt Peter, he says:

"Who's dar?"

"Gen'l William Mahone, of Virginny," says he.

"Is you mounted or is you afoot?" says Peter.

"I is mounted," says de Gen'l.

"All right," says Peter, "all right," says he; "jess hitch yo' hoss outside, Gen'l, and come right in."

To sum up, the negro has found there is no royal road to riches or to learning, but that he must work out his own future slowly, patiently, and laboriously, along with those whose lot is cast with him. Uneducated to appreciate the true use and value of the right of suffrage he has lost interest in it, as a child tires of a toy.

2. The negro has been confused and demoralized as a voter by dissensions among those to whom he has looked as party leaders. He has seen such leaders working in apparent harmony in one election and in the next divided and accusing each other of the most heinous crimes.

If gentlemen will go now to the Post-Office Department, or to the Treasury, or to the Attorney-General's Office, and examine the papers filed in connection with the appointments of postmasters, district attorneys, and marshals in the South under the present Administration they will find the bulk of the documents to be charges against the party fidelity and moral character of the applicants, preferred by the others. No sooner does one become prominent than the others of the pack combine to rend him, and so conclusively are the charges proven in the great majority of the cases that the task of the appointing power is the selection, not of the most worthy, but of him having the least unsavory record. And yet these are the leaders of the Republican party South.

In my own district F. G. Browberg was the candidate of the Democratic party for the Forty-third Congress, while Benjamin Turner and Philip Joseph were in the field as Republican candidates, each denouncing the other as a traitor, both continuing to the end and dividing the Republican vote. Gillette and Threet played the same rôle in the canvass for the Forty-seventh Congress, the former indorsed as the regular candidate by the State and Congressional executive committees, the latter claiming to be the nominee of the regular convention, each more bitter against the other than against the Democratic candidate. They divided the Republican vote, and then Threet issued the following manifesto:

There are possibly in this district ten or a dozen white men who are willing to be called Republicans while there is a paying office in sight. They only come out of their holes to seek office, and at all other times are so thick with Democrats that it is impossible to separate them. There are in the district 10,000 to 12,000 stanch and true colored Republicans, upon whom falls the burden of preserving the organization of the party. These are always faithful, never wavering, and but for them there would be no Republican party here. Although the masses of the Republicans vastly prefer to be represented by one of their own race, the baker's dozen of self-styled white leaders have adopted a policy of "rule or ruin," and they so poison the minds of our people with lies that they accomplish their base purposes of confusion and disruption of the Republican party.

Throughout the campaign I had not only to encounter the inherent prejudice of the Democrats against the civil rights of my race, but also the little better concealed hostility of a large number of white Republicans.

The men he denounced were then, and those of them still living are now, the favored holders of office under Republican Administrations. Threet was the candidate against me, and was believed by hundreds of negro voters to have been a traitor to his party in the past. Because of that many of them voted for me and many refused to vote at all. At the present time there exist in Alabama two Republican factions, the Moseley and the Parsons, between whom the Federal offices are pretty equally divided. Parsons has been confirmed as United States district attorney for the middle and northern districts of Alabama. In December last, while his nomination was still pending before the Senate, the following paper was filed with the Judiciary Committee of the Senate:

At a mass convention of the colored Republicans of the city of Birmingham the following proceedings were had:

G. W. Johnson was elected chairman and Berry Crawford secretary.

On motion the following preamble and resolutions were unanimously adopted, to wit:

Memorial to the Senate of the United States regarding Louis E. Parsons, jr., who has been nominated to be district attorney for the United States for the northern and middle districts of Alabama.

Whereas said Louis E. Parsons, together with certain other parties, met at Birmingham, Ala., in secret conclave March 13, 1889, and issued certain white Republicans an invitation to attend a conference at Birmingham April 10, 1889, all of which invitations were marked "personal" and countersigned "Louis E. Parsons;" and

Whereas the avowed purpose of said conference was to organize a white league in the State of Alabama and to exclude all colored men from participating in Republican meetings and conventions and from any participation in public affairs, and as far as possible to disfranchise colored men generally; and

Whereas said conference did meet in Birmingham on April 10, 1889, and did sit with closed doors, guarded by a policeman, who demanded of each person who proposed to enter the house wherein the conference sat the exhibition of an invitation by said Parsons as a pass, and also a pledge, in substance, as follows: "I am in favor of the formation of a white Republican league and agree to abide by the action of this convention," without which invitation or pass and pledge no one was permitted to enter; and

Whereas no colored man was either invited or permitted to enter said conference; and

Whereas said white league conference went through the forms of constructing a State organization, with branches in each county, for the express purpose of driving the colored men out of the Republican party and of disfranchising them as aforesaid, and this in direct opposition to the regular Republican organization of Alabama; and

Whereas said Parsons was the instigator and prime mover of said white league movement and is the corner-stone and backbone thereof; and

Whereas said Parsons at the last Republican State convention, at Montgomery, Ala., in May, 1888, in a speech in open convention, used language in substance as follows: "I will never attend another Republican convention in which the negro is allowed to participate, so help me God," the white league movement and the oath aforesaid being in full accord with his past record: Now, therefore,

Be it resolved by the colored citizens of Birmingham, Ala., in mass convention assembled, as follows:

First. That it is the sense of this meeting that the appointment of said Parsons was a mistake, and that his confirmation by the Senate would be an insult to the colored voters of the United States, and would produce a serious loss of voters to the Republican party in all the States.

Second. That said Parsons's white league movement is a direct stab at the rights, privileges, and citizenship of the colored people, and an attempt to reverse the results of the late war, and to nullify the Constitution and laws of the United States, under which we hold our civil and political rights.

Third. That we, in the name of more than a million of loyal colored Republican voters, who have always been true to the party, do respectfully but earnestly protest against the confirmation of said Parsons, and pray that his nomination be rejected.

Fourth. That a copy of this preamble and resolutions be forwarded to Hon. GEORGE F. EDMUNDS, as chairman of the Judiciary Committee, with the request that he lay the same before the Senate.

G. W. JOHNSON, *Chairman*,
BERRY CRAWFORD, *Secretary*.

Walker had been appointed marshal for the middle and southern districts of Alabama. The same convention adopted still stronger resolutions against him, and filed them also with the Senate Judiciary Committee.

The Republican State convention, held in Montgomery within a few weeks past, nominated as candidates for governor and secretary of state men who are ineligible because they had not resided in the State for the period prescribed by the constitution. They were therefore withdrawn and other candidates nominated by the State executive committee. The convention nominee for attorney-general declined in the following letter:

I wish to make it public that I can not accept the nomination for attorney-general tendered me by the recent so-called Republican convention. I am a Republican, and I would feel it an honor to accept a nomination made by a convention of the Republican party. As an eye-witness I know that the recent meeting at Montgomery was not such a convention. Excepting a few gentlemen (who were there by mistake) it was a meeting of negro politicians and deputy revenue collectors. An instantaneous photograph of the meeting would be a political education to those in power who made such a meeting possible. If a time comes when such assemblages are not recognized as representing the party, a convention could and would assemble in Alabama that would at least command the respect of the country.

3. The former white local leaders and organizers of the Republican party in the South deserted the negro as soon as they found they could not hold office; "carpet-baggers" and "scalawags," having stolen every thing else, "stole away." In the county of largest negro population in my district, their vote being about 5,000, there are not, so far as I know, two white Republicans, certainly not a single active one.

4. The Republican negro is constantly pressed by his white employer to stay away from the polls. The Republican candidate is generally one of the few white men among us left over from the reconstruction period, an office-holder under that dynasty, or a negro professional politician, one of the class familiar to you as delegates to the national conventions. Invariably his political stock in trade is the fomentation of the negro's passions and race prejudices. The white man views his candidacy as a menace of the revival of the wrongs of 1868-1874. He regards the negro's support of such a candidate as inimical to law, order, and prosperity, and he presses that upon the negro with a persistency and moral force born of sad experience.

Some of the negroes have come to understand that the friendship of their white neighbors is all-important to them. On that they must rely for the education of their children; for the proper administration of justice in the courts, which exercise power over their lives, their liberty, and their property; for employment; for meat, drink, and clothing. What can they do but yield, even though reluctantly? Is it to be wondered that under all these influences, the negro, disappointed, bewildered, a child in judgment and will, follows the lead of the employé class of Massachusetts and Rhode Island, and stays at home on election days?

INCREASED VOTE OF 1888.

The gentleman from Massachusetts [Mr. LODGE] criticises the increase of Alabama's Congressional vote for 1888 over that for 1886. It is easily explained. In 1886 there was nothing in it for the Federal office holders and seekers of Alabama, and they took absolutely no interest in getting out the vote. In 1888 they "whooped up" the negroes, not with any expectation of success, but as the basis for Federal recognition of party service.

COMPARATIVE VALUES OF VOTERS.

To prejudice the Northern mind gentlemen on the other side deduce from their tables the conclusion that the average Southern voter is wielding much more influence in national councils than the average Northern voter. The gentleman from Ohio [Mr. KENNEDY] laboriously figures it out as 2.4 to 1. As representation is based upon population, and not upon the number actually voting, the test is unfair. But apply it to some Republican States, taking the tables of the gentleman from Massachusetts [Mr. LODGE] as to the Congressional vote of 1888. The average number of voters electing a Representative in each of the following States, was:

Nevada	12,603
Rhode Island	17,684
Massachusetts	28,419
Minnesota	52,462
California	61,889
Nebraska	67,673
Colorado	92,009

That is, 1 voter in Nevada had the power of more than 4 in Minnesota, nearly 5 in California, more than 5½ in Nebraska, and more than 7 in Colorado.

In Rhode Island 1 equaled nearly 3 in Minnesota, more than 3½ in California, nearly 4 in Nebraska, and more than 5 in Colorado.

Each single voter of Massachusetts balanced 1½ in Minnesota, more than 2 in California and Nebraska, and more than 3 in Colorado.

The gentleman from Massachusetts [Mr. LODGE] compares the Southern vote with that cast for each of the following-named gentlemen for this Congress:

Colorado (Mr. TOWNSEND)	92,009
Seventh Kansas (Mr. PETERS)	82,000
Fourth Minnesota (Mr. SNIDER)	82,000
Third Nebraska (Mr. DORSEY)	77,000

Let me add, for comparison, several others:

Sixth Massachusetts (Mr. LODGE)	34,791
Eighth Massachusetts (Mr. GREENHALGE)	26,221
Tenth Massachusetts (Mr. Walker)	26,849
Seventh Iowa (Mr. CONGER)	23,011

These are not selected as the smallest votes received by Republican Representatives. In fact, the Sixth Massachusetts district cast a larger vote than any other in the State. The Republicans of Colorado who demand free silver will note that the three gentlemen from Massachusetts had behind them only 87,861 to 92,000 for the Representative from Colorado; yet they cast 3 votes against silver to his 1 for it. The four gentlemen whose immense vote at home and small vote here the gentleman from Massachusetts brings forward with so much complacency represent constituencies who are ground down by the restrictions upon the coinage of silver. They had behind them 333,000 votes, and were overwhelmed by the twelve Representatives of Massachusetts, representing only 341,028 votes and bent upon placing every possible burden upon silver. The House conferees upon the silver bill [Messrs. CONGER and WALKER] represent only 59,860 votes, not two-thirds of the vote of the Representative from Colorado; about three-fourths of the vote of the gentleman from Nebraska; yet of incomparably more weight in the settlement of that great question! How shall this disparity be equalized? Is there a remedy for it in this bill?

WHITE DOMINATION NECESSARY FOR THE PRESERVATION OF CIVILIZATION.

Mr. Speaker, if it be granted that there is a general suppression of the negro vote either by fraud or by violence, it is well worth the while of statesmen who should legislate for a country rather than a party, and for the future as well as the present, to inquire into the causes which have brought about such a condition, to forecast the consequences of such extreme legislation as is contemplated by this bill, and to consider whether so desperate a remedy may not be worse than the disease. It is not every ailment that the skillful physician treats heroically; more frequently he leaves the cure to be worked out by the healing influences of time and natural causes, watching and guiding rather than cutting.

The whites of the Southern States number among themselves many God-fearing and patriotic men. While they have their share of lawless and desperate men, enemies of the peace and security of society, they, upon the whole, are a fair average of American intelligence, worth, and patriotism, such as any country would be glad to take into its population.

More than ten millions of such people can not lightly have resorted to such courses as are charged upon them, can not have persevered in them unless under some powerful conviction of overmastering necessity.

It is known of all men that they believe that in three of their States and in many counties in each of the others they are threatened with negro domination, and they further believe that to be the most fearful calamity which can befall a civilized people. You profess to doubt the sincerity of that apprehension and hold it absurd if genuine. You treat it as a bugaboo conjured up to mislead the world and to justify the indulgence of evil passions, as "a stalking-horse," behind which we defraud the whites, as well as blacks, of their rights.

Is this fear of negro rule a pretense? or, if not, is it a cowardly dread, not justified by the situation? It rests upon two propositions:

1. That the negro will, as a race, seize the governmental control of States, municipalities, and counties, where he has the numerical majority, as soon as he finds he can do so without any other trammel than his own inclinations.

2. That at present negro control in the South means corrupt and oppressive government, under which no considerable body of white men

can live, and which will therefore inevitably bring about either white abandonment of the sections where the negro is in the majority or else armed revolution.

Let us consider these two propositions in the light of the history of other portions of the world where anything like analogous conditions have existed, and of the reconstruction experience of the Southern States.

You have but to turn your eyes to the black Republic of Hayti, where the negro has had sway for a hundred years and where no white man is allowed to own land.

But we need not go to other lands or times for instruction. The very States in which you propose that this bill shall find its chief field of operation know by bitter experience that the negro will not hesitate to grasp power when safe opportunity offers. He is a human being, and therefore loves authority.

RECONSTRUCTION OF SOUTH CAROLINA.

I can not take up the history of reconstruction in each of the Southern States. Indeed, I can only touch upon it in one, but in that one, the State of South Carolina, we have the most thorough test that could have been given to negro rule. It was, of all the States, longest and most completely given over to them; they were there drunken with power, more extravagant in their excesses than elsewhere; and the story of their misrule is told by one who was upon the ground from first to last, and during a part of the drama was one of its principal actors, with unrivaled opportunity for observation, keen discrimination in judging, and rare powers of description. I refer to the last reconstruction governor of South Carolina, Governor Chamberlain, and the history upon which I mainly rely and from which I shall chiefly quote is Allen's Governor Chamberlain's Administration in South Carolina.

The convention which convened in January, 1868, under the reconstruction acts to frame a State constitution was made up of 34 whites and 63 blacks. The first Legislature, which assembled July 9, 1868, was composed of 157 members, of whom 72 were white and 85 were colored; 21 were Democrats and 136 were Republicans. Of the Republicans there were, therefore, 85 negroes and 51 whites, clearly a good working majority of colored men. No need to turn any one out.

I have no detailed statement as to the Legislatures of the second term of Scott and the term of Moses, but they were overwhemingly Republican and dominated by negroes. In 1874 a Legislature was elected along with Governor Chamberlain; of its 157 members 104 were Republicans and 53 were Democrats. Of the 104 Republicans 76 were negroes, so that with an overwhelming majority in the party caucus they controlled absolutely all legislation. The speaker of the House was a negro, so it may fairly be presumed that he was, or at least claimed to be, "the State."

It will thus be seen that the negro was disposed to seize and use power. How did he use it?

OPPRESSION AND CORRUPTION.

The first reconstruction administration, with Scott at the head as governor, took office July 9, 1868. I quote from Allen:

At this date the entire funded debt of South Carolina amounted to $5,407,306.27. At the close of the four years (two terms) of Governor R. K. Scott's administration, December, 1872, the funded debt of the State amounted to $18,515,033.91, including past-due and unpaid interest for three years. During the period of this administration no public works of any appreciable importance had been begun or completed. The entire increase of about $13,000,000 may be said to represent only increased, extravagant, and profligate current expenditures.

Some light is thrown upon this vast increase of debt by the following extracts from Governor Chamberlain's inaugural address. It must be borne in mind that he commenced the seventh year of reconstruction government, Scott having had four years and Moses two:

ARBITRARY AND EXCESSIVE VALUATION FOR TAXATION.

Grave dissatisfaction with our tax laws has existed during the past six years. The most general and urgent complaint has been that the valuations placed upon the property of the State have been, to a large degree, capricious and excessive. It has also been believed that excessive valuations have been made in order to conceal the real extent of the burden of taxation. Without attempting to discuss the motives which prompted those who enforce the law, I express the opinion that the valuations made previous to the present year have been, to a great extent, unjust and oppressive. Whatever the causes, the result has been that property has borne a valuation almost wholly arbitrary when different localities or separate pieces of similar property are compared, and excessive in amount when tested by any reasonable standard of value.

CORRUPT EXPENDITURES.

During the past six years there has been appropriated and paid for contingent funds the astounding sum of $376,882.74. I venture the opinion that the State would have received equal benefit from one-fifth of that sum, if expended with economy upon proper objects. In practice, a contingent fund is a sum of money which a public officer is allowed to draw and expend without the usual accountability. Some governments deem it necessary to intrust certain officers with a fund commonly called the "secret-service" fund, which may be expended for objects which might be defeated by publicity. I confess I am wholly unable to imagine any such objects in South Carolina.

LEGISLATIVE EXPENSES.

Since 1868 six regular and two special sessions of the General Assembly have been held. The total cost of those sessions has been $2,147,430.97. The average cost of each regular session has been $320,405.16. The lowest cost of any regular session was that of the regular session of 1868-'69, amounting to $160,-005.79, and the highest cost was that of the regular session of 1871-'72, amounting to about $617,234.10. Besides these amounts now specified, there are outstanding of bills payable, issued on account of legislative expenses during the same period, $192,275.17. These figures render comment superfluous.

* * * * * *

The third and most important means of reducing legislative expenses will be found in cutting off the gross abuses which have heretofore existed under the name of contingent or incidental legislative expenses. I am unable to obtain a statement of the precise amount expended during the last six years under this head. I find, however, that the average expenditure at each regular session since 1868 for attachés and contingent or incidental expenses has been $258,424.65. Of this amount I estimate that not less than $100,000 have been expended for contingent legislative expenses at each regular session. If these figures do not teach their own lesson, then argument would be idle. Let it be borne in mind also that the amounts now stated represent only the actual payments made. There remains still a vast amount of unpaid claims in the form of legislative-pay certificates, estimated at not less than $500,000.

How a portion of these vast sums was expended is set forth in "Reconstruction in South Carolina," in Noted Men on the Solid South, the author of the article being our colleague from South Carolina, Mr. HEMPHILL:

When the Republicans first met in Legislative Assembly in 1868 they used the same building which the whites had occupied before them and furnished the halls in an inexpensive manner and one best suited to the impoverished condition of the State. As soon, however, as they were more firmly fixed in power and became more accustomed to making appropriations from public funds they exhibited most luxurious taste. They undertook to furnish anew the halls of legislation in the state-house. For clocks that cost $5 two years previous they substituted in 1871 and 1872 clocks at $600; for forty-cent spittoons, eight-dollar cuspidors; for four-dollar benches, two-hundred-dollar crimson sofas; for one-dollar chairs, sixty-dollar crimson plush gothic chairs; for ten-dollar desks, one-hundred-and-seventy-five-dollar desks; for four-dollar looking-glasses, six-hundred-dollar mirrors, etc.

The entire bill for furnishing the hall of the house of representatives was over $50,000, and the Legislature, thinking that entirely too small, appropriated $95,000 to pay for it. Within the past year this hall has been nicely furnished anew at an expense of $3,061.

The total amount paid out for furniture alone in four years was over $200,000, and in 1877, when this question was investigated, there remained in the state-house only $17,715 worth as appraised at the prices originally charged for it. At least forty bed-rooms were furnished at the expense of the State, and some of these as often as three times.

Another item of expense was designated "supplies, sundries, and incidentals," and this amounted in one session of the Legislature to $350,000. Of this sum $125,000 was spent in maintaining a restaurant in one of the committee rooms of the capitol, including liquors and cigars, to which all officials and their friends helped themselves without cost except to the tax-payers. This restaurant or bar-room was kept open every day for six years, from 8 o'clock in the morning till 3 o'clock the following morning.

During the six years, from 1868 to 1874, that Scott was the governor of the State, F. J. Moses, jr., was the speaker of the house of representatives.

His chief mode of illegally procuring public funds was by the issue of pay certificates, which under the law the presiding officers of the two houses of the General Assembly were authorized to issue for the payment of the salaries of the members and senators and attachés of the two Houses. Out of this power and the constant exercise of it grew up what was familiarly known as the "legislative ring."

This "ring" was composed of the presiding officers and clerks of the house and senate, together with the State treasurer and some minor officials. These certificates could be issued legally only for the payment of members and attachés of the General Assembly; but soon it became the regular means by which the members of this ring kept even with their associates of the other rings in the general plundering of the State. Eight porters were employed in the state-house and certificates issued to 238; 10 messengers employed and certificates issued to 140 at one session and 212 at another; 8 laborers and 5 to 10 pages were actually in service, while certificates were issued to 159 laborers and 124 pages. Of one lot of 150 certificates nominally given to clerks not one was legal. During one session pay certificates were issued amounting to $1,168,255, all of which, except $200,000, was pure and unfurnished robbery.

Moses admitted under oath that at the request of John. J. Patterson he had issued at one time to the latter, who was not a member of the General Assembly, $30,000 in certificates upon his paying to him $10,000 in money therefor.

I quote further from Governor Chamberlain's inaugural address:

PUBLIC PRINTING.

The cost of the permanent and current printing from 1868 to the present time was $843,073.59. The cost of advertising the statutes, that is, of printing them in the newspapers, for the same period was $261,496.32; making a total cost of $1,104,569.91. During the past three years the cost to the State of permanent and current printing was $743,993.20 and the cost of printing the laws in newspapers for the same period was $174,696.66, making a total cost to the State of $918,-629.86. Deducting from this last amount such items of printing as may be called extraordinary, including the republication of certain volumes of the statutes at large, the printing of the ku klux trials, immigration reports, tax duplicates, and supreme court decisions, amounting to $375,000, there remains as the cost of printing for three years the sum of $543,629.86, or an average annual cost of $181,209.95.

I offer no comment on these statistics. The only appropriate inquiry is, how shall such results be prevented hereafter? I answer, by exterminating the present system, root and branch, and substituting a safe and economical system.

Mr. HEMPHILL's article treats of the same subject:

The total cost of printing in South Carolina for the eight years of Republican domination, 1868 to 1876, was $1,326,589. Total for printing for seventy-eight years previous, 1790 to 1868, was $609,000; showing an excess for cost of printing in eight years over seventy-eight years previous of $717,589.

The average cost of the public printing under the Republican administration per year was $165,823; average cost per annum under former administrations, $7,807; cost for one year under Hampton's administration, $6,178.

Amount appropriated in one year, 1872-'73, by Republicans for printing, $450,-000; amount appropriated in twenty-five years ending 1866, $278,251; excess of one year's appropriation over twenty-five years, $171,749.

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The cost of printing in South Carolina in one year exceeded by $122,932.13 the cost of like work in Massachusetts, New York, Pennsylvania, Ohio, and Maryland together.

* * * * * * *

Of course all these immense sums did not reach the pockets of the "ring." A large part of them had to be paid to senators and members to smooth the way for their bills through the Legislature. For the passage of one printing bill for $250,000 they paid to members and senators and others various sums aggregating $112,550.

CIVIL OPPRESSION.

It was not by thievery alone that the people of South Carolina were oppressed. The constitution provided for the election of justices of the

peace by the people. Scott and Moses ignored that and appointed them. Of them Governor Chamberlain said:

When I came into office there were at least two hundred trial justices in the State who could not read or write. The duties of a trial justice here are precisely the same as the duties of justice of the peace in other States. Yet previous governors had appointed and commissioned over two hundred men to the important duties of this office who could not write or read a word of the English language. It was a farce and a fraud; for how can men thus ignorant intelligently try causes, civil and criminal, brought before them? The idea seems to hold that men must be rewarded for political service by giving them office, whether they are fit for the office or not. For instance, all the members, senators and representatives, from Edgefield County united in an application to me to appoint a certain man there notary public. It requires a man who can at least write his name to fill that office, and I did not think but what the applicant was qualified, he was recommended so highly. I appointed him, and a few weeks after accidentally saw an official document from him, going to a distant State, to which he had made his mark, not being able to write his name. I revoked his commission.

MILITARY RULE.

Governor Scott gave to the people of South Carolina a foretaste of the deputy marshals contemplated by this bill. I again go to Mr. HEMPHILL's article:

Ninety-six thousand colored men were enrolled in military companies throughout the State, the simple enrollment costing the State over $200,000. * * * There were only two or three white companies in the State, and they were ordered by Governor Scott to surrender their arms and disband; and fourteen full regiments of negroes were organized before the election. These were fully armed and equipped and ammunition issued to them, as upon the eve of battle.

Before a committee of the Legislature Ex-Governor Moses testified as follows, with reference to organizing the militia:

The militia was organized and armed for political purposes by the advice and consent of Governor Scott, and I was commissioned by Governor Scott to proceed to Washington and procure all the arms and accouterments possible from the United States Government, and at the same time purchase ammunition and make the contract referred to. The object was to arm and organize the militia for the campaign in 1870.

John B. Hubbard, the chief constable, testified before a legislative committee, in 1877: "It was understood that by arming the colored militia and keeping some of the most influential officers under pay, that a full vote would be brought out for the Republicans, and the Democracy, or many of the weak-kneed Democrats, intimidated. At the time the militia was organized there was but, comparatively speaking, little lawlessness. The militia, being organized and armed, caused an increase of crime and bloodshed in most of the counties in proportion to their numbers and the number of arms and amount of ammunition furnished them."

Again, the chief constable says: "Ostensibly the object of the constabulary force was for the preservation of the peace, but in reality it was organized and used for political purposes and ends. Governor Scott would order me to send men to any county where the Republican party most needed encouragement and reorganization. The deputies were authorized and instructed to attend all political meetings and report the political condition of the county to me, and I would report the same to the governor."

With reference to this "constabulary" (deputy marshal) force, I quote again from Allen, the time mentioned by him being January, 1875:

Just at this time occurred an outbreak of race antagonism in Edgefield County of the kind that had been frequent hitherto. Commonly they had been suppressed by assuming that the colored people were being wickedly persecuted without cause and calling upon the National Executive for troops to put down "domestic insurrection." The State militia, an irresponsible and undisciplined force, organized by Governor Scott more as a partisan weapon than a means of preserving the peace of the State, was under arms in the county, and already one or two lives had been lost in collisions between the militia and the white citizens, who, on their part, were organizing rifle clubs. The situation was serious. Governor Chamberlain resolved to deal with this trouble regardless of parties or races, and by establishing justice to restore peace and security, if possible, without an appeal to the President. To that end he took immediate steps to ascertain the real occasion of the trouble. He sent Judge Thomas J. Mackay, an able white Republican and a native of the State, to Edgefield County to make an investigation. Judge Mackay reported that the county authorities had been guilty of gross abuses and exactions which the people resisted, and, further, that the difficulties were aggravated by the lawless behavior of the colored militia, the officers being in the habit of calling out their men under arms to enforce arbitrary proceedings of petty officials and even to settle personal difficulties. He recommended that the militia be disarmed. Whereupon the governor issued the following proclamation.

That was an order disbanding the State militia in that county.

The Hamburg "massacre" grew out of a collision between a drilling company of the same colored militia and whites, and the wonder is that it was so long delayed.

Governor Chamberlain's administration was an honest and intelligent effort to restore good government to the State. He was the bravest, ablest, and honestest Republican whom the North ever sent down to the South, and, in my judgment, an honor to American manhood. In his efforts to stop their plundering he encountered the opposition of the great majority of his party. He whipped some into standing by him, and with the manful and hearty support of the Democratic—then called Conservative—members of the Legislature, press, and people, was able to work some salutary reforms. In August 1875, he said, in acknowledgment of their aid:

I have never failed to give full credit to the conservative press of the State for their hearty support of my course. They have shown the best of spirit and have rendered effective and absolutely indispensable aid. * * * In my visit to the North recently I heard but one voice, that of approval of my efforts and approval of the wise, prudent, and statesmanlike attitude of the South Carolina conservatives.

But in December, 1875, there fell upon his administration the "horrible disaster," as he termed it, of the election of "two infamous men as judges, Moses and Whipper."

It occurred on a day when he was absent. The negro speaker of the house had led him to believe the election would not be had until his return. How the assurance was kept, let Allen tell:

When Whipper was chosen, R. B. Elliott, speaker of the house of representatives, a colored carpet-bagger from Massachusetts, an ex-member of Congress, a person of considerable education, superior oratorical power, and unsurpassed influence as a politician among his people, seconded the nomination and declared that he should regard the vote on it as a test of fidelity to the Republican party.

Whipper was a negro, and was elected judge of the Charleston circuit. Of the two men, Governor Chamberlain thus spoke in a letter to Senator Morton in January, 1876:

Moses was my predecessor as governor. Unless the universal belief among all classes of people in this State is mistaken, he is as infamous a character as ever in any age disgraced and prostituted public position. If there is anybody in Washington who shall happen to deny this, I will prove it to your abundant satisfaction. Of Whipper it can be said that he seems to have lacked only opportunity to prove himself the equal of Moses in infamy. Ignorant of law, ignorant of morals, a gambler by open practice, an embezzler of public funds, he is as unfit for judicial position as any man whom by any possibility you could name.

By the effect of this election upon Governor Chamberlain himself an estimate can be formed of the "thrill of horror" sent through the State.

Six days later he sent this telegram to the New England Society, then in session in Charleston:

COLUMBIA, S. C., *December* 22, 1875.

To the New England Society, care of William S. Hastie, jr., Charleston, S. C.:

I can not attend your annual supper to-night; but if there ever was an hour when the spirit of the Puritans, the spirit of undying, unconquerable enmity and defiance to wrong ought to animate their sons, it is this hour, here, in South Carolina.

The civilization of the Puritan and the Cavalier, of the Roundhead and the Huguenot, is in peril. Courage, determination, union, victory, must be our watchwords. The grim Puritans never quailed under threat or blow. Let their sons now imitate their example.

God bless the New England Society!

D. H. CHAMBERLAIN.

Writing in February, 1876, to Mr. Blackwell, the editor of the Woman's Journal, he said:

The great and constant pressure of duties less remote than this one in their immediate nature kept me from replying at length before the assembling of the Legislature.

You know the rest. Disasters greater than you can conceive of in good old New England—wrongs which literally "stir a fever in the blood of age" and which, in Massachusetts, would, I firmly believe, excite violence and mob law—have fallen upon us. I have not an hour's time to look away from this fearful fight for civilization.

It is evident he then thought armed resistance to such an outrage justifiable, if necessary.

There started the overthrow of the Republican party in South Carolina. It demonstrated to the world that its leader could not impart to it honesty or decency.

In the face of the storm of indignation which such action aroused it could not do else than renominate Mr. Chamberlain, but it placed upon the ticket with him Speaker Elliott, and was backed up by Whipper and Moses and all their followers. The weight was too much, and Governor Chamberlain necessarily went down with the others.

RECONSTRUCTION IN OTHER STATES.

Such was its history in South Carolina. In other States it was as bad.

The State debts were increased by it; Alabama, from $8,000,000 to $25,000,000; North Carolina, from $16,000,000 to $42,000,000; Georgia, from $5,800,000 to $18,000,000; Louisiana, from $7,000,000 to $42,000,000. Every other State suffered more or less. In no one of them was a single public work of importance begun.

But there is no need to recite the infamies of the reconstruction governments. You gentlemen recognize them as the disgrace of the age. You answer every reference to them by saying it is impossible that such conditions shall again prevail. That is true. But why? Because between christianity, civilization, order, and progress on the one side and such misrule on the other, stand in a solid body the white men of the South ready to do all, suffer all, and sacrifice all rather than pass again under that yoke. In the words of Governor Chamberlain, we face that issue in "the spirit of undying, unconquerable enmity and defiance to wrong. The grim Puritans never quailed under threat or blow." We shall "imitate their example."

UNCONTROLLED NEGRO MAJORITIES WILL AGAIN ESTABLISH SCOTT AND MOSES GOVERNMENTS.

Why not? The spoils of the South are far richer now than in 1868. Are there no political adventurers left in the North to seize their carpet-bags and swoop down upon us as soon as they shall see the opportunity to use ignorance to secure power? Are all the "scalawags" dead? I see around this Capitol some familiar faces that wear a very hungry aspect.

The vast majorities of the negroes of the South are as uneducated now as in 1868. They are now, as then, the easiest dupes a demagogue ever had. You claim 95 per cent. of them are Republicans. If so, they will follow their leaders, and such as they have are the very same men they had in 1874, or their worthy successors. Will they not lead them into the same courses? When their own nominee for attorney-general in Alabama denounces in such terms the State convention of his party,

what could the people of the State look for from such a party again in power?

No, gentlemen, the fear of negro rule is neither pretended nor ridiculous.

JUSTICE TO THE NEGRO.

You call on us to do justice to the negro, to give him a trial. That must mean, though you say it does not, to give him, where he is led to band together, governmental control of States and counties, as well as of Congressional districts, where he has the numerical majority. Was his absolute sway in South Carolina for eight years no trial? Would he be an untried experiment in Georgia, Alabama, Mississippi, and Louisiana? Many of you on that side admit privately the absolute necessity of white control of State affairs.

The gentleman from Massachusetts [Mr. LODGE] suggests an educational qualification of the right of suffrage. Will he tell us how South Carolina and Mississippi can do that, giving to every negro "a free ballot and a fair count" upon the proposition? He intimates that we can do so with the power that we now exercise. He insists that the negro is deprived of his rights by the minority at each election, which is a fearful outrage, and then invites the minority to take away all those rights at one fell swoop!

NATIONAL CONTROL BY THE WHITES.

The Speaker, in his efforts to force the country up to this bill, to which I have referred, says it is all very well to urge the danger of negro control in State affairs, but that no such fear can be used to excuse the suppression of the negro vote in Congressional elections; that at the outside the negro districts can not elect forty members of this House. The gentleman from Massachusetts [Mr. LODGE] echoes this reasoning. They both tacitly admit that the negro can not be trusted in his present condition to elect a member of a Legislature or a governor of a State, but insist that he shall choose Presidents and Congressmen. Not fit to govern a State, let him rule, by the use of the balance of power, the whole country!

The country can easily comprehend how useful to ambition, to the lust of power would be twenty negro Representatives in this House. Even Speaker Elliott, of South Carolina, knew how to use them.

Is not the Republican party in a bad way if it can not rule this country through and with its white men, if it must call to the aid of its white minority the negro vote to rule the white majority? Can it hold power upon that basis?

REPUBLICAN SACRIFICE OF THE NEGRO.

The Speaker, the gentleman from Massachusetts [Mr. LODGE] and others on that side throw out very cunningly a suggestion to us by way of compromise, that all you want is the count of the negro for the Republican candidates in Congressional elections. Give you his vote then and you will leave us to work our will upon him in our State and county elections; leave us to make and enforce the laws that deal with his life; that thrust him into the penitentiary door; that tax his property; that may make him happy or miserable. Is not that rather a cowardly course for the Grand Old Party?

Yet it is not the first time it has sacrificed the negro to retain power. In 1876 it traded him off to the Southern whites for the Presidency. Then disorder prevailed in South Carolina; a hundred homicides were then common where one is now rare; the whites stood with their rifles in their hands, driven to the wall and desperate; Federal troops surrounded the capitol. If there ever was a time when Federal intervention seemed justifiable it was then. Yet you withdrew your troops and abandoned the negro, simply stipulating for the quiet installment of Hayes.

Mr. Speaker, when we shall have educated the negro sufficiently to enable him to discern great political truths, what will he think of your proposition? Will he be grateful that you use him, bring down upon him the resentment and fire of your political enemies, and then, so soon as you have secured the camp plunder, desert him?

NEGRO DOMINATION OF NATIONAL AFFAIRS AND WHITE CONTROL OF STATE GOVERNMENTS INCONSISTENT AND IMPOSSIBLE.

Mr. Speaker, the State and Congressional elections of many of the States occur at the same time and the ballots are polled in the same boxes. By what process will you count, certify, and return a Congressional district for the negro for Congress and the white Democrat for governor? Do not say that I am asking you how cheating can be made easy. It is your own proposition that 95 per cent. of the negroes are Republicans and must select Representatives in black districts, and that the whites shall control the local governments. How are you going to work that out?

In Alabama the State elections are held in August, the Congressional in November. You suggest that we surround the August poll-boxes with our white deputy sheriffs, install our white inspectors, put in force all our own machinery, and suppress the negro vote so far as may be necessary to retain control and to secure the continuance of good government.

On the other hand, you purpose to place in November your negro supervisors over our white inspectors, your negro deputy marshals over our white deputy sheriffs, and to count as you wish.

I say negro election officials, Mr. Speaker, because you can not find in any district in Alabama where the negroes are in the majority enough white Republicans to take charge of one-fiftieth part of the polls.

DISORDERS AND BLOODSHED THE RESULTS OF THE ENFORCEMENT OF THE BILL.

Such is the deliberate judgment of the thoughtful men of the South. There are in both races indiscreet men. A negro constabulary of deputy marshals, negro supervisors of election, "dressed in a little brief authority" can not fail in some instances to exercise it offensively. On the other hand, the excitable among the whites will be ready to take offense.

You can not put tow and fire so together and have no flame. I am aware that this is an argument which will have no great weight with the leaders pressing this bill, because the danger does not touch them or their interests. They are politicians, not business men. They, with all dear to them, are far from the field of any such conflict. Gentlemen from Maine and Massachusetts may with perfect safety to themselves and theirs, and doubtless with unconcern, kindle a flame in the Southern States which will burn through a generation, and bring all the horrors of a race war upon the women and children of the South. What matters that if the fire lights up the road to the Presidency for one and the Senate for the other!

DESTRUCTION OF NORTHERN CAPITAL AND THE HOME MARKET.

But it behooves others of you who have no such political goals in sight to consider that race conflicts mean the absolute destruction of Northern capital invested in the South and of that magnificent "home market" for Eastern manufactures and Western mules, bacon, wheat, and corn.

Shutting the producer out from foreign consumers, you proceed to destroy the "home market," of which we have lately heard so much.

REPRESENTATION UPON NEGRO POPULATION.

We are charged with the exercise of power based upon the negro population, as if we had schemed to secure it.

No people could have foreseen more clearly or resisted more strenuously universal negro suffrage conferred upon a great mass unprepared for it than did the Southern whites. It was forced upon them. But the Speaker says we do not offer to give it up. How can we? Is it practicable? The Southern whites are not bent upon control, and would not hesitate for one moment to give up such representation, if thereby this portentous question could be settled.

SETTLEMENT OF THE RACE PROBLEM.

It is natural and just that, objecting to outside interference, we should be asked what remedies we propose for existing evils. The immense difficulty is recognized by all, and the question is one that every thoughtful man of the South has with him in all his waking hours and which frequently lengthens those hours. Think what that problem is where the negro is the more numerous, in some places fearfully so. We are called upon to recognize his full political equality, to give him "a free ballot and a fair count." That ballot naturally tends towards the establishment of misrule; yet, we must, in his interest as well as ours, prevent such misrule. We are called upon to do in a lifetime a work which has elsewhere taken centuries: prepare slaves to govern. If the teachings of a Senatorial orator be accepted, the task is impossible.

Mr. INGALLS said in his speech of the 23d of January last:

> Mr. President, the race to which we belong is the most arrogant and rapacious, the most exclusive and indomitable in history. It is the conquering and the unconquerable race, through which alone man has taken possession of the physical and moral world. All other races have been its enemies or its victims.
>
> History contains no record of two separate races peacefully existing upon terms of absolute social and political equality under the same system of government. Antagonism is inevitable. They become rivals and competitors, and in the struggle for supremacy the weaker has gone down.

Speaking of the negro race, he said:

> The problem is still further complicated by the fact that they are gregarious. They instinctively separate themselves into their own communities, with their own habits, their own customs, their own methods of life. They worship separately and they are taught separately. The line of cleavage between the whites and blacks is becoming constantly more distinct and perceptible. There is neither amalgamation, nor absorption, nor assimilation.

One might well ask how, in view of these conditions, political equality can be established and sustained in the South. However, we of that section are more hopeful. If there is a remedy, as we trust, it lies in

EDUCATION.

Nothing has surprised me more than to hear the gentleman from Iowa [Mr. HENDERSON] say:

> I was sorry, when for the first time in twenty-five years I revisited the South two years ago, not to find more evidences of the extension of school-houses than on the occasion when I was there before.

This is so utterly in contradiction of facts known, or which should be known, to the world, that it illustrates the ignorance of Southern conditions or the unfairness born of sectional spite with which this question has been treated by the other side in this debate. I shall content myself with putting against the gentleman the speech of the Senator from Wisconsin [Mr. SPOONER], made in the Senate on the 3d of March last. In it appear tables of the advance from 1876 to 1886. They show for the State of Alabama, for those ten years, an increase of 83.7 per cent. in the enrollment of the public schools, and of 52.9 per cent. of expenditure, greatly increased in the last year; for Mis-

sissippi an increase of 68.7 in enrollment and of 101.3 in expenditure. Commenting upon these tables, the Blair educational bill being under discussion, Senator BLAIR said:

It will not do to say that the objection to this bill among Southern Senators and among the Southern people is due to a desire to keep the colored child in ignorance in face of the fact that 985,000 of them are attending the public schools in the South, and that the burden of the expense is mainly defrayed by the white people of the South. This is marvelous progress.

Straining every nerve to educate him, to prepare him to forcefully assert and intelligently exercise the highest privilege of American citizenship, we are meantime giving him just and equal laws fairly administered. What more can fairly be asked of and for the two races?

THE FREEDMEN'S BUREAU.

I wish to say here, Mr. Speaker, that I do not hold the great body of the colored men of the South morally responsible for the evils we have endured or for those which would come upon us were they freed from the restraint of the white man's domination. Their distrust of their late owners when emancipation came to them was natural. They turned naturally to the agents of the Freedmen's Bureau, in whose charge they were placed and who, as a rule, fostered in their minds suspicion of the whites, commencing at once to use them for their own advancement and profit. How successfully they did so is evidenced by the fact that the agents of that bureau filled most of the important and lucrative offices upon the installation of the reconstruction governments. One of them, Scott, was the first reconstruction governor of South Carolina.

Another was the first Representattive in Congress from the district in which I then lived. If the charge against that bureau rested with me alone, it might have very little weight with gentlemen of the other side, but as early as December, 1865, making a report of a tour through the South, General Grant said of the Freedmen's Bureau:

The belief, widely spread among the freedmen of the Southern States, that the lands of their former owners will, at least in part, be divided among them, has come from the agents of this bureau.

NEGRO ALIENATION NOT THE FAULT OF THE WHITES.

It has been frequently and confidently asserted in this debate that the negro support of the "carpet-baggers" and "scalawags" was due to the neglect of the whites to attempt to influence them. Such a belief rests upon a want of acquaintance with events.

General Grant has recorded the initiatory work of the agents of the bureau. It was kept up to perpetuate the opportunity to plunder. Honestly, but in vain, did the whites of the South struggle to break down the barrier. I instance again the people of South Carolina.

In 1868 General R. K. Scott, of Ohio, an officer of the Freedmen's Bureau in South Carolina, was the Republican nominee for governor, the Democrats having a candidate of their own party.

In 1870 Scott was renominated by the Republicans; the Democrats supported R. B. Carpenter, a Republican, nominated by the "Reform party."

In 1870 Moses was nominated by the Republicans; Reuben Tomlinson, a Republican and the nominee of bolting Republicans, was supported by the Democrats.

In 1874 the Republicans nominated Governor Chamberlain; the bolting Republicans nominated John T. Green, a Republican, and the Democrats supported him.

In each instance the negroes gave an overwhelming vote to the Republican nominee and he was elected. In every election the whites nominated and supported for legislative and county offices mixed tickets of whites and blacks.

Every effort was in vain; they were trampled down while they simply protested; the hordes of plunderers vanished in a night when an outraged and desperate people faced them in 1876.

Mr. Speaker, the people of the South have learned fortitude; they have never been without courage. They will meet this bill when your supervisors and marshals come among them as becomes American freemen, desirous of peace, valuing liberty. It will bring about collisions; it will never crush them down.

Federal Election Law.

SPEECH

OF

HON. HERMAN STUMP.

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. STUMP said:

Mr. SPEAKER: In the limited time allowed me it would be impossible to express all that I desire to say upon this infamous bill to overthrow the constitutional rights of a free people now being considered by this House. I will, therefore, reserve for publication in the RECORD my general remarks on that subject. I rise more particularly to express the indignation of my people at the wanton attack made upon my State by one of its citizens. I allude to the remarks made by the honorable gentleman representing the Sixth district of Maryland [Mr. MCCOMAS]. I am sorry he is not here now. His remarks were uttered during my absence and also that of my colleagues on this side of the House.

The gentleman from the Sixth district has been an active partisan during this Congress and has had two pet political measures before us. One was the unseating of the gentleman who heretofore has so ably represented the Fifth district, Mr. Compton, and the other was his "anti-gerrymandering bill."

Mr. Speaker, you have heard to-night the remarks of the gentleman from Maryland [Mr. MUDD] who now occupies the seat until recently held by Mr. Compton as the Representative of that district. We recollect very well the grounds upon which his competitor was unseated—the intimidation of negro voters in that district. We also know that the ground upon which gentlemen on the other side support this bill is the intimidation of negro voters.

Mr. MUDD. Will the gentleman allow an interruption for one moment?

Mr. STUMP. Hardly; I have not the time.

Mr. MUDD. I did not think you would. I can see that you can not afford to.

Mr. STUMP. Now, all the work of Mr. MCCOMAS has failed, for, although the ground on which the gentleman now representing the Fifth district obtained his seat was intimidation of negro voters at the polls, bold and successful, largely reducing his majority, as stated by the gentleman from Maryland [Mr. MCCOMAS], the other gentleman from Maryland [Mr. MUDD] has repudiated it by saying that he did not need this Federal election law in his district.

Mr. MUDD. I hope the gentleman will allow me just one word.

Mr. STUMP. Your speech will show what you said.

The SPEAKER. The gentleman occupying the floor declines to be interrupted.

Mr. STUMP. So that all the energies of the member from the Sixth district to show that the negro vote in his State is intimidated have been wasted; and I can now begin to imagine how, when his "anti-gerrymandering bill" was "turned down" in caucus, the incident irritated his feelings and prompted him to rise in his seat and abuse the State that gave him birth, and declare that the people of that State were deprived of local self-government and home rule.

In 1863 armed soldiers were sent to the polls in the State of Maryland, and the gentleman from Maryland [Mr. MCCOMAS] could readily have explained how easy it was to overturn the laws and revolutionize a State without the passage of this bill. Armed soldiers were sent into the State and into the counties, to our polling places, and they drove myself and other citizens from the polls and prevented us from voting. The year afterward, in 1864, they made a constitution which turned every office-holder out in the State, and put their own partisans in their places, and thus the revolution was completed.

Mr. KERR, of Iowa. Does the gentleman refer to the soldiers sent by General McClellan?

Mr. STUMP. In 1867 the people rose in indignation because of the outrages perpetrated upon the citizens of the State and adopted a new constitution. That constitution of 1867 is still in existence. It is under these laws that the State is now governed; and in 1887, by act of the Legislature, the question whether that constitution should be changed or not was submitted to a vote of the people; and I say that my colleagues [Mr. MCCOMAS and Mr. MUDD] and every Republican in the State voted to sustain the present constitution of the State of Maryland.

Now, Mr. Speaker, here is Mr. MCCOMAS, in this year 1890, rising in his place in this House and complaining about the fundamental laws of his own State. He talks of the school commissioners. He said that the people were not allowed local self-government, and instanced the school commissioners as an illustration. How are they appointed? They are appointed by judges elected by the people and who do not hold office for life. These judges appoint three school commissioners, one of whom is of the opposite political party. These three school commissioners appoint the trustees, and the trustees of the different schools select the teachers. Most of the teachers are selected from the State Normal School, over which presides one of the most influential Republicans in the State of Maryland. I say that the State of Maryland can point with pride to her whole school system.

Mr. Speaker, the gentleman spoke of the late election law. That election law was prepared and urged by what was called the Reform party in Maryland; and when it was submitted to the Legislature nine counties withdrew from the operation of the law, and the Republican counties could have withdrawn also if they had so desired. But instead of doing so the Republicans in the State Legislature, with but few exceptions, voted for the law, which my colleague from Maryland now says is oppressive and subversive of the right of self-government in that State. [Applause on the Democratic side.]

Mr. Speaker, the honorable gentleman from Massachusetts, the accredited author of this bill, was pleased to say, in opening this debate in support of the measure—

No graver or more important subject could come before this House than the one presented by this bill.

He at least seems to be painfully alive to this serious departure of his party from the well beaten track of prudent constitutional legislation. Never has such a momentous question, involving as it does the preservation of the rights of a free sovereign people, guarantied by the fundamental law of the land, been submitted for the consideration of a legislative body since the formation of the Constitution. There may have been some excuse for questionable legislation, growing out of the war, engendered by passion and prejudice; but look through the statutes and you will nowhere find any act or proposed legislation during all that existing period which excels this iniquitous measure in all its pernicious assaults upon the rights of a free people.

The animosities of the war have passed away. Time has soothed the wounds of dire conflict. Peace, prosperity, and happiness reign supreme throughout the length and breadth of the land. The victor is extending the hand of brotherly love and lasting friendship to the vanquished and helping to retrieve his fallen fortunes, while the South in silence toils on, waiting for the time to come when she can prove by deeds of valor, greater, if possible, than were exhibited in the past, her undying love for the Union, Constitution, and laws of our beloved common country.

Each State has observed the law and has sent its legally elected and qualified Representatives to these Halls, accredited in the same manner as their Representatives were elected, qualified, and accredited to the fifty Congresses that have heretofore assembled under the Constitution of the United States. What emergency has arisen which renders it necessary for the small Republican majority when the Fifty-first Congress began, assembled here, as they say, "in a progressive way to do business, and not to deliberate," to fulminate this scheme to deprive the people of local self-government? will be the burning question which astute politicians have failed to explain to this House and will also fail to make plain to an enlightened constituency this fall.

No wonder you hesitated and considered the cost. The bill is revolutionary and sectional in its character. It is a dangerous experiment. Success must attend it or the conspirators must be looked upon as traitors who have violated the sacred trust reposed in them. But, be the result what it may, the very introduction of this bill into this House and its favorable report from the majority of the committee having it in charge have made an indelible impression upon the body politic, and you will have to give a strict account to a scrutinizing and exacting public. The Republican party, having full control of the legislative, judicial, and executive branches of the Government, which means, besides, the Treasury, Army, Navy, and a host of office-holders, backed by the capitalists, manufacturers, and mine-owners, together with the Grand Army veterans, whom it hopes to influence, and negroes, whom it deems are its political slaves, feels so strongly intrenched that it can now reach out and grasp unlimited and paramount power by obliterating the inherent rights of the States and creating a centralized National Government.

The introduction of this bill was not the entering wedge. The entering wedge was in the organization of this House, when you, Mr. Speaker, arbitrarily, wrongfully, and in open defiance of all former precedents of opinion of illustrious statesmen and yourself among them, deprived the minority of all its rights, cut off general debate, and by your new rules, formulated by yourself, promulgated through the Committee on Rules, of which you are the chairman, have made yourself the supreme dictator of the House, not only over the minority, who courageously resist to the utmost extent of their ability, but over the meek and timid members of the majority. That was the entering wedge. This measure is a long stride towards the perfecting of your unholy purpose as announced in your Pittsburgh speech, when you said:

It seems to me that the only wise course is to take into Federal hands the Federal elections. Let us cut loose from the State elections; do our own registration, our own counting, and our own certification.

The Republican party now regards itself as the National Government. With the whole election machinery in its hands, what delightful dreams of political bliss please the fancy of would-be statesmen. Visions of perpetual "dwelling in high places" loom up before the Lilliputian politicians who stand with open mouth and outspread ears to listen for the political millennium that is predicted, when the voice of the people is as effectually silenced in the land as it is in this House, when the free expression of their will at the ballot-box is to pass through the hands of thousands of minions of a polluted political party which has determined to register voters and count and certify the votes cast at Federal elections.

If you and your party are successful, Mr. Speaker, all that our forefathers fought for was in vain, for England has to-day a Government where personal liberty is more secure than it would be under the system you propose to inaugurate. The Constitution, framed by the willing surrender of certain specified rights by sovereign States for the mutual good and protection of the whole, created the Federal Government, not with supreme, but with certain limited, well defined powers. Now, shall the Federal Government at the behest of designing men subvert the Constitution and enslave the people?

Would to Heaven, Mr. Speaker, I could attribute this measure to disinterested, patriotic motives, actuated and inspired solely under a well justified belief that an urgent necessity actually existed for its enactment; I could then treat it differently; but with the knowledge you must have that, although Mr. Harrison was elected in 1888, Mr. Cleveland received a large majority of the popular vote, and a few thousand more in the State of New York would have sealed the fate of your party, I can not do so. Since then another election has been held, when the will of the people expressed at the ballot-box was not very soothing to Republican ears, and particularly fatal to governors of your political persuasion in the North and West. Since then gubernatorial certificates of election are not as popular as formerly to Republican members of Congress. And but for the debauching of Montana and your mode of registering and counting and certifying, she would have entered the sisterhood of States Democratic. Besides this, you know that the agriculturist and the laboring element have at last opened their eyes to the iniquities of the McKinley bill and kindred legislation. They have become alive to the fact that the war tariff, over twenty-five years after the close of the war, should cease instead of being increased in another name; that protection means wealth to the few and poverty to the many; that fair and equal rights to all men and special privileges to none is the true doctrine of a nation of freemen.

The signs of the times unmistakably point to the overthow of Republicanism in November next. The probable losses of Congressmen in the North and West must be made up by gains in the South. Now, protest as you and your party may, Mr. Speaker, 99 per cent. of all the voters of this country will come to no other conclusion than that you and your associates, disregarding the Constitution and laws of our common country, trampling upon the sacred rights of the several States, are engaged in erecting over its ruins a strong, centralized Government, with your party in supreme control. How many of them will say that the end justifies the means, and that all is fair in politics, I do not know; but, mark my word, over 75 per cent. will hold you and your associates up to the scorn and contempt of the world.

All men have ambition and would figure in history, but how few become truly great from high, noble impulses, which fire their energies solely for the good and advancement of their fellow-men. Designing men, thirsting after power and place, attain notoriety. They always have plausible pretexts at their fingers' ends, and duplicity is their principal stock in trade; but the unerring scrutiny of public opinion will penetrate the true inwardness of their intentions and lay bare to the gaze of an outraged people the corrupt motives of a "do-business majority" who seek to take away the right of the people to govern themselves. Oh, yes; they will attain notoriety. Their names will be written in history like those engaged in the fraud of stealing the Presidency from Tilden and seating Hayes. Hayes's name is there, alas! and some others will shortly be added to the list. But the child as yet unborn, in generations yet to come, will be taught to regard them with loathing and contempt.

Mr. Speaker, I have thus far spoken of the motives which have prompted your party to suggest this infamous legislation and the deliberation with which it has advanced toward its consummation. Now, while denouncing the pending bill as unconstitutional, let us look at the only provision in the Federal Constitution, Article I, section 4, which touches on this question:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

You will see the word "shall" imposes an imperative duty on each State, by the Legislature thereof, to prescribe the times, places, and manner of holding elections. And the word "may" is used to designate the *discretionary power* conferred on Congress to make or alter such regulations. It stands to reason that where the power to act has been exercised by the tribunal charged with its performance the discretionary power lodged in another tribunal should not act unless under the most imperative and urgent necessity, or when the public exigency demands prompt and immediate action to restrain or alter an improper exercise of the power.

No one has contended for more than this judicious and wise interpretation of this section of the Constitution, and I take it that it was this interpretation placed upon it by its defenders that induced the States of New York, Massachusetts, South Carolina, New Hampshire, and Rhode Island, which had theretofore refused to ratify the Constitution on account of this provision, to withdraw their objection. See The Federalist and Elliot's Debates, so often cited by other members that I will refrain from quoting them again. But, if further authorities are needed, turn to the Commentaries on the Constitution, written by the learned Justice Joseph Story, who was born in the State of Massachusetts.

It was highly gratifying to me, after reading in the RECORD the assault of the gentleman from Maryland [Mr. MCCOMAS] upon his native State, to read the eloquent encomiums of the gentleman from Massachusetts [Mr. GREENHALGE] of his adopted State, of its statesmen, scholars, and jurists, although that State early gave utterances of approval of the doctrine of secession and denunciations of the Constitution; and when he eulogized Justice Story I felt that he should be mindful of

the language of that great commentator, who, when speaking of the above recited provision of the Constitution, says:

SEC. 823. The truth is, Congress could never resort to a measure of this sort for purposes of oppression or party triumph until that body had ceased to represent the will of the States, and the people; and if, under such circumstances, the members could still hold office, it would be because a general and irremediable corruption or indifference pervaded the whole community.

Truly, the gentleman's quotation from Iago is applicable:

There is a daily beauty in his life—

Judge Story's—

which makes mine ugly.

This House is now using this discretionary power, in the prophetic language of Justice Story, for purposes of oppression, for party triumph, and for the perpetuation of its own satellites in power, regardless of consequences.

Again, Justice Story says:

SEC. 826. A period of forty years—

(Now over one hundred)—

has since passed by without any attempt by Congress to make any regulations or interfere in the slightest degree with the election of members of Congress. If, therefore, experience can demonstrate anything, it is the entire safety of the powers in Congress, which it is scarcely possible, reasoning from the past, should be exerted, unless upon very urgent occasions.

That Congress could exercise this power constitutionally upon urgent occasions, it is not necessary now to deny; but what were the urgent occasions contemplated at the time of the ratification of that instrument? Two: one when from invasion or insurrection the State was unable to exercise the power; the other when a State refused to put the machinery in motion to send Representatives to Congress. Does either exist now? The only emergency existing now is a purely political one. The negro vote amounts in the United States to about one and a half millions. The balance of power in at least twelve of the Northern and Western States is held by the negroes. The white vote of the North is held in subjection by the negro, and unless the white vote in the South is also controlled by the negro vote the existence of the Republican party is imperiled. So the fiat has gone forth. The negro vote in the South must be registered, polled, and counted for that party. And we must take into Federal hands—our hands, for the Federal Government is in our hands now—the Federal elections.

What more iniquitous scheme could have been devised for this purpose than the bill now under consideration? It provides for its own registration of votes, counting the returns, and certifying results by officers appointed by its own partisans, and responsible only to them. It provides for juries composed entirely of Republicans to try Democrats for alleged offenses against this act, and gives authority to supervisors to invoke the aid of the military forces of the country whenever they may deem it necessary.

The deputy supervisors have inquisitorial authority; are directed before an election to make a house-to-house canvass. They are to "guard, scrutinize, and supervise" the registration, and, in fact, carry on the election campaign for the Republican party at the expense of the Federal Government at a cost of $10,000,000.

Article I, section 2, of the Constitution of the United States provides:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

So you will see, Mr. Speaker, that the United States or Federal Government, as you are pleased to call it, has no power to confer the right of suffrage upon any one and has no votes to register, no ballots to count, and no returns to certify; and it was never contemplated that it should have. The States fix the qualifications and in order to vote you must be a resident of a State. Being a citizen of the United States is not sufficient. The electors of the several States have the control of elections of the members of this House. Knowing this and in defiance of this you in your Pittsburgh speech further say:

Let us cut loose from the State elections.

In this bill you have cut loose from State elections, you have violated your solemn obligations to support the Constitution of your country and have invaded the rights of the States, and by force are sapping the foundations of the best Government in the world.

The wrath of the people, North and South, East and West, is upon you. Never will a free people tolerate for one instant the ruthless hands laid upon the palladium of their liberties. Irrespective of party they will condemn you. You have mistaken your time. No longer can you engender hatred and ill-will between the sections. The Southern-outrages mill has ground its last grist. The Northern heart can no longer be fired by imaginary wrongs. The race problem will not serve you now. The people of the North are leaving to each State its right under its own State government to settle that question.

This is a time of profound peace. Northern capital, always timid, is seeking a sure and remunerative investment in a new and reconstructed South, to the mutual advantage of both borrower and lender. The old bonds of brotherly love and friendship have been rewelded and reunited so strongly that it is beyond the power of dastardly politicians to rend them asunder. Prosperity reigns everywhere throughout this great and glorious Republic. The American's heart is filled with gladness, and he turns his eyes brimful of gratitude and thankfulness to the Great Giver of all gifts, Who gave this country to us, sanctified by the sacrifices of our forefathers, to be governed by the people and for the people. And accursed be he who would raise his sacrilegious hand to mar its beauty or would seek to place his State under the operation of this odious measure and deprive it of local self-government and home rule. [Applause.]

Federal Election Law.

REMARKS
OF
HON. WILLIAM T. ELLIS,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890,

On the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.

Mr. ELLIS said:

Mr. SPEAKER: This measure strikes at the very foundation of the Government, and if it becomes a law revolutionizes the system of holding elections for Representatives in Congress. It proposes to deprive the States of all substantial control in the matter of choosing their Representatives, and to commit the management of the subject to a corps of Federal officers whose returns are not only to outrank that of the local officers of the State, but to supersede the commissions issued by the governors of the States. And from the decision of these Federal officers there is no appeal.

The bill on its face bears evidence that it is not intended to be general in its operation; it may or may not be enforced in a given locality.

The real purpose and object of the measure is to control Congressional elections in the South. There and there only is this most extraordinary measure intended to be put into practical operation. Unlike the ordinary act it does not go into effect from the date of its passage; its complex, intricate, and partisan machinery is left to be set in motion by the political charlatan, whose highest idea of patriotism is to clothe himself with political authority and to recruit his exchequer out of the public Treasury. No good result can be expected from the passage of the proposed law.

No matter in what section of the country the attempt may be made to enforce it, it would serve only to intensify party prejudices, engender strife, and stir up discord.

The people would resent it as an unwarranted interference with their free exercise of the right of suffrage and as a contrivance designed to deprive them of their liberty.

The authors of the bill insist that there is authority in the Constitution to authorize the proposed legislation and that the exigencies of the occasion demand the exercise of this authority.

I shall not enter into a discussion of the necessity for such legislation, observing simply that the only necessity which seems to require it is the necessity which political exigencies seem to suggest to those whose chief aim is to perpetuate their party in power. But apart from the question of necessity for this legislation, has Congress the power to enact a law like this? If it has the power to do so, the question as to the necessity for the exercise of that power would become a question for debate.

The majority of the committee which reported this bill seems to have had no difficulty in concluding that ample authority is conferred on Congress by the Constitution to enact this law.

Not only do they seem to have found such power in the Constitution, but they assert with equal confidence that the question has been at least twice decided by the Supreme Court, and these cases, which in fact do not touch the question involved here, are cited as settling conclusively the whole subject.

The provision of the Constitution relied upon as authorizing this legislation is as follows:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

This provision, in the opinion of the majority of the committee, is so plain and simple as to render discussion "superfluous," and the conclusion is easily reached that "the power of Congress over the conduct of elections of members of this body is absolute and complete."

What construction the committee place on that part of the section of the Constitution relied on, which declares that "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof," we are not definitely advised.

This is strong language, and certainly means something when taken

in connection with the balance of the section, which provides that "the Congress may at any time make or alter such regulations, except as to the places of choosing Senators."

But for this latter clause of the section, which modifies the first clause, no one would pretend that Congress had any control whatever over the subject of electing Representatives in Congress. All the power Congress has to deal with the matter is derived from that clause of the section which provides that "Congress may at any time make or alter such regulations," etc.

This clause must be construed with the first clause of the section, and is of necessity modified by it.

What does the whole section mean when taken together? It clearly does not mean what the majority of the committee contend, namely, that the "power of Congress over the elections of Representatives is absolute and complete."

Such a construction renders nugatory that part of the section which declares that the times, places, and manner of holding, etc., shall be prescribed in each State by the Legislatures thereof.

This language can not be disposed of, as the majority of the committee seem to have disposed of it, by mere declamation. It stands in the section where the authority for the proposed legislation is said to be found, and it must be construed with it

When it is remembered that all the power of Congress has over the subject was derived from the States and whatever power was not either expressly or by fair implication granted to Congress was reserved by the States, it is evident that the conclusion reached by the minority as to the true meaning of this section is correct. They say:

> If the States shall have performed their duty and exercised the general power of regulating the question, the contingency upon which Congressional action depends will not have occurred. In case a State shall have neglected to enact laws for the election of Congressmen by its people or shall have enacted laws in hostility to the General Government, either to deprive its people of representation in Congress, or to prevent that right from being exercised in a reasonable manner and at proper times, then Congress is permitted to intervene, and to establish regulations which will secure representation to the people of such State.
>
> What was given to Congress as the law-making power of the Government in this case was a defensive power against State hostility, or negligence by which popular representation would fail and the necessary power of the Federal Government would be impaired or paralyzed for a want of representation in the House.

This view can not be successfully overturned. It is the only reasonable construction of which the section is susceptible, the only one which can be given that will allow all the language employed its fair and ordinary meaning.

This construction is sustained by authority. Mr. Story, in his Commentaries on the Constitution, says:

> A discretionary power over elections must be vested somewhere. * * * It might be lodged wholly in the National Legislature or wholly in the State Legislatures, or primarily in the latter and ultimately in the former. The last was the mode adopted by the convention.

This ultimate power over Congressional elections was conferred upon Congress, as the minority of the committee correctly says, to protect the General Government against the non-action or hostile action of States, and which would "hazard the safety and permanence of the Union."

It therefore seems perfectly clear that, so long as the States act in the matter and provide reasonable times, places, and manner of holding elections for Representatives, Congress is wholly without power in the premises; the occasion alone upon which it has power to act has not arisen, and any attempt on the part of Congress to assume control over the elections of Representatives is a clear usurpation and an invasion of the rights of the States.

It is not claimed by any one that any State has failed or refused to prescribe the times, places, and manner of holding elections for Representatives, or that the safety or perpetuity of the General Government demands the enactment of the proposed law. Congress, therefore, has no right to interfere in the slightest degree with the elections of its members, because the contingency which would authorize Congress to act has not happened.

The control of the subject should be left with the States, none of which have neglected to provide the times, places, and manner of holding elections for Representatives. The cases of *Ex parte* Siebold, reported in 100 United States, and *Ex parte* Yarborough, 110 United States, are relied on in the majority report as authorizing this legislation, but they do not, in fact, touch the question involved here.

The single and only question involved in these cases, and all that was necessary to their determination was, had Congress the power to enact a statute imposing penalties against the intimidation of voters in the exercise of their right to vote for a member of Congress and to impose penalties against those who obstruct or hinder Federal supervisors from performing their duties?

The cases decide only that an act may constitute an offense both against the laws of a State and of the United States; that either jurisdiction may punish the offender; that the laws of a State and those of the United States denouncing penalties for the same offense are not in conflict. Since an act may be an offense against both jurisdictions; each has full power to provide for its punishment.

Whatever was said in these decisions that may seem to sustain the proposed legislation was not necessary to the determination of the questions there presented, and is therefore not authority.

This bill presents a different question; it proposes to annul the election laws of the States wherever they are in conflict with the provisions of this act.

It proposes, in the language of the Speaker of this House, to "cut loose from the State elections, do our own registrations, our own counting, and our own certification."

The question is at once raised, Has Congress the right to annul the laws which the several States have enacted providing the times, places, and manner of holding elections for Representatives and to take exclusive control of the same? This is what this bill proposes to do, and if it becomes a law all substantial control over the elections of Representatives is taken from the States and transferred to Federal supervisors, Federal returning boards, and to the Federal courts. The people are no longer to be trusted. They are supposed to have become so corrupt, dishonest, and lawless that the purity of the ballot is no longer secure in their hands.

This seems to be the theory upon which this legislation proceeds; but this is an unjust imputation which the patriotic people of this country will be swift to resent. If the majority in this House thrust it is odious bill upon them, they will rise in their power at the approaching elections and repudiate those who by the passage of this bill seek to establish a system by which the will of the people is to be set aside and their voice effectually silenced in choosing their own Representatives.

Federal Election Bill.

SPEECH
OF
HON. THOMAS G. SKINNER.
OF NORTH CAROLINA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890,

On the bill (H. H. 11045) to amend and supplement the election laws of the United States, etc.

Mr. SKINNER said:

Mr. SPEAKER: The gentleman from Massachusetts whose name gives the title to this bill, in his speech opening the debate, said:

> I do not think that any graver or more important subject could come before this House than the one presented by the pending bill. The subject is one which demands the most serious and deliberate treatment on the part of the House.

Having commended his foundling in these words to the tender mercies of the members of this House and asked them to act deliberately in their treatment of it, I expected to hear from him some excuse for the precipitancy with which it was thrust in here or some protest against the haste with which it is sought to be enacted into law. But I have listened in vain. No such protest has fallen from his lips or from the lips of any member of the majority during this debate.

No measure of the importance of the one under consideration was ever considered in either branch of Congress in so short a time as is allowed for the consideration of this. Look, read, ponder. How large the bill, how stupendous its contents, and how short a time allowed for its consideration. It contains fifty-seven sections, seventy-three pages, over seventeen thousand words. It changes the policy of the Government in regard to Federal elections. It provides for the appointment of over 180,000 supervisors, 60,000 clerks, an army of deputy marshals, whose number no man can estimate, and a permanent biennial appropriation of from ten to twenty-five millions of dollars to pay this horde of officials. And only four days are allowed for general discussion and two days for amendment, six days in all, and a part of that time taken up in the consideration of other bills. It is impossible that this House can digest this bill in such limited time.

The leaders of the majority had this bill in their minds when they broke down the bulwarks that protected the minority by changing the rules of this House at the beginning of this session, thus placing the rights of the minority (and the majority, too, as for that matter) in the hands of the Speaker and two men to be appointed by him. That immortal trio, the Republican members of the Committee on Rules, have limited the consideration of this bill because they are afraid of its full, fair, and free discussion, and they intend to put it through under the whip and spur of the party caucus before the American people have time to understand its provisions and protest against them.

No man has yet, on either side, discussed all the provisions of this bill, and in my opinion no man will. There are too many of them and they are too complicated for one mind to grasp with sufficient energy to attempt their full discussion in the limited time allowed any one man to speak to any one bill under the rules.

When I arose from my first perusal of it I felt as if I had been cast away in a fog, and I could not tell whether what I had just read was

intended for a new bill of rights, a revision of our judicial system, or a penal code.

I have read it several times since and listened to the explanation of it by its author and others friendly to its passage, and yet the fog has not lifted, and I need a pilot almost as badly as I did at first. I doubt whether anybody fully understands it, except, perhaps, its illustrious father; who, besides being the impersonation of all the learning that can be classed under the name of Boston culture, being able to see clearer than we who have never enjoyed the upper air at the Hub, ought to be better acquainted with this child of his own brain than those to whom he has given such little time to form its acquaintance.

Even he will not claim, I imagine, that this paper is conspicuous for its perspicuity, nor will he class it among his literary gems and publish it as such.

No, we have not yet threaded all the intricacies of this bill. We do not understand it. If the American people ever understand it, which I pray they never may (as they would have to learn it in the kindergarten school of experience after its enactment into law), they will rue the day that the *literati* of Boston sent a professor of its literature here to frame laws for the nation.

I shall not take up your time in discussing the constitutionality of the bill or any of its provisions. That has already been sufficiently discussed, and with more ability than I possess.

Besides, whether Congress has the constitutional power to enact it into law will make no difference in the vote of any member on this floor. You all look at the Constitution through the spectacles of your individual wishes. It is as true in politics as in theology that "orthodoxy is my doxy and heterodoxy is your doxy." Strict constructionist and liberal constructionist, when their interests are identical, construe the Constitution in the same way, and when their interests conflict their constructions clash.

The author of the bill says that it is not an election bill, but only a supervisory bill. If he was correct in this there would not be so much objection to its passage. There would be no necessity, however, for so many officials as are provided for. Instead of three supervisors and a clerk and an indefinite number of deputy marshals at each polling place, one supervisor, or clerk, or deputy marshal would be ample.

If light is all these gentlemen want, as they say, so that the world can see how elections are carried on in Massachusetts and South Carolina, in Maine or Mississippi, I submit that one person, and you might give him any high-sounding title that you please, from simple watchman to deputy high lord supervisor, could turn on the light as well as a dozen.

That the ballot-boxes may be properly and distinctly marked and placed so that the electors may publicly and without hinderance deposit their ballots therein, and afterwards have them counted in the presence of all the people is not all that the advocates of this measure want. They want to count the votes by tens as they provide in the bill (why not in blocks of five?); they want to canvass the districts before the election to pass upon the eligibility of the voters, and to make the only authoritative return upon which a member of this body is entitled to a seat on this floor.

The returning-board feature of the bill, to which all the other provisions of it are subsidiary, is its main provision and shows the purpose of the Republican leaders to perpetuate their power and to maintain a Republican majority in this House indefinitely.

They feel that they have so forfeited all the pledges that they made to the people in their last national platform that they do not deserve to be retained in power.

They know that the shameless way that they leveled up the tariff which they had promised to reform, their utter disregard of their promises in regard to the abolition of the internal revenue, their desertion of the people upon the silver question, and the deaf ear that they have turned to the demands of the farmers will meet with the condemnation of the people at the polls in November.

They see the handwriting on the wall, and they have set to work to insure against such a party disaster by providing a partisan returning board in each State, which, wielded by one man, the chairman of the national Republican executive committee, can always, no matter how the people vote, certify to the Clerk of this House a sufficient number of their own party to organize, and the members of the present Congress know how well the Republican party can maintain that organization.

The gentleman from Ohio [Mr. WILLIAMS] says that this bill is not strong enough, but that he will vote for it because it is a step in the right direction. How much stronger it could have been drawn I can not imagine, nor how many more steps could be taken in that direction.

This step, it appears to me, is made by a man with the seven-league boots on and in the direction of monarchy. It reaches from a sisterhood of States, protected by the checks and balances of a constitutional Government, to a partisan oligarchy, guarded by the bayonet. Enact this bill into law, and the gentlemen who desire a strong law will find this strong enough for all practical purposes, strong enough for them to write the nation with a big N and to do away with the necessity of keeping State lines well marked.

If not in all the Congressional districts in the United States, certainly in all the close districts the law will be put in operation. Can there be any doubt about the manner of its enforcement?

With two Republican supervisors and one of some other party, nominally, all holding their positions at the will of the chief supervisor, armed with authority to superintend the registration of voters, to make a house-to-house canvass, electioneering for the Republican ticket, to judge of the eligibility of voters and superintend the election and count the votes, and, no matter how much their count differs from the count made by the State authorities, to have their count allowed, there will be certified to the Clerk of the House not only a majority of Republicans, but such Republicans as will do the will of the Republican bosses. This is what the bosses want and what the bill was framed for.

All this parade about the negro and his rights and wrongs is made for the purpose of drawing attention from the real purpose of the originators of the bill.

There is no necessity for this law in my State to protect the negro in his right to vote and have his vote counted—certainly not in the district which I represent on this floor.

There all the rights of citizenship are accorded to the negro. He registers and votes as freely as the white man, and with much more freedom than wage-workers do in other sections of this country claiming more enlightenment. On election day the negro laborer and his white employer frequently ride to the polls in the same vehicle, and each casts the vote of his own choice, without any attempt on the part of the Democratic employer to bulldoze, buy, or otherwise influence his Republican employé, and these votes are counted, not in a private room, but publicly, in the presence of the voters, and absolutely fairly.

The only attempts at bulldozing I have ever seen were made by negroes themselves attempting to prevent men of their own color from voting the Democratic ticket. But even this is growing less frequent and the negro is growing more independent. Now, is it not strange that just as the negro voter is beginning to throw off the shackles of prejudice which have heretofore bound him to the Republican party, and is beginning to find out that it is not unlawful for him to vote the Democratic ticket, and that he can do so without injury to himself or his race; when he is awakening to the knowledge that the Republican party have no use for him except during an election, and then only want his vote for some white Republican; and that even at the North, where so many hypocritical tears are shed over the wrongs of the poor, downtrodden negro, he is not treated as well as he is by the Democrats of the South—not only not given any more offices, but not even allowed to work at a lucrative trade in many places—that just at this juncture the Republican party should suddenly awaken to their duty to their colored brethren of the South, and ostensibly in their interest attempt to pass an election law which, if ever, ought to have have been passed over twenty years ago? If this is your real purpose you have waited too long.

You gave the negro the right of suffrage and left him to shift for himself. He helped the carpet-bagger to office in the South until all our States in the Black Belt were bankrupt. Then the native whites took charge of these States, brought order out of chaos and re-established the credit of their States. In so doing they did not neglect the negro. When they provided a benefit for the white man they provided a like benefit for the colored man.

Asylums for the deaf, dumb, blind, and insane of both races were provided at the public expense. When a school-house for white children was erected a school-house for the negro children was erected in the same neighborhood. For every dollar expended for the free education of the white man's child another dollar is expended for the child of the black man, and nearly all the taxes that go to pay for these asylums and school-houses and educators of the negro are paid by the white man.

Now, when you see that he is beginning to appreciate the kindnesses of those who clothed him when he was naked, fed him when he was a hungered, educated him when he thirsted for knowledge, you make hot haste to pass an election law and send the myrmidons of your party to the South to stir up strife again between the races and to count the negro vote for the Republican candidates, whether it is cast that way or not, on the ground that the negro vote belongs to that party, and thus save the Republican party from merited defeat at the next election.

You were content to leave the negro to his fate as long as you could hold power without him and the solid South could help you toward a solid North. And now, when you see that you have forfeited your claims upon the great West by the way you reformed the tariff and your refusal to remonetize silver, and that the Farmers' Alliance are about to tear down the bloody shirt under which you have marched to so many victories in the Northwest, and that the chances are that in the near future some of the great States in that quarter of the Union will wheel into the Democratic column, you discover that your colored ally in the South has been cheated and defrauded out of his vote, and you give that as an excuse for passing what you call a general election law, so constructed that you can enforce it in such districts as you desire only.

You have voted down an amendment to make it apply to all the lis-

tricts in the United States without petition. You know that no Democrat will ask for its enforcement, because he can gain nothing by creating a Republican board to count and return the votes in his district, for, if Republican, it would then remain so, and, if Democratic, that would indeed be committing the lamb to the wolf.

The passage of this law is expected to perpetuate the power of the Republican party, to enable the Fifty-first Congress to elect the Fifty-second.

If it should have that effect it will not only perpetuate the power of the Republican party, but also the Reed dynasty, and through that the money power that has directed the legislation of this country for the last quarter of a century and coined the sweat of the million to enrich the millionaire.

You Republicans who dared during this session to bolt your caucus and vote for measures that your people wanted, and whose efforts have been unavailing because the gold bug was dominant in your party, and who still hope at some future session to pass some laws that will benefit your constituents, will find yourselves under the workings of this law either left at home or see enough pliant tools of the Reed dynasty returned as elected to cancel your votes.

New England Republicans will wield the scepter in your party, and Western ideas will find no lodgment in your caucus. You and your constituents will live to curse the day when, yielding to sectional prejudice and sickly sentimentality, you aided that oligarchy to perpetuate its power and continue its oppression of the people.

Mr. Speaker, the enactment of this law would revolutionize our system of government, destroy the autonomy of the States, and strike a deadly blow at the liberties of the people. Nobody demands it except the Republican leaders, and they show no necessity for it except the doubtful chance that it offers toward helping them to retain power.

In the name of the founders of the Republic, in the name of the rights of the States, in the name of the people and their liberties, I protest against its passage.

Federal Election Law.

SPEECH

OF

HON. LEWIS P. FEATHERSTON,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. FEATHERSTON said:

Mr. SPEAKER: My colleague from Arkansas [Mr. MCRAE] has taken the liberty to introduce into the RECORD certain expressions which were not used upon this floor, and has so arranged the questions and answers in the discussion between him and myself that I very much regret his absence upon the present occasion.

To these matters in particular I shall not especially allude at this time.

Mr. MCRAE here appeared.

Mr. FEATHERSTON. I am glad to see that my colleague is present, and I shall now proceed to say what I had not intended to say in his absence.

The remarks to which I have just alluded as appearing in the RECORD of to-day, and which I did not hear uttered upon the floor last night, were to the effect that my friends were responsible for the trouble in my own county; that we were the aggressors, and there was appended a remark of his own condoning the offenses of the violators of the law in my State, justifying their actions and intimating that the retribution which the free ballot and fair count Democrats had received was nothing more than they deserved.

Mr. Speaker, this is the first time I have heard that any man attached to that party which was making an effort to secure a free ballot and fair count in that county had done anything in violation of law.

It is the first time that any member of that organization has ever been charged with an effort to intimidate, much less to commit murder, as the gentleman has asserted was done by the members of the free-ballot and fair-count element of the Democratic party in St. Francis County.

Our bitterest enemies have at all times conceded the fact that we have kept within the law and advocated only lawful methods. I am not surprised, however, at his readily coming to the defense of the men who have been the violators of the laws of the State. I am not surprised at it when I consider the fact that he is a Representative of the politicians of my State more than of the people of the State.

I want to say with regard to the people of the State of Arkansas that a very large majority of them are to-day in favor of honest elections, and are sick and tired of the control which proposes to fasten upon them a political oligarchy which does not in any way represent their wishes or their sentiments. The proof of the truth of my statements is of record. I do not care to discuss methods of Arkansas politicians further.

Mr. Speaker, after a calm and careful consideration of this bill, and after listening to the argument that I have heard upon this floor, I desire to say that as an Independent Representative, responsible to no "caucus" of either party, the representative of the "free-ballot and fair-count" Democrats, Republicans, and Union Labor people of my district, and in the interest of honest and fair elections, I believe it is my duty to vote for and support this bill. [Applause on the Republican side.] The time has come when the people of the South are tired of being apologized for by men who profess to represent them upon this floor. The arguments we have heard from gentlemen opposing this bill, both North and South, are a defense of a condition of things which we do not wish to have continued, nor do the people of the South intend that they shall be continued. [Applause on the Republican side.]

In glowing terms, you tell us of our prosperity and in the same breath you tell us if our elections are supervised devastation and ruin will follow.

Do you mean to say that supervision will bring honest elections, and honest elections will bring ruin? You say "Let us alone, while we work out our own salvation." Where is the salvation of the people while you are working out your salvation? Such a plea, from such sources, in the Hall of Representatives of the first Republic on the face of the earth, I had not expected to hear.

Are unfair elections a blessing and fair elections a curse? This is the only legitimate conclusion to be drawn from your arguments. I deny the truth of that conclusion. Unfair elections are an unmitigated curse. Whatever of prosperity we may have has been despite these methods.

As I view this measure, it is nothing more nor less than an effort upon the part of the Representatives of the Government to secure the protection of the ballot of the citizens of this Government.

It is the candid and honest opinion of seven-eighths of the people of this nation that the accumulations in certain sections and by certain classes of this country are more rapid than they ought to be.

They believe that this is largely due to favoritism in legislation. They believe that the only means that is left them with which to defend themselves against these aggressions is the ballot.

They believe the encouragement or further toleration of a system the powers of which have never been defined—I mean the ballot-box-stuffing system [laughter]—whose authority can not be measured, and from the results of which there is no appeal, will soon destroy their only means of protection, their right of suffrage.

I say to you, gentlemen, as a Southerner, that system must be brought to an end.

I say this as a representative of men who resisted this Government, and I am not here to apologize for them for that act.

They propose to accept and they have accepted the situation in good faith, and under the Constitution of the United States they propose to work out their own salvation; but they do not demand that they be let alone quietly and privately with the ballot-box while they are doing it. [Laughter.] They propose to do it under that divine injunction which commands us "to do unto others as we would that others should do unto us," the true foundation doctrine of republican institutions. Upon that basis and that line this Southern question will be solved.

When that result is reached it may be fatal politically to many Representatives now upon this floor, but it will be the birth of a peaceful and brilliant new South. The South will not then be represented upon this floor by men who apologize for the present condition of affairs; it will be represented here by men who will be elected by the honest votes of the people, and we shall have no excuses for further violations of the laws of the land. The same spirit of candid, honest, intelligent bravery which made them bare their breasts to the storm of battle for four years now inspires them to address themselves to the condition confronting them, and to meet it fairly and squarely, and they will do it.

The men who succeed the apologists here may not be Republicans; the men who succeed them may not be Democrats; but they will voice the sentiments of the people who send them here, and the people who will send them here love their country and her institutions. I say to you that we have no fears of supervision of our elections. We intend they shall be honest, and we want the world to know they are so whenever or wherever there is any doubt about it. We do not ask for more than we are willing to give.

Where a man against whom there is the imputation of crime refuses to be supervised, to be watched in his manipulation, we believe it is evidence of his intention to further prosecute practices which are detrimental to our best interest.

We believe, in plain English, that the desire for non-interference is because he wants to stuff the ballot-box; and we are afraid of that condition, let it prevail wherever it may, in New York, Chicago, or Little Rock. [Applause.]

It is charged that this bill is sectional and you claim it is for the South. I deny the imputation and ask if it is not applicable wherever fifty citizens of a county believe it necessary. Even in the past few days in the State of New Jersey unscrupulous scoundrels have been tried and convicted for stuffing ballot-boxes, and I herewith submit the following extract from the charge to the jury, delivered by Judge Lippincott in that case:

The government of the ballot-box-stuffer and repeater is no government at all. Such crimes are the most dangerous that can occur. Honest ambition and honest aspiration are crushed. Intelligence is scorned. The patriotism with which you would imbue your children becomes to them a useless acquisition. To instill in their minds a love of country so governed would be only to invite them to a sickening fraud feast. The history which would be placed in their hands would only be the cruel story of bribery and corruption of the ballot-box. Under such rule property becomes the prey of confiscation. Under the name of taxation communistic parasites and sinecurists would eat up the heart of mankind.

No less direct was a recent sermon of Dr. Parkhurst, of New York, as follows:

Dr. Parkhurst says with regard to the men who dominate New York municipal life that "their only title to candidacy was their devility, and their only apology for being elected the apathy of the saints and the subserviency of respectable men to political bossism." He adds:

"We maintain in this city schools of the prophets, we ship missionaries to all countries, and we annually export tons of Bibles and evangelical literature, and yet there is not concrete holiness enough on Manhattan Island to insure us against a system of political brigandage that excels even the organized outlawry of Italian banditti in the monstrousness of its demands and the frank cheerfulness of its methods."

The time is near at hand when members representing Southern districts will not thus claim by implication a monopoly in this or any other crime.

The bill which this is intended to amplify and perfect has been applied in most of the large cities North and South, and with direful results to none save and except the conscienceless voter and ballot-box-stuffer or the beneficiary of his corrupt practices.

The repeal of neither the fourteenth nor fifteenth amendment to the Constitution is being now considered, though from some of the speeches it would seem so, nor is that question in any way connected with this bill. This is a bill looking to honest elections.

It is not a race question, for the man who commences by stealing a negro's ballot, soon degenerates into the unscrupulous thief who will steal the ballot of any man who differs from him.

This is not a question of the supremacy of the Democratic or of the Republican party; it is greater; it is above and beyond either of these parties. It is a question of supremacy of the whole people, which is a matter of more importance than the success of any political party.

So long as this is a republic, the humblest citizen will be anxious to know that he can cast his sovereign vote as he pleases and have it counted as he casts it.

Further, he will want to know that no other citizen in the Republic, though he be ten times a millionaire, is allowed to do any more.

As he loves a republic better than oligarchy, as he loves certainty better than uncertainty, as he loves law better than anarchy, he will be anxious to know that every other citizen has the same right.

This is not a Federal election law in the sense of taking control of Federal elections. It in no way interferes with the right of the State to hold the election. It only asks in behalf of the nation to be allowed to supervise the elections in which members of Congress are being voted for, so that each and every State may know that each and every other State is securing exactly that representation to which it is entitled; no more, no less.

It is simply perfecting a system which has been in operation since 1871, a system which has proven beneficial in the suppression of frauds in every section of this Union where fraud has prevailed, from New York to California.

None save the vicious and strong or the rich and corrupt can possibly be the beneficiaries of a system of frauds.

As I do not care to represent either of these classes, but do represent the honest and laboring people of my district, I have no hesitancy in placing myself on record for the preservation in all of its sacredness of the ballot, by the supervision of the ballot-box, whenever that supervision is demanded.

It is the palladium of American liberty, "the distinctive feature of our Government," that which has made it the pride of every patriot and the glory of the nineteenth century.

Mr. Speaker, the actions of the Democratic members on this floor in the contested-election cases have been to me completely astounding. They have never as yet failed to indorse by their votes each and every method of fraud committed by their partisans against the right of suffrage.

They seemingly hailed with delight the invention of the double-slotted ballot-box, and fought with desperation for the retention of its product. They rushed madly to the defense of their election officers in the Alabama case, who returned their candidate as elected by a majority of 13,000, when it was subsequently proven that he was defeated by a majority of more than 4,000.

With these and other facts before me, I confess that their artful and labored arguments in opposition to a bill favoring the supervision of elections go far to satisfy me of the necessity for the protection of the people as against an organized band of office-seekers.

The skillful and artistic engraver, misapplying his God-given genius, duplicates the plates of the national Treasury note, and while working out his term in prison complains bitterly of the rigid and severe laws against counterfeiting. Does the good citizen object to these laws for the suppression of counterfeiting?

The heartless exactions of certain railroad corporations have furnished the necessity for the Interstate Commerce Commission, and, depend upon it, these corporations will be controlled by this or some other method. This, it is complained by corporation managers, is an outrage upon vested rights which the Government has no right to disturb.

The people say "Go on."

The vicious operations of the Standard oil trust, the sugar trust, the bagging trust, and other trusts, their total disregard of the rights of the people, have given to this nation an anti-trust law. The trust operators complain of its unconstitutionality and say it restricts trade. The people indorse the law, and if need be will have it more rigid.

The proof in seventeen contested-election cases brought before this House (aside from others which have been coming here for the past ten years), containing seventeen thousand pages of sworn testimony, of twenty-one thousand sworn witnesses, satisfies the people of this nation that the heart of their system is becoming corrupted; that an enemy powerful and unscrupulous is pursuing a deep-laid scheme to overthrow popular government.

The nation is alarmed, and the people demand that wherever or whenever there is danger the nation's truest and best citizens, selected from different political organizations in their respective districts, be placed upon guard to watch that sacred source of American liberty, the ballot-box.

Would any man who loves his country say nay? I think not. Yet the beneficiaries of this system of corruption rise up in their wrath and say it is unconstitutional. This is the well worn plea of intrenched corruption. I take it that our Constitution was framed for the protection of law-abiding citizens, rather than the shielding of criminals.

I have stood in the track of the ballot-box-stuffers' cyclone; I have stood by the dead bodies of its victims; I have seen the broken-hearted widow and orphans weeping over their slain, the honored sheriff of his county; I have seen the aged father bowed down over his brave son, who was not only the stay of his declining years, but the pride of his county; while the night was made hideous by the devotees of the system who mistook the desperation of their drunkenness for a courage the possession of which would have rendered them incapable of such deeds of atrocity. Their operations were conducted with an audacity indicative of the foreknowledge of the immunity subsequently enjoyed. These victims were not negroes. They were not Republicans. They were Democrats, whose only sin was an effort to secure a free ballot and a fair count. Such scenes are the inevitable consequences of such a system. Then why should there be opposition to a supervision of elections, thereby suppressing election frauds, the source of all these miseries?

As for myself I would invoke not only the power of both State and National Governments, but as I love my country and respect her whole people I would pray Heaven for their relief from such control.

Federal Election Law.

SPEECH

OF

HON. JOHN C. TARSNEY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. TARSNEY said:

Mr. SPEAKER: Were I asked to point to the brightest and best pages of my country's history I would point to those pages whereon it is recorded that, within fifteen years after the close of the most gigantic civil war that ever threatened the life of any nation, from Chesapeake Bay to the Rio Grande and from the Ohio to the Gulf, not one fort, one arsenal, one battalion was maintained to bind a single citizen in unwilling allegiance to the Constitution and laws of his country.

Were I asked to point to the darkest and worst pages of my country's history I would point to those pages whereon are written the acts and declarations of those of her public men who, during the four years of her supreme struggle in the field of arms for national unity, could find no field for personal patriotic effort, but who since, after the sacrifice of the blood of hundreds of thousands of their fellow-citizens has preserved the integrity and unity of the nation, have sought with unfaltering zeal, by keeping alive the sectional hatreds and animosities

engendered in civil strife, to prevent that perfect restoration and unification for which so much treasure was expended and so many brave lives were sacrificed.

Mr. Speaker, in every stage of the formative period of our Government two conflicting principles have contended, and each has found many advocates and supporters. Upon the one hand is the principle of centralization, which, being based upon the assumption of the incapacity of the people as a repository of political power, seeks to concentrate and centralize in the governing class not only the administration of granted and defined political authority, but assumes the existence of a right in those who govern to limit and restrict the exercise by the people of that residuum of political power reserved to the people. On the other hand is the principle which, recognizing the capacity of the people for self-government, maintains that the people are the source of all political power and authority; that the authority of those who govern is not inherent, nor yet derived from any divine source, but is based upon the consent of the governed and is subject to the limitations placed thereon by the people.

The conflict between these antagonistic principles has generally been manifested in controversies concerning the distribution of political powers between the General Government and the governments of the respective States; but to-day, and by the measure under consideration, the conflict between these principles becomes a conflict between the Government and the people; between those who govern and those who are governed; between arbitrary power upon the one hand, seeking its own enlargement in order to its own perpetuity, and the right of the people upon the other hand to keep within their own control the manner of choosing those to whom they intrust the enactment of their laws, thereby maintaining the only check that can be maintained against irresponsible arbitrary power. The Republican and Democratic parties stand respectively as the exponents of these conflicting principles.

The Republican party is the party of centralization, the party of arbitrary, unrestricted power. The Democratic party is the party of the people, the party of liberty regulated by law.

Every page, every line of the history of the Republican party marks its onward steps in the pathway of centralization; but the step it proposes to take by this measure is so radical in the direction of unrestricted authority in those who govern, so usurpatory of the political power reserved to the people and heretofore exercised by the people, that the past history of that party in this regard would appear insignificant if not harmless.

For the first time in the history of the Republic it is proposed to take from the people the greatest right reserved to them by the Constitution, that right upon which all their rights and liberties depend, that right which marks the distinction between a free government and a despotism, a right which they have exercised for more than one hundred years without restriction, the right of themselves choosing their own representatives in the legislative branch of the Government.

What is the basis of this measure? Why is the right of choosing the representatives of the people to be taken from the people and vested in appointive agents of those who govern? Sir, the answer is obvious. It is found in every page of the history of government. Authority is always seeking its own aggrandizement, its own enlargement, its own perpetuity. Authority never relinquishes, it always grasps; therefore the party that proposes this me sure, being in authority, not daring to rely upon the people for a continuance thereof, but unwilling to relinquish power, seeks the perpetuation thereof by taking from the people the last remnant of self-government and the only bulwark between a free government and unrestrained power.

Mr. Speaker, after the crucial tests which our system of government has undergone, after one hundred years of experience has demonstrated that man is capable of self-government, that a free government, a government of the people and by the people, may be made great and strong among the nations of the earth and at the same time preserve the greatest degree of liberty to its citizens, it were bad enough were we compelled to admit the necessity for a change in that system because of the ignorance or incapacity of the people; but how can we properly characterize a measure which embodies the changes in that system which are embodied in the pending measure, when the rightfulness or necessity for such changes finds no warrant or authority except in reasons and arguments based upon allegations of the corruption, the criminality, and the inherent dishonesty of the people?

That the measure under consideration proposes a complete change in the methods of conducting elections of Representatives in Congress and the certification of the results of such elections no one will deny. The Constitution of the United States, section 2 of Article I, provides:

> The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the Legislature.

That Constitution further provides:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators.

Under the above provisions of the Constitution all elections of members of Congress have heretofore been conducted and the results thereof ascertained and certified in accordance with regulations prescribed by the Legislatures of the several States, and the officials or agents conducting such elections receiving and counting the votes, as well as those canvassing and certifying the results, have been authorized thereto only by the laws of the States.

The right to interfere with or control the elections of members of Congress has never been assumed by the General Government, and no jurisdiction over the subject of the election of members has ever been exercised, or sought to be exercised, except that appellate judicial jurisdiction involved in the case of contests, which jurisdiction is clearly conferred by the Constitution. Although offenses against the freedom and purity of elections are not more prevalent now than at any other period of our history, there never was a time when the subject of free, fair, and honest elections attracted such universal attention as the present.

The freedom and purity of the ballot to-day merits and commands a greater degree of solicitous consideration by the people than any other problem upon which depends their welfare. The existence of free government, the perpetuity of our system, the very life of the nation, are all involved not only in the freedom of the citizen to exercise the right of franchise, but in the honest conduct of elections and certification of their results. Hence we see that everywhere Legislatures as well as the people are thoroughly aroused to the importance of the subject, and State after State is hastening to adopt those systems which promise to insure the greatest degree of freedom, fairness, and purity of elections.

Mr. Speaker, now, when the attention of the nation has been aroused to the full importance of this question, when everywhere the sentiment of the people in favor of ballot reform is manifesting itself; when Legislatures are seeking after the greatest safeguards to the freedom and purity of the elective franchise, is it wise or just for Congress to assume or declare that the people do not want honesty in the conduct of their elections, and that the States, because of the dishonesty of the people, can no longer be intrusted with the power to regulate and control their own elections?

Sir, these are the plain, undisguised propositions of this measure. Its very basis is not alone the alleged corruption and dishonesty of the officials now charged with the conduct of elections, but the criminal complicity of the States and the people with the corruption and dishonesty of such officials. Upon what foundation does this measure rest? Upon what pretense of necessity is its enactment to be based? By what argument is it supported? What wrong will it right? What evil is it to remedy?

It is asserted by the authors and advocates of this measure that elections of members of Congress as now conducted are not free nor fair; that the voice of the people, when permitted to be expressed at the polls, is not honestly nor truly recorded; that a criminal conspiracy involving a majority of the white people of the South exists to prevent the colored people of that section from exercising the rights of citizenship; that fraud, intimidation, ballot-box-stuffing, false counting, false certifying, and every crime against the freedom and purity of elections is so universally and openly committed as to silence or destroy the voice of the majority in the selection of the representatives of the people.

If this indictment be true it does not follow that the measure we are now considering is either a necessary or proper remedy for such condition. If it be false then this measure can have no purpose but to rob the people of the right of choosing their own representatives, the right of self-government, and it can only be properly characterized as revolutionary and treasonable.

I have said that if the indictment upon which this bill is founded were true it would not follow that such a law was necessary or proper to meet the condition. In the enlightened, moral, and law-respecting age in which we live such a condition would not long exist. No great community would for long wish to bear a character for injustice when such injustice was accomplished by the open and flagrant violation of laws sanctified by the approval of the civilized world. No community would for long consent to be represented in the character of officials reeking in murder, in perjury, and every crime of the decalogue against justice, right, liberty, and civilization.

No community could afford for any period of time to permit such a condition to exist. Every consideration, moral, religious, and material, particularly self-interest, would appeal against such a condition; and therefore, while communities, like the individuals of whom they are composed, moved by sentiment or passion, may for a time seemingly acquiesce in being borne upon the crest of a wave of disorder and lawlessness, and even of crime, yet a consideration for the opinions of mankind and the sentiments of right, of justice, of patriotism, and of respect for and obedience to law which characterize and ennoble the people of our country and of our race would soon assert themselves, and such community, bent for the moment before the storm of sentiment or passion like the sapling before the hurricane's blast, would soon rise proudly up and take its place in the columns of the grand legions of their countrymen marching on to a higher civilization and to more perfect liberty attainable only by respect for and obedience to law.

But, Mr. Speaker, if disorder does exist in sections, as is asserted; if violence, and fraud, and crime do prevail, even to the extent alleged, in the elections of members of this body, I yet maintain that the measure proposed, dangerous as I shall show it to be, ought not to pass; that until a proper sentiment shall assert itself in the communities where such disorder is alleged to exist, and until such sentiment shall prevail to correct such evils, the law is now adequate to afford redress and prevent any injury to the body-politic.

The Constitution has wisely conferred upon this House the authority to absolutely determine the elections and qualifications of its own members, and therefore, if by offenses against the election laws the voice of the majority is suppressed and one be certified here as a member who was not fairly or honestly elected, this House has jurisdiction and authority greater than that possessed by any judicial tribunal and may investigate every matter pertaining to such election and set aside and reverse every act of corrupt or dishonest election officials and give effect to the voice of the majority in any district by seating here the one who was elected or who would have been elected had a free and fair election been held.

This remedy is not new nor untried; it is as old as the Constitution and has been asserted and enforced in every Congress from the beginning. In the elections of members to the Fifty-first Congress from the three hundred and thirty districts embraced in the country there has been no claim or pretense of crime, fraud, or illegality except in seventeen districts. The gentleman from Illinois [Mr. ROWELL], who is in some manner alleged to be connected with the authorship of this bill, is the chairman of the Committee on Elections, and as such has had charge of the investigation of the charges involved in the contested cases coming from those seventeen districts. Twelve of those seventeen cases have been disposed of by this House, and in six of those cases, namely, those from the districts represented by Mr. PARRETT of Indiana, Mr. BUCHANAN of Virginia, Mr. CATCHINGS of Mississippi, Mr. HOOKER of Mississippi, Mr. MORGAN of Mississippi, and Mr. CLARKE of Alabama, the contests have all been decided in favor of the contestees, the committee finding that there was no satisfactory proof of fraud, of intimidation of colored voters, of suppression of votes, or of any illegality whatever in the record of any of those cases.

Six cases have been decided by a strict party vote in committee and in the House in favor of the contestants, namely: Smith *vs.* Jackson, West Virginia; Atkinson *vs.* Pendleton, West Virginia; Featherston *vs.* Cate, Arkansas; Mudd *vs.* Compton, Maryland; Waddill *vs.* Wise, Virginia, and McDuffie *vs.* Turpin, Alabama. The cases of Jackson and Pendleton were decided upon charges of error or illegality in the count of a few votes in each case. The case of Mudd *vs.* Compton involved the allegation that a few illegal votes had been cast and counted for the contestee.

In three of the twelve cases disposed of the color line did not present itself, and in the nine other cases disposed of in which there was any pretense or claim that violence, intimidation, or fraud was resorted to in order to prevent the casting or counting of votes cast or offered to be cast by colored voters, the committee and this House has found and declared that as to six of these cases there was no foundation in fact for such claim or pretense, and that as to those six districts the elections therein were fairly and honestly conducted. Hence, we see that in but three districts have the charges that the laws were violated or that fraud, intimidation, violence, and crime were resorted to in order to prevent colored citizens from exercising the rights of citizenship been sustained by this House, and, hence, to the official action of gentlemen I appeal against their malignant partisan utterances on this floor.

Mr. Speaker, is the indictment presented by this measure against the people and the election officials of the country or any section of the country true? Does the condition in regard to our elections alleged in argument exist?

No man who loves his country would desire to see any of its laws violated or any section of his country by reason of disrespect for law brought into contempt. Much less can we afford to acquiesce in or condone offenses against the free suffrage of the people, upon which depends the existence of republican government. But, sir, perfect respect for and obedience to the laws relating to the suffrage can no more be expected than perfect observance of and obedience to any other law.

The history of the world from the beginning furnishes no warrant for expectation that any law, human or divine, will meet with absolute respect and observance. So long as the perversities of human nature require the enactment of laws for the government and restraint of man so long will there be violations of those laws.

Since the finger of God wrote upon the tablet of stone on Sinai's heights "Thou shalt not kill" there have been murders. Since the finger of God traced upon that tablet the words "Thou shalt not steal" there have been larcenies. Since an omnipotent God commanded "Thou shalt not bear false witness against thy neighbor" there have been slanders and perjuries. But, sir, because there has been murder committed, it does not follow that all men are murderers or that any community in which murder has occurred is a murderous community. Because the world's history is defaced with records of larcenies, of slanders, and perjuries, it does not follow that the communities in which these crimes were committed were guilty participants in these crimes or guilty of complicity with the perpetrators of such crimes. Nor does it follow that, because, perhaps, in many communities throughout the land there have been crimes committed against the purity of elections, therefore, every community where such crimes have been committed is unworthy to be intrusted with the administration of the laws or the conduct of the elections of their own officials.

No one will assert, sir, that all our elections everywhere or anywhere are conducted with absolute respect of and in obedience to law or that offenses are not committed against the purity of the ballot.

But, Mr. Speaker, what is the evidence concerning the extent and prevalence of crimes against the ballot? We have the statement of every honorable gentleman who has spoken from this floor in support of this measure that in his own district elections are conducted with the utmost fairness and honesty, and that for those districts this law is unnecessary and will not be enforced therein, but they allege that in other districts and in other sections there is a total disregard of law and every conceivable crime against the ballot is committed. It is significant that not one of these honorable gentlemen assumes to speak from personal observation concerning the conduct of elections in districts where they assert that crime and lawlessness prevail or that they were ever in those districts. Almost every charge and allegation upon which they urge the necessity of this measure is based upon a recital from a partisan press, wherein every crime, every act of lawlessness, every disorder, and every violation of law occurring in a particular section of the country, whether contemporaneous with an election or not, and no matter from what cause originating, are distorted into an offense against the laws of elections, having for its object the suppression of the colored vote.

Notwithstanding that thinking men view with grave alarm the indifference of electors and their reluctance to participate in political affairs and that this indifference is so prevalent that laws are being enacted to compel citizens to participate in elections and to vote thereat, gentlemen upon this floor urge as conclusive evidence of intimidation of voters and suppression of votes that the full registered vote of a district has not been cast or that the number of votes which a district should be entitled to cast as shown by census statistics has not been polled.

It would not lessen the conviction of these gentleman concerning the value of this evidence or the strength of their deductions therefrom for me to state that in my own city, at its last election, when great interest in the result was aroused and when excitement ran high, out of a registered vote of 37,000 but a little upwards of 22,000 were cast. Against the evidence, such as it is, and the assertions of gentlemen presented in support of these impeachments and slanders of communities and States, evidence of such character that no attorney who valued his reputation would think of presenting it in support of any issue in any other tribunal, to show how little of truth is found in these charges, and in defense of my country and the good name and fame of all her people in every section, I again call the attention of the House to the fact that at the election of members to this House in the three hundred and thirty districts of the country there was no claim or pretense but that all of said elections had been without taint, absolutely fair, free, and honest, except in seventeen districts; that in twelve of these districts the charges had been investigated and determined by this House, and in but three was there found any evidence of intimidation of voters or suppression of votes, or any other willful violations of the election laws.

I call the attention of the House and country to this fact that in this debate, and for years in the Republican press of the country, the State of Mississippi and her people have been charged with every crime against the ballot. The chairman of the Committee on Elections has, in this debate, poured forth the vials of his wrath against her and her people. We have heard much from him and others as we have read and heard much in the Republican press about "the Mississippi plan," about "the shotgun policy," about violence and murder and other crimes committed in that State and by her people, whereby almost the entire negro vote of the State was suppressed at every election. But, sir, for the ascertainment of the truth concerning the conduct of elections in that State we are not compelled to rely upon the heated utterances of the gentleman from Illinois, nor yet upon the malignant utterances of a partisan press.

Conclusive evidence regarding the facts is within our reach. An official record thereon is before us. That record, made in part by the gentleman from Illinois, is in every part at variance with his utterances on this floor. That record shows that there was no claim or pretense that the colored vote of that State had been suppressed or that there was any unfairness or illegality in the elections held in that State for members of the Fifty-first Congress, except in three of her Congressional districts. There were but three contested-election cases from that State. In all the other districts the elections were admitted to be fair. These contests were from the districts known as the "black districts," where the colored population predominates.

Those three cases were heard by the Committee on Elections and by the House, and all were decided in favor of the contestees. Those

three cases were heard and considered by the committee upon records which contained all the evidence, relevant or irrelevant, which tended to throw light upon the conduct of those elections or which bore in any manner upon the question of the fairness, the freedom, or the honesty of the elections in those districts. And upon that record, upon that evidence, the gentleman from Illinois and the other gentlemen who in debate talk about "the Mississippi plan," about "the shotgun policy," about violence and murder being resorted to in Mississippi to prevent free and fair elections, were compelled, under their oaths of office, to find and declare that such charges were absolutely untrue; that the elections held in the only districts of the State where pretense had been made that elections were not honestly conducted were free from any taint; that the contests were without merit, and that the gentlemen representing each of these districts by virtue of the certificates of their State were honestly elected and were entitled to retain their seats.

Mr. Speaker, let us go a step further in the investigation of the truth of the charges upon which this bill is based. I present to you the testimony of "witnesses who know whereof they speak." The gentleman from North Carolina—not from Massachusetts, not from Illinois—the gentleman from North Carolina [Mr. EWART], arising in his place here and as a Republican, declares that elections are as free and fair in his State as in any State of the Union. He declares that no Republican, white or black, is deprived of the privilege of voting for the candidates of his choice in that State, and that when they vote their ballots are fully and honestly counted.

The gentleman from Louisiana—not from Maine, not from Iowa—the gentleman from Louisiana [Mr. COLEMAN] says the elections in his State are free and fair, and that the count of ballots is correct and honest, and as a Republican he protests against this measure as a foul and false indictment of his people.

The gentleman from Indiana [Mr. CHEADLE] says that there is no more necessity for the enforcement of a law like this in any part of the South than there is in the State of Indiana; that there is as much suppression of votes in Indiana as elsewhere. The gentleman from New Jersey [Mr. LEHLBACH] says that if it should be enforced in the South it should be enforced also in New Jersey; that elections are as honest in the one place as in the other.

Mr. Speaker, the American student who investigates and studies the conduct of our elections, and compares them with the methods and practices which prevail in the election of members of that other great Anglo-Saxon Parliament, will have no reason to blush for his country and will find no developments coming forth from the crucial fires of this debate to warrant him in the belief that the time has come when it is necessary to take from a free people the control of the machinery for the selection of their law-makers.

But, Mr. Speaker, if reform in the conduct of our elections is demanded, if there be such violations of law and such prostitution of the suffrage for partisan ends as is asserted, does the measure we are considering promise relief from that condition; does this bill offer hope or promise of reform? I submit, sir, that the only results to follow the adoption of the system here proposed would be to increase in an immeasurable degree the evils complained of and to lessen the interest and responsibility of the people in affairs of government and transfer such responsibility solely to the official class, thereby creating an official autocracy in whom would be absorbed all the powers of Government vested in and reserved to the people by the Constitution.

Under existing law the ballots of the people are received and counted by men in each community chosen by the community because of their fitness and integrity to perform other high official duties, or who are selected and appointed to perform such duties by the incumbents of other high offices, chosen thereto by the free voice and suffrage of their fellow-citizens who know them and trust them and to whom they are immediately responsible for the manner in which they discharge the trusts reposed in them. For these you would substitute supervisors who may or may not be of the community or known to the community, who are not elected by or responsible to any constituency for the discharge of such important duties. You assume that the judges and clerks of election as now chosen are dishonest and that the communities they serve prefer dishonesty to honesty in the conduct of these public servants, yet how much less are the restraints against dishonesty and the guaranties for honesty in this particular under the system you propose.

By this measure you say that boards of county supervisors, county judges, county commissioners, with the clerks of the counties constituting the bodies authorized by law to canvass and tabulate the precinct returns, are corrupt, dishonest, and untrustworthy, and for all these you would substitute one man your chief supervisor in each judicial district (in many cases embracing a whole State), who is appointed to the place by a judge who may or may not know him, and who will be guided and influenced in making such appointment by men who make partisan politics a profession and whose sole aim will be partisan results, regardless of the means to be employed thereto.

In the hands of this one man you would intrust the discharge of duties you are not willing to intrust to the highest officials of all the counties of a district or of a State. To this one man thus chosen, and responsible only to the political party that secures him his appointment and whose servant he is, you would intrust not only the duty of appointing all your judges and clerks of election, but also of tabulating and making returns of the results. Gentlemen, have you duly contemplated the enormous power and the unrestricted opportunity for robbing the people of true representation which you purpose to intrust to this one man, a circuit-court commissioner generally, an alleged attorney, who has demonstrated his inability to obtain a livelihood in the legitimate walks of the profession, and who accepts the position as a means thereof?

A great Irish poet has said:

> Let me write the songs of my country and I care not who makes her laws.

I greatly fear, Mr. Speaker, that your chief supervisor will parody this sentiment by saying, "Let me tabulate the returns of your elections and I care not who casts your votes."

Mr. Speaker, every link in the chain that binds together the machinery of this measure bears evidence that it was forged not to purify, but to corrupt elections, not to insure correct returns, but to falsify returns, not to enforce the expression of the will of the people, but to subvert the will of the people, not to enfranchise, but to disfranchise.

But the crowning evidence of this purpose as well as your insolence towards and insult of the people is found in the returning-board clause of this measure. You say that the governors of States and secretaries of state elected to those high offices by constituencies many-fold greater than any you represent can not be trusted in the performance of their sworn duties; that the people elevate to those high places men who are so criminally dishonest that they can not be safely trusted with the compilation of the returns of the elections of their own people, or to certify therefrom whom the people have chosen, but that such duties may safely be intrusted to a partisan board of your creation composed of professional politicians.

Think you, gentlemen, that the intelligent people of this great country will hail with rapturous delight the passage of a measure based and founded upon an assumption that they have grown so dishonest, so criminal in their practices, that they can not longer be intrusted with the discharge of duties that for more than a hundred years have been intrusted to their fathers? Think you that you can thus with impunity slander, traduce, and insult the intelligent, brave, honest, and noble people of this country, whose servants, not masters, ye are and, by the grace of God, shall remain?

Mr. Speaker, the history of the Republican party does not justify the presumption or belief that its only purpose in seeking the enactment of this measure is to purify the ballot or to protect constituencies in the right to be represented by Representatives chosen by their own free voice. When we behold the Representatives of that party arising here in their places and denouncing offenses against the freedom of elections, protesting against the suppression of the voice of the majority, demanding a free ballot and a fair count, and hurling forth anathemas against those who would interfere with the right of the people to have their laws made and administered by officials duly and freely chosen by the people, we are vividly reminded of the portrayal of a strangely similar incident recorded in ancient and trustworthy history, to wit, that of Satan rebuking sin. Disclaiming any intention or thought of applying what I have just said to any individual as a representative of the Republican party, permit me to quote from the speech of the gentleman from Kansas [Mr. PERKINS]. Upon this measure he said:

> Mr. Speaker, it has been charged in the course of this debate that this is a Republican measure. I desire to admit it. It has been charged also that this was a partisan bill. In the sense that it is intended to give to every honest voter the opportunity of casting an honest vote, I admit that it is partisan. For more than twenty-five years it has been the doctrine of the Republican party that every qualified voter under the laws and Constitution of our country should be permitted to cast an honest ballot and to have that ballot honestly counted, and in that sense this is a partisan measure. This demand for honest elections is no new-born zeal with Republicans.
>
> For more than twenty-five years we have insisted that every man, no matter what the color of his skin, no matter what his nationality or creed, if he was qualified as an elector under the law and under the Constitution, should be permitted unchallenged and unrestricted to cast a ballot representing his convictions and his thoughts.

Mr. Speaker, if the doctrine of the Republican party for the past twenty-five years has been as stated by the gentleman from Kansas, then there has been a woful difference between its doctrine and its practices.

Before the people of this country can be made to see the Republican party as the gentleman from Kansas portrays it you must efface from men's minds and from the pages of your country's history all records of your test-oath disfranchisements. Blot out the record of the years of dark and bloody reconstruction. Let mothers teach their sons that the history of their country is a lie; that State government after State government was not overturned, and Legislature after Legislature was not organized nor dissolved by the bayonets of the Republican party. Teach them that the record of the Presidential contest of 1876 is as false as that record is black and damnable. Teach them that the Republican party did not then stifle and annul the voice of the people, trample upon the suffrage, disfranchise a majority of the citizenship of the nation, and, through a prostituted judiciary, by methods as revolutionary and treasonable as any for which revolutionist or usurper ever paid penalty with his life, set up in the high places of the nation to rule over the people

rulers not chosen by the people. Teach them that the measure we are now considering is not the most revolutionary, bold, and audacious step ever taken with the design of robbing a free people of the only safeguard to self-government.

Sir, when the present generation shall have passed away and when the children yet unborn shall have been taught that all the record of their country's history is but a lie, then, and not until then, will the world believe that the Republican party in the past has been true to the doctrine "that every qualified voter under the laws and Constitution of our country should be permitted to cast one honest ballot and to have that ballot honestly counted."

Mr. Speaker, I have treated of this measure only with regard to its general scope and purpose and of the probable results as regards the accomplishment of the reforms it is asserted by its advocates that it was designed to accomplish. I will not here discuss its provisions in detail, to show the enormous cost and expense it would unnecessarily entail upon an already overburdened people, nor yet its inquisitorial features which under the pretext of verification of the registration of voters authorize the invasion by its minions of the homes of the people for the apparent purpose of obtaining pretexts for annoying and harassing our foreign-born citizens and depriving them of their rights of citizenship.

I have shown that the conditions asserted as a foundation for this measure do not exist; that, if such condition as is alleged did in fact exist, this measure instead of being a measure of reform would only increase the evil and augment the danger. Its asserted object, therefore, is not and can not be its real object.

What, then, is the real purpose of this measure? Read in the light of the history of the past, of the conditions of the present, and the certainties of the future, there is no difficulty in reading aright the solution of this question. Sir, the purpose of this measure is that the Republican party now, when it has forfeited the confidence of the people and can no longer hope to retain power with the consent of the people, may perpetuate its power in despite of the will of the people.

Mr. Speaker, on that eventful day of Appomattox, it was supposed that civil war in this country had ended forever. The participants in that great struggle so believed, and so sincerely hoped. Those who followed the flag that still waved, and which I pray under God's providence may continue to wave over a free and united people until time shall be no more, and those who followed the flag that was then furled never to be unfurled again had on a hundred battle-fields learned that each had met a foeman worthy of his steel. The superb courage of each had won the respect of the other, and each felt a just pride in the remembrance that they were of the same race and of the same country, separated only for a time that the reunion might be more fraternal. When that war had closed they parted as friends, not as foes, and each resolved himself back into the citizenship of the land, there to aid with his grand physical courage and God-given intelligence in the moral and material growth and advancement of a restored Union, a common country.

But, sir, all the citizenship of the land did not participate in that great struggle, and unfortunately there was too large an element to whom a complete restoration would bring no feelings of gladness. To them an end to the war was to mean conquest and not restoration, and therefore bitter was their disappointment when the humanity of a Lincoln and the magnanimity of a Grant put an end to their expectations of lootings and plunderings.

Into the field of politics thousands of this element then turned for the spoils they had expected from conquest. A grand army of this class invaded the States lately in rebellion, and, taking advantage of the enfranchisement of the negro, by fomenting race prejudice and by the aid of test-oath enactments and other laws for the disfranchisement of the whites soon foisted themselves into the high places in the governments of all those States, and devastation and desolation worse and more lasting than the devastations and desolations of war followed in their footsteps. Their brethren of the same class in the North bent their energies to the task of fanning the embers of the war into flame and fomenting a wave of sectional hatred, upon the crest of which they might and did ride into place and power. Campaign after campaign was fought and won upon issues which appealed only to the vilest and basest passions of man.

But, thank God, we were living in a new era. We were living in the age of steam and electricity. The Goths and Vandals in time had been driven from many of the States of the South, and then the capital of the North began to build railways and telegraph lines into the South, and then it touched with its magic wand the rocks that hid the fountains of her illimitable wealth, and there gushed forth a living stream of prosperity for both sections. The wave of sectional hatred was turned back. The prosperity of the South had become a matter of selfish interest to the North, and the war and its memories were no longer a potent issue upon which campaigns could be won.

But the men who rode into place and power on the waves of sectional hate have not all been retired. Their voice is yet abroad in the land. They are here in this Chamber, and their voices are all-powerful here. Again we hear their bugle notes summoning their followers to a campaign of hate. The men who during the four years of actual war could not find a recruiting office now talk of "voting as they shot." The assistant paymasters now prate as glibly of war and battles as the grizzly bearded cannoneers. The judge-advocate of the home guard, standing in the silent bivouac of the heroic dead, talks bravely of the suppression of treasons and rebellions. He who in time of war confessed that "but for these vile guns he would himself have been a soldier" now declaims of "guns and drums and wounds." "God save the mark."

Sir, these men, invisible in war, invincible in peace, who thus and here, but here alone, play such heroic parts, have yet a deep design and one that bodes no good. There is a double purpose in this scheme. By rekindling again the fires of sectional hatreds you may hope to draw the minds of the people away from the great questions they are now considering, and by this means obtain for your party an extension of its lease of power. But failing in this you are providing by this measure the machinery by which you may perpetuate your power regardless of the will of the people.

But, Mr. Speaker, you will fail. The people of this country know too well the value of that great safeguard of liberty, the right of choosing their own law-makers, and never will they voluntarily surrender that right, but in the years that are to come, as in the years that are past, the people of this great country will march steadily onward in the enjoyment of the liberties bequeathed to them by the fathers, presenting to the world the sublime spectacle of the whole people of the greatest of all nations looking not to the bayonet, but to the decrees of their own courts and the verdicts of their own juries for the protection and preservation of their liberties and the enforcement of their laws.

Original-Package Bill.

SPEECH

OF

HON. WILLIAM C. COOPER,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890,

On the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. COOPER, of Ohio, said:

Mr. SPEAKER: In the brief time allowed me I will not undertake to do more than to express my earnest hope that we in this House will improve this our first opportunity to pass some measure relieving the people from the very unfortunate conditions resulting from the so-called "original-package decision" of our Supreme Court.

Sir, the unmeasured evils resulting from the free, untrammeled traffic in intoxicating liquors are known to and conceded by all, and therefore in every State in the Republic laws have been enacted affording the people at least some protection against these evils. Some of the States forbid it altogether; in others there is local option, taxation, license in various degrees. In many, if not in most of the States, provision by statutes has been made against the invasion by this traffic of religious societies, camp-meetings, agricultural fairs, educational institutions, the sale of liquor upon election days, etc.

The wisdom and the necessity of most of these laws few men will challenge; yet all these wise, salutary, and beneficent enactments are now everywhere insolently defied, set aside, and trampled down, and this traffic is publicly carried on without restraint, regulation, license, or taxation in each of the States—not by the citizens of the State where the liquor is sold, but by those who are not residents of the State, who do not obey the laws of the State, who do not pay taxes to the State, or in any way contribute to the support of its institutions.

Sir, I aver that there has never been in our nation's history so flagrant an instance of the violation of the doctrine of home rule or the right of the people to control their own local affairs and make their own police regulations as is here presented.

Sir, I believe that the first duty of the hour is that Congress shall enact some measure of relief from this wretched condition of affairs. The people are everywhere asking for it; they are earnest, importunate, and loud. The mighty voice of their petition comes to us from all over the land like—

> The roar of the ocean when navies are stranded;

And it is neither just nor wise for us to turn a deaf ear to their appeals. We should pass some measure of relief, and that quickly.

The people have no patience with doubts as to the constitutionality of legislation which the Supreme Court manifestly suggested and invited in the very decision of the original-package case itself, and they will regard advice to wait until the Supreme Court modifies the decision as mere mockery and but a cowardly pretext for refusing their just demand.

In conclusion I beg leave to say that, while I can and will cheerfully support the House substitute, I much regret that the Judiciary Committee did not deem it proper to accept the Senate bill as it came to us. The House substitute may be and perhaps is much better, but if our refusal to accept the Senate bill should result in the failure to secure any legislation upon this subject at this session of Congress, it would be in my judgment an immense mistake upon our part and a dire calamity to the country.

Original-Package Bill.

REMARKS
OF
HON. SCOTT WIKE,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890,

On the bill (S. 396) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. WIKE said:

Mr. SPEAKER: As I can not see my way clearly to the support of this bill, it is proper to state briefly the reasons that impel me to vote against it, though time for debate is too limited for general discussion.

The Constitution which I have sworn to support declares that all powers not delegated to the United States by it nor prohibited by it to the States are reserved to the States, respectively, or to the people. The power to regulate or prohibit the manufacture or sale of intoxicating liquors was never delegated to the United States nor prohibited to the States; hence Congress has no power over those subjects, but they are reserved to be exercised by the people of the several States through their State and local authorities.

Independent of this constitutional provision the Supreme Court of the United States has repeatedly held that there is an inherent power in the people to protect and preserve the life and health of the citizen and the peace, good order, and public morals of society. This inherent power is comprehended in what are termed the police powers of the State.

The Supreme Court has also decided that intoxicating liquors belong to that class of objects with which the Legislature of a State may deal, in its discretion, to promote the objects just enumerated, and has consequently repeatedly held that the States might prohibit the manufacture and sale of intoxicating liquors at pleasure.

The following quotations from decisions of the Supreme Court are given to sustain these views and are but samples of a long line of authorities:

Whatever differences of opinion may exist as to the extent and boundaries of the police powers and however difficult it may be to render a satisfactory definition of it, there seems to be no doubt that it does extend to the protection of the lives, health, and property of the citizens and to the preservation of good order and the public morals. The Legislature can not by contract divest itself of the power to provide for these objects.

They belong—

Speaking of intoxicating liquors—

emphatically to that class of objects which demand the application of the maxim of *salus populi suprema lex;* and they are to be attained and provided for by such appropriate means as the legislative discretion may devise. That discretion can no more be bargained away than the power itself. (Boyd *vs.* Alabama, 94 U. S., 645; 97 U. S., 192.)

Again, the Supreme Court says in the case of Stone *vs.* The State of Mississippi, 101 U. S., 814:

No Legislature can bargain away the public health or the public morals. The people themselves can not do it, much less their servants. The supervision of both these subjects of governmental power is continuing in its nature, and they are to be dealt with as the special exigencies of the moment may require. Government is organized with a view to their preservation and can not divest itself of the power to provide for them. For this purpose the largest legislative discretion is allowed, and the discretion can not be parted with any more than the power itself.

The Supreme Court went out of the broad, beaten road of Constitutional construction and "followed a rabbit track," as the saying is, to hold that a sale was necessary in the Iowa case to constitute the article a part of the mass of property in the State.

It would better have followed the decision in the New Orleans barge-coal tax case in 1884, where the coal had remained in the barge, or "original package," and the New Hampshire case, and the opinion of Chief-Justice Taney, who was no mean expounder of Constitutional law, cited in 5 Howard U. S. Supreme Court reports.

In the New Orleans case the court says:

It (the tax) was imposed after the coal had arrived at its place of destination, and was there put up for sale. The coal had come to its place of rest for final disposal or use and was a commodity in the market of New Orleans. It might continue in that condition for a year or two years or only for a day. It had become a part of the general mass of property in the State, and as such it was taxed for the current year, as all other property in the city of New Orleans was taxed. (Brown *vs.* Houston, 114 U. S., 632.)

And in the New Hampshire case the court, Chief-Justice Taney delivering the opinion, said:

Upon the whole, therefore, the law of New Hampshire is in my judgment a valid one. For, although the gin sold was an import from another State and Congress has clearly the power to regulate such importations under the grant of power to regulate commerce among the several States, yet, as Congress has made no regulation on the subject, the traffic in the article may be lawfully regulated by the State as soon as it is landed in territory, and a tax imposed upon it, or a license required, or the sale altogether prohibited, according to the policy which the State may suppose to be its interest or duty to pursue.

Justice Grier well puts it in his opinion in the celebrated license cases, decided by the Supreme Court in 1847 (see 5 Howard, 631):

I do not consider the question of the exclusiveness of the power of Congress to regulate commerce as necessarily connected with the decision of this point.

It has been frequently decided by this court "that the powers which relate to merely municipal regulations, or what may more properly be called internal police, are not surrendered by the States or restrained by the Constitution of the United States; and that consequently, in relation to these, the authority of a State is complete, unqualified, and conclusive." Without attempting to define what are the peculiar subjects or limits of this power, it may safely be affirmed that every law for the restraint and punishment of crime, for the preservation of the public peace, health, and morals, must come within this category.

As subjects of legislation they are from their very nature of primary importance, the foundation of social existence; they are for the protection of life and liberty, and necessarily compel all laws on subjects of secondary importance, which relate only to property, convenience, or luxury, to recede when they come in conflict or collision. "*Salus populi suprema lex.*"

If the right to control these subjects be "complete, unqualified, and exclusive" in the State Legislatures, no regulations of secondary importance can supersede or restrain their operations on any ground of prerogative or supremacy. The exigencies of the social compact require that such laws be executed before and above all others.

It is for this reason that quarantine laws which protect the public health compel mere commercial regulations to submit to their control. They restrain the liberty of the passengers, they operate on the ship which is the instrument of commerce, and its officers and crew, the agents of navigation. They seize the infected cargo and cast it overboard. The soldier and the sailor, though in the service of the Government, are arrested, imprisoned, and punished for their offenses against society. Paupers and convicts are refused admission into the country. All these things are done, not from any power which the States assume to regulate commerce or to interfere with the regulations of commerce, but because police laws for the preservation of health, prevention of crime, and protection of the public welfare must of necessity have full and free operation according to the exigency which requires their interference.

The court, in the "original-package case," so called, should have followed the authorities quoted and others sustaining the rights of the States in the exercise of their police powers, instead of revolutionizing the theory of our Government by striking them down and setting up the doctrine of the centralization of power in the General Government at the expense of popular and State sovereignty as recognized by the Constitution; and as nine-tenths of the members of both Houses of Congress condemn this latest decision as unwarranted it would be strange indeed if Congress should imitate the court in the infraction of the fundamental law.

The power, therefore, to deal with the subject of intoxicating liquors residing already with the States, and not with Congress, the latter can not confer any additional power upon them; and to assume to do so would be dangerous in the extreme, since, if such power were assumed and exercised in order to bring about certain results, say the prohibition of the sale of intoxicants, a subsequent Congress might be invoked to repeal such an exercise of power, in order to produce opposite results, in the liquor interests, to inhibit a State from preventing such sale; and, this sort of legislation being illimitable, that is, not confined to the subject of intoxicating liquors, it would be found easy under such assumption of power for the General Government to absorb the legislative powers of the States and leave them entirely at the mercy of Congress. So that it will be found that, with this class of legislation once recognized, the liquor question would cease to be a local one and would become national in its character. That would certainly not be desirable, though it is now insisted upon by radical prohibitionists. The question should be left to the States freed from even any implied power in Congress to interfere with it in any sense further than as a matter of taxation; and, so far as it might be considered independent of the police powers of a State, it might become subject to the constitutional power of Congress to regulate commerce among the States. It would be a startling stretch of power to hold that the authority to regulate commerce "among the States" gives Congress the right to regulate the manufacture and sale of intoxicating liquors within any State, whether the same were imported or not.

The Supreme Court, therefore, in view of the treatment of this subject by the people and the States, as well as by the courts themselves for the last fifty years, committed a most grievous error when it decided the recent Iowa "original-package" case, in denying or appearing to deny to the State the power to regulate the sale of imported intoxicants within its limits, and an error, too, and a wrong against the right of the people to regulate and control their domestic institutions in their own way, at which these same people, who are above the Supreme Court, as well as above Congress and the Executive, have a right to feel indignant.

It is not, however, to be apprehended that, when the question comes fairly and squarely before the court, of the right of a State to regulate or suppress saloons for the sale of intoxicating liquors, it will decide that such saloons in full blast may be imported into a State against its laws and against the will of its people, or that an "original package" descends from the imported barrel to every drink of whisky

that should be drawn out of it, or from the crate, case, or box to each bottle, vial, or capsule that may have been imported therein. So that it would appear for the present, at least, that the part of wisdom is to permit the courts and the people to settle the controversies growing out of the liquor question, without the interference of Congress, as it can not reasonably be doubted they will settle them correctly and satisfactorily.

As to what the Supreme Court may be expected to do in the premises, I submit the following extracts from a speech delivered a few days ago at the other end of the Capitol by that eminent jurist and statesman, Mr. EDMUNDS, of Vermont:

It may be that when the next case comes up on a further and wider consideration the very gentlemen who now compose the court, differing as some of them did with the majority, may come to the conclusion that they had been led into an error and that they may still hold that the States of the United States in respect of what shall be done in those States, and not among them, is a matter that the Constitution leaves to those States to regulate as they will.

So I do not feel absolutely condemned and overpersuaded and feel myself as put in a box by what the Supreme Court of the United States have so recently said. It is their mission to decide causes between parties as they think they ought to be decided; and, as they have often done, it may be their mission next year to change their opinion and say that the rule ought to be the other way. So I do not feel deeply embarrassed by the fact that the Supreme Court of the United States has taken the largest step that in the whole hundred years of the Republic has ever been taken toward the centralization of power somewhere, either in the Supreme Court or in Congress, one or the other.

I do not believe, for one, in the centralization of power. I believe in its segregation and separation in every respect that concerns the internal affairs of the body of the people in every one of the States, leaving out of the question those universal human rights that everybody agrees are intrinsic in men and citizens.—*Congressional Record*, page 5217.

And further on, in the same speech, he says:

Now, where is the line? The line is, I think, a line which the Supreme Court of the United States appears to have gone over, that when your act of transportation, your act of commerce among the States or from foreign nations has become complete, and the word "among" no longer applies, and the commodity is in the State where its transportation is ended, and it is in the hands of its owner there, whether that owner be a citizen of one State or another makes no difference, it is then just like the commodity of the same nature, all the laws being equal, in the hands of the citizen of the State who made it there himself, the subject of the State law; and that is what the Supreme Court of the United States within the next twenty years will come to.

It is not to be denied that the difficulties that have been sprung upon the country by this unfortunate decision of the Supreme Court, as well as the questions involved in this legislation, are of a serious character, and it is not surprising there should be a difference of opinion among Congressmen, as well as in the minds of the public, as to the constitutional power of Congress to relieve the embarrassment of the situation by proper legislation. As a strict constructionist of the Constitution, which, I repeat, I have sworn to support, I do not believe that Congress can constitutionally relieve the situation by delegating to the States its authority over the subject of the regulation of commerce among the States, so as to enlarge the powers of the States beyond what they now possess.

This statement, taken from the majority report of the Senate Judiciary Committee submitted to the Senate during the last Congress, forcibly puts the matter, namely:

It is equally clear that Congress can not part with or delegate to a State any power which has not been reserved to it. Congress can not return to the States a power given by the Constitution to Congress; much more can not Congress delegate or surrender a granted power to any portion of the States, for that would *pro tanto* invest the State with power not possessed by the other States.

That report further goes on to say:

The power here claimed (as is claimed in the bill before the House) is a power denied both to the States and to Congress; and the effect of the bill is to create a constitutional power by the joint action of two parties to both of whom it is prohibited. This, we think, can not be done.

And again:

It should not be overlooked that the province of State control over what concerns the police regulation of domestic health, peace, and general good order and well-being within each State is, under the Constitution, as secure against intrusion from Federal authority as the regulation of foreign commerce by the General Government is from encroachment upon that province by State authority. It is not desirable that Federal legislation should seem, by inference even, necessary to impart or maintain aid or protection to the State's exercise of its authority within the province of State domestic control.

A Representative in Congress should be especially jealous of the integrity of the legislative department of the Government and zealous in defending against encroachment upon it by the other departments, by either a curtailment of its powers or an enlargement of them, or an enlargement of its duties beyond the powers clearly defined in the Constitution; and therefore that statement in the recent decision of the Supreme Court that declares, in substance, or intimates that Congress has power to clothe the States with certain rights necessary to enable their people to enjoy the privileges and exercise the rights of self-government is totally abhorrent to my idea of the independence not only of Congress, but of the people, and the rights of the States under the Constitution.

It is, however, argued that this bill does not delegate such authority, but simply makes the States an agency of the General Government in the regulation of commerce.

And it is again insisted that the law itself is merely a regulation of commerce, while the radical prohibitionist insists there is an overpowering necessity for interference that rises higher than constitutional obligations.

As at present advised I differ from all these; but the advocates of all the different and conflicting theories are earnest and honest and in the near future may come together upon a common ground of agreement. It would be wise, in my judgment, therefore, not now to adopt doubtful legislation, but to allow the matter to remain for the present, as before suggested, for the arbitrament of the courts.

While I am not a prohibitionist in politics or principle, I am a firm believer in the right of every State to regulate the question of the manufacture and sale of intoxicating liquors within its borders in its own way, and even though that way leads to absolute prohibition; but I do not believe that Congress has any constitutional power (other than that of taxation) to interfere in any way with the subject in the States or in any way to control a State in its management of the entire question, either by giving it greater power than the Constitution leaves to it or by detracting therefrom.

I do not apprehend there will be any permanent embarrassment to the local governments growing out of the recent decision; but, should there be an irreconcilable conflict between the people of the country and its courts which is not in the power of Congress to remedy, then there is provided a speedy method by constitutional amendment to remove any supposed or real impediment in the way of the free exercise by the people of the right to regulate and control their domestic affairs in their own way. And in the mean time it is better to "bear those ills we have than fly to others that we know not of." It will be time enough to adopt doubtful legislation to correct the error in question, even should resort ever be had to such an expedient, when all legitimate efforts to that end fail.

For the reasons indicated in these remarks and deducible therefrom I shall vote against this bill; but with a view to making it less objectionable I shall vote for some of the amendments proposed, although they may not appear to be entirely free from all of the objections urged against the main proposition.

Federal Election Law.

SPEECH

OF

HON. BENJAMIN H. BUNN,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890,

On the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.

Mr. BUNN said:

Mr. SPEAKER: I have remained a silent though thoughtful observer of the constant usurpation of power by the majority of this House since I have had the honor to be a member.

I have heard the majority declare upon this floor that they were responsible for all legislation enacted by this Congress, that the minority should not impede their onward progress, and in the very next breath appeal to the Speaker to add a few names of the minority as present and not voting to enable them to pass a bill.

I have seen the Speaker of this House override the precedents of his thirty predecessors, overrule himself and his own express declarations as a member of this House, and become the pliant tool of his party leaders. I have seen the Constitution trampled under foot by the majority for the sole purpose of fixing perpetual Republican rule upon us, and, when we have appealed to precedents and the Constitution itself, the only reply we have received was, "Rebel," "Rebel," flaunting the bloody shirt, and attempting to widen and deepen the bloody chasm.

Now, we want to ask you gentlemen not to forget that the rebels of 1861, if rebels you please to call them, had for their example the conduct of the sons of Massachusetts and New England when you refused to the General Government the militia, in 1814, and called forth the declaration from Mr. Jefferson that, "Some apprehend danger from the defection in Massachusetts. It is a disagreeable circumstance, but not a dangerous one. If they become neutral, we are sufficient for our enemies without them, and in fact we get no aid from them now."

Yea, sir, more than that. The expression, which will live as long as the history of this country shall live, "We will resist the power of this Government peaceably if we can, but forcibly if we must," originated with and fell from the lips of Mr. Josiah Quincy, the colleague of Daniel Webster. Now, I do not refer to these matters to revive the scenes which immediately preceded and succeeded the Hartford convention. I have not the desire nor the time to go into details, but I wish simply to show that it is about time to bury the past and turn our eyes to the future.

Mr. Speaker, I have watched, waited, and wondered if the end would ever come. Now, sir, I see that the purpose of the majority was not only to scatter the surplus in the Treasury to the four winds of heaven to prevent the cry which is haunting them from all sides for a reduction of taxation, but to humiliate and oppress the land I love, the home of innocence and of virtue, of honor and of manhood. I cannot longer remain silent. I should be unfaithful to my people if I did not rise in my place upon the floor of this House and defend them from the insinuation of fraud contained in this bill and from the open charges of fraud made upon this floor and hurl them back as false into the faces of the men who make them.

The majority have seen fit to stifle the voices of the representatives of a free people upon the floor of this House, and although we are to-day called upon to consider a bill to uproot a custom and a part of our system of government as old as the Government itself, dear to us by reason of its having been transmitted from our ancestors as one of the very corner-stones upon which this Republic was built, we are told that we are not to have more than three days to discuss it, and one-half of that time they will take to answer us; we are told that we shall only have two days to offer and vote on amendments, and on the sixth day we must vote on all amendments and the final passage of the bill. And in the mean time they reserve the right to call up any appropriation bill or bills that may be reported from committees, thus taking off the time of debate, as it does not postpone the time fixed for taking the final vote. They never lose an opportunity to vote away the public moneys.

There can be no question that this bill is intended for the South. This can be gathered from expressions upon this floor and elsewhere. An eminent gentleman from the other side recently in a speech delivered in this city said:

I believe that this Congress will pass a national election law. If this bill passes it will teach Southerners there is but one flag.

Now, this language is cruel and unkind and entirely without foundation or justification, and can only be excused on the ground of ignorance of our feelings; but it confirms what I have said. I thought the war was over and that we had met as national legislators. I will not, Mr. Speaker, review the power of Congress to pass this bill, but I will only say that it is, to say the least, a very questionable power. I will only refer to its expediency. Mr. Speaker, I want to tell this House that I chanced to be in New York on the 30th day of October, 1889, "when one of the most beautiful spectacles ever presented was seen at the highest point, in the city of Brooklyn, one of the most superb sites in the world, on the occasion of laying the corner-stone of the long-delayed monument to the brave men who went from the City of Churches to save this country. There, in the presence of thousands of boys in blue, the Rev. Dr. Behrends delivered the address. I shall never forget the effect of that address upon me and upon all who heard it. When referring to the cause of the late war and the reserved rights of the States under the Constitution and the different constructions placed upon it, he said:

The South is entitled to the moral relief which a frank and fearless recognition of this fact provides. They fought for what they honestly believed to be the doctrine of the founders of the Union.

This language, delivered as it was in the very heart of the North and to the Northern soldiers, emboldens me to appeal to my friends on the other side of this Chamber to call a halt; to stop in their mad career and hear the appeals of one who wore the gray, who on the bloody field of Gettysburgh, at Bristoe Station, the Wilderness, Spottsylvania, Cold Harbor, Gaines's Mill, at Malvern Hill, before Petersburgh, and elsewhere, met the boys in blue, one who honors every brave soldier of the late unfortunate war, I care not upon which side he fought.

I want to tell you in behalf of the men who wore the gray that they are as faithful to that flag which now floats over the head of the Speaker as any man upon either side of this House. And if the time shall come in our day when it shall be necessary to test that fidelity they will be found in the very front rank of soldiers fighting to sustain it.

They will put to shame some of the demagogues who ride into place and retain power by reason of the constant charges of infidelity against them.

I come not here, Mr. Speaker, to apologize for their course. I hate the man who would ask an apology and I despise the man who would give one, but I come to tell you that when they surrendered and took the oath of allegiance to the Government they took it without mental reservation, and to say that, however much they loved the cause of the South, they realized that the star of the Confederacy had set to rise no more, and they determined that no Union soldier or northern man should be more faithful to this Government than they. And I challenge any man to point to a single instance of violation of the parol taken by any Southern soldier when the army of the South surrendered.

We are tired of the charge of rebel, and we call upon you now to recognize us as your brothers. We are blood of the same blood and flesh of the same flesh. Hear our appeals. They come from the heart of the South. Our people, white and black, desire to be let alone. Nobody wants this law to pass, save and except a few politicians. I copy a letter from a Republican from my State as evidence of what that party thinks of it.

FORCE BILLS FOR THE SOUTH—HOW THE QUESTION IS VIEWED BY A SOUTHERN REPUBLICAN.

Editor Post: Congressman EWART was quite right in denouncing the Lodge election bill as a force bill and equally right in opposing it as a caucus measure, and should he have the backbone to oppose it as a party measure he will again be right and merit and receive reward. I say this as a Republican who lives in the so-called Black Belt. My county has 3,000 white voters to 700 black, and in politics it is about evenly divided. Elections, and I have had much experience, are fair, but where courage is they are bound to be so, and both parties have it here. Every reconstruction measure has been a failure, more or less, in so far as it attempts artificially to boost the negro above the Caucasian. The following up of these measures upon measures but serves to make an Ireland of the fairest part of this nation. It does not desire to be an Ireland; it wants rest, to be let alone.

Pass your silver bills, gold bills, tariff bills, pension bills—the South is unconcerned, the masses caring nothing. But let her alone without exasperating and useless and what will prove bitterly fruitless measures like this or any other force bill. Give her a chance to develop her resources, and she will be loyal to the nation. You can not force loyalty, but she is loyal now. The greater hearts of the North, of whatever party or condition, know this, and as a Republican who never faltered and a born Southerner I affirm it.

The negro can take care of himself, and he is doing it. He loves the South, he loves his people, he loves the whites here, even Democrats, far more intensely than he does any Northern man, and (I speak advisedly) far more intensely than any Northern man loves him. He knows that our administrations administer few of the crumbs of office to negroes; he is also fully aware that that bold statesman Mr. Cleveland (who, by-the-by, promptly turned me out of office) gave more such to real negroes than had been done before or since. Force bills retard everything South, and the prosperity of the negro race more than anything else. Sentimentality, whether it refers to the so-called negro question, civil-service hypocrisy, or gushing ante-Presidential nomination pledges, deserves, and will receive the condemnation of honest men and predestined damnation.

A. V. DOCKERY,
Late Editor Southern Protectionist.

CARTHAGE, N. C., *June* 19.

The South is making rapid strides towards improvement, and, with the relief which our agriculturists hope to secure at the hands of this Congress, our whole section will blossom as a rose. We beg of you not to check our onward progress. We have inviting fields for Northern capital, and it is pouring into our midst by millions. We stand with open arms to welcome you. Not a single man from the North who has visited our section and invested with us—I care not what his politics may be—will for one moment entertain the belief that this law is necessary. Indeed, I should want no more certain way to defeat its passage than to postpone action upon it and invite its advocates to go home with us and see and feel and know what we see and feel and know. Justice is all we ask, but the majority are and will remain in total ignorance of our beautiful Southland.

The late lamented Hon. W. D. Kelley, of Pennsylvania, after returning from a recent trip through the South, said:

I saw during my trip a country upon which the Almighty has with most lavish hand bestowed his richest material gifts. It is gorged with every mineral. I have scarcely been in a State that does not abound in coal, iron, copper, and lead, and have traveled over a region of country richly underlaid with gold-bearing quartz. Let me speak especially of North Carolina. My friends, North Carolina is the most beautiful and richest part of God's earth upon which my vision or feet have ever rested.

You know that she produces cotton, rice, indigo, tar, pitch, turpentine, and superior timber. You know that her soil and climate are adapted to the cereals, wheat, corn, rye, buckwheat, and oats, but you probably do not know that that State, long known as the Rip Van Winkle of the Union, from which more than fifty thousand free white men have fled to the two States of Indiana and Illinois, is the land of wine and honey, the apple and the peach, the fig, the pomegranate, all of which I saw prospering in open field and under the most artless culture Its native vines made the fortune of Longworth, who carried cuttings there. The wine-producing vineyards of Western Pennsylvania and around the border and on the islands of Lake Erie, and those scattered through Missouri, are from cuttings taken from the native vines of North Carolina—the Catawba, the Lincoln, the Isabella, and, richest of all, the Scuppernong, of which, as it has not yet been successfully transplanted, Eastern North Carolina has the monopoly. There it grows spontaneous as a weed.

The woods and hillsides teem with the richest honey-bearing flowers, and the bees invite you to put up a rude box, that they may reward your kindness with the sweetest treasure. There is not a vegetable we produce that will not thrive in North Carolina. Wealth and honor are the pathway of the New South. Her impulses are those which are impelling the advance of civilization and the progress of wealth and refinement. May the Almighty speed and guide her onward progress.

Those are words of wisdom and invite the careful attention of those whose duty it is to legislate in the interest of a united country.

Now, sir, I will add that the warmest possible feeling exists between the whites and blacks in my State, and they are working together to build up the waste places and unearth the hidden treasures which lie buried beneath her surface.

The Democratic party took charge of the State government of North Carolina in 1872. The Republicans had had unlimited control from 1868. When the Republican party took charge of the State government in 1868 the indebtedness of the State, upon every account, including interest, was $13,000,000. This was the aggregate indebtedness of a hundred years.

During the four years of their reign the Republican party in North Carolina incurred an indebtedness of $23,700,000, leaving us as a legacy, a debt, including the interest on the $13,000,000, of $40,000,000. Our grand old State never realized one cent of benefit for this additional indebtedness. They squandered the school fund which had been given to the State by the National Government, and which was preserved

and held sacred during the entire war. They sold almost every share of stock which the old North State had in her railroads. They never spent a dollar to enhance the material interest of the black man; never built a single school-house; never sent anybody to school or provided the means to run a school a single day; never provided in any way to care for the colored insane, deaf, dumb, or blind.

Now, sir, upon this record can my friends on the other side wonder that we have been forced to take charge of our own affairs and run the government of the State?

That the Democratic party in North Carolina has done absolute justice to the negroes no one can deny who is acquainted with her history. They have built asylums for their deaf, dumb, blind, and insane, in which they are cared for exactly as the whites are cared for in their own asylums. They are conducting normal schools for the education of negro teachers. They have built negro school-houses all over the State. They provide exactly the same means and methods for conducting negro free schools as they do for white schools. They provide exactly the same amount of money per capita for the education of the negro children as they do for white children, and in all respects guard and protect the interest of the negro in his rights of citizenship. They restored the school fund squandered by the Republicans. They restored the State's credit, compromised and funded her debt, and placed her bonds above par upon the markets.

There is one remarkable fact about the negro which fully demonstrates his confidence in the white Southern man, and that is if they have a case to be tried in a court of justice they always prefer to have white men on the jury, and this is especially the case if a colored man is on the other side of the case.

You never hear a word of discontent coming from the blacks till some political disturber comes among them. They are a kindly race, strongly attached to the Southern whites, and the whites have a very strong attachment for them.

They are improving rapidly, and gathering around them considerable estate. I have received a letter from one of their race in my district. Writing upon this subject, he says:

I have worked up this (Wake) county with the following result as to three items:

Property.	Number.	Value.
Land.....acres...	12,360	$98,704
Town lots	419	175,000
Horses and mules	555	27,698
Total value		301,402

These figures indicate that the actual value of property owned by negroes in this county is about $500,000, and in the State not less than $7,000,000.

The author of this letter is Charles N. Hunter, editor Progressive Educator, Raleigh, N. C.

It will be a matter of interest to study the negro question a little more fully, and I print some facts showing how they are gaining throughout this entire country, and their relative political power.

APPORTIONMENT ACT, FEBRUARY 25, 1882.

The House of Representatives to be composed of three hundred and twenty-five members, to be apportioned among the several States as follows:

Alabama	8	Missouri	14
Arkansas	5	Nebraska	3
California	6	Nevada	1
Colorado	1	New Hampshire	2
Connecticut	4	New Jersey	7
Delaware	1	New York	34
Florida	2	North Carolina	9
Georgia	10	Ohio	21
Illinois	20	Oregon	1
Indiana	13	Pennsylvania	28
Iowa	11	Rhode Island	2
Kansas	7	South Carolina	7
Kentucky	11	Tennessee	10
Louisiana	6	Texas	1
Maine	4	Vermont	2
Maryland	6	Virginia	10
Massachusetts	12	West Virginia	4
Michigan	11	Wisconsin	9
Minnesota	5		
Mississippi	7		325

Representatives that may be assigned to new States, when admitted, shall be in addition to the above. Congressional districts are to consist of contiguous territory, and are to contain, as nearly as practicable, an equal number of inhabitants. There is no requirement that the territory shall be compact in form, and a district might extend from one end of Texas or California to the other and be consistent with the law, although not consistent with reason and good conscience.

The population of the United States, exclusive of that of the Territories, was, in 1880, 49,371,340; and this number divided by 325, the number of Representatives from all the States, will give the apportionment of population to each district, namely, 151,911.8.

The Presidential election in 1884 was the first one held under the apportionment which was based on the census of 1880. The aggregate vote for Cleveland, Blaine, Butler, and St. John in 1884 was 10,044,062. And it appears, therefore, that this voting population in 1884 was more than a fifth of the total population in 1880; that is to say, it amounted to 4.915 of that population. But the aggregate population had increased considerably during the four years; and it is therefore safe to say that the voters were in the proportion of one-fourth of the whole people.

Let it be assumed, therefore, that as a rule, but not applicable to the colored vote of the Northern States, the voting population is now one-fourth of the total population.

There were in 1880, in the Northern States, or those which had no slaves when the war came on, 479,618 people of color. This class had increased in those States in the ten years from 1860 to 1870 at the rate of 50 per cent.; and from 1870 to 1880 it increased 41 per cent. It is probable that this rate of increase has gone on to the present time, though not equally in the different States; so that something like 40 per cent. must be added to the colored population of 1880 in the Northern States, which would give a total for 1890 of 671,465.

Now, the great increase of the colored population in the Northern States since 1860 is known to be due to emigration from the South; and it is equally well known that nine-tenths of that emigration has consisted of young men or men in the prime of life.

Prior to the war the increase of the colored people in the free States was at a less rate than that of the free colored people of the South, and it was far behind the increase of the slaves, and was not above 10 per cent. in ten years. But from 1860 to 1870 the leap of Northern colored increase transcended all records; and the fact was simply due to immigration. Pennsylvania, in 1880, for instance, contained 85,535 colored inhabitants, and now, supposing it to have gone on at the rate of the preceding decade, 31 per cent., it must have 112,040.

Now, Pennsylvania, at the last Presidential election, gave Mr. Harrison a majority over Mr. Cleveland of 79,561 votes; and a majority over his three opponents, Cleveland, Democrat; Fisk, Prohibitionist; and Streeter, Labor candidate, of 54,719. But of Mr. Harrison's majority not less than 30,000 were colored voters.

New York, in 1870, had 52,081 colored inhabitants, and in 1880 it had 65,104. The increase was at the rate of 25.23 per cent. At the same rate that class of the population in 1890 must be 81,530, of whom 20,000 are voters and vote the Republican ticket. Mr. Harrison's plurality in the State over Mr. Cleveland was 14,373, while he fell short of a majority over the three candidates of above 16,000 votes.

New Jersey contained 30,658 colored people in 1870, and in 1880 that class of the people had risen to 38,853. The increase, therefore, was at the rate of 26.73 per cent. At the same rate of increase the colored population of New Jersey in 1890 would be 49,236; and the voters among them must be 12,000 and more.

The colored population of Massachusetts in 1870 was 13,947, and in 1880 it amounted to 18,697. The increase was at the rate of 34 per cent., and at the same rate it must now be 25,000; of which number above 6,000 are Republican voters, and their votes added very materially to the majority of Mr. Harrison over Mr. Cleveland and Mr. Fisk. At another election the votes of these colored men may be found very necessary to the success of the Republican ticket in that ancient Commonwealth.

Ohio had 63,213 colored inhabitants in 1870, and in 1880 the number was 79,900. The gain in ten years, therefore, was 16,687. This was at the rate of 26.39 per cent., and at the same rate the present colored population of Ohio must be 100,985, of whom 25,000 are Republican voters.

Illinois had 28,762 colored citizens in 1870 and 46,368 in 1880. The gain was, therefore, 17,606, and the rate of increase was 61 per cent. At the same rate of increase the colored population of Illinois must now be 74,652, a third of whom are men and Republican voters.

Indiana contained 24,560 colored people in 1870, and 39,228 in 1880. The gain was therefore 14,668, and the rate of increase was 59.72 per cent. At this rate the present number of colored people in Indiana must be 62,655, one-third of whom are Republican voters. Mr. Harrison's plurality over Mr. Cleveland was 2,348; but he was in a minority of about 10,000 on the whole vote.

Michigan had 11,849 colored citizens in 1870, and 15,100 in 1880. The gain was 3,251, which was at the rate of 27.43 per cent. At that rate the colored population of Michigan in 1890 must be 19,250, of whom one-third are Republican voters.

The colored population of Kansas in 1870 was 17,108, and in 1880 it was 43,107. The increase therefore was 26,000, and the rate of increase was 152.94 per cent. It is not to be supposed that the increase has gone on at that rate, however. But if it has been only one-third of that rate, or only 50 per cent., the colored population of Kansas will be shown by the census to be taken in 1890, to be 64,660, of whom nearly half are voters.

The greatest rate of increase of the colored population in the Northern States since the war has been in the West. That race, like the whites, have taken the advice of Mr. Greeley to go West.

The following statement shows the number of Representatives and the number of electoral votes to which each State is entitled under the apportionment act of 1882, and the number to which they would

be entitled if the colored population were excluded from the right of suffrage.

In the first place, as has been stated, the division of the total population of the States by the number of Representatives, 325, shows that the population for each Congressional district, if the country could be divided equally, would be 151,911.8. But if the white population of the States, which amounts to 42,714,479, be divided by 325, the apportionment to the several districts will be 131,429. And dividing the white population of the several States by that number will show the number of Representatives to which they would be entitled on that basis, as follows:

States.	Total population.	Representatives.	White population.	Electors at present.	Electors on white basis.
Alabama	1,262,505	8	662,185	10	7—
Arkansas	802,525	5	591,531	7	6+
Delaware	146,608	1	120,160	4	3
Florida	269,493	2	142,605	3	3—
Georgia	1,542,180	10	816,905	12	8—
Kentucky	1,648,690	11	1,377,179	13	12—
Louisiana	939,946	6	454,954	8	5—
Maryland	934,943	6	724,693	8	8+
Mississippi	1,131,597	6	479,398	8	6+
Missouri	2,168,380	14	2,022,826	16	17—
North Carolina	1,399,750	9	867,242	11	9+
South Carolina	995,577	7	391,105	9	5+
Tennessee	1,542,359	10	1,138,831	12	11+
Texas	1,591,749	11	1,197,237	13	12—
Virginia	1,512,565	10	880,858	12	9+
West Virginia	618,457	4	592,537	6	6+
Total	18,507,324	120			
California	864,694	6	767,181	8	8
Colorado	194,327	1	191,126	3	4
Connecticut	622,700	4	610,769	6	6
Illinois	3,077,871	20	3,031,151	22	25
Indiana	1,978,301	13	1,938,798	15	17
Iowa	1,624,615	11	1,614,600	13	14
Kansas	996,096	7	952,155	9	9
Maine	648,936	4	646,852	6	7
Massachusetts	1,783,085	12	1,763,782	14	15
Michigan	1,636,937	11	1,614,560	13	14
Minnesota	780,773	5	776,884	7	8
Nebraska	452,402	3	449,764	5	5
Nevada	62,266	1	53,556	3	3
New Hampshire	346,991	2	346,229	4	5
New Jersey	1,131,116	7	1,092,017	9	10
New York	5,082,871	34	5,016,022	36	40
Ohio	3,198,062	21	3,117,920	23	26
Oregon	174,768	1	163,075	3	3
Pennsylvania	4,282,891	28	4,197,016	30	34
Rhode Island	276,531	2	269,939	4	4
Vermont	332,286	2	331,218	4	5
Wisconsin	1,315,497	9	1,309,618	11	12
Total	30,864,016	204	30,254,232	248	264

President Harrison carried twenty States	5,439,877
President Cleveland carried eighteen States	5,538,421
Cleveland's majority over Harrison	98,544
Harrison's electoral vote	233
Cleveland's electoral vote	168

Cleveland States.	Electoral vote.	On white vote.
Alabama	10	7
Arkansas	7	6
Connecticut	6	6
Delaware	3	3
Florida	4	3
Georgia	12	8
Kentucky	13	12
Louisiana	8	5
Maryland	8	8
Mississippi	8	6
Missouri	16	17
New Jersey	9	10
North Carolina	11	9
South Carolina	9	5
Tennessee	12	11
Texas	13	12
Virginia	12	9—
West Virginia	6	6
Total	168	143

Harrison States.	Electoral vote.	On white vote.
California	8	8
Colorado	3	4
Illinois	22	25
Indiana	15	17
Iowa	13	14
Kansas	9	9
Maine	6	7
Massachusetts	14	15
Michigan	13	14
Minnesota	7	8
Nebraska	5	5
Nevada	3	3
New Hampshire	4	5
New York	36	40
Ohio	23	26
Oregon	3	3
Pennsylvania	30	34
Rhode Island	4	4
Vermont	4	5
Wisconsin	11	12
Total	233	258

It will be seen from this calculation that if the electoral vote were divided according to the white vote—

The Cleveland States would have had in the electoral college	143
The Harrison States	258
Total	401

But if you were to exclude the negro vote it would change the State of—

Indiana	15
New York	40
Ohio	26
Total	81
Add the	143
	224

With a good chance of carrying also the State of Illinois. This alone would have elected Cleveland by a very decided majority. A careful study of these figures will possibly explain why our friends on the other side are so constant in their efforts to consolidate the negro vote.

The election laws in my State protect the rights of everybody. The registrar is required to take the registration books and keep them open for thirty days before each election. He is required to revise the same so that on the evening of the second Saturday before the election it will contain the name of every person entitled to vote in the township, and none other. On that day he must be at the polling-place with his books, and keep them open all day for public inspection, and hear all evidence touching the competency of any man to vote whose name is on the books, and erase any name or enter it upon the books, as the facts appear to be.

The elections are held by this registrar and four poll-holders, two of whom must be of different politics from the registrar. When the voter presents his vote the registrar checks his name, one of the poll-holders, who keeps the poll-book, writes his name on the poll-book, he hands his votes to the poll-holder, who either puts the votes in such boxes as the voter directs or takes them all, if the voter directs, and distributes them in the proper boxes. The election books are closed at sunset and the votes counted in the presence of such of the voters as desire to remain, and the result certified to the proper officers in each county. Every citizen can inspect the election and the count and everything is open.

And now, in behalf of the State I have the honor to represent, I protest against the passage of this infamous bill.

Suppose you grant, for the sake of argument, that there are frauds in some of the States of this Union. Are not your election laws so guarded as to bring any offender to justice? If they be not rigid enough, make them so, but do not strike at the very fountain-head of our republican system and drag that into disrepute and declare it to be a failure.

Upon the very same principle you might attack the jury system because some juror had been bribed or some jury rendered an improper verdict.

I beg of you, my countrymen, let us unite now and join hands forever and save this Government the fatal stab you are about to inflict.

Stay the hand of despotism and let us preserve intact the Union and Constitution and transmit them to posterity as pure as our Revolutionary ancestors gave them to us.

Let us declare that the Constitution is above party and we will preserve it and guard it from attack.

But if the fatal blow must be struck; if this Congress shall turn over our elections to a partisan judiciary; if the grand old ship of state shall waver and totter upon her foundation from attacks made upon it by this Congress for partisan purposes; if the entering wedge of centralization shall be driven to the very core of this Union, let it be done with a united Democracy, North, South, East, West, crying aloud against it.

And now, Mr. Speaker, if we inquire what justification the majority can find for the passage of such a law, we are not driven very far to find it.

It will be found in the language of the senior Senator from the State of Ohio, uttered at the special session of 1881, when the famous Virginia steal was inaugurated, and which if acted upon will bring shame upon this boasted land of freedom and cause the sons of America yet unborn to blush with shame that this generation was capable of producing or tolerating such a sentiment—I pause, ere I repeat it, and repeating it I close—

Anything that will beat down that party and build up ours is justifiable in morals and in law.

Democratic Obstruction—Silver.

Everything has increased in value in this country except the Democratic party. An event which took place in April, 1865, sent up the value of American property, American character, and American patriotism to a very high point, and wherever the Republican party has stood from that day to this that character has never gone down in the scale, and while the Republican party remains in power it never will.

SPEECH

OF

HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 12, 1890.

The House having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 5381) directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes—

Mr. GROSVENOR, said:

Mr. SPEAKER: It is greatly to be regretted that at this late day in the session of Congress my genial and talented friend from Mississippi [Mr. ALLEN] should abandon, even for the time being, the character for which he is prominently fitted and should attempt to appear in a rôle which involves the serious consideration of a matter of politics. [Laughter.] He has made an original point, that is, he has made the point that was original thirty years ago and has been originated a thousand times since in regard to the bonded indebtedness of the Government of the United States. He charges that the bonds of the Government have increased in value under Republican administration and control. If I wanted to be unkind—which I never do—I might say to a great many gentlemen on the other side that they ought to have been here and in Congress representing their people at the time those bonds were authorized to be issued, so that if they were dissatisfied with the terms of the bonds they might at least have protested in the name of their constituents against the enactments with which they were not satisfied. They might have at least exercised the great American right of protesting against the qualities and provisions that were put into those bonds.

Mr. ALLEN, of Mississippi. I was not complaining of the bonds, but of the increased value given to them after they had served their purpose to the Government.

Mr. GROSVENOR. Everything has increased in value in this country except the Democratic party. [Laughter.] An event which took place in April, 1865, sent up the value of American property, American character, and American patriotism to a very high point, and wherever the Republican party has stood from that day to this that character has never gone down in the scale, and while the Republican party remains in power it never will.

Mr. PEEL. I would remind the gentleman that according to recent elections in his own State the Democratic party has advanced there. [Laughter.]

Mr. GROSVENOR. As I understand it, and from such information as I have, the reports of the revaluation of the taxable real estate in my State show that during the last ten years it has fallen off materially. The gentleman must study the figures before he makes a venture such as he has made. The Democratic administration out there may be a very good one—I will not discuss that here and now—but it must raise its money upon a very largely decreased valuation of the real estate, and that leads me up to the very question I want to speak about.

Mr. BLAND. I have no doubt you would be glad to see Foraker elected governor again in order that property might be appreciated.

Mr. GROSVENOR. I would very much rather see Governor Foraker re-elected governor than any gentleman holding the political opinion of my friend from Missouri.

Mr. BLAND. I have no doubt that is your taste.

Mr. GROSVENOR. It is my taste, and I stand by my taste, and I am sorry for anybody whose political tastes differ from mine on this point. [Laughter.]

Let me now proceed. What was it that depreciated the values in the country? Why, sir, we have been sitting here for nearly eight months—we are entering upon the eighth month of our session—and we have had a constant, unceasing, nauseating series of declamations from the other side of this House that the great depreciation in the values of the country has come about from a lack of a sufficient volume of currency, and they have charged, and it has been a constant repetition, that the status of the silver currency of the country has had much to do with this depreciation.

The gentleman from Missouri [Mr. BLAND] has filled hundreds of pages of the CONGRESSIONAL RECORD with constant eternal repetition, iteration, and reiteration of the statement that it is because we have not money enough, and have not silver coinage enough, that the agricultural products of the country have gone down to the low ebb that we witness to-day. It may be so, Mr. Speaker; the Republican party is alert to this question, it is wide awake to do its duty in this behalf, but when we come here to deal with a measure which, no matter how it may be criticised in certain directions, stands admitted by friend and foe to be a measure which will increase the circulation of the country something like $60,000,000 per annum of money just as good as gold, you on the Democratic side of this House vote solidly against the adoption of this measure and thereby indicate your preference to stand by a system which you yourself say has depreciated the agricultural production of the country and all the values of the country to the extent which you have so often described.

The Republican party, true to its faithful guardianship of the people's interest, has determined to give to the people of the country a great increase in the circulation and you resist, you refuse to have it, you filibuster, you kill time, you weary the patience of men. No matter what else may be decided by the American people they will say that the Democratic party has been unwilling to merge partisanship in patriotism in this behalf, and the indictment and arraignment of the Democratic party on this point will be unanswerable. You have done nothing to join hands with the Republicans in Congress to pass any measure of relief to the suffering agriculturists of the country. No man in this country will deceive the people by any pretense that the Democratic party is now or ever has been willing to give us free coinage of silver. A free-coinage bill would have been passed in this House if you could have brought the Democratic party to the support of it. But 22 Democrats voted against free coinage and defeated it.

But I want to point out something back of that—something that is becoming ancient history, but not so ancient as the history that my friend from Mississippi has been giving us. I go back only four years to the only Democratic Administration we have had since the war, and the only one I fondly hope and devoutly pray we may have until after the next war, which I trust may be postponed one hundred years. [Laughter.] Your President-elect, Mr. Cleveland, between his election in November and his inauguration in March, made known the status of his Administration upon this silver question. He could not wait until he had assumed the functions of his office, but he issued a pronunciamento from the governor's office in New York State, warning the friends of free silver in this country that they must desist from all agitation on that subject and all promotion of increased silver coinage or they would put themselves in antagonism to his Administration. It was a sort of early premonition that there would be an "Allentown for every Sowden."

He wrote a letter to my friend, General Warner, my predecessor in this House, a man of fearless devotion to the interests of free silver coinage, a man of high character and great learning upon this question, notifying him and his associates by fair inference that the whole power of the Democratic Administration would be brought to bear to crush out any attempt to further promote or enlarge the scope and power of silver in the coinage of the country.

The following is the letter:

ALBANY, *February* 24, 1885.

GENTLEMEN: The letter which I have had the honor to receive from you invites, and indeed obliges, me to give expression to some grave and public necessities, although in advance of the moment when they would become the object of my official care and partial responsibility. Your solicitude that my judgment shall have been carefully and deliberately formed is entirely just, and I accept the suggestion in the same friendly spirit in which it has been made. It is also fully justified by the nature of the financial crisis which, under the operation of the act of Congress of February 28, 1878, is now close at hand. By a compliance with the requirements of that law all the vaults of the Federal Treasury have been and are heaped full of silver coins which are now worth less than 85 per cent. of the gold dollar prescribed as "the unit of value" in section 14 of the act of February 12, 1873, and which, with the silver certificates representing such coin, are receivable for all public dues. Being thus receivable, while also constantly increasing in quantity at the rate of $28,000,000 a year, it has followed of necessity that the flow of gold into the Treasury has been steadily diminished. Silver and silver certificates have displaced and are now displacing gold, and the sum of gold in the Federal Treasury now available for the payment of gold obligations of the United States and for the redemption of the United States notes, called greenbacks, if not already encroached upon, is perilously near such encroachment.

These are facts which, as they do not admit of difference of opinion, call for no argument. They have been forewarned to us in the official reports of every Secretary of the Treasury from 1878 till now. They are plainly affirmed in the last December report of the present Secretary of the Treasury to the Speaker of the present House of Representatives. They appear in the official documents of this Congress and in the records of the New York clearing-house, of which the Treasury is a member, and through which the bulk of the receipts and payments of the Federal Government and of the country pass.

These being the facts of our present condition, our danger and our duty to avert that danger would seem to be plain. I hope that you concur with me and with the great majority of our fellow-citizens in deeming it most desirable at the present juncture to maintain and continue in use the mass of our gold coin as well as the mass of silver already coined. This is possible by a present suspension of the purchase and coinage of silver. I am not aware that by any other method it is possible. It is of momentous importance to prevent the two metals from parting company; to prevent the increasing displacement of gold by the increasing coinage of silver; to prevent the disuse of gold in the custom-houses of the United States in the daily business of the people; to prevent the ultimate expulsion of gold by silver. Such a financial crisis as these events would certainly precipitate, were it now to follow upon so long a period of commercial depression, would involve the people of every city and every State in the Union in a prolonged and disastrous trouble. The revival of business enterprises and prosperity so ardently desired and apparently so near would be hopelessly postponed. Gold would be withdrawn to its hoarding places, and an unprecedented contraction in the actual volume of our currency would speedily take place. Saddest of all, in every workshop, mill, factory, store, and on every railroad and farm, the wages of labor, already depressed, would suffer still further depression by a scaling down of the purchasing power of every so-called dollar paid into the hand of toil. From these impending calamities it is surely a most patriotic and grateful duty of the representatives of the people to deliver them.

I am, gentlemen, with sincere respect, your fellow-citizen,

GROVER CLEVELAND.

Hon. A. J. WARNER and others,
Members of the Forty-eighth Congress.

With his eyes wide open, with a full knowledge of the man whom he was appointing, your President, Mr. Cleveland, appointed a Secretary of the Treasury who demanded of Congress at the start and demanded of Congress all along through his Administration that it should repeal the act about which you have boasted, the Bland act, under which the coinage of silver was going on in this country. Not only did he insist upon limiting the silver coinage to $2,000,000 per month, but he sought by every influence he could bring to bear on Congress to repeal the act and thoroughly destroy silver, for that would have been an absolute demonetization of silver. It would have been much more clearly an act of demonetization than was the act about which our Democratic friends are so continually preaching.

The great crime of 1873, about which so much is being said, was in no proper or fair sense an act to demonetize silver. We had no silver coinage, we had no silver dollars in 1873. The coinage had ceased, had passed out under the greenback provision of the Treasury.

But I want to go still further. After Grover Cleveland had thus defined his position, and after his Administration had thus launched itself and stood firmly to the end of the four years in that position, he was renominated by acclamation; and the gentleman from Illinois [Mr. WILLIAMS] and other gentlemen of the Democratic faith throughout the country, who are now pharisaically prophesying the benefits of free coinage to the country, not only stultified themselves by submitting to his nomination, but voted for him without qualification; and they stand ready to do it now, and will be compelled to do it in the long run. In 1888, after having been in power for four years, you went to St. Louis to tell the people of the country what you were going to do if you were put in power for four years more, and the platform was conspicuously silent on this subject. Not only you did not apologize for the sins of omission that you had been guilty of, but you did not promise to do better if you were put in power thereafter. [Laughter.] And you nominated for President at that convention the very man who struck with mailed hand at the first outcropping of the friends of free silver, before, as I said, he had a constitutional right to do so. And yet gentlemen stand here to-day saying they are in favor of free silver and we on this side are the enemies of silver coinage, or are under the influence of Wall street.

The measure here presented to the country will give entire satisfaction to the thinking, intelligent business men everywhere. In this connection I adopt and make part of my speech a portion of an able editorial which recently appeared in the Standard Union, of Brooklyn, N. Y. It was written by Murat Halstead, esq., one of the ablest men wielding the editorial pen in this country to-day, and a gentleman who from the beginning of this discussion, away back in 1873, has been an intelligent, educated, clear-headed, and patriotic supporter of the just and fair coinage of silver. While he is not a crank upon the silver question, he is a man of undoubted knowledge and attainments thereon. In speaking of the leading measures with which the Republican party was charged in the beginning of this Congress, he has the following in regard to silver coinage:

> The third theme that has influential relations is that of the money standards, the financial adjustments, the gold and silver and paper questions. In this field party lines have been crossing each other, but there is no considerable doubt in any fair and informed mind that safety requires Republican supremacy. There is a faction of the Democratic party, and it centers in New York, that is sound on money, indeed rather too hard and exclusive for hard money, and there is a faction of the Republican party exceedingly unsound, committed indeed to the vagaries of the Confederate system of finance, which was that of printing all the money wanted, and reached the point that a bale of Confederate notes was worth about the same as a bale of cotton, the form of money being idealized to that extent.
>
> The dangerous raid that the inflationists have recently made upon the Treasury Department has been masked behind a silver question, but there is a happy solution at hand, and it is the Republican party, of course, that furnishes it. The Sherman silver compromise, we believe, in spite of all rumors to the contrary, will find steadfast support, and, passing both Houses, secure the signature of the President. It would be incomparably the most important legislation, not only of this year, but of many years. First, it secures, after a little while, the stoppage of the forced coinage of the old standard silver dollars. It stops the purchase of silver for conversion into standard silver dollars and thus withdraws a menace which has gradually, though almost insensibly, disturbed credit and interfered with the progressive and prosperous development of business. Second, it protects the silver industry and gives the people of the United States their rights in silver as a money metal—rights of the utmost interest and consequence, and that have been vainly and foolishly disparaged and denied—by the purchase of 4,500,000 ounces of silver per month, with a limit on the price that prevents scheming speculators from cornering the Government; and this silver product is taken at the market price, which means the gold standard—that the silver is to be measured by gold, not under any arbitrary ratio, but just according to the markets of the world. The effect is the same precisely as the addition of the gold price of 4,500,000 ounces of silver each month to the money of the country—for Treasury paper is to be issued to the amount of the market value, the gold valuation of the silver taken—and this paper is as good as gold because it has behind each dollar of it the amount of silver that a gold dollar brings. Of course, this paper is as good as gold—it is substantially gold notes.
>
> The addition of four millions at least of these gold notes to the currency gives assurance that there is not to be contraction, that the people are not to be plucked through a scanty supply of money, and this will be a stimulus that will be felt in all channels of trade and in all the vast spaces where there is production; and the Sherman law will not be unhealthy at last, for the limitation of the issue is fixed and guarded by gold. We shall not lose gold; we shall gain it. Not by mighty magic, but through the plain chemistry of equitable legislation, we shall make gold of our silver. That is exactly what taking it at the market rate does. These are the incidents that tell of the conditions of prosperity—a period of wholesome flourishing by the legitimate use of the bounteous resources of our wonderful country. He who bets on the growing wealth, the rising grandeur, the continuing glory of the United States must win. The Republican party will fairly and worthily gather the usufruct of its application of sound principles.

Mr. Speaker, the Republican party is now, as it always has been, the friend and defender of the people's rights. The statement that it has been guilty of class legislation is a statement unsupported by facts. It has legislated for the people of the whole country; it is doing so to-day. Over the barriers of obstruction placed across its pathway by the Democratic party, with column closed up and its flag aloft, it is marching to a victory for its party and a victory for the people. It will achieve a party triumph in achieving a triumph of the prosperity of the nation. [Applause.]

Proposed Federal Election Law.

SPEECH
OF
HON. ROBERT M. LA FOLLETTE,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 2, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. LA FOLLETTE said:

Mr. SPEAKER: I take advantage of the indulgence of the House to submit a brief summary of the purposes and provisions of this important bill. I shall not discuss the constitutional warrant and authority for the legislation. Even the most narrow construction of the plain letter of the Constitution itself places that question beyond rational doubt. The proceedings of the convention, the contemporaneous writings and publications, and, finally, the decisions of the Supreme Court, have settled this interpretation for all save a few gentlemen who discuss constitutional questions on all occasions, except when they are involved, and in every place except where they may be determined.

Sir, no lawyer seriously questions its constitutionality, and no one will vote against it because of any doubts upon that point. The bill is constitutional and we shall shortly decide whether it shall pass this House upon other and different grounds.

What is its purpose?
Where is it to be applied?
What are its provisions?
Is its enactment necessary?

Its plainly declared purpose is to preserve and enforce the Constitution, not to violate it; to sustain and give effect to the Federal election law now upon our statutes. This measure, identical with that law in principle, broadens it in application and extends and strengthens it in detail to a fair promise of efficiency. The purpose of that law, passed eighteen years ago, was to stop the gigantic frauds practiced in New York and other great cities in the elections. It was partially successful. No one has had the hardihood to seek its repeal. The purpose of this measure is to make that existing law as perfect as legislative foresight can make it.

Where is this law to be applied? It is to be applied in any Congressional district in the United States where they do not have fair and lawful elections, whenever one hundred of its citizens petition the United States circuit court for its application and enforcement. When invoked it is to be applied only to the Congressional election, and interferes in no manner with the State, county, or local election. If, sir, it is applied in cities more than in the country or in the South more than in the North, it will be only because in some of the cities and in some parts of the South they force the law-loving, law-abiding citizens to appeal to this law for protection in the exercise of their sovereign right

to vote under the Constitution. This law will be applied, then, where it is needed. Poisonous ulcers eating their way into the body-politic can not be best treated by using the knife on some healthy part. Wherever republican form of government is assailed there the assault must be met and repelled.

What are the provisions of this bill?

It makes false registration a crime.

It makes unlawful interference with registration, by violence upon, or intimidation, or bribery of, any person lawfully entitled to vote a crime.

It makes willfully keeping any false poll-list or knowingly entering false names or false statements thereon a crime.

It makes giving or accepting a bribe to induce a person to vote or refrain from voting a crime.

It requires the ballot-box to be placed in plain sight of the voters and in such a position as to enable the election officers, national and State, and the voter when voting, to see that the ballot is in fact placed in the box.

It makes the willful rejection of legal votes, knowing them to be legal, a crime.

It makes the willful acceptance of illegal votes, knowing them to be illegal, a crime.

It makes the fraudulent substitution of one ballot for another for the purpose of having the vote rejected, or for the purpose of having it counted for a person other than the voter intended, a crime.

It makes willfully placing ballots not lawfully cast in any ballot-box among ballots lawfully cast, for the purpose of changing the result, a crime.

It makes unlawfully removing ballots from a ballot-box lawfully cast, for the purpose of affecting the result of the election, a crime.

It makes a willfully false canvass of votes or the false certification and return of such vote a crime.

It makes it a crime for every officer charged with a duty under the law to willfully neglect to perform such duty or to be guilty of any corrupt or fraudulent conduct or practice in its execution.

It makes false swearing, in matters pertaining to such Congressional election, perjury.

It makes stealing the ballot-box or the ballots a felony.

And it provides just punishment, by fine or imprisonment, or both, for each of these crimes against a government by the people through manhood suffrage.

That is this bill. There is not a section, line, or syllable in it besides this more than is necessary to enforce with certainty these provisions.

Gentlemen upon the other side delight to call it a "force bill" because that implies, as they use the term, armed soldiers, force, violence, bloodshed. But this bill appeals for its enforcement, first to the honesty and loyalty of our citizens, and lastly to our courts and a jury of our countrymen. No man who wants every citizen, high or low, rich or poor, weak or strong, to have and exercise freely his constitutional rights, sacred to each of us, can afford to oppose this bill. No man who wants less than that is entirely loyal.

Yet for six days the Democratic party as represented here on this floor has assailed this measure from first to last. Not because it invades State rights, for it does not. It meddles with no internal or domestic affairs. It trenches upon no State or local election. It threatens no law-abiding community with its application. It is only for the guilty. It lays its hand upon no man unless he be caught in the commission of a crime against the Constitution and laws of the United States; and then it inflicts no punishment until after full defense, fair trial by jury, and due conviction.

Can it be possible that you oppose it really for the things it does propose to do?

It does make false registration a crime, and you are against its passage. It does make buying and selling votes, intimidation and violence upon voters, crimes; and you assert that it endangers liberty. It does make illegal voting, ballot-box stuffing, and fraudulent counting and certification of votes, crimes; and you cry out that it interferes with the exercise of sacred personal rights. It does make false swearing perjury, and stealing ballot-boxes a felony, and you denounce it as revolutionary and declare that it shall never be enforced.

Gentlemen, it will pass, it will be sustained by the people, and it will be enforced. The time has come at last when the conservative, thoughtful citizen knows that it is absolutely necessary. In the great cities, both North and South, the present imperfect Federal election law is deemed essential. It has done much to lift the elections above a mere juggling performance. There is a demand, there is urgent need that it be re-enacted, strengthened, and extended. But outside the cities, in the South where there are colored citizens, the situation is such that the people of this country will suffer no further postponement of this vital question. They know that continued violation of the cardinal principles of the Constitution underlying representative government is not only a national disgrace, but a national crime and a national danger.

Sir, I shall not stop to go into figures now. I will add to my remarks some tables of election returns more powerful and eloquent in their appeal for this great reform than anything any one will say here or elsewhere. The people have been slow to anger. The politicians upon the other side, North and South, with the cry of "The bloody shirt," "Let the South alone," "The war is over," were able for a score of years to ridicule and silence this appeal for honest elections. The North has even been indulgent to the South, and with infinite patience they have waited almost a generation since the war for acceptance of and obedience to the Constitution.

How have you met that forbearance? Not satisfied to use your infamous system within and for the control of your own States, you have employed the same methods to control the General Government and make laws for us to obey. You have become so careless and so audacious in this practice that at last the patriotic men of the land demand that the treasonable practice shall cease. You have waked the sleeping giant and the issue is not doubtful. You may fret and delay the course of substantial justice here and there, you may even make it hard for the North as well as the South, because no one section of our common country can suffer alone in any national affair; but when once the people are roused you can no more defy the Constitution and nullify the Federal law by forged registration and debauched election returns than you can by armed resistance and invasion.

We have a right to expect, to demand, that you not only obey, but yourselves enforce the Federal law. You may conduct your own elections as you please, but you must limit your peculiar practice to purely State matters. If you think you can maintain a domestic election system rooted in perjury and fraud and watered with blood and not see it finally blossom and fruit in bitterness and hate and awful retribution, that is your own business. Whatever our opinions may be respecting it we shall be silent and leave you to your own choice.

But in the election of Representatives to Congress who make laws for us all, who adjust our burden and measure our relief, who give us good government or bad, who shape the national destiny, and who should weigh in the nice balance of just laws the rights of all the people—in the election of these Representatives we demand and will enforce laws to preserve our just and equal representation in the Government.

I am acquainted with the excuses and justification you make among yourselves for the plans and schemes by which you plunder the colored man of his citizenship. I know you say you fear ignorant negro domination; that you must protect your civilization; that you must save your social system. And yet, I know and you know upon your honor that you do not fear negro domination, that you do not believe your civilization, your social fabric would be in any danger. You know perfectly well that intellectual and moral power will control in every part of this country, does control in every part of this country, where it makes the open issue with ignorance and vice. And you know if you would make intellect and character the standards in the South, instead of color, that intellect and character would dominate and guard civilization and society and that race collisions and race conflict would end at once. You know, as intelligent men, that your social circle would be with you as it is the country over, the world over, wholly controlled by mutual concurrence and mutual choice.

That this a mere sham, a mere pretext, is obvious to any one who has studied your system. You disfranchise not where the colored voters are in the majority alone, but, if possible, even more ruthlessly where they have but small minorities, and where negro domination would not be a possibility in a thousand years. Nay, more than that, in communities where their educational and social average is high, where they are specially prosperous and are making the most rapid intellectual advancement, the rigors of your system are jealously advanced rather than relaxed. No, no, gentlemen, you are still under the spell of your old idea, and that is your real, your secret excuse and justification.

Slavery as an institution was possible only with those who held the belief and conviction that the bond race were brutes of other shape; that they were a little more valuable than the horse or mule, but that was all; that color was the mark of inferiority set on them by the Omnipotent to seal them to slavery. A lower level than this was not possible; a higher one could never have made the stable foundation on which to rear and maintain the institution of slavery.

To that old idea and opinion you still cling blindly, measuring the rights of all citizens under the Constitution by its ancient and ignorant and inhuman standards.

That this is so is proven by your conduct of Federal elections and your bitter antagonism to this bill. You know you have nothing to fear from the colored man's vote in Federal elections. There is no possibility of national negro domination, even if their votes were solidly cast and fairly counted for colored candidates. So far as race representation goes the Congress of the United States would even under such circumstances still be white fifteen to one. But you are as much averse to his voting a Federal ticket as a State or a county ticket, and defraud him as quickly of one as the other. It matters not what his intelligence or character. Has he negro blood? That is the test. If he has, strike the Federal as well as the State ballot from his hand. Not be-

cause he can control in State or local affairs by it; not because it is a certificate of social equality, a card of invitation to your homes or your tables, but because it lifts him from the rank of menial to that of constitutional citizenship and political equality before the law; that political equality which is understood where every citizen stands a political unit. Not that every one, white or black, may be each the measure of the other in intellectual force and character and influence, but each acting on his own convictions, exerting for himself such influence and power as he properly may, and each, in the end, master at least of his own action.

This political, not social, equality you can not tolerate. For that reason, and because it will interfere with your controlling the National Government by continued false registration, illegal voting, and fraudulent certificates, you are violently hostile to this measure. To mislead as to the real purpose of this bill, it has been denounced rather than discussed, and the wildest statements made as to its terms, its cost, and its direful consequences when enacted into law.

We have been admonished upon the other side of the House that its attempted enforcement in the South would bring upon that section of this country disorder and bloodshed. In the same breath we are told by gentlemen who represent Southern districts showing a total vote of from 1,500 to 2,000 that throughout that section they now have serene peace and quiet and the full enjoyment of all their rights. If they have, Mr. Speaker, then the passage and enforcement of this law can bring no disorder and no bloodshed to them.

Mr. HEMPHILL. That is something new, is it not?

Mr. LA FOLLETTE. If they have not, then let it come if it must come, in order to insure to American citizens their constitutional rights under a free government. Upon this side of the House we who represent voting constituencies in the North who have exercised patience for a generation with the people of the South can halt no longer. We are under the commands of those we represent, who demand that in every part of this country every man shall freely cast his vote and have it honestly counted. [Applause.]

APPENDIX.

State and district.	Representative.	Politics.	Total vote as returned Nov., 1888.	Majority for Representative as certified Nov., 1888.	Colored majority in district as returned by census 1880.
ALABAMA.					
First district	R. H. Clarke	Democrat	18,699	4,489	2,858
Second district	H. A. Herbert	Democrat	21,244	6,838	249
Third district	W. C. Oates	Democrat	16,216	10,478	3,149
Fourth district	L. W. Turpin	Democrat	24,403	13,153	26,612
GEORGIA.					
Second district	H. G. Turner	Democrat	11,000	11,000	3,763
Third district	C. F. Crisp	Democrat	12,750	6,124	2,431
Fourth district	T. W. Grimes	Democrat	13,923	5,673	2,947
Sixth district	J. H. Blount	Democrat	8,934	8,934	8,229
Eighth district	H. H. Carlton	Democrat	9,634	5,182	4,180
Tenth district	G. T. Barnes	Democrat	7,374	5,780	6,145
LOUISIANA.					
Fourth district	N. C. Blanchard	Democrat	17,263	15,339	5,752
Fifth district	C. J. Boatner	Democrat	22,670	20,124	22,154
Sixth district	S. M. Robertson	Democrat	16,812	7,764	4,545
MISSISSIPPI.					
Second district	J. B. Morgan	Democrat	19,902	8,161	2,468
Third district	T. C. Catchings	Democrat	16,238	7,010	14,720
Fourth district	Clarke Lewis	Democrat	15,251	10,459	5,773
Fifth district	C. L. Anderson	Democrat	20,259	12,271	1,570
Sixth district	T. R. Stockdale	Democrat	14,084	7,116	1,327
Seventh district	C. E. Hooker	Democrat	15,864	8,091	6,440
SOUTH CAROLINA.					
First district	Samuel Dibble	Democrat	9,855	7,244	2,236
Second district	G. D. Tillman	Democrat	12,337	9,299	6,643
Third district	J. D. Cothran	Democrat	8,774	8,759	1,210
Fourth district	W. H. Perry	Democrat	11,416	11,410	1,590
Fifth district	J. J. Hemphill	Democrat	9,586	9,559	2,610
Sixth district	G. W. Dargan	Democrat	8,972	8,259	3,296
Seventh district	William Elliott	Democrat	15,435	1,355	24,899
Total Congressional vote returned from above districts			378,897		
Number of Representatives certified as elected			26		
WISCONSIN.					
First district	Lucien B. Caswell	Republican	36,133	4,314	
Second district	Charles Barwig	Democrat	31,614	2,954	
Third district	Robert M. La Follette	Republican	38,141	2,929	
Fourth district	Isaac W. Van Schaick	Republican	43,629	1,427	
Fifth district	G. H. Brickner	Democrat	30,917	5,226	
Sixth district	Charles B. Clark	Republican	34,235	3,764	
Seventh district	Ormsby B. Thomas	Republican	37,228	4,485	
Eighth district	Nils P. Haugen	Republican	47,180	10,434	
Ninth district	Myron H. McCord	Republican	54,517	2,763	
Total Congressional vote as returned in Wisconsin			353,691		
Number of Representatives certified as elected			9		

In the same five Southern States the total Congressional vote in 1886 was as follows:

State.	Democratic.	Republican.	Congressmen elected.
Alabama (eight Congressional districts)	51,593	21,916	8 Democrats.
Georgia (ten Congressional districts)	25,470	1,809	10 Democrats.
Louisiana (six Congressional districts)	63,097	20,986	6 Democrats.
Mississippi (seven Congressional districts)	35,569	7,180	7 Democrats.
South Carolina (seven Congressional districts)	38,814	85	7 Democrats.
Total	214,534	52,027	38 Democrats.

In the same five States the total Congressional vote in 1888 was as follows:

State.	Democratic.	Republican.	Congressmen elected.	
			Dem.	Rep.
Alabama (eight Congressional districts)	117,583	53,354	8	
Georgia (ten Congressional districts)	96,046	35,476	10	
Louisiana (six Congressional districts)	80,432	26,827	5	1
Mississippi (seven Congressional districts)	86,814	25,000	7	
South Carolina (seven Congressional districts)	65,915	10,031	7	
Total	444,790	150,285	37	1

The Conference Silver Bill.

SPEECH

OF

HON. BENJAMIN F. SHIVELY,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 12, 1890.

The House having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 5381) directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes—

Mr. SHIVELY said:

Mr. SPEAKER: By the terms of the act of 1878 the Secretary of the Treasury is required to purchase not less than two million nor more than four million dollars' worth of silver bullion per month and cause the same to be coined into standard silver dollars. The discretion thus lodged in the Secretary of the Treasury has been at every point exercised aggressively against silver. The purchases have been held down to the minimum limit of $2,000,000 worth per month. Despite this adverse discretion that act gave us last year a coinage of 32,000,000 standard silver dollars. Since its enactment it has added over $350,000,000 to the circulating medium of the country. Now, gentlemen, keep in mind that under the present law we are certain of at least the minimum coinage. No accident, no trick, no adverse discretion, no Treasury Department jugglery can deprive us of this.

How about your conference bill? Section 5 expressly repeals the silver purchase and coinage clause of the act of 1878. Section 6 fixes July 1, 1891, as the date on which the coinage of $2,000,000 worth per month, provided for by section 3 of the bill, shall cease. Thereafter there is to be no coinage of silver dollars except such as may be required to redeem the notes. Section 2 places it within the discretion of the Secretary of the Treasury to redeem the notes exclusively in gold. The machinery of your bill is thus complete for the total destruction of silver coinage. There can be no doubt about it. Its interpretation in the light of the attitude of the Treasury Department on silver for the past twelve years makes it folly to pretend otherwise. Silver coinage is to be strangled and you gentlemen, whose voices are always for silver and votes always against it, are invited to keep this fact in mind when you record your judgment on this measure.

Section 1 of the bill provides for the purchase of 4,500,000 ounces of silver per month on which partial legal-tender notes are to issue. Gentlemen speak triumphantly of the harvest of dollars that this provision will put in circulation. But the trail of the serpent is over this provision also, as it is qualified by the words, "or so much thereof as may be offered." It is after all a question of how much may be offered. How much may be offered depends on what the Secretary of the Treasury will pay for it. What the Secretary of the Treasury will pay for it depends on the market price. The market price depends on the buyers. Your bill makes the Secretary of the Treasury the principal buyer. Unquestionably, if he so wills, the Secretary of the Treasury can encourage sales and add much to the volume of money; or he can as easily depress the price of silver and send the discredited products of our mines to be auctioned off on foreign markets, and finally go at reduced rates into Chinese, Japanese, and European colonial coinages.

Outright demonetization would leave the country in certainty, however lamentable. Free coinage would leave but little latitude for conjecture. Limited mandatory coinage under the present law leaves some basis for calculation for the future. Mandatory issues of fixed amounts of Treasury notes based on silver would leave some foundation on which honest enterprise could build. Your bill plunges the finances of the Government into the mazes of executive discretion and Treasury Department speculation. You are about to anchor the vast financial interests of the American people to the will of a Cabinet officer whom you make at once bull, bear, and umpire of the silver market. Yet gentlemen profess to believe that this miserable spawn of a left-handed conference will give us an ample, safe, and reliable circulating medium!

It is our boast, Mr. Speaker, that this is a Government of laws, not of men. This bill flings this precious principle to the winds. It makes silver coinage depend not on the law, but on the will of the Secretary of the Treasury. It makes the purchase of silver bullion depend not on the law, but on the will of the Secretary of the Treasury. It makes the issue and amount of Treasury notes depend not on the law, but on the will of the Secretary of the Treasury. It makes the redeemability of the notes in gold or silver depend not on the law, but on the will of the Secretary of the Treasury. In nearly every section it lodges in the prime financial officer of the Government a fund of discretionary power absolutely startling in its possible consequences. It opens a wide field for the unrestrained exercise of executive discretion, wherein by the dictates of good morals and sound public policy the law alone should point the way.

The delegation of large executive discretion on essentially substantive features of political and economic policy is fatal to good government. It beckons the officer this way or that in response to selfish interest, the whispers of ambition, or the exigencies of party. He who asks for it is invariably unfit to exercise it. He who is fit to exercise it would promptly advise you to strike all grants of discretion from your bill, to prescribe clearly and explicitly the duties of the executing officer relative to the subject-matter and then require a faithful performance of them. Should such advice prevail the people would be under the protection of the law, not at the mercy of the minions of the law. They would then be subject to the law, not subject to the whim and caprice of executive officers who under the grant of discretion are released from the restrictions of law.

Sir, the history and character of this bill constitute a parable that most nappily illustrates the parliamentary history of the present House. For many weeks the will and caprice of one man were substituted for the ordinary rules of procedure. Finally a code of rules was adopted that, instead of making the Speaker the organ of the House, made the House the organ of the Speaker. Even this code of rules proved insufficient to satisfy the lust of some gentlemen for power. On certain questions the minority of the House threatened to become the majority. Thereupon the majority of the Committee on Rules held little symposiums from time to time to perfect "special orders" under which they could revel in power and sport with great public interests unharassed by rules and unembarrassed by debate or amendment. Every member on the floor knows how the tariff bill was lashed through the House with all opportunity denied for a vote on a single one of the two hundred amendments presented from both sides of this Chamber. By the same process the silver bill was lashed through, while every avenue to amendment was carefully closed. On both those occasions was witnessed the startling spectacle of gentlemen across the aisle appealing frantically to the United States Senate to represent the interests of the constituents which they on their own confessions were about to betray. Such are the auspices under which legislation is here conceived and enacted. This bill is the natural product of the system.

To give his measure character and respectability the gentleman from Iowa in charge of this conference report had the goodness to regale us with that good old classic fustian about the marvelous record of the fiscal policy of the Republican party. It was an unfortunate allusion. It recalls the fact that the initiatory lines of that fiscal policy were laid in an express statutory rejection and depreciation of our national credit. Every greenback to-day contains in the words, "except duties on imports and interest on the public debt," the sentence of rejection and repudiation pronounced against it in the very hour of its birth in pursuance of that fiscal policy. It was made a legal tender for the blood and life of our soldiers, but expressly disqualified for the payment of duties on imports to the Government which issued it. For sixteen years that policy required that it be spurned from the counters of the Government and sent crippled and dishonored to be hawked about the caverns of bullion brokers. In speaking of the bill creating it, as amended by the clause requiring its rejection by every custom-house officer in the United States, Thaddeus Stevens, the great Republican commoner of his time, said from his place on this floor, February 20, 1862:

> It now creates money, and by its very terms declares it a depreciated currency.

In imitation of that folly the bill before us makes the proposed Treasury notes a legal tender for all debts and then by an express exception invites corporations and individuals to reject and dishonor them by special contract. It creates money for general purposes and discredits it for special purposes.

But, Mr. Speaker, even in this measure the doctrine of compensation is exemplified. It contains some information thus far concealed from the public. It discloses the financial gulf to which this Congress has brought the Government. It heralds a dissipated surplus and a bankrupt Treasury. In section 6 the $56,000,000 of trust funds now held for the redemption of national-bank notes is assailed and laid under contribution to bridge over the broadening chasm between receipts and expenditures. This provision is impertinent and irrelevant to the main subject-matter of the bill. It is out of place, both in the practical and jurisdictional sense. It has never been considered by any committee of either House. It seems to be the product of reckless haste to fortify the Administration against the inevitable consequences of profligate legislation. Yet, in a parliamentary sense, it is entirely consistent with the general course of procedure in this non-deliberative body. We are making laws by labor-saving machinery. Investigation, deliberation, thought, and debate are dispensed with as useless weights on the "transaction of the public business." We are simply recording the decrees of a directory and executing orders in council. This bill is a fitting type of many others. Temptation and invitation to peculation are snugly embalmed in nearly every section. There is not a line of direct, candid, unequivocal legislation in it. It is a collection of reservations, evasions, and exceptions to swindle the people on the hustings with its theory and invite a shameless bunco partnership with the United States Treasury Department in its application and practice.

Forfeiture of Land Grants.

SPEECH

OF

HON. BINGER HERMANN,

OF OREGON,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 16, 1890.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 2781) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—

Mr. HERMANN said:

Mr. CHAIRMAN: There are involved in the pending proceedings three distinct and independent propositions. The first is that contained in the report of the majority of the Committee on Public Lands, which proposes a forfeiture of all the lands conterminous with the land-grant railroad lines not completed. It also provides for the protection of the rights of settlers and of those who have made occupancy or improvement under contract, agreement, or license from the railroad company with a view to the obtaining of title to such lands, not exceeding 320 acres, when the corporations had earned the title from the Government by a compliance with the conditions of the grant. It also particularly provides that as to this forfeiture it shall not be in prejudice, nor shall it be a waiver of any further proceedings on the part of Congress to do whatever else may be deemed necessary toward forfeiture of other portions of unearned land grants.

Secondly, we have the substitute reported by the gentleman from Missouri [Mr. STONE], which provides for the submission of the question of the forfeiture of the lands earned out of time and conterminous with constructed land-grant roads to the courts, and it provides that the Attorney-General of the United States shall institute proceedings against any corporation, company, or association, person or persons who may claim directly or indirectly from a railroad company any interest in such lands the title to which they may have obtained since the grant——

Mr. HOLMAN. Will my friend allow me?

Mr. HERMANN. And it limits the forfeiture to lands earned out of time.

Mr. HOLMAN. If the gentleman will permit me, I will state that the amendment of the gentleman from Missouri is not a substitute for a provision of the bill.

Mr. HERMANN. I understand that. He was permitted by a vote of the Committee on Public Lands to report his bill as a substitute to be offered as an amendment.

Mr. HOLMAN. No; as an addition to the bill.

Mr. HERMANN. Then I accept the gentleman's explanation.

Thirdly, we have before us the pending amendment, offered by the gentleman from Indiana, which proposes the forfeiture by Congress of all lands conterminous with the line of the land-grant railroads completed out of time. As to lands earned out of time, one proposes a judicial and the other a legislative forfeiture. These are the three distinct and independent propositions which are at present before us. As to the first, which is the substitute to the Senate bill favorably reported by the majority of the Committee on Public Lands, permit me to say we are all agreed. There is not a voice in this House against that legislation; even the minority of the committee express no dissent as to that principle.

We all believe, then, that as to all lands conterminous with unconstructed roads they are clearly forfeitable and should be restored to the public domain.

Now, as to the amendment offered by the gentleman from Missouri, which provides for a submission of all questions of forfeiture involved in the lands earned out of time to the courts of the United States, I simply desire to say this: That provision—and I read the details closely—is productive of infinite mischief, and for my part I prefer that all legislation fail than that this should prevail in the form in which it comes to us.

The viciousness of the Stone amendment consists chiefly in the fact that all suits are to be instituted against the property-owners along these granted roads before ever the courts pass upon the question of forfeiture. If these suits should be commenced against those deriving title, direct and indirect, from the railroad company, after it should be formally decided that under the law the corporation had forfeited the grant, it might be defended in honor, but to involve all in the first instance, and to require that more than a hundred thousand separate and independent suits should be instituted in the circuit courts of the United States by the Attorney-General, and that they should all remain pending until the real question of forfeiture of the grant should be determined, is so revolting to every fair and reasonable view that I can not believe it was thoroughly understood by the honorable gentleman who introduced it. The small lot-owner in every city and town from Bismarck, in Dakota, to Tacoma, in the State of Washington—over 1,500 miles in length—will suffer the same inconvenience and vexation and cost of the defense to a suit as will the town proprietor, the wealthy mine-owner, the extensive manufacturer, or the great land-purchaser.

The language of the amendment is:

> That the Attorney-General of the United States is hereby authorized and directed, as speedily as possible after the passage of this act, to institute suit, or suits, at law or in equity, in the name of the United States, in the circuit court of the United States having jurisdiction, against any person, corporation, or association of persons claiming to own, under or through the grant of Congress, any lands heretofore granted by Congress to any State or to any corporation to aid in the construction of a railroad, or a railroad and telegraph line, where any such lands so claimed lie opposite to or conterminous with any constructed part of any such railroad which was not constructed and completed within the time specified in the granting act or acts for the construction and completion of the whole railroad, to determine whether any such granted lands so claimed by any such person, corporation, or association of persons are subject and liable under the law to be forfeited and reclaimed by the United States on account of the non-construction of such part of any such railroad in accordance with the requirements of the granting act or acts, and to obtain and recover judgments declaring forfeited to the United States all of such lands * * * and setting aside any patents which have issued for any such lands.

As if such annoyance was not sufficient, it is provided that as to any land owned by any person in excess of 320 acres, it shall not be litigated in the same court or suit, but the unlucky owner is driven to defend his interests in the local land offices. The person having 321 acres may "put in issue and have adjudicated and determined," in the proceedings instituted by the Attorney-General in the courts, his interest as to the 320 acres; and to this extent it shall be exempt from forfeiture, and the title to such extent will be confirmed to the purchaser, but as to the one acre or more in excess he is required "to make and file before the register and receiver of the proper land office proof of the good faith, consideration, date, and extent of his and her purchase." After hearings and proof the case, if found favorable to the purchaser, still does not end, but must be certified to the General Land Office. There the findings and decision of the local land officers are again passed upon, and if adversely to the purchaser, he may appeal to the Secretary of the Interior. If in all these ordeals this excess purchase is confirmed and the sum of $1.25 per acre be paid, then patent will issue.

Why, it may be asked, for the sake of economy, if not for justice, were not these purchasers permitted to adjudicate their entire title in the one court and in the same proceeding and thus save them two expensive proceedings in different tribunals? I think I may fitly designate this amendment as a "bill to encourage litigation and to confiscate the property of purchasers and innocent settlers." And yet the gentlemen who advocate this measure in strong numbers claim to be the friends of the people and the special guardians of the settler! Is it any wonder that delays have been experienced in the passage of a just forfeiture bill in this Congress when such views are entertained and such impracticable, unjust, and illegal conditions are made a part of the bill? As if to add emphasis to the general harshness of the amendment, it permits no relief whatever to a purchaser, in large or small quantities of lands, after January 1, 1888, unless he may be a settler on 160 acres. All other interests are not "exempt from the operation, force, and effect of any such judgment or decree." A sweeping forfeiture and confiscation falls upon all industries and titles based upon purchases made since January 1, 1888.

Since that date, and within the grant adjacent to completed road between Bismarck and Tacoma, thousands of purchases have been made from the railroad company, and many of these assignees have in turn conveyed to others; and costly and permanent improvements have been constructed on these lands and great enterprises have been inaugurated. In some instances towns have been built up, and many thousands of people have constructed bona fide homes and invested the earnings of a lifetime; but all of these are treated alike, and all must suffer the same penalty and fall under the same undeserved condemnation. In addition to these calamities to public as well as private interest, there may be included the same hard blow to all mortgage securities on the bonded interests to be confiscated and forfeited, as well as the consequent depreciation in the markets of all bonds and stocks of the road companies involved.

No infliction to a community is so severe and so absolutely demoralizing to all prosperity as that which imperils or disquiets titles. It amounts to a paralysis of all individual effort. This result would surely follow with all business interests along the land-grant railways should such legislation succeed as proposed in the amendment before us.

There never was a time in the history of these grants after the construction of the roads when unconditional forfeiture could be sustained, or would not create unbounded confusion, vexation, public and private loss. The Government itself is responsible for the confidence which induced the public to deal with land-grant property. Legislative as well as judicial and executive recognition gave sanction to individual transactions, and no outrage could equal that of governmental legislation adverse to these interests. It is a maxim in the law that no man shall take advantage of his own wrong, and the principle applies alike to public as well as individual bodies. We can all afford to be just, but none can afford to do a wrong.

The amendment of the gentleman from Indiana [Mr. HOLMAN] to the forfeiting section of the committee's bill is largely indefensible, because of its entire disregard of the same vested rights. Right of way,

depot grounds, switches, side-tracks, machine-shops, and turn-tables, and lands included in any village, town, or city are alone exempt from forfeiture along the constructed lines of roads. In all the speeches and all the legislation proposed by these "friends of the people" the single idea and the sole purpose and object is as to how severe a blow can be seemingly struck at the companies, and how much politics can be injected between all the lines. They seem to be utterly oblivious of any other interests, of any other persons, or any other rights or feelings except these, and they seem to be equally indifferent. Their object is apparently more to delay action that the forfeiture question may be a subject before Congress for perpetual politics, and that they may biennially declaim about past extravagance in land-grant legislation, and thus commend themselves as the friends of the people.

This mask will no longer conceal the features. It is now demonstrated that when the time for action arrives these "friends of the people" not only encumber their bills with impracticable conditions as to forfeiture, but so utterly ignore the rights of innocent purchasers as to defeat all legislation as to forfeitures. The results of this inconsistent maneuvering have done more to aid the land-grant corporations than all efforts combined of their own friends to aid them. Delays alone have enabled them to acquire millions of acres which otherwise would have been long ago restored to the people.

Numerous appeals are addressed to us from the people along these railways, and from the settlers whose homes are at stake, saying: "Stop your politics; cease wrangling and speech-making, and go to work. Let us have practical results. Terminate the long dispute. Take the best you can get, and enable the people to have titles to their homes, and the public to impose taxation on corporation lands which now remain unassessed, untaxed, and untaxable. Give us more business and less politics."

Now, gentlemen, look even at the machinery of the Stone amendment, which I have outlined to you, and say, upon the most cursory examination of it, whether you believe that such a measure as this should for one moment be favorably considered by this Congress, especially when we take into consideration the rights, the privileges, and the good faith of thousands and thousands of people from Dakota to the waters of the Pacific Ocean, and along other routes contemplated in this measure. There may be a little left to the settler after he passes through the trial court, but all will be absorbed by the time he passes through the ordeal of the Interior Department. The results of such a measure will, in effect, mean bankruptcy, confiscation, suffering, and poverty over great areas of country.

I regard this, then, Mr. Chairman, of all the measures before us and of any that ever have been before this Congress, devised or submitted for our consideration, as the most far-reaching and the most calamitous in its injurious results. It means long delay. It means, as I have already suggested, great cost to those who are least able to bear it. Its greatest injury will be inflicted upon those who are the most deserving and the most innocent. It means, in addition to individual injury, the ruinous suspension of great public works in the West. Especially would its effects be most ruinous along the line of the Northern Pacific Railroad over a region which in its extent embraces an area at least equal to all the New England States, and along a route which is over 1,500 miles in length, upon which are built numerous growing towns and cities that have sprung up as if by magic, as well as great manufacturing establishments, flourishing farms, handsome residences, and other improvements which the patriotic and enterprising and industrious citizens of the United States who have gone thither have built up within the last ten years.

All this will follow as a result of a measure submitting these questions to the courts. The gentleman from Missouri says, in outlining the so-called benefits of his amendment, "What harm will be done if there are delays?" And he says that as to the railroads being built during the delay, that is all nonsense, a false alarm sounded to influence our action. I have only to remind the gentleman that within the last three years this matter of building railroads has not been altogether a false alarm. If his attention can be directed to the western slope of the Rocky Mountains, especially to the Cascade Range in the State of Washington, he will find there a line of at least 75 miles of railroad and running through some of the most valuable lands on this continent, some of the most valuable timber lands, some of the most valuable coal lands, some of the most valuable gold and silver bearing lands. He will find them very valuable on the western slopes of the Coast Range Mountains, passing down to the waters of Puget Sound.

There was a time when it was within the power of this House to have restored to the public domain all that magnificent territory, embracing about 2,000,000 acres. There was a time, not three years ago, when that proposition was submitted to us upon this floor and when the gentleman from Missouri himself was one of us here. It was said then, as it is said now, with reference to the future action and operation of the railroad companies as to the grants unearned, if we failed to forfeit they would go on and complete their roads and earn the lands which it was then in our power to restore. But these predictions were disregarded, appeals were made to deaf ears, and they were met with a contemptuous refusal.

Inaction was the result; and then, in the period intervening between the end of the long session and the beginning of the short session two years ago, that railroad company, knowing the temper of this House and feeling that some determinate action would soon be taken, doubled and trebled and quadrupled their forces, and from a point at Ellensburgh to a point on Puget Sound they made a living line of laborers. Men and extensive machinery were placed upon the tunnels, high elevations were overcome, steep chasms were trestled, electric lights were introduced to aid the operations by night as the mighty work went under and over the mountain range; and when we assembled here again at the beginning of the succeeding short session to resume our labors the most stupendous results in railroad building had been accomplished, every mile of the great road had been completed from the waters of Lake Superior to the waters of Puget Sound, the road was accepted, and the railroad people came here and, smiling confidently in our faces, said: "What will you do about it?" And, sir, what can we now do about it? There is not a lawyer on this floor or anywhere else who can answer that question with satisfaction to himself. With the numerous decisions of the Supreme Court, as well as the pronounced opinions of distinguished men who have given this matter the most profound attention, and with the most learned discussion of the subject in the other House of Congress as well as in this body, it seems hopeless at this or at any other time or place ever to restore to the public domain any portion of that land which the railroad companies claim they have earned by construction, followed by acceptance of their roads, although completed after the prescribed time.

The gentleman speaks of the worthlessness of a large portion of the lands embraced in the grants now before us for restoration. He says to this House that at least two-thirds of the immense grant of the Northern Pacific is worthless. I have so much confidence, Mr. Chairman, in the integrity of that gentleman that I must say if he had been over any portion of that country he would not have made so broad and sweeping a declaration and one so very erroneous with reference to the entire length of that grant.

Speaking more particularly of the 214 miles of the remaining land grant of the Northern Pacific Railroad, along the valley of the Columbia, I can place myself upon the witness stand to say that as to that particular portion, involving about 3,000,000 acres, the gentleman is most wofully in error when he tells this House that two-thirds of that land is worthless.

Let me say that in no portion or the Union is there an equal extent of land, public or private, of greater value as to its fertility than the lands along the Columbia River—lands which have yielded often from 40 to 50 bushels of grain to the acre when properly cultivated and irrigated; lands which produce the finest fruit that has ever reached the markets of the Pacific; lands which, as to either esculents or cereals, are unequaled, under proper conditions, as to their productiveness. But of what avail is all this with that black cloud of railroad withdrawal hanging over that country for 214 miles? What inducement is there for any American citizen, homeless as he may be, to pitch his tent and rest his weary footsteps upon that magnificent domain, so long as this cloud hangs over it? The corporation will neither build their road nor will they voluntarily relinquish the land.

The distinguished gentleman from Indiana has repeatedly stated to the House during his very able address (for he is always able and interesting) that there is a hope that the two Houses of Congress may agree on his amendment, but when interrogated by the gentleman from Illinois he gave us no satisfactory answer as to the basis of his hope. We all know—indeed it is a matter of public notoriety—that while there is less difficulty at the present time than there was four years ago in uniting the views of the Senate and those of the House of Representatives on this question, it is not because the Senate is more yielding, but because the House is more conservative. Why, we may ask, does the Senate take so conservative a view on this subject, and why is it that body has not receded and come to the radical basis recommended by the Committee on the Public Lands of the last House? It has repeatedly expressed its position upon this question. It adheres firmly to the same position still.

We are reminded of this again in the bill which for the third time has been sent to us. We are reminded particularly of the one great grant of the original act of incorporation of the Northern Pacific Railroad, an act which invited the people of the United States to subscribe to the stock of that company, section 10 of that act providing—

> That all the people of the United States shall have the right to subscribe to the stock of the Northern Pacific Railroad until the whole capital named in the act of incorporation is taken up.

Then, again, we are invited to consider another act adopted in a subsequent Congress, which permitted the railroad company to mortgage its lands and all its property for the purpose of raising money to carry on the work of construction. They say to us it would be bad faith, it would be a wrongful act, it would be an act of treachery for this Congress now to do anything to make less valuable the bonds and mortgages which were taken by the people and paid for from their hard earnings upon the invitation and authority and the pledged faith of this Congress. This act is entitled "An act to aid the Northern Pacific Railroad Company in the construction and equipment of its road."

Those mortgages and those bonds were subscribed for to a large extent; the rich as well as the poor made this subscription.

Then, again, we are pointed to the great inducement, which was one of the controlling motives in the original grant of these lands—shall the people have a road for national and military purposes connecting the waters of the Lakes with the waters of the Pacific? In section 7 of the original act it is provided—

That said Northern Pacific Railroad, or any part thereof, shall be a post-road and a military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

The Executive Departments of the Government not only impose conditions upon these railroads, and have done so ever since the first rail was laid, as to carrying public stores, munitions of war, etc., for the Government of the United States, but especially with regard to the transportation of the United States mails. All land-grant railroads carry the mails for nearly 25 per cent. less than the charges made by roads not of that character.

The great object of the legislation was to connect the waters of the lakes with the Pacific Ocean for the purpose of transporting troops and public stores and to suppress Indian difficulties, and for other national purposes, as well as to open that immense domain for settlement. These were all questions that entered into the discussion. It was also believed that this road would be indispensable for national defense in time of hostilities with foreign powers, and an eminent gentleman occupying a seat on this floor at the time of the passage of the act said:

If this road is not built within our own territory it will be built within the British possessions. The English never neglect their own interests. If this bill will be the means of constructing a road on our own soil south of the British possessions, it is certainly a measure which every gentleman in the House ought to vote for.

And as to the development of the country one of the most distinguished gentlemen that this century has produced, now no longer amongst the living (Mr. Thaddeus Stevens), said:

What, then, have we given them which gentlemen seem so sensitive about? We gave them that which to this nation to-day is not worth a dollar. We gave them land wholly uninhabited, lying in the bleak regions of the North, and which without some such road as this never will be inhabited until the great fire shall consume those forests.

It is therefore as a means of settling that country, now without one white inhabitant, and it is for the purpose of bringing the alternate sections into value, so that homesteads may be worth something there, that we propose to give this company an opportunity to open up that vast wilderness to civilized man.

And Mr. Hendricks, then in the United States Senate, and since Vice-President of the United States, and to whose memory not long since we paid an affectionate tribute, said, in speaking of the importance of the grant when made:

Everybody can see at a glance that it is a work of national importance. It proposes to grant lands in a northern latitude, where, without the construction of a work like this, the lands are comparatively without value to the Government.

The same debates to which we are referred all demonstrate the high patriotic motives of Congress in making the grant, and showing that it was then thought to be in the interest of the Government, in the interest of national aggrandizement, of power, of unity, of development, in binding together in bonds of steel the Pacific and Atlantic portions of the continent. Then, again, we are also particularly reminded that in the original act Congress did everything in its power to encourage the building of the road thus provided for through that region. In section 9 of the act we find this language:

That if the company make any breach of the conditions hereof and allow the same to continue for upward of one year—

Bear in mind, gentlemen, that by the very language of the law itself, even in the event of an unquestioned right of forfeiture, one year was permitted to the company to make good any default which might have resulted, and it then provided—

in such case at any time thereafter the United States, by its Congress, may do all acts and things which may be necessary to secure the speedy completion of such road, etc.

And Judge Deady, judge of the United States district court of Oregon, whose learning and purity as a distinguished jurist are well known from one end of the country to the other, and who is regarded as among the ablest presiding officers on the bench in the United States, when passing on this question in the case of Hughes *vs.* The Northern Pacific Railroad Company, said sections 8 and 9 should be taken together and the act should be construed rather as intending that if the corporation failed the United States would take up the work and complete the road.

We are invited to consider still another condition in the grant, which provides that whenever 25 consecutive miles of that road were completed commissioners to be appointed by the President of the United States should examine the road, and if it should be found to have been constructed in a good and workmanlike manner should certify that fact, and then the lands conterminous with the 25 miles of completed road should be certified to the President of the United States for patent; and, further, that the title should be conveyed from the Government of the United States to these grantees of the Government. "And patents of lands as aforesaid shall be issued to said company confirming to said company the right and title to said lands."

This provision, bear in mind, applies to each consecutive 25 miles of road as they should be completed. That is the language of the act. And to show, Mr. Chairman, what was the intent and purpose of those who were here when that grant was made, our attention is called to the language made use of by Senators and Representatives, and especially by the chairman of the Public Lands Committee of the Senate when he reported that bill. I refer to Mr. Harlan. He said on the floor of the Senate:

The land is to be conveyed to the company only as the road progresses.

That is to say, according as each section of 25 miles is completed and accepted.

Mr. OUTHWAITE. Can the gentleman inform us whether the Secretary of the Interior has certified the lands adjacent to that portion of the road which the gentleman spoke of as having been built between the long session and the short session of the last Congress?

Mr. HERMANN. I am quite certain that the lands have been certified to the President, but the patents have not been issued. The last action taken in this matter was by the late Democratic President of the United States, Mr. Cleveland. He received the report of the commissioners whom he had appointed, and then he certified that each consecutive 25 miles of that road last completed was entitled to be patented.

We are reminded again, sir, that there is a question as to the legal title and as to our right to declare a forfeiture of earned lands by construction of road out of time.

We are referred in answer to this doubt to decisions of the Supreme Court, among the rest one formidable one in the case of Van Wyck *vs.* Knevals, the language of which is, in brief:

So far as that portion of the road which was completed and accepted is concerned, the contract of the company was executed; and as to the land patented the transaction on the part of the Government was closed, and the title of the company was perfected.

The decision in Schulenberg *vs.* Harriman, covering the same point, is also of close application to cases such as we are considering.

And again, sir, it can hardly be necessary for me to recall to the minds of our friends, especially those who take the radical view of this question to-day, that Congress in 1882 impliedly recognized the fact of the existence of the grant, its validity and its operation, by the act of July of that year in providing for the extinguishment of the Indian title along the line of the road through the Crow reservation some two or three hundred miles, and bought and paid for the right through their reservation and for the construction through their territory of this road. This was three years after July 4, 1879, the time fixed for completion of entire road. Then, as I before remarked, the President of the United States himself, from the very first section of 25 miles of road completed up to the last, has received these sections and certified them for patenting. The companies excuse their delay in construction in part because of the delay of the Government in extinguishing the Indian title and extending the public surveys, as promised in the granting act, in advance of the road.

We find from the reports of the Interior Department on the necessity for public surveys that for a long time the Northern Pacific Railroad Company found it impossible to continue advance work, and were delayed in the prosecution of the work because the surveys were not extended, and selections and definite locations could not be made; and therefore the work could not be hastened. It was not until 1882—some time after the time prescribed for the building of the road—that the surveys were finally extended through. These and numerous other mitigations have been presented showing a degree of equity, or, I may say, numerous equities, which it is claimed should be considered by us in these discussions in determining the extent of the forfeiture penalty. With these arguments before us, as they have been for years, we can well entertain serious doubts if the Senate ever will, or if it should, recede from the position it now occupies. Gentlemen seem to emphasize the fact that this forfeiture is particularly desired by the railroad companies, claiming that it will be a confirmation to the rest of their grants or to such portions as were earned out of time.

I think I have sufficiently answered that by referring to the saving proviso which is in this bill reported by the majority of the committee. I must say, however, that if the lands earned out of time are legally earned this proviso will not make them less so, and if not legally earned this substitute now being considered can not make them so even by implication. The opposition constantly dwell upon the great benefits formerly conferred upon railroads and now the public necessity of depriving them of all lands earned out of time, and to do this they are eager to tie up these grants, hoping that at some time in the future public sentiment may invite extreme legislation. They seem to assume that in all the granted limits there is the same wild, uninhabited expanse that existed prior to the grant. They ignore the subsequent development and progress, the investment of capital, the acquisition and conveyance of real property, the numerous titles which have passed from hand to hand, and all relating back to the land grant for validity. Let me say to gentlemen, if they will lay less stress upon the benefits accruing to the railroad companies and speak a little more of the injuries which will follow from further delays to the people and settlers of the country, and to the bona fide purchasers, not only directly but

indirectly, from the railroad company, and then look for a moment upon the great injury which would be perpetrated upon all the country adjacent to the roads and within the grants, and upon all of their thriving industries, they will come nearer to the mark than they have up to the present time.

Now, the gentleman from Indiana says that it is only the railroad companies who want this particular forfeiture; that is to say, the forfeiture of the land conterminous with the unconstructed lines. Let me say to the gentleman that he is mistaken in reference to that. I call the gentleman's attention to the voluminous petitions from people along the line of these grants, thousands of whom have addressed the Committee on Public Lands in this Congress, asking its members to come to their rescue now, after so many years of patient waiting, and at least do them this long-deferred justice. If the gentleman will look among the files of his committee-room he will find them there, one petition at least, which I had the honor to present from 3,000 people who have settled along the line of the Northern Pacific, in my own State, asking that action be taken as to the unconstructed lines independent of further forfeiture.

Substantially the same language is also used in the memorial addressed by the Legislative Assembly of the State of Oregon to this Congress, asking for some immediate action, a portion of which I will read:

That by the forfeiture of said lands it will increase the wealth, prosperity, and general welfare of the State of Oregon, and the eastern portion in particular.

And to the end that the greatest good may come to our Commonwealth, we, your aforesaid memorialists, most respectfully and earnestly ask:

First. That all the lands of said company conterminous with and adjacent to the proposed Columbia River branch of said road, namely, between Wallula, Wash., and Portland, Oregon, be declared forfeited without delay.

Second. That the forfeiture of said lands do not depend upon the condition of any other portion of the grant of said company than the one mentioned herein; and that the question of the forfeiture herein mentioned be acted upon independently of all others, that the minds of the people may be set at rest and their property rights secured.

This is substantially accomplished in the bill reported by the majority of the Committee on Public Lands.

Now, Mr. Chairman, I desire to have read also the appeal of thousands of settlers who have made homes along these 214 miles, the counties of which, along the river, embrace a population of at least 40,000 people, 3,000 of whom unite in this petition. I ask the reading of it by the Clerk. I think this will satisfy the gentleman that it is not the railroad companies who are asking for immediate and earnest action, but it is the settlers and the people who are building up that great empire in the valley of the Columbia.

The Clerk read as follows:

To the honorable Senate and House of Representatives in Congress assembled:

We, your memorialists, the farmers, stock-raisers, and other permanent settlers of Morrow County, Oregon, assembled in Lexington, Oregon, on Saturday, the 15th day of January, 1887, respectfully represent:

That our homes, farms, and stock ranches are within the 40-mile limit of the branch line of the original Northern Pacific Railroad survey, which was located along the bank of the Columbia River, from Wallula, Wash., to Portland, Oregon;

That the last limit of time in which this Northern Pacific branch line was to have been built, according to the terms of the grant, expired on July 4, 1879;

That in the year 1880 another railroad company, known as the "Oregon Railway and Navigation Company," completed a railroad line along this original Northern Pacific location, from Portland, Oregon, to Wallula, Wash., a distance of 214 miles, and has, since said completion, operated its line without intermission;

That the Northern Pacific Railroad Company, after having plainly forfeited all right to any land south of the Columbia River, threaten settlers upon odd sections in this large belt of territory with prosecution, unless said settlers bond themselves to pay said company's exorbitant prices for the homes built upon what is clearly, and in all justice, solid Government domain;

That many of us have been compelled to pay the maximum price of $2.50 per acre for pre-emptions and commuted homesteads on even sections, on account of this unlawful withholding of the odd sections for said Northern Pacific Railroad, whose title to these lands lapsed in 1879;

That the cloud over the title to these odd sections is now, and has been for nearly seven years, retarding the growth of this community and preventing the improvement of the homes of what would otherwise have been a large and prosperous commonwealth;

That a majority of us came to this region very poor in pocket, but strong in hope and muscle, and have been obliged to break up the sod of many centuries for some years before its inherent productiveness could be developed sufficiently to raise a remunerative crop; that we have been compelled to reside in shanties and live from hand to mouth, from year to year, while endeavoring to build comfortable homes upon prairies which the early settlers considered barren, arid wastes, fit only for a range for a limited number of horses and cattle;

That in our struggle upward we have been visited by dry seasons, which have put us back from year to year, so that many of the most industrious and frugal of us have been unable to raise the $400 demanded by the Government for pre-emption claims on even sections, and that, in consequence, ourselves and families are in many cases living upon expired and unpaid pre-emptions;

That we have been hoping from year to year, and from one session of Congress to another, that our lawgivers would come to our relief by declaring these lands forfeited to the Government and throwing them open to actual settlers, thus enabling us to build and improve these homes with some degree of confidence, but have been disappointed at the termination of each session until all has been doubt and despondency, where otherwise would have been a prosperous and happy community;

That we can not settle closely together and establish schools for our children within convenient reach, on account of every odd square mile within this belt being withheld from permanent settlement;

That the exemption from taxation of railroad sections, which comprise nearly one-half the land in Morrow County, adds additional load to our other burdens, as the deeded land has to bear much more than its just proportion of taxation;

That we have still sufficient faith in our national legislators to hope for justice at their hands, when we succeed in calling their attention to our grievances;

Wherefore, your memorialists earnestly pray the members of the United States Senate who are not in the pay of corporations, and the honest members of the House of Representatives, to agree upon some measure which will immediately free us from this railroad incubus which has for nearly seven years stood in the way of our prosperity.

We earnestly beg that you will see fit to forfeit all railroad lands in Eastern Oregon and throw them open to settlement by the people at the minimum price of $1.25 an acre.

Mr. HERMANN. Now, Mr. Chairman, how long shall these pleadings from the people be made in these Halls without a responsive answer? How long shall they be compelled to knock at the doors of their country's Capitol for relief and be denied the simple justice they ask? Tell me, are they to go away again, as they have for the past six or eight years, without a word of encouragement? For them, and in their name, I hope not. Along this portion of the 214 miles of grant the stranger may distinguish by the dilapidated appearance of the humble cabins on the odd sections the dividing line between the grant proper and the restored indemnity limits. Sir, you can look into the sad and despondent faces of the people upon those lands and plainly see that they have been worn out in watching and waiting from year to year, hoping the time would still come when Congress would confirm their titles at last to their well-earned homes. No argument can be urged against this.

The railroad corporation has not a vestige of claim left, for as to this portion it has never even attempted to comply with the law. The act authorizing the construction of the Northern Pacific Railroad proposed a line from some point on Lake Superior to some point on Puget Sound, and a branch road leading from some point about 300 miles eastward to Portland along the Columbia River. The point was finally located near the mouth of Snake River, at Wallula. From Wallula immediately west to the Pacific, about 262 miles, the road was continued and constructed. From Wallula to the city of Portland it is 214 miles. That branch line has never been constructed. Not a shovelful of earth has ever been taken up, not a rail has ever been laid down, and all that we ever hear as to the construction of that system of road is occasionally some uncertain intimation from railroad people that they may take action toward the building of that road to prevent the forfeiture of the grant.

This is unreliable. On the contrary, the public have neither hope nor assurance of this. The construction of a road on the south side of the Columbia River by another company will of itself discourage the building of the Northern Pacific on the north side and parallel to it. In the mean time great uncertainty prevails along the entire Columbia River grant. Settlers on the even sections are paying $2.50 per acre, which should be $1.25 per acre. Final proof must be made as the time expires on their homesteads and pre-emptions. No taxes are paid on the odd sections. Schools can not be supported and roads can not be maintained. The settlement of the whole country is retarded. In the face of all this, and with all our appeals for relief, we meet with a persistency and stubbornness on the part of those who are fighting for an impracticable object, for a theory, for a proposition not dependent upon this, and which they must know is without the remotest prospect of success.

Mr. McRAE. Will the gentleman permit a question there? The gentleman has said something about "stubbornness." I would like to call attention to his votes. He spoke a moment ago with reference to the Senate bill, which is substantially the same as this. Now, I want to call the gentleman's attention to the fact that he voted with us against that bill in the last Congress, and that he is one of the stubborn men himself.

Mr. HERMANN. I anticipate the gentleman's question, and will dwell a moment longer upon this matter.

Now, all these gentlemen who are in favor of obtaining the largest restoration of the granted lands to the public domain have been at work for years, and I did go with a great many of them here on the final votes, but I always supported substitutes and amendments limiting forfeitures to unconstructed roads, and when voted down, as a last alternative I went with the gentlemen from Indiana and Arkansas, hoping that with some bill from this House a compromise might be agreed upon between the two disagreeing bodies and some practical measure of forfeiture be obtained. To this extent I admit I united with the gentleman. I stood upon the most advanced ground upon that question that I felt it was possible to obtain. I stand on the same ground to-day. The amendments which I supported and voted for in every previous Congress went no further than the bill of the House committee to-day. I always insisted that the measure supported by the gentleman then was impracticable. When our substitutes were voted down we had either to take the gentleman's radical bill or nothing.

In my speech in this House in the Fiftieth Congress, on substantially the same issues as are now pending, I advocated the passage of a bill confined exclusively to a forfeiture of lands conterminous with unconstructed roads. I then said: "Theories may do for others and long speeches may console, but this period has gone by with these people, and they now demand such remedial and practical legislation as shall place in their possession the prize so long sought—a home for themselves and their posterity. For several sessions of Congress practical legislation has failed, and only because of the zealous, stubborn, and yet hopeless effort to secure greater results than were possible to obtain."

In view of our past experience, I confess my surprise that the gentleman should hold out so persistently as he has, and prevent results from being accomplished in this matter in this Congress. He knows that all that he hoped for and all that he pleaded for has never been realized, and he now should believe that the best thing possible to do is to recede from his former position and accept this as a compromise, because it is evident that these are the best terms that can be obtained. All former House measures that have been sent to the Senate have been defeated and now it seems to me, more than ever, it is our duty to do the best thing possible to obtain the long-needed relief for the suffering people along these grants, and we think the present bill is the sensible position to take. It has seemed to me that the position taken by the gentleman from Indiana, who is still persistently holding out when there is no hope of obtaining what he is contending for, is just the same stubbornness as that of the gentleman from Arkansas, after there has been a general consensus of opinion of both sides of the House that no more could be accomplished and no result obtained other than that which is expressed in the bill reported by the Committee on Public Lands.

Mr. McRAE. You say that in this matter you are satisfied it can not be accomplished. Why do you say that, when the question has never been submitted to the Senate?

Mr. HERMANN. For this reason: It has been submitted to the Senate four or five times and has never been favorably acted upon by them. It has been each time considered, and always rejected.

Mr. McRAE. This has never been submitted to the Senate.

Mr. HERMANN. I beg to differ with the gentleman on that question. There never was an issue about the question of the lands conterminous with uncompleted road, but there always has been and is now as to completed roads out of time, and this is your issue now. This issue was submitted to the Senate before, and now by the Holman amendment you propose to submit it again.

Mr. McRAE. But this is not the old House bill. This is not that bill, and does not involve the land which you have been talking about. The bill reported by the gentleman from Illinois we all agreed to, and all your talk is about some imaginary man or measure, and there is not a single question about the Senate agreeing to that. This is a matter on which all lawyers are agreed, that so much of the land as is conterminous with the road not constructed should be forfeited.

Mr. HERMANN. The gentleman from Missouri, as I stated at the outset—and I am sorry that the gentleman from Arkansas did not pay a little more attention, because then he would have heard me define my position more plainly than he did—the gentleman from Missouri distinctly proposes an amendment to this bill by which all the questions as to the land conterminous with the completed portions of the roads earned out of time shall go to the courts, shall go to the land offices, shall go through all the various stages of the Interior Department, until every man out there, unless he is a millionaire, will be absolutely rendered bankrupt before the last day of judgment shall arrive.

Now, I claim that such a proposition as that will not receive the assent of a majority of the body at the other end of this Capitol. Therefore I argue these questions as if they were all before us now for consideration, as they are before us. The position of the gentleman from Indiana [Mr. HOLMAN] in his amendment, the position of the gentleman from Missouri [Mr. STONE], and also the bill as it is reported here by the majority of the Committee on Public Lands, I unite them all together for the purpose of illustrating the conditions which you will attempt to ingraft on the pending bill, and then the utter impossibility of arriving at any compromise other or better than that which is presented by the majority of the committee.

Now, Mr. Chairman, what I desire to add further will be largely in the form of extracts which I shall ask the privilege of incorporating with my remarks in the RECORD.

But in conclusion I desire to say that many of the people along that entire grant of the Northern Pacific, to which I have been specially devoting my remarks, were at one time as radical as the gentleman from Arkansas can be for an entire forfeiture of this land grant as far back as Bismarck, and to the date July 4, 1879, fixed for the completion of the road. They believed before the road had progressed far that that might have been done and should have been done, for they thought it would be just; but they have come now to a a different conclusion. They believe now that the longer we delay the settlement of this question the worse it will be for the prosperity of that country and the happiness of the people individually.

And let me say to the gentleman from Arkansas [Mr. McRAE], to the gentleman from Indiana [Mr. HOLMAN], and to the gentleman from Missouri [Mr. STONE], that when they talk about the friends of the railroad corporations being here—meaning those of us who desire to realize practical results—I say to them that the railroad company's best friends here have been those who opposed all compromises and produced delays through which large grants were earned. I could point my finger to them on the floor of this House and make no mistake, and I would count among them the gentlemen who have spoken so ably here in the minority. I mean no reflection. They did not intend the consequences which followed. By their refusal to take what we could then get the railroads got what they did not want them to have.

As I before suggested, while we are caviling and disagreeing among ourselves, the railroad companies are going on building their lines and having their construction certified and their lands selected and their patents issued under Democratic Administrations as well as under Republican, and, as now nearly all agree, their titles to the lands so obtained will be confirmed by the highest courts of the land. So that, I assert again, the more you throw obstructions in the way of such a measure as that which is presented here by the Committee on Public Lands the more you are playing into the hands of the railroad corporations, aggrandizing them, and making them richer than they are and the people poorer.

Mr. McRAE. You give them what they want.

Mr. HERMANN. And let me say to the gentleman, further, that as for the settlers, the people whose cause you pretend so earnestly to espouse, you are making them poorer by the course that you are pursuing; you are throwing them into bankruptcy, into sorrow, into irretrievable suffering and ruin. That is about where the line should be drawn between the friends of the settler and the real friends of the railroad corporations here. When we look at matters in this material world we look chiefly to results; we look not to words but to living, earnest action. Those people have been patiently waiting. You have told them that you were their friends and they have been growing poorer every day in proportion to your protestations of friendship, and the time has now come for you to show your hands definitely. Give them now that which it is possible to give them. Give them that upon which there is no difference of opinion in either the Senate or the House of Representatives. Relieve the discouraged settlers of the West. Let them go on with cheerful hearts, let their titles be confirmed, and let happiness be seen again in their poor and humble cabins rather than sorrow, gloom, and despair. [Applause.]

Forfeiture of Land Grants.

It (the Democratic party) has reversed the improvident and unwise policy of the Republican party touching the public domain, and has reclaimed from corporations and syndicates, alien and domestic, and restored to the people nearly 100,000,000 of acres of valuable land to be sacredly held as homesteads for our citizens.—*National Democratic Platform*, 1888.

SPEECH

OF

HON. THOMAS C. McRAE,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES.

Thursday, July 17, 1890.

The House being in Committee of the Whole, and having under consideration the bill (S. 2781) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—

Mr. McRAE said:

Mr. CHAIRMAN: I have discussed this question several times on this floor, and in reports to the House from the Committee on Public Lands, during the last five years. What I say to-day will be, so far as the subject generally is concerned, largely a repetition of what I have said heretofore in some form or other.

The policy of granting lands to aid in the construction of railroads was initiated in 1850 by the passage of the act to aid the Illinois Central Railroad (3 Statutes at Large, 466), and since that time has been very liberally indulged in. Until the year 1862 it was the universal practice of Congress to make the grants only 6 miles wide on each side of the roads and to make them to the States in trust for the roads to be constructed. Since then the practice has been to greatly enlarge the limits and to grant the lands directly to railroad companies organized by Congress, and hence a great deal of our present trouble in forfeiting the unearned lands held by them.

The following table will show by what Administration made and the extent of the grants for railroads, exclusive of indemnity withdrawals to the amount of over 40,000,000 acres:

	Acres.
During President Fillmore's Administration there were grants to the States in trust for the railroads aggregating	8,198,593.73
During President Pierce's Administration there were grants to the States in trust for the railroads aggregating	19,678,179.79
During President Lincoln's Administration there were grants directly to railroad companies aggregating	74,295,891.61
During President Johnson's Administration there were grants directly to railroad companies aggregating	34,001,297.77
During President Grant's Administration there were grants directly to railroad companies aggregating	19,231,121.69
Total	155,504,994.59

At this late day I will not undertake to pass upon the wisdom of such a policy. Many of the best and ablest leaders of public thought of those times, including Hon. Stephen A. Douglas and Hon. Lewis Cass, favored the grants, but whether right or wrong at that time we

will all agree that the roads have abused the trusts and that it should now be abandoned. The time has come for us to take our bearings and see where we are drifting. Our public lands must be preserved for settlers. Our population is increasing with wonderful rapidity. The landless and homeless are to be found all around us, while our public domain is being absorbed by railroad companies and cattle and foreign syndicates.

The grand object to be accomplished by making the grants was to secure an early completion of the roads across the plains and over the mountains and the development of the great Western States and Territories, to people them and unite their commerce with that of the Eastern and Middle States. The policy did not accomplish this result. It might well be doubted if the grants materially aided in what has been done in that direction.

Eighty grants, covering directly 155,504,944 acres, and about 40,000,000 more of indemnity withdrawals have been made to companies that have altogether constructed less than 20,000 miles of road, while during the same period of time over 100,000 miles of road were constructed by other companies without the aid of land grants and subsidies, and not a few in the undeveloped West were built far in advance of and before the completion of those aided by large and valuable grants.

In many cases the construction of the land-grant roads appears to have been purposely delayed until the country through which the routes were projected had been settled to a sufficient extent to justify the building without aid. Under the law and practice of the Interior Department in permitting the lands to be withdrawn as soon as maps were filed the railroads lost nothing by such delay. They paid no taxes and the land was all the time increasing in value. The delay was a very profitable business for them. They have been allowed to build wherever and whenever they desired, either within or without the limit, and often allowed to change the route to suit their desires, and withdrawals have generally been made to suit their greedy wishes.

There are many railroads yet uncompleted to aid which land grants were made nearly thirty years ago, and when the time fixed in the granting act for completion has long since expired, and yet the lands are still withdrawn from sale and settlement and the legal title in the company, with no power in the executive department to restore them to the public domain, while up to this time the legislative department has been unable to agree as to a general forfeiture. About 50,000,000 or more acres have been forfeited, and there yet remain subject to forfeiture from 6,000,000 to 70,000,000 acres according as Congress may think proper under all the circumstances. I think the whole grant should be forfeited where the road was not completed in time, and particularly if it has never yet been completed. Of the eighty roads receiving grants, forty-seven were completed within the time, twelve have been completed out of time, seventeen only partially completed, and there are four no part of which has ever been constructed.

Congress now has the option of saving a large quantity of these lands for the homeless people or giving them to the faithless railroad companies. The question is fairly before the people and is well understood by them, and the settlement of it can not be avoided by the promise contained in section 7 of the House amendment. Shall the House now abandon its position heretofore assumed in the contest with the other branch of this department and yield to the demands of the railroads? The Democratic party is emphatically and squarely committed in its platform to the policy of declaring these forfeitures and restoring the lands to the public domain, and so long as it controlled this House it refused to make any such concessions to the corporations as is now proposed by the majority of the Committee on Public Lands.

The Democratic party stands pledged and ready to forfeit all not earned in time. That is the question to which we call the attention of our Republican friends. I call upon them now to show what they have done to recover the unearned lands so recklessly granted by their party. I charge that party with favoring the railroads as against the settlers in this fight for forfeitures, not all the members, but particularly the Senate, which is under the control of Republicans. I point with pride to the record of our party and the efforts of leading members.

Mr. HOLMAN, of Indiana, a Democrat, now the able chairman of the House Committee on the Public Lands, on the 18th day of January, A. D. 1869, when the Republican party had full control of all the departments of the Government, offered the following resolution in the House:

Resolved, That grants of the public lands to corporations ought to be discontinued, and the whole of such lands ought to be held as a sacred trust to secure homesteads to actual settlers, and for no other purpose whatever.

A Republican, Mr. H. D. Washburn, with the House about two-thirds Republican, moved to table the resolution, and the motion was agreed to by just about that proportion. The vote was 110 yeas and 55 nays, and the gentleman from Indiana [Mr. HOLMAN], who was a member of the Fortieth Congress, says he only remembers three Democrats who voted to table. With only a handful of Democrats in Congress, the leaders of that grand old party of the people that had acquired so much of our public domain undertook to stop such grants, and, if possible, to recover some of the lands that had been recklessly given to moneyless corporations for speculative purposes, and they were met by the Republicans, then in power, by a vote to table, which in effect said to the country that the lands ought not to be held for settlers, but for corporations as well, and continued to make grants.

In connection with this resolution I desire to call attention to the platforms of the Democratic party in 1884 and 1888 upon this subject:

We believe that the public land ought, as far as possible, to be kept as homesteads for actual settlers; that all unearned lands heretofore improvidently granted to railroad corporations by the action of the Republican party should be restored to the public domain, and that no more grants of land shall be made to corporations or be allowed to fall into the ownership of alien absentees.—*National Democratic Platform*, 1884.

It [the Democratic party] has reversed the improvident and unwise policy of the Republican party touching the public domain, and has reclaimed from corporations and syndicates, alien and domestic, and restored to the people nearly 100,000,000 of acres of valuable land to be sacredly held as homesteads for our citizens.—*National Democratic Platform*, 1888.

Now, Mr. Chairman, let us see what has been done to redeem these promises.

The Forty-eighth Congress passed bills to forfeit the following-named land grants to railroad corporations, all of which bills were initiated in and passed by a Democratic House in accordance with the policy of that party, namely:

	Acres.
Oregon Central	870,880
Texas Pacific	18,500,000
Iron Mountain, of Missouri	300,000
Total area by acts Forty-eighth Congress	19,670,880

The Forty-ninth Congress, which began with the Cleveland Administration, enacted laws forfeiting the following-named land grants to railroad corporations, initiated and insisted upon by the House, namely:

	Acres.
Atlantic and Pacific, estimated at	23,871,360
The Mobile and New Orleans and other Southern railroads, the grants being to States, estimated at	7,000,000
Total area restored by Forty-ninth Congress	30,871,360

The Fiftieth Congress passed a bill forfeiting the grant to the State of Michigan to aid in the construction of a road from Marquette to Ontonagon, estimated at 500,000 acres. Total legislative forfeitures, 50,982,240 acres.

The following table and statement shows the quantity of land actually restored to the public domain by the Cleveland Administration, exclusive of forfeiture bills:

	Acreage.
Lands in granted railroad limits restored	2,108,417.38
Railroad indemnity lands restored	21,323,600.00
Private land claims; withdrawn lands restored	576,000.00
Entries under pre-emption, homestead, timber-culture, desert, mineral, and timber land laws canceled in regular course of examination and proceedings in General Land Office for abandonment, illegality, and other causes	27,460,608.74
Invalid State selections restored to United States	968,747.52
Total actually restored to the public domain and opened to entry and settlement by the executive department	52,437,373.59

So we have the following results:

	Acres.
Forfeited by Congress	50,982,240.00
Restored by Executive orders	52,437,373.59
Total added to public domain	103,420,613.59

We have this as the result of the work commenced by the Democratic party ten years ago. It is a good showing, but there is still much to accomplish in this line.

It is insisted by some that we have no power to forfeit a number of these grants; that the grants were and are absolute and irrevocable appropriations and dedications of the lands to and for the purpose of completing the roads. In my judgment, there is nothing in this, and I am sure that such a theory will not be accepted either by the courts or by the country. We have heard during this debate much about the law bearing upon the question of power and of conditions-precedent and conditions-subsequent, and a little later on I will have something to say about the legal questions involved.

But the central fact stands out in bold relief that the grants were upon the condition that the roads were to be constructed on or before a fixed time, and that this condition was not performed as the Government and the people had a right to expect. If the positions were reversed the corporations would have no scruples about declaring a forfeiture. It is perfectly clear that nothing can be accomplished without a forfeiture, and we are all agreed that some bill should be passed by Congress. The important question to be settled to-day is the extent to which we shall go. There are four propositions now pending:

1. The old Senate proposition, which is now substantially concurred in by the Republican members of the House committee, to forfeit the lands where no road has been built, involving about 6,000,000 acres, as is shown by the Department estimate.

2. The substitute of the gentleman from Indiana [Mr. HOLMAN], which is the proposition several times passed and heretofore insisted upon by the House when it was Democratic, to forfeit all lands except for road constructed within the time fixed in the granting acts, involving about 50,000,000 acres.

3. The proposition which I insist upon, to forfeit the entire grant

where there has been a failure to perform the conditions of the grant, involving about 70,000,000 acres.

4. The proposition involved in the amendment of my colleague upon the committee, Mr. STONE, of Missouri, in which I have joined to agree to the first proposition, and refer the other questions to the courts for judicial determination. As for myself, I insist that as a matter of law, as a matter of equity and good conscience as well as of public right, there should be no compromise in this matter, and therefore feel it my duty to insist, as I have in the last two Congresses, upon a forfeiture of the entire grant where there was a failure to perform the conditions imposed upon and accepted by the companies and particularly where the roads have not yet been completed. If it is not done I shall wash my hands of responsibility for such failure.

I am, then, first in favor of the third proposition as stated. If it is rejected, then as the next best I want the second proposition. If neither of these is adopted, and I am sure neither will be by the House as now organized, then I want the Stone amendment and will move its adoption in his absence. These different propositions have each been fairly and ably presented by gentlemen who have preceded me in this debate, the first by the gentleman from Illinois [Mr. PAYSON], the second by the gentleman from Indiana [Mr. HOLMAN], and the third by my eloquent and forcible friend from Missouri [Mr. STONE]. I fully agree to all he has said. It will be observed that they all agree that Congress has the power under the law and the decisions to forfeit the whole of the grant where there was a failure to perform the conditions made by Congress and accepted by the roads.

LEGAL PRINCIPLES.

Now, Mr. Chairman, let us briefly consider the legal propositions involved. We have heard and read much about the power of Congress to forfeit, and of conditions precedent and subsequent. I think that the grants passed the title to the roads in fee with a condition-subsequent. At common law the object of a condition was to insure the use of the property granted to the object intended, and a forfeiture for breach of the conditions restored the property to the grantor. So these railroad companies hold the granted lands absolutely in fee-simple, subject to the right of the United States to insist upon a forfeiture for a disregard of the conditions when it shall be asserted. They can use it, sell and mortgage as their own, but only subject to the right of the Government to retake the estate for a breach of the conditions, and the forfeiture may relate back to the date of the grant if Congress so declares.

The building of the roads out of time only gave precision to the grants, but does not aid the title. The grant is the title. This has repeatedly been decided by the Supreme Court. As to the roads in question there has been a breach of the conditions of the grants. It follows, then, that there is a right of forfeiture. To what extent can Congress forfeit? I say we can and should take the whole grant, with proper protection to settlers and purchasers.

In support of this position I will refer to the following quotation from Sheppard's Touchstone, page 154:

It is generally true that he that doth enter for a condition broken doth make the estate void *ab initio*, and that he shall be in of his first estate in the same course and manner as it was when he departed with the possession and at the time of the making of the condition. And hence it is that, if there be any charge or incumbrance on the lands, as if the lessee of land upon condition grant a rent charge out of the land or enter into a statute or recognizance and the conusee has the land in execution and this charge is after the condition is made, in this case when the condition is broken and the party doth re-enter he shall by relation avoid the rent, statute, and recognizance and hold the land freed from them all.

The same doctrine is found in other authorities. Thus in Coke, Littleton, 202*a*, it is said broadly:

He who enters for breach of condition regularly shall have the land of his first estate.

Much has been said about the decision in the case of Schulenberg against Harriman (21 Wallace, 44) and it has been used upon all sides of this question. Here are the facts upon which this decision was based: There was a grant made to the State of Wisconsin to aid in the construction of a railroad to be built in ten years. The road was not built in the time. After the time had expired the plaintiff went upon the land and cut and converted to his own use certain trees growing. The defendant, as agent of the State of Wisconsin, seized the logs as the property of the State. The plaintiff brought replevin. The question was whether there was such a title in the State as would maintain replevin or trespass. The court decided that the grant was one *in præsenti;* that the legal title passed to the State by the act upon conditions-subsequent.

Now, that is the whole scope of that decision, and I challenge any gentleman on the other side to cite a single case that goes beyond it. This is the leading case and has been followed in every decision since delivered by the Supreme Court of the United States. Now, what does this case settle? I want to call attention to the exact language of the court:

The provision that all lands remaining unsold for ten years should revert to the United States if the road be not completed, is no more than a provision that the grant shall be void if a condition-subsequent be not performed. That is the settled law, that no one can take advantage of the non-performance of the condition-subsequent annexed to an estate in fee but the grantor, his heirs, or the successors of the grantor, if the grant proceeded from another person and if they do not see fit to enforce the forfeiture on that ground, the title remains unimpaired in the grantee.

In what manner the reserved right of the grantor for breach of the condition must be asserted, so as to restore the estate, depends upon the character of the grant. If it be a private grant that right must be asserted by entry or its equivalent. If the grant be a public grant [as this is] it must be asserted by judicial proceedings authorized by law, or there must be some legislative assertion of the ownership of the property for breach of the conditions, such as an act directing the appropriation of the property, or that it be offered for sale or settlement.

Mr. HERMANN. In that case there was an express reversion provided for, but in this case there is no such provision for an express reversion.

Mr. MCRAE. The principle is the same and there is substantially no difference. In the case of the Northern Pacific there was an express statement that every grant, right, and privilege was made and accepted upon the condition that the whole road should be constructed, equipped, furnished, and completed by the 4th day of July, 1876.

Mr. HERMANN. The gentleman remembers very well that in the original bill providing for the grant to the Northern Pacific Company, or, as it was at that time called, The People's Company, for a road from some point on Lake Superior to Puget Sound, it was provided that in event the road was not completed within the time stipulated the lands should revert. That bill, however, was lost, and in the bill which we are now acting upon that particular clause was not again inserted.

Mr. COBB. But it is said here that this grant is made upon the express conditions stated.

Mr. MCRAE. The condition was just as clearly expressed in the grant as it passed as could be. The grant was upon conditions to be performed, as I have shown, and the courts have held that under such circumstances Congress can declare the forfeiture. The estate so conditioned is created by declaring the condition, not by declaring the result of its breach.

Mr. HERMANN. But the gentleman will also remember section 9 of this particular bill, which provides that if the conditions are not complied with within one year after the failure of the company to comply with the conditions the Congress may take such measures as it may deem proper for the completion of the road.

Mr. MCRAE. I am going to read sections 8 and 9 together. The gentleman himself having voted heretofore with the Democrats for the forfeiture of this grant to the extent proposed by the gentleman from Indiana, now in effect says that he knew all the time that the Senate of the United States would not agree to the proposition, and that the delays were in the interest of the railroads. Now, after taking that position for many years, he plants himself squarely, so far as the Northern Pacific is concerned, upon the doctrine of dedication first announced in the report made by the gentleman from Maine [Mr. REED], as chairman of the Judiciary Committee in the Forty-seventh Congress, asserting that there was a dedication of the land granted and that the grant could not be forfeited at all. Why support the Senate proposition if this position is the correct one? Why your argument on yesterday if this grant can not be forfeited at all?

Mr. HERMANN. For the simple reason that we know what the attitude of the Senate is——

Mr. MCRAE. We are not talking now about the attitude of the Senate.

Mr. HERMANN. I am explaining the reason for my position taken yesterday.

Mr. MCRAE. But your question assumes that all the Government can do under section 9 is to take needful and necessary steps to have the road completed, yet you argued yesterday for the forfeiture of that part of the grant where no road has been constructed.

Mr. HERMANN. What I say is that this is an entirely different case from the case which the gentleman cites as having been decided in Wisconsin, a case resting upon an entirely different principle and upon a different state of facts and of law.

Mr. MCRAE. I am talking of the change in your position as to the extent of the forfeiture and the power to forfeit, and not of the difference in two grants.

Now I want to call the attention of the House to section 8 of the Northern Pacific grant, and I ask gentlemen to apply the rule of common sense, of common fairness, of common honesty, as well as the rules of law, to this question, and, as honest Representatives, say what is right for the United States and the people whom we are presumed to represent here.

Section 8 is as follows:

And be it further enacted, That each and every grant, right, and privilege herein are so made and given to and accepted by said Northern Pacific Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than 50 miles per year after the second year, and shall construct, equip, furnish, and complete the whole road by the 4th day of July, A. D. 1876.

Then, by two separate resolutions, afterwards the time was extended to July 4, 1879. Section 9, upon which the gentlemen who resist forfeitures rely, and under which the attorneys for the railroads who have discussed this matter before the committee have insisted that we have no right to declare a forfeiture at all, is as follows:

SEC. 9. *And be it further enacted*, That the United States make the several con-

ditioned grants herein and that the said Northern Pacific Railroad Company accept the same upon the further condition that if the company make any breach of the conditions hereof and allow the same to continue for upwards of one year, then in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of said road.

That is, this further condition is that if the company fails to perform the conditions stipulated in section 8 the Government has the option of taking back the whole grant, or it may elect, under section 9, that it will take steps to have the road completed. Upon this point I desire to read the following from the report of the committee in the last Congress to which the gentleman from Oregon then assented:

Section 9 of the act, while perhaps embracing the preceding section within its provisions, and possibly to that extent cumulative, is also a provision prescribing certain other and additional conditions-subsequent.

It will be noticed at the outset that by its specific language it embraces more than one grant, the exact words being "the several conditional grants herein," and that it relates to a "further" condition. The "further" condition was that if the company should make any breach of "the conditions hereof" and the same should continue for a year, then the United States might, etc. Now, it is obvious upon the mere reading that this language does not primarily relate to section 8, for that section only appertains to one grant, needs no "further" condition, and the provision that the default should continue for a year or upwards would have no pertinence. This section evidently relates to some other condition than that mentioned in section 8.

These other conditions or requirements are found in section 5, which provides that six separate and distinct things should be done by the company, namely: First, that the road should be constructed in a substantial and workmanlike manner, equal in all respects to first-class railroad; second, that it should be made of rails of the best quality, manufactured from American iron; third, that a uniform gauge should be established throughout the entire line; fourth, that the company should construct a telegraph line of the most approved and substantial description; fifth, that it should not charge the Government higher rates than individuals; and, sixth, that it should permit other railroads to make running connections on fair and reasonable terms. These are the other and further conditions mentioned by section 9, in default of any of which, continuing for a year, Congress should have the right to "do any and all acts and things" to secure the "speedy completion of the said road," as contemplated and provided.

The intent of Congress, expressed with abundant precision in the act itself, and as every one knows as a matter of history, was to insure the construction within the time prescribed of a substantial, first-class, and thoroughly equipped railroad from Lake Superior to the Pacific, suitable and available in all emergencies for use by the United States—in peace for the transmission of its mails; in war for the carrying of troops and supplies. Congress did not donate 43,000,000 acres of the public domain to this company without expecting and requiring some equivalent. Among the things it did require was the construction of a first-class road for the purposes and in the manner indicated. It accordingly prescribed the various requirements above recited, and to insure obedience to its mandates it provided by section 9 that in default of any of the same, Congress might do anything necessary to complete the road in the manner contemplated and prescribed.

The enactment of these provisions would have been futile had no reservation been made of a right to enforce them. Without such a reservation the Government, upon default of the company, would have had nothing left except a claim against the company for breach of contract or of covenant. To prevent such a condition of affairs the right was reserved to further legislate to compel obedience to its mandates. These requirements then became additional conditions-subsequent which Congress could enforce by forfeiture or by any other remedy deemed appropriate and adequate. That was the object, scope, and intent of section 9, and it is expressed in unambiguous phrase.

It is no answer to this proposition to say that these requirements might be enforced by the general forfeiture provided by section 8.

The road might have been built within the time limited, and yet every one of these conditions been broken. The grant could not then have been forfeited at all under section 8. A road would have been completed and, though built in absolute disregard of all the requirements of section 5, the Government would have been powerless either to resume the grant or compel the company to perform the condition. That section 9 relates to other conditions than that mentioned in section 8 is also apparent from the use of the words "and allow the same to continue for upwards of one year." These words, if applied to the conditions mentioned in section 5, mean something. If applied to section 8 they are nonsensical. If Congress had intended to extend the period mentioned in section 8 one year, it would have said July 4, 1877; not July 4, 1876, and another year thereafter.

It is thus apparent that section 9 of the act has a scope and effect far beyond anything embraced by section 8; that it legislated upon further and additional subjects; has a separate and distinct function of its own, and that instead of limiting or controlling the preceding section it creates additional obligations and liability on the part of the company.

The only answer to this position advanced by the company is the suggestion that if this be true, then the two sections are utterly inconsistent with each other. It is difficult to understand how this can be seriously urged. We have already shown a different legal scope and operation for each under the construction we have adopted. They are not repugnant or inconsistent in the slightest degree. Each stands for its own particular purpose.

On the other hand, the construction contended for by the company would violate well-established rules of construction simply to disregard the plainly expressed intent of Congress. They claim that the two sections should be taken together, and that so taken all that Congress could do upon failure of the company to build the road would be to take all necessary steps to compel its completion, without power to forfeit the grant.

This position is untenable under the rules of construction because, first, it assumes an ambiguity, and then to reconcile it rejects the usual and ordinary signification of terms and phrases; twice reads as singular a word in the plural, and construes "further condition" as if the word "further" was omitted; second, with reference to a simple time condition, namely, that the road should be built by July 4, 1876, it adds the senseless expression, "provided the same shall continue unbuilt one year;" third, it excludes all of section 3 from its relations and connections with section 9, and either rejects it entirely or makes it practically inoperative; fourth, it violates the manifest general intent of the entire act and the general policy of Congress prevailing at the time in respect to these grants.

Another consideration is to be noticed. The provision of section 9 is permissive or directory only. Congress may do all necessary things, etc. It is not mandatory, as it would have been if intended as the sole remedy for the breach of the condition of section 8. So, too, it is not exclusive of other remedies for the breach. Congress may in that way enforce the forfeiture or may do it otherwise.

We have been referred to some authorities which are supposed to sustain the forced construction of the act contended for, but after the most careful examination of them we are unable to recognize any doctrine contrary to that we have adopted for our guidance. The strongest cited are undoubtedly the cases of the Episcopal Mission *vs.* Appleton *et al.* (17 Mass., 826) and Stanley *vs.* Colt (5 Wall., 119). They do not establish any new doctrine or any principle repugnant to the authority of the long line of cases we have cited.

In the former the supreme court of Massachusetts, speaking of a voluntary deed for charitable purposes, say:

"Although the words 'upon condition' in a conveyance of real estate are apt words to create a condition, any breach of which will forfeit the estate, yet they are not to be allowed that effect when the intention of the grantor, as manifested by the whole deed, is otherwise."

And in the latter the Supreme Court of the United States, speaking of a devise for certain charitable purposes, say:

"It is true the word 'proviso' is an appropriate one to constitute a common-law condition in a deed or will; but this is not the fixed and invariable meaning attached to it by the law in these instruments. On the contrary, it gives way to the intent of the parties as gathered from an examination of the whole instrument," etc.

The principle announced by these decisions is simply the universal rule of construction giving effect to the real intent of the parties to an instrument when the same can be fairly ascertained from the language used; in other words, that technical expressions and phrases ordinarily yield to a contrary plainly expressed intent. But the principle has no applicability to the case under consideration, for there is no intent, either expressed or to be reasonably implied, contrary to the technical meaning of the words "upon condition."

On the contrary, the act from beginning to end displays in every line a most deliberate, well considered, and matured intention not to bestow this princely gift without so circumscribing and limiting the company by these conditions as to secure the object, and every object, which Congress had in view. It shows the clearest intention in the mind of Congress to create a condition-subsequent forfeiting the grant for failure to build the road within the prescribed period; and also other conditions-subsequent, putting it in the power of Congress, even after the road had been built, to enforce the requirements of the act touching the manner of its construction. In the judgment of your committee there is not a word in the act indicative of an intent to limit or curtail the technical words of condition used.

And aside from the language of the act itself, it is incredible that Congress could have intended in this, probably the largest and most valuable grant of lands ever made to a railroad company or a State, to depart from the uniform and uninterrupted policy of legislation for years, and allow the company to appropriate this vast belt of the public domain without restriction, reservation, or control. Your committee can not subscribe to such a doctrine, and can find no argument, even plausible, to support it. We are clearly of opinion that Congress intended to provide for a forfeiture upon failure to build the road within the prescribed period, and that the language used was abundantly sufficient in law to accomplish that intent.

I hardly think it necessary to spend much time upon the suggestion made by the gentleman that no forfeiture can be made as to the Northern Pacific, when he himself advocates a limited forfeiture by supporting the Payson bill.

Mr. HERMANN. What I said was, and my argument has been, that there is doubt about the question.

Mr. McRAE. Oh, yes; a doubt. We have heard about these doubts for the last ten years. It is time we were providing some enactment to meet the case and settle the doubt without resolving them all in favor of the railroads.

Mr. HERMANN. We always voted for proper forfeitures.

Mr. McRAE. But you do not propose to do so now. You have avowed your purpose to support the bill you have heretofore voted against, and you say that you knew when you voted as you did that it was in the interest of the railroads. That is a matter for yourself and your own constituents; but when you charge gentlemen on this side of the House who so voted with working in the interest of the railroads because they will not surrender to the Senate, I resent it as untrue. You can confess your own sins as much as you please, but you have no right to impute your motives, if such they were, to others.

Mr. HERMANN. What I said was that the results were in favor of the railroads as you voted.

Mr. McRAE. Oh, the results have been accomplished by the obstinacy of the Senate, and made certain by the triumph of your party at the last election. Your party now has full power to legislate, and it can do as it wishes. We will see what it does do.

Mr. HERMANN. If you had voted for the substitute, which provided for forfeiture as to lands conterminous with the non-completed portions of the road, we would have had 10,000,000 more acres added to the public domain.

Mr. McRAE. Perhaps so; and if your Republican associates in the Senate had voted for the House bill as you did personally then, we would have had at least 50,000,000 acres more than we now have.

Mr. HERMANN. That is no reason for voting down the substitute. It seems to me that common sense would indicate that we should take the best we can get.

Mr. McRAE. I say take what we are entitled to, and this is all the Democrats have ever demanded. We represent the people, and we have made this fight in good faith. The best we can get! We are not beggars at the feet of the Republican party, of the Senate of the United States, or of any other organization or body of men. [Applause on the Democratic side.] We are here to take back that which belongs to the people and which we have a right to take. We are here to demand that the rights of the United States shall be respected and preserved, and in the name of the people to insist to the last upon all their rights, yielding nothing. It should not be a question of what the Senate and railroads will let us have, but what we are entitled to. We ask nothing more and will take nothing less. [Applause.]

Mr. HERMANN. It is only a question as to whether we are entitled to so much.

Mr. McRAE. And you are unwilling either to declare a forfeiture,

or to submit the question to the judgment of the Supreme Court. We will do both or either.

Mr. HERMANN. Because we are unwilling to bring bankruptcy upon a great number of innocent persons.

Mr. McRAE. The settlers are fully protected and no harm will come to them under either bill proposed by those on this side of the House.

Now, since we have failed to agree upon a bill that is satisfactory to both Houses and the country, what should we do as to the Northern Pacific? Should we yield to the wishes of the railroad company and release it from the obligation to build further and not require it to parallel the road that it has leased or bought from Wallula to Puget Sound? Shall we not require the Southern Pacific to build across the desert and over the mountains, the very places that the Government most wanted the road, and on account of which it gave the immense grant as an inducement for building it? If so, then I insist upon a forfeiture of the entire grant.

Now, Mr. Chairman, returning to my argument upon the question of power, I desire to notice the case of Denny vs. Dodson, decided by Justice Field at the November term, 1887, of the circuit court, district of Oregon (32 Federal Reporter, 899), as it has been referred to as an authority against the right of Congress to forfeit the lands. Let us see what was before the court and what was decided in that case. Mr. Denny set forth in his complaint that the property in question was part of the land granted to the Northern Pacific; that the road was located opposite to the premises in 1870 and a map filed at that time with the Secretary of the Interior, and that the land was withdrawn from disposition under the public-land laws; that the road was constructed opposite the premises in 1884, and that he, the plaintiff, purchased and received a conveyance from the railway company in 1885. He charged that the defendant was unlawfully in possession, and concluded with the usual prayer in ejectment.

To that complaint the defendant demurred upon the ground that it did not state a sufficient cause for action. In passing upon that demurrer, this much-talked-of opinion was rendered. Justice Field overruled the demurrer, thereby holding that the complaint on its face set forth a good cause in ejectment. His decision was technically right under the law. Why? Ejectment is a possessory action in which a complainant recovers on the strength of his legal title. Now, it has been decided over and over again that these Congressional grants are both a conveyance and a law. It has been decided that the granting act itself passed the naked legal title *in præsenti* to the grantee; that the moment that the act was approved the legal title to the lands became vested in the grantee.

It has been also decided over and over again that the conditions upon which these grants were made are conditions-subsequent, and that a breach of the conditions does not *ipso facto* restore the title to the United States; but that the legal title remains in the grantee until some affirmative action is taken by Congress, or by the authority of Congress, to retake the lands—such, for instance, as an act of forfeiture. Now, these lands had been granted to the Northern Pacific Company; they had been withdrawn from entry under authority of law by an order of the Interior Department; the naked legal title was vested in the railroad company, and though the conditions of the grant had been in fact broken, Congress had taken no step to declare a forfeiture.

The legal title remained in the company and still remains in it. It is to get it out that we are trying to enact this legislation. As long as the lands are withdrawn from entry, as long as the legal title remains in the company, it or its grantees are entitled to possession as against all third parties and can maintain ejectment. That is all Judge Field decided. That is all he had before him to decide. Every judge on the Supreme Bench could well agree to that. But Judge Field, by way of argument, said a great deal—went out of his way to say a great deal—about the rights of the railway company to the granted lands.

But what he said was in no wise necessary to a decision of the point before him. It is purely *obiter dictum*. According to his view it may be doubted whether we can ever forfeit the "unearned" lands. But Judge Field's position upon all questions of this sort is well understood here and throughout the country. Nothing he could say, no extreme to which he could go in this direction, would surprise anybody who is familiar with this class of decisions and of the attitude of the various Federal judges with regard to them.

I insist on believing that the Supreme Court will sustain these forfeitures if they are made. I want to hear from the new Chief-Justice, from Justice Lamar, from Justice Miller, who I believe to be the greatest of living judges, from Justice Brewer, and from the whole court. But all that is a matter for the future. Let us do our duty here and leave the Supreme Court to take care of itself.

I now desire to call attention to section 7 of the Senate bill, which excepts the railroads in Alabama from the forfeiture and allows another year to such roads in that State as have not been completed. This is in effect making a new grant, and I am opposed to it. Let us treat these Southern roads just as we do the Northern Pacific and other great lines. I now desire to refer specially to one of these roads in Alabama.

TENNESSEE AND COOSA GRANT.

I have draughted an amendment based upon the second section of the bill introduced by the gentleman from Alabama [Mr. FORNEY], who seeks to have the whole grant forfeited. I will move it at the proper time in the interest of the settlers of Marshall County. Petitions have come to him and to me, signed by about 2,000 of the settlers along the line of the road. It is charged by the settlers that a corrupt and fraudulent sale has been made of some of these lands by the defaulting company. Many of these settlers have been harassed with litigation and are being harassed now. I think this grant should be quieted with all the rest, by saying to the settlers that they shall have the lands they occupy and that the railroad company shall have nothing but the right of way. Treat this road as you treat the Northern Pacific. These honest, humble, hard-working people of Marshall County are asking protection; they are entitled to it and should have it, and have it quickly.

As to the history of this road, its management and its present condition, I submit the following statement prepared by Mr. R. B. Lewis, the representative of the settlers along the line of that proposed road, which was submitted to the Committee on Public Lands. The facts, if true, call loudly for an immediate forfeiture of this grant. I will at the proper time move an amendment which will, I think, fully protect the settlers who have been so badly treated by this faithless corporation. No more time should be allowed and the lands should at once be opened to the settlement under the homestead and pre-emption laws:

The Tennessee and Coosa Railroad Company was chartered by the Legislature of Alabama January 16, 1844, with a capital stock of $500,000, with the privilege of increasing the same one-third, and providing that it should not organize until $50,000 had been subscribed.

The act provided that the road should be built from Guntersville, on the Tennessee River, to a point on the Coosa River, and the route selected by the company was from Guntersville to Gadsden, on the Coosa, a distance of 36½ miles.

The great object sought by building this road, and that was deemed so important at the time the charter was granted, was by connecting the Coosa River and Tennessee by a railroad to get a continuous transportation by water and rail from the valley of the Tennessee and Upper Mississippi to Mobile Bay through the Coosa, which empties into the Alabama River and through it into Mobile Bay.

The line of the road passes a little west of north from Gadsden to Guntersville, through a country where timber and labor are cheap.

From Gadsden to Attalla, a point on the road, the line passes over a comparatively level country and the road-bed easy of construction. From Attalla the road runs to the foot of Sand Mountain, a distance of 6 miles, through a level country, and no difficulties of construction to be met with.

Sand Mountain rises to a height of about 500 or 600 feet above the valley. Sand Mountain is 22 miles wide, and on the top is a level plateau, and for about 22 miles presenting no difficulties or obstructions to the construction of a railroad.

From a point about 3 miles from Guntersville the road descends into the valley of the Tennessee and the only two points of any difficulty in the construction of a railroad on the whole route are the ascent and descent of Sand Mountain.

Since the charter was granted no part of the road has been completed and in operation except from Gadsden to Attalla, a distance of 5 miles, over which a dummy train runs daily.

The road-bed has been thrown up and a track laid from Attalla to the foot of Sand Mountain, a distance of 6 miles, but no trains run regularly over it.

The road has been graded and bed thrown up on the top of Sand Mountain, and also from the foot of Sand Mountain to Guntersville.

For practical purposes no part of this road is constructed, except for 5 miles from Gadsden to Attalla.

In 1854 this company received from the State of Alabama a loan of $250,000 of its 3 per cent. fund and one-half of its 2 per cent. fund; the two funds thus lent amounting in the aggregate to about $305,000, for the purpose of aiding in its construction.

It has had certified to it 67,800 acres of land under the land grant from the United States, of which about 40,000 acres have been sold to settlers under contract or license, and for this the road has received payments in full for part, and partial payments on all the 40,000 acres; the estimated amount of money received by it for lands paid for in full or in part being not less than $10,000.

The company executed a mortgage on all of its properties and franchises to secure the State of Alabama $250,000 of the money borrowed from it. (The State has passed an act releasing this mortgage on condition that the road be built in five years from date of act.)

Thereafter it executed a deed to one Hugh Carlisle, on Febuary 7, 1887, conveying to him 23,739½ acres of the land granted to it by the General Government for and in consideration of the sum of $2.50 per acre to be accounted for by Carlisle on a future settlement.

It also executed a deed of trust to secure to the Central Trust Company, of New York, an issue of its bonds amounting to $365,000, dated March 1, 1887. And has since then executed another deed of trust to secure $1,500,000 of its bonds to the Manhattan Trust Company of New York, dated April 2, 1888.

Thus showing, so far as the record goes, an indebtedness—

To the State of Alabama	$250,000
To Central Trust Company, of New York	365,000
To Manhattan Trust Company, of New York	1,500,000
Total	2,015,000

And only 5 miles of road built and in operation.

At the time of the execution of the deed for the 23,739½ acres of land to Hugh Carlisle I am informed that Hugh Carlisle was one of the directors and that his father-in-law, Louis Wyeth, was president of the company, and that Carlisle voted for the conveyance, and his vote was necessary to constitute a majority of directors present and forming a quorum for business.

The company being hopelessly insolvent a bill was filed two or three years ago in the United States court having jurisdiction of the matter, and by a decree of that court William R. Rison was appointed receiver to take charge of its affairs.

Thereafter at the October term, 1889, of the chancery court of the eighth district of Alabama a suit was brought by the receiver to set aside the conveyance to Carlisle of the 23,739½ acres of land upon the ground that the conveyance to him was fraudulent, and said suit is still pending.

S. K. Rayburn, who was secretary and treasurer of the board of directors of the company at the time of the conveyance to Carlisle, alleges that the conveyance was made for the purpose of preventing a forfeiture of so much of the lands to the United States; the parties interested fearing that a forfeiture bill might pass Congress, and hoped to protect and save so much from forfeiture by this

transfer to Carlisle (this statement made on the authority of O. D. Street and Brown, Holiday, and Street, and my other correspondents, who say they have conversed with Mr. Rayburn, and that he is prepared to testify to the fact stated. Brown, Holiday, and Street are lawyers of high standing at Guntersville, Ala.) S. K. Rayburn is now register of the chancery court for Marshall County, Alabama, and a man of integrity and high standing. The bill filed as above stated by the receiver of the company charges that the company is not indebted to Carlisle, but, on the contrary, Carlisle is indebted to the company.

Under these circumstances it will be seen that, independent of any floating debt it may have, the company is hopelessly insolvent, and that there is no possible prospect of its ever performing the duty and obligation it owes to the Government and the people by fulfilling the conditions upon which it obtained the grant of public lands.

The people of Marshall County are the principal sufferers by this condition of affairs. They are, like all settlers in a new country, generally poor, and those who have attempted to purchase lands from the railroad company have hesitated to pay the company, for fear that neither the railroad company nor any others, by reason of the pending litigations and the mortgages and trust-deeds above referred to, can give title to the lands purchased. Indeed, they have been counseled by their legal advisers not to risk payments on these lands, and they, in numerous instances, have been harassed by suits which they are compelled to incur the expense of defending. They have grown utterly tired and worn out with the promises of the company and others that the road will be built, and have no confidence in any such pretensions or promises.

There are about sixty-seven suits now pending against them in the courts of Marshall County, and hundreds more threatened, to oust them of their holdings. They are advised and believe that their only hope is in getting a forfeiture of these lands, and having them thus opened to homestead entry.

The people of that section are deeply in earnest.

On the 8th day of January, 1888, a petition signed by two thousand citizens was presented to Congress, and again, on the 20th January, 1890, another signed by one thousand of the people of that section was presented, beseeching Congress for this forfeiture.

The principal part of the 67,800 acres of land which have been certified by the land office to the railroad company lies contiguous to and conterminous with that portion of the road which has not been built and which runs through Marshall County, and the citizens of this county are placed in the situation where they have no railroad and no prospect of having one in the present condition of this company, and when they are constantly harassed by suits by the railroad company and others, so that they are always kept in a condition of turmoil and confusion and put to great expense.

The object for which this road was originally chartered by the State has long since been accomplished by the building of other railroads, as a glance at the map will show; and the policy of the General Government in making these grants to railroads, which was, as it is generally understood, to be to develop and carry a population into the country through which they run, no longer applies here; every alternate section of land here, with possibly a few exceptions, has long since been taken up and settled upon, and it is the condition of the lands granted to the railroad which alone prevents a full settlement of the country.

To recapitulate:

We have a road here chartered in 1844.

Its capital stock (less one-third increase)	$500,000
Given by the State	250,000
Borrowed by the company on deed of trust	365,000
Sales of land (money derived)	10,000
Total	1,125,000

Here is $1,125,000 which this company has expended with what result?

First. Constructed and in working order 5 miles of road.

Second. Company hopelessly insolvent, with an indebtedness ranging anywhere from $500,000 to $1,500,000.

It may be that the company have not sold all the capital stock allowed to be issued; however this may be, the act of incorporation forbade organization until $50,000 was subscribed and paid in, and above statement would only vary thus:

Capital stock received	$50,000
From State of Alabama	250,000
Bonds issued and sold	365,000
Public land sold	10,000
Total	675,000

Here, then, we have $675,000 of actual expenditure with only 5 miles of road built and in running order equipped with a dummy as the result, and the company hopelessly insolvent. Any way you may look at it, it exhibits a condition which could result from nothing but incompetency, recklessness, extravagance, and utter mismanagement.

We do not take into consideration here the deed of trust to secure the Manhattan Trust Company $1,500,000 of its bonds, as this may have been an effort to raise money to pay off its other indebtedness, and thus substitute the one for the other. But as to this we have no means of ascertaining.

Under these circumstances, if Congress intends ever to forfeit railroad land grants the reason which would actuate it applies here.

If there is any reason for granting this company a further extension of time as is done in the Senate bill, the citizens of Marshall County can not see it.

The citizens of Marshall County can not see the wisdom or justice of longer withholding these lands from forfeiture, nor can they understand why the Government should, as is proposed in the Senate bill, longer continue to foster a corporation which has so recklessly heretofore squandered the donations, State and Federal, made to it, or why it should longer trust to the promises of a bankrupt and spendthrift, to the prejudice of the people whom it was intended to benefit.

STONE AMENDMENT.

Now, Mr. Chairman, I desire to say a few words in reference to the amendment that was offered some days since by my colleague on the committee, Mr. STONE, of Missouri, and which I intend to move if my amendment and the amendment of the gentleman from Indiana should both be voted down by the committee, which I anticipate. As an independent measure it has the unanimous approval of the Committee on Public Lands. The only objection urged by the majority of the committee to its adoption as an amendment is that it may endanger the passage of the bill, not because it is not proper legislation. I submit that this, if true, is not a good reason, but I deny that it is true.

Gentlemen tell us that the Senate will not agree to it. It will be time enough to discuss this when they have disagreed to it. What right have gentlemen to say that the Senate will not agree to such a proposition when it is exactly in line with the position heretofore assumed by that body? The amendment proposes to do just what the Senate did by the enaction of the act for the forfeiture of the Oregon wagon-road grants. The last Congress passed that act and it became a law March 2, 1889 (section 25, Statutes, page 850). In the face of this law, which was supported by the gentleman from Oregon, I do not see why he should object.

Mr. HERMANN. In that case we saved the right of the purchaser, if the gentleman will remember.

Mr. MCRAE. And so we save the rights of the purchaser in this bill.

Mr. HERMANN. But not to exceed 320 acres. It confiscates their property beyond that.

Mr. MCRAE. It confiscates nothing, but saves the rights of the bona fide purchasers who are in possession to the extent of 320 acres, and I believe that is about the extent to which the rights of purchasers in the Oregon wagon-road forfeiture bill were saved. Certainly that is enough, and is all that can be acquired under the public-land laws, except in the arid region.

Mr. HERMANN. In that case it was 640 acres.

Mr. MCRAE. I knew it was limited in amount, and only to those in possession. This amendment we present here was, in a measure, and as far as could be, modeled after the wagon-road act. Again, the Senate passed another bill (S. 1708) relating to disputed land grants in the last Congress and sent it to the House, referring the question to the courts for the judicial determination of the rights of the United States in lands granted to the State of Florida for the purpose of aiding in the construction of railroads under an act approved May 17, 1856—just what the amendment I shall offer proposes shall be done.

Mr. HERMANN. But you did not trammel the settlers with the numerous conditions which you impose in this bill of Mr. STONE'S.

Mr. MCRAE. I challenge you to point to a single petition or letter from a bona fide settler upon the line of any road that is embraced in this bill who complains of its harshness towards him. The settlers are demanding the largest forfeiture possible. I have spent much time and thought to protect the honest settlers and I undertake to say that there never has been a bill submitted to the House from the Public Lands Committee providing for a forfeiture that did not absolutely protect the rights of every settler, and none of them have complained so far as I have ever heard.

Mr. HERMANN. There are no settlers who know anything about the amendment you are now discussing.

Mr. MCRAE. It has been pending since March last.

Mr. HERMANN. But the public have not discussed it. It has never been discussed outside of this House. I never heard of anybody who knew anything about it outside of this House.

Mr. MCRAE. The protection given to the settlers is secured by the bill presented by the gentleman from Illinois [Mr. PAYSON], and this amendment does not change it in the least. I only propose to add to that bill so as to cover all the questions.

Mr. HERMANN. You harass them with litigation.

Mr. MCRAE. It does not at all—does not even require them to litigate it. The Government is required to bring suit against the railroad companies to determine whether the lands earned out of time are subject and liable under the law to be forfeited.

Mr. HERMANN. It compels them to come in and intervene.

Mr. MCRAE. Not at all. If the settlers are in possession and only claim 320 acres, they are required to do nothing at all. The bill absolutely confirms their title.

Mr. HERMANN. It particularly states that they must intervene in order to protect their interests.

Mr. MCRAE. The gentleman is mistaken. Any person or corporation claiming more than 320 acres, or those who deny the right of the Government to forfeit, may intervene by sworn petition to defend his interest, but none who rely upon the forfeiture are required to intervene and they will not. So there is no reason in the world why this amendment should not be adopted as part of the House bill as so many new sections. The gentleman from Iowa [Mr. LACEY] and others admit that our proposition in itself is right. I have shown that it is in the line of the precedents already established by the Senate where there is a legal question involved as is claimed there is here. It only requires that before we yield this question we will have the highest court in the land pass upon it. It is in the interest of peace and the quieting of the titles of settlers living along the lines of the roads.

If the roads have the faith they have hitherto professed in their title they would not resist this kind of a settlement, because it would put at rest the title for all time and satisfy everybody. The substance of the bill reported by the majority of the House committee was reported early in the session, before the Senate passed their bill (S. 2781). At that time the bill we now submit as an amendment was also agreed upon as a separate measure, and both reported favorably. When the majority report was made we filed a minority report proposing to amend as we now do. Here is what Mr. STONE, Mr. QUINN, and I said in our report upon the subject at that time. I now repeat it:

The bill reported by the majority of the committee, if it should become a law, would forfeit and restore to public uses that part of all lands granted to aid in the construction of railroads which lie conterminous with so much of the lines of the several roads as shall remain unconstructed at the date of the approval of the bill. It is the bill passed by the Senate during the Fiftieth Congress and the bill which the House of Representatives of that Congress refused to agree

te. The House refused to agree to it because it insisted upon a larger forfeiture. The House adopted a substitute for the Senate bill, which provided for the forfeiture not only of the lands covered by the Senate bill, but went further and proposed also to forfeit all lands conterminous with such parts of the several roads as were constructed after the dates named in the granting acts, respectively, for the completion of the whole road.

In area the Senate bill would have forfeited and restored to the Government 5,627,436 acres, while the House substitute would have forfeited and restored 54,321,996 acres. These estimates were made on data furnished the Committee on the Public Lands by the Commissioner of the General Land Office in 1888. The Senate desired to limit the forfeitures to lands lying along such parts of the located lines as remained unconstructed at that date; the House desired to extend the forfeiture so as to embrace lands lying along the parts of the roads which were constructed after the dates fixed by law for the completion of the roads affected. This difference marked the line of disagreement between the two Houses of that Congress, as it had of former Congresses.

There were lawyers then in the Senate and out of it, as there are now, who maintained that Congress had no power to forfeit and reclaim lands lying along constructed roads without regard to the date of construction. They maintained that if Congress should pass such an act the Supreme Court would set it aside. From that standpoint they urged that it would not only be bad policy, but fatal and wicked, for them to consent to such an enactment, since it would induce thousands of people, relying upon the authority of the Government, to go upon the forfeited lands, settle, and improve them, and that afterwards the railroad corporations would come along, sue the settlers, take the cases to the Supreme Court, overthrow their titles, subject them to great loss, and involve whole communities in a state of inextricable confusion. That view was dominant in the Senate Public Lands Committee.

The House maintained a different view of the legal questions involved, and was no less positive than the Senate in asserting its position. Indeed, it was openly asserted on the floor of the House by more than one member that the Senate was not sincere in its position. The public demand for the larger forfeiture was so general and emphatic that many gentlemen on this side of the Capitol were irreverent enough to believe that the anxiety displayed at the other end for settlers who might venture to take forfeited lands was intended to obscure the real purpose, which was to serve the corporations. At all events, nothing was done.

Now come the majority of this House committee and propose the very bill which the House rejected in the last Congress. The Senate influence, for whosesoever good exerted, has taken control of the majority of the present House committee.

The minority of that committee are just as desirous of forfeiting the lands covered by the bill reported as the majority. But they desire that the forfeiture shall be extended so as to include lands lying along constructed road which was built after the time limited for completion. The minority, however, have modified the substitute to the old Senate bill above alluded to as having been adopted by the last House, in this, that instead of declaring the lands along constructed road to be forfeited by legislative act, they propose to direct the Attorney-General to institute suits in the Federal courts against the proper parties to have it judicially determined by the Supreme Court whether such lands are subject to forfeiture, and if so to enter judgments declaring them forfeited and restored to the public domain.

It has been decided by the Supreme Court that these forfeitures may be made in either of two ways: First, by an act of Congress declaring a forfeiture; or second, by suits brought under the authority and by the direction of an act of Congress to have the courts declare a forfeiture. One is a legislative forfeiture, the other a judicial forfeiture. Hitherto the House has proposed only a legislative forfeiture. To that the Senate has objected ostensibly for the reasons stated. But this time the minority of this committee, disposed to obviate these Senatorial apprehensions if they still exist, proposed the other remedy. That is, they proposed to direct the Attorney-General to take this whole question into the courts in the first instance, and have the Supreme Court say whether these lands along constructed road are forfeitable before any one shall be authorized to settle upon them. We agree to the bill reported by the majority so far as it goes; but we desire to have the other proposition added.

A bill embodying this proposition of the minority has been perfected in the committee and reported to the House as a separate bill. As reported it relates only to lands lying along constructed road. It has provisions in it protecting intervening rights of settlers and purchasers. The committee has agreed to the bill as reported. But the majority have insisted on having it reported as a separate measure, while the minority desires to have it made a part of the other bill—the old Senate bill now reported by the majority—so that the whole ground may be covered by one measure. The majority have insisted on dividing the question, putting lands along unconstructed road in one bill and declaring them forfeited; and then putting lands along constructed road in another bill and directing the Attorney-General to bring suits to have it determined whether they can be forfeited. Accordingly, the bills have been reported as directed by the majority.

But the minority propose to move that the bill directing suits to be brought be added as an amendment to the bill declaring forfeited the "unearned" lands. That will raise the question directly before the House. If this House really desires both these bills to pass and become laws, there is no reason or occasion for separating them. Both treat of parts of the same subject-matter. There is no reason why the whole subject should not be disposed of at one and the same time. It is twice as difficult and takes at least twice as long to pass two bills as it takes to pass one.

The very fact that this division of the subject is made provokes suspicion that it is done for some purpose. Now, what is the purpose? It is said it is done as a matter of legislative policy or prudence. In what respect? Why this, and only this, that the Senate will certainly agree to pass the bill forfeiting lands lying adjacent to unconstructed road, but might disagree to the other proposition, and thus result in no forfeiture at all, as was the result of the disagreement in the last Congress.

That is what the majority say. But it must be borne in mind that the proposition now made has never been submitted to the Senate, and that this proposition is intended to obviate the objections on which the Senate based its disagreement to the measure proposed by the former House. The minority are anxious to have the Senate declare whether it is willing that the Supreme Court of the United States should decide the question in dispute between the two Houses. If the House will adopt the amendment we propose, the Senate can disagree to it if it wishes so to do, and the House can then recede and pass the Senate bill if it so wishes. If the Senate shall agree to the amendment, then the entire legislation is completed in one bill. We can not tell what the Senate will do until the question is presented to that body. If you send the whole question there in one bill the Senate will be obliged to take some action on it.

But if you do not wish to have this court bill passed, if you are merely pretending, if you do not wish to put the Senate to the test, then two bills instead of one should be passed. That affords an opportunity for the Senate to pass the bill it wants to pass and to pigeon-hole the one it does not want to pass.

Everybody understands the difference between the two Houses as it has heretofore existed. Everybody understands that the general public demand for forfeiture legislation, and especially the urgent local demand in many of the States for such legislation, will compel both Houses to take cognizance of this question in some form. The minority desire to put it in such a form as will compel a consideration of the whole question, and not simply the smaller part of it. We object to any device by which the necessity of considering the entire question can be evaded.

It is very generally agreed if the Senate bill is passed and the other bill is not passed at this session, that means the end of all forfeitures. We object to any plan by which 4,000,000 or 5,000,000 acres, half of it worthless, are to be forfeited with a great flourish of trumpets while 50,000,000 acres of good land shall be lost sight of in the din and noise of congratulations and practically confirmed to the corporations. We object to passing a bill which the corporations enjoying these grants as a rule approve, without at the same time compelling legislative action on the more important bill, the bill which the corporations oppose, but which the people have many times and in many ways demanded the passage of.

Now, Mr. Chairman, I want to be entirely candid with the committee. I assure you that it is not for the purpose of delaying the consideration of this bill or a final settlement of the forfeiture question that this amendment is proposed. It is proposed only for the purpose of preventing the Senate, if it should so desire, from avoiding the issue If we adopt it, then the Senate must act upon it; but if we send them the two propositions separate, as was well said by the gentleman from Missouri [Mr. STONE] in his able speech the other day, they may pigeonhole it and that will be the last of it.

On the other hand, if we adopt it and the Senate should disagree to the amendment, we can then have a conference and insist or recede from the amendment, as the House may vote. That is all there is in it. That is all of the case, and I appeal to gentlemen upon the other side as well as upon this side who have stood for the largest forfeitures of the past, and insisted that the people should have all of the unearned lands that it was possible to secure, to make one more firm stand in behalf of the people. Let us try this new proposition. It will be only a question of a few days, and if we fail then the responsibility will not be upon the House.

Mr. HERMANN. You said that six years ago.

Mr. McRAE. Yes; and we say it now. You also said it six years ago, when the Democrats controlled the House, but now, when your party has come into power and you appear to know that it will do nothing of value to the people, you now make haste to accept the Senate proposition.

Mr. HERMANN. We always voted for what we could get.

Mr. McRAE. You voted for more than you got; and now you confess that you knew you could not get what you voted for. That is the effect of your position now considered with reference to your past record.

Mr. HERMANN. We did not know until we tried. We tried three or four times, and always failed.

Mr. McRAE. But you have never tried this proposition. As perhaps the last and only remaining chance to secure these lands for the settlers, I hope we will try it in earnest. The rights of purchasers and settlers have been carefully protected in the bill, and will not be affected by any of the amendments. The gentleman from Illinois [Mr. PAYSON] does not claim that the roads are entitled to any equitable consideration, but rather confesses that none is due them. He thinks the Senate proposition is all that we will be able to pass; and is therefore willing to yield and take almost nothing with the reservation contained in section 7, when at the same time he asserts that nothing more will ever be done. He says that the Senate will never agree to forfeit any lands opposite constructed roads.

I ask again why we should fail to do our duty because the Senate does not agree to what we think is right?

Has the House by insisting upon a larger forfeiture been trifling with the people upon this question for the last ten years? After the hard fight we have had, shall we give the country a valueless forfeiture of the odds and ends of such land as the roads do not want? And some of them would like to be relieved of the obligations attaching to land-grant roads. With a few exceptions, they do not mean to build any more road.

How comes the sudden change in our friends on the other side of the aisle? Since the Forty-seventh Congress many of them have stubbornly refused to yield to the demands of the Senate, but now, when their party comes into power, they lose hope and yield without a contest, and say "We will take what we can get." If the fight has been kept up by them, as would appear by some of their utterances, that the companies might earn more land, only to be abandoned when they get such as they desire, then they ought never to have engaged in it. We ought to make the roads complete their lines over the mountains and deserts or forfeit the whole line for the failure to do so.

Is it right to let them take their own time in building, and to only build when and where it suits them, and thus take all the lands of any value and leave the people without either land of value or road where most needed? The Government expected and stipulated for continuous lines of road over which its mails and troops could be carried at reduced rates, over which the commerce of the country could be transported across the continent. It has waited more than twenty years, and now we are told that a part of the country is too rough and poor to build over and that so much may be forfeited and the other is considered as "earned."

I deny that any is earned until the line is completed. We have no power to make them build, but can and should retake the whole estate where they have not built. Nothing less will satisfy an outraged people whose lands have been withheld from them so long by such

high-handed methods. I hope the Democrats will look this proposition squarely in the face and meet it with a determination that will not be misunderstood by the country. There is nothing in it except a naked issue between the United States on the one hand and the defaulting, grasping corporations on the other.

There are no settlers and purchasers behind whom the roads can longer take shelter and beg for mercy. Gentlemen of the majority, answer by your votes whether you are for the people's rights or the roads'. In the late Republican national platform you of the other side sought to take some credit for what has been done in the way of forfeitures. Your action here to-day will test the sincerity of that declaration. Let us have no evasion or dodging. The issue is joined, and if we can not win in this tribunal we will let the people know the reason why. If it be true that the Republican Senate and House as now organized will not pass a proper bill, let us then appeal to the country and elect a Congress that will.

I hope now that as gentlemen understand the scope and effect of the amendment we propose they will consent to vote for it. [Applause.]

Original-Package Bill.

SPEECH
OF
HON. NATHAN FRANK,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, July 19, 1890,

On the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. FRANK said:

Mr. SPEAKER: I have listened to the discussion of the measure before the House with great delight and with unfeigned interest, and I must declare my opposition to the unjust and hostile criticisms that have been directed against the decision of the Supreme Court in the case so frequently referred to and out of which the supposed necessity for this legislation arises; and when I speak of the decision I mean not the rhetoric indulged in by the eminent Chief-Justice in deciding the case, but I refer to the decision on the record and on the admitted facts in that case—there were no controverted facts. There is not a lawyer within the sound of my voice who will deny that the court decided this to be the law, that the power vested in Congress to regulate commerce with foreign nations and the several States and with the Indian tribes is a power complete in itself and lodged exclusively by the Constitution in the national legislative body.

And, further, that the power to pass laws in respect to internal commerce, quarantine laws, and laws pertaining to the safety and welfare of society, originally necessarily belonging to and upon the adoption of the Constitution reserved by the States, except so far as has fallen within the scope of this power exclusively confided to Congress, belong to the class of powers pertaining to locality; but where the subject-matter requires a uniform system as between the States the power controlling it is vested exclusively in the General Government and can not be encroached upon by the States. Hence the court says:

It is explained that where State laws alleged to be regulations of commerce among the States have been sustained, they were laws which related to bridges or dams across streams, wholly within the State, or police or health laws, or to subjects of a kindred nature, not strictly of commercial regulation. But the transportation of passengers or of merchandise from one State to another is in its nature national, admitting of but one regulating power; and it was to guard against the possibility of commercial embarrassments which would result if one State could directly or indirectly tax persons or property passing through it, or prohibit particular property from entrance into the State, that the power of regulating commerce among the States was conferred upon the Federal Government.

And following this view the court remarks that this doctrine is now firmly established, and employs the following language:

The doctrine now firmly established is, as stated by Mr. Justice Field, in Bowman *vs.* Chicago, etc., Railway Company, 125 U. S., 507, "that where the subject upon which Congress can act under its commercial power is local in its nature or sphere of operation, such as harbor pilotage, the improvement of harbors, the establishment of beacons and buoys to guide vessels in and out of port, the construction of bridges over navigable rivers, the erection of wharves, piers, and docks, and the like, which can be properly regulated only by special provisions adapted to their localities, the State can act until Congress interferes and supersedes its authority; but where the subject is national in its character, and admits and requires uniformity of regulation, affecting alike all the States, such as transportation between the States, including the importation of goods from one State into another, Congress can alone act upon it and provide the needed regulations. The absence of any law of Congress on the subject is equivalent to its declaration that commerce in that matter shall be free. Thus the absence of regulations as to interstate commerce with reference to any particular subject is taken as a declaration that the importation of that article into the States shall be unrestricted. It is only after the importation is completed, and the property imported is mingled with and become a part of the general property of the State, that its regulations can act upon it, except so far as may be necessary to insure safety in the disposition of the import until thus mingled."

It will thus be seen that there was no departure in the decision of the court, and I regard that decision not only as absolutely correct upon the record and as doing credit to the great jurist who decided the case, as well as those who participated in the decision of the majority, but it is one of the greatest judicial triumphs in the history of American jurisprudence. If it goes further in the blow it strikes at State rights in extending the application of the constitutional power under discussion, as has been asserted in this debate, it strikes a greater blow to the view frequently entertained, not only by the masses, but by people of more than average intelligence, that the supreme judicial tribunal is swayed in its opinions by its political bias, or the former party affiliations of the judges composing that great tribunal.

This, then, being the state of the law as declared by the court, we are confronted by the question, how are we to relieve the States which have declared the sale and use of liquor as endangering the public health, public morals, and the public safety of her citizens? We are told on this floor that this can be done by the invitation the Supreme Court has extended to this body in the language employed by the eminent Chief-Justice in the Leisey case to permit the States to regulate the traffic. Congressional permission, according to the interpretation given to this language by gentlemen participating in this debate, must be obtained and the State Legislatures have a duly authenticated power of attorney to do what is exclusively confided to us as a legislative body. I do not believe the court intended to give any such advice or extend any such invitation. The case was not before the court for decision. Not a single case cited by the court gives any warrant for the use of this language which will permit of the language being so construed. If the Senate bill now before this House had been enacted into law, upon which the Iowa Legislature had enacted its statutes and the Leisey case had been before the court on that state of the law and on the same facts, it would have presented such a cause for determination, and I believe with a similar outcome upon argument of a similar strain, but reaching the same judicial conclusion.

I repeat that I do not believe the court intended to give any such advice. There is no constitutional warrant for it. It might just as well with equal propriety declare that, with Congressional permission, a State might declare war, establish post-offices and post-roads, etc., because it is not expressly prohibited in the Constitution. I would call the attention of the gentlemen of this House to the fact that the Constitution makes provision for cases in which the power vested in Congress might be exercised by the States with the consent of Congress, but these are specified.

Article I, section 9, of the Constitution says:

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports. * * * And all such laws shall be subject to the revision and control of the Congress.

Then, again, says the Constitution:

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

But it is expressly declared that all the powers vested in Congress in section 8 of Article I, in which is found the commercial clause, must be carried into execution by laws which Congress must make. This body must not go headlong into this legislation, and heedlessly delegate, as is certainly the effect of the measures now before us for consideration, when the Constitution expressly provides, Article I, section 8:

That Congress shall make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Now, I repeat, the Supreme Court expressly denies, in the case we have been so frequently referring to, the power in the States to legislate on the subject under the Constitution. How, then, can Congress by any legislation vest the power in the States the right to exercise which is not possessed by them? What the court must have intended as being understood to say is this: "Congress has not exercised its constitutional power over this article of commerce—liquor. You (the State of Iowa) can not on account of the silence of Congress assume the power, because you have not got the power, as you have in some cases when Congress does not act."

When the court's decision refers to the Congressional permission it means "Congressional permission" constitutionally exercised. When the court's decision refers to the absence of Congressional legislation, it means legislation by Congress under the Constitution. I know of but two ways that Congress can legislate in this apparent dilemma. A constitutional amendment may be provided for through Congressional action, by which the States might be empowered through their legislative bodies to regulate this article of commerce after it has reached the territorial limits of the States, whether in the hands of the importer or not, would be one way. Then there would be Congressional legislation or "Congressional permission." Another method is such as has been adopted in respect to the importation of liquor from foreign nations defining what should be a commercial, original package, as it has been called, and thus determine, by legislation, what should be an original package in the commerce of liquor "among the States."

The practices indulged in, according to newspaper accounts and animadverted upon by distinguished speakers on this floor in this debate of the sale of original packages in such diminished quantities in the States of Iowa and Kansas as to annul their prohibitory law, are fraud-

ulent invasions of the principle announced by the Supreme Court, and will be speedily disposed of whenever brought before the bar of any court of justice inferior, superior, or supreme. Shall we proceed to legislate upon one of the most important subjects of the century, after consideration of a bill for less than forty-eight hours in the manner proposed by the majority of the Judiciary Committee, and surrender the exercise of this power under the Constitution to the Legislatures of the several States when the very purpose of the creation of the Union was the system of commercial regulations secured by this power in the Constitution? The Senate bill is a vicious, ill-advised piece of legislation. The substitute reported to this House by the majority of the committee in some respects is worse by far. I appeal to this House to join in the adoption of a motion to recommit the whole subject to the Committee on the Judiciary.

Original-Package Bill.

SPEECH

OF

HON. MOSES D. STIVERS,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890,

On the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. STIVERS said:

Mr. SPEAKER: Since I have been a member of this body I have thus far refrained from participating in the discussion of any of the many important measures that have come before it for consideration. I desire to take a little of its time now to briefly give expression to the views I entertain relative to the question that is at present engaging the attention of this House. In stating the conclusions to which I have come and the vote that I propose to give, I have not the presumption to believe that I can throw any additional light upon the subject or add anything to the weight of the elaborate and exhaustive arguments that have been presented by those who have preceded me. I believe, however, in what I shall say that I will reflect the sentiments and in my vote that I will carry out the almost unanimous desire of the constituency that I have the honor to represent upon this floor.

I leave it to the acute, able, and eminent lawyers who make up so large a part of this body to deal with the strictly legal aspects of the question before us, and to split hairs over the power of the Federal Congress to take such measures as will counteract the admitted abuses and evils growing out of the action of a co-ordinate branch of our Government. From my standpoint I can not see how we can avoid exercising the power that I believe we possess.

The emergency that confronts us is this: The Supreme Court of the United States has recently decided that under our Constitution the citizens of a foreign country or of any State may, under the provisions of our existing interstate-commerce law, take property that is the subject of commerce into any other State of this Union and there sell it without liability to taxation, without license, and without being subject to the restrictions of any State enactment in which it is so taken and sold.

Under this decision intoxicating liquors may be taken into any State in the original packages, and those who sell it by original package are not bound to pay for a license; and any quantity, however small, may constitute an original package. The honorable gentleman from Kansas [Mr. PERKINS] has just given us an ocular demonstration of the size and kind of packages that are used, and some hint of the extent to which this traffic has speedily grown under the cover and protection of this remarkable decision of our Supreme Court.

Now, I have a profound respect, and even reverence, for this the highest tribunal in our land. It is to be presumed that the learned judges who compose this court were governed by the unavoidable construction to be put upon the strict letter of the law, and were actuated only by a sense of duty in arriving at the conclusion and in rendering the decision that has been followed by such serious consequences and which so menace the peace and welfare of the people of our country. There have been other decisions of that august tribunal in times past that have shocked the community and have met with no little opposition and, in some instances, the severe condemnation of the American people, notoriously the Dred Scott decision.

But this promulgation is the law of the land, and as such must stand and be obeyed until it shall be reversed by the same court that has made it; and its disastrous effects must be endured until some legal remedy can be devised therefor.

Happily in this instance the court itself has suggested a way whereby we may avert the evil consequences that have so speedily been the outcome of their decision. It would have been deplorable indeed were it not so. And it is for us, in our sworn capacity as legislators and servants of the people, to promptly meet the responsibility thus thrown upon us, and, so far as in us lies, to act upon the suggestions of the court and devise and apply a remedy that will speedily put a stop to the shameful practices and evils that have grown out of this most unfortunate, but, I assume, unavoidable legal decision, though its soundness is questioned by some of the best lawyers in this body. But this is neither here nor there, for it is understood that a rehearing that was applied for has been denied by the court, and so their decision must stand.

The remedy pointed out by the court, to which I have adverted, it is clearly within the power of Congress to provide. The court in its opinion uses this language:

> While by virtue of its jurisdiction over persons and property within its limits a State may provide for the security of the lives, limbs, health, and comfort of persons, and the protection of property so situated, yet a subject-matter which has been confided exclusively to Congress by the Constitution is not within the jurisdiction of the State, unless placed there by Congressional action.

In accordance with this "Congressional permission," as it is termed by the Chief-Justice, our duty is plain. The emergency calls for prompt and decisive action. Perhaps we have already delayed too long. As I have listened to the Representatives from the great States of Iowa and Kansas who have so graphically depicted the demoralization that has so suddenly been caused in their respective communities; to the recital of the drunkenness, disorder, lawlessness, and crime that have come in upon them through the door opened by the promulgation of this decision, where sobriety and peace and good order have hitherto been the rule, I could not longer hesitate, if I had ever felt any doubt before, as to my duty in the premises.

In pleading for speedy relief they have but given voice to the sentiments of their people, expressed in thunder tones.

The temperance convention at Topeka, Kans., Wednesday, is said to have been the largest body of the kind ever assembled in the State, and its spirit may be judged from the fact that it gave hearty applause to the following declarations made by the presiding officer in his opening address:

> We have petitioned, we have remonstrated, we have supplicated, but we shall not "prostrate ourselves at the foot of the throne." We shall demand in tones that can be heard from Topeka to Washington that an act of simple justice be done. Whatever Congress may do, Kansas will not abate one jot from the ground she has taken. Necessary delays will be endured with fortitude, but unless Congress acts with reasonable promptitude the politicians will be amazed at the magnitude of a new national issue. If Congress should adjourn without acting, the whole country will be thrown into a state of turmoil upon the liquor question. All regulative measures will be abrogated and we will have a reign of free whisky from ocean to ocean. Kansas can stand this as long as any State in the Union. We have encountered successfully too many difficulties to be abashed at the presence of an unbroken flask, a sealed demijohn, and a writ of habeas corpus. These may annoy us, but they can not defeat us permanently nor swerve us from our purpose. "Defeat is a school in which truth always grows strong."

Mr. Speaker, this should not be a question of party politics. It is a great national question that has unexpectedly been thrust upon us. In view of the scope of this decision and of its far-reaching consequences it seems to me that no man, whether he be ranked as a prohibitionist, a local optionist, a high license or a low license advocate, should hesitate a moment as to his duty. All, of whatever political party, should join hands in providing a remedy for the existing emergency.

Whatever their views may be upon the question of the prohibition of the manufacture and sale of intoxicating liquors as a beverage, whatever may be the facts as to the success or failure of that policy where it has been tried, I think that but few can be found who are willing to give unlimited control to this traffic, which, unrestricted, is the source of so much degradation, misery, and crime. They are not willing to have the saloons thrown open without restraint, without license, without control, upon Sundays and upon all days, for the sale of intoxicating drinks to minors, to drunkards, to any and to all who will buy them, as they may under this original-package decision.

Without Congressional action what have already been established in the hitherto peaceful and law-abiding towns and villages and hamlets in Iowa and Kansas—these so-called Supreme Court saloons—may spring up everywhere throughout our broad land, the police power of the State being powerless to prevent.

I can not believe that the intelligent people of any district in our country can desire to see this condition of things spread or continue. Judging from the numerous petitions I have received from my own district urging prompt action upon this matter, I have no doubt as to how the best men of all parties, ay, and the best women, too, for they have been the most active in awakening public attention to it, feel—intensely feel—upon this subject, and how they would have me act. They would have me support such legislation as is in the interest of good morals; legislation for the protection of the fireside and the home against the unrestrained, the unlicensed, the unrestricted rum traffic.

Other questions of public policy can be put aside for a time without great detriment to the community, but this remedial measure that is proposed and expected of us should not and can not be delayed with safety.

The Senate bill seems the more certain to meet the emergency. So believing, I shall give it my vote, and hope before another week shall have rolled away it will be the law of the land and gladden the hearts of the many who are waiting and watching with so much solicitude our action here and the beneficent results they hope therefrom.

Silver.

Its restoration to a perfect equality with gold, as to coinage, bullion, and certificates, approved by the masses of the people and demanded as a sound and enduring financial policy.

SPEECH

OF

HON. WILLIAM H. HATCH,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 7, 1890.

The House having under consideration the bill (H. R. 5381) authorizing the issue of Treasury notes on deposit of silver bullion—

Mr. HATCH said:

Mr. SPEAKER: For about eighty years after this Republic was formed we had substantially a coinage act that placed gold and silver upon a perfect equality. In 1873, by an act that had never been discussed in either House of Congress and was unknown to the people of the United States, silver was demonetized. For about five years we had no silver coinage. Until the act of 1878 no silver dollars were coined at the mints of the United States either by the Government or at the request of owners of silver bullion.

Since 1878 we have been struggling along under an act of Congress that provides in substance that the Secretary of the Treasury shall cause to be coined not less than two millions nor more than four millions of silver dollars a month. As stated by the gentleman from Illinois [Mr. PAYSON] no Secretary of the Treasury since that act took effect has ever availed himself of its provisions in the interest of the people of the United States. I reiterate and indorse every single sentiment uttered by the gentleman from Illinois upon that subject. No Secretary of the Treasury, Republican or Democrat, has ever executed that law in the interest of the people. It has been uniformly executed in the interest of Wall street and the money-changers, the representatives of that little band Christ scourged out of the Temple eighteen hundred years ago.

No single body of the people of the United States, no organization of the people, no political organization, or organization of the people outside the political bodies has had any influence upon the Congress of the United States or upon the Secretary of the Treasury in inducing or in compelling the execution of that law in the interests of the people. I have witnessed more surprises in the last few weeks (legislative surprises) than I ever expected to see during my natural life. The gentleman from Ohio [Mr. MCKINLEY] who sits before me and has won the reputation somewhere of being in some way Napoleonic is Napoleonic in strategy.

As a member of the Committee on Rules, with the Speaker of this House, they can come nearer fixing up a rule to gag the consciences and the votes of members of both sides of this House and compel the representatives of the people to vote as they please than any set of gentlemen I ever saw in power in the Congress of the United States before. And the gentleman is wonderful in strategy by always taking the floor just before the previous question is ordered to make one of those magnificent *ad captandum* speeches of his to try to pull the wool over the eyes of the people of the United States as well as to put the gag upon the votes and the consciences of members of this House. [Applause on the Democratic side.]

Now, what is this bill? It is a bill that has simply been framed in caucus, and we, the representatives of sixty-five millions of people, are told that we shall vote upon this bill with three amendments coming from that side of the House or we shall not vote at all! Why, if you believe in a representative form of government, do you not give the people, through their representatives, an opportunity of voting upon a fair and honest proposition to place silver upon a perfect equality with gold? Simply because you know it would pass this House. That is the reason.

Before the sun sets to-day upon the western side of this Capitol more representatives of the American people will violate their consciences and surrender their manhood to caucus dictation than ever before in one day in the House of Representatives. [Applause.] Gentlemen upon the other side of the House who, before their own people at home in the last campaign and upon the floor of this House, have declared themselves to be in favor of free and unlimited coinage of silver will walk with the shackles of their caucus upon them and vote as they are told to vote.

Take your shackles off and let the representatives of the people sitting here to-day vote as they please, and you will see that before the sun goes down to-day silver will be restored to a perfect equality with gold in coinage, bullion, and certificates. You robbed it of its quality as a money metal, and the people, that is, two-thirds if not four-fifths of the people of the United States, have not only demanded, but they have declared that this restoration shall be made, and they are going to have it. You may delay it for a time, but you can not beat the proposition in the end.

The gentleman from Ohio [Mr. MCKINLEY], like the gentleman from Maine, the Speaker of the House, when he took the chair, looking around for a precedent for his action, finds it necessary to go back to the most unfortunate mistake ever made by a great and noble Democrat. The gentleman from Ohio hides under the skirts of Mr. Cleveland's silver letter. Well, thank God, Mr. Cleveland's skirts are broad and big enough to hide the whole Republican party. [Applause on the Democratic side.] You can hide under it, gentlemen, but you will be crawling out as if a freight train had run over you in 1892. [Laughter and applause on the Democratic side.]

A MEMBER. He made a mistake.

Mr. HATCH. Yes, he made a mistake. I am no apologist for Mr. Cleveland's position upon the silver question. I am one of the Democrats then holding seats in this body who protested in writing against it, and a great majority of the Representatives upon this side of the House did the same thing. You are simply doing to-day, gentlemen, what has been done ever since the Bland act was passed. A little minority upon this side of the House, dwindling down, thank God, from year to year until you can almost count them now upon the fingers of your two hands—a little minority upon this side of the House and a larger one upon the other side have controlled the destinies of the people upon the silver question, and you are afraid to let your side of the House vote to-day untrammeled by caucus dictation.

But, just as certainly as this Government was formed and has stood for one hundred years, the people back of it know what they want. My distinguished friend from Pennsylvania [Mr. MUTCHLER], to whose courtesy, with that of the gentleman from New York [Mr. TRACEY], I am indebted for the floor, says that the petitions of the Knights of Labor are simply the result of the efforts of certain silver-tongued orators. Ah, my friend, you never made a greater mistake in your life. If you think that organization does not know what it wants you are making a great mistake. If you think that the farmers' organizations extending from the Canada border to the Gulf of Mexico, extending throughout the length and breadth of this land, the Alliance, the Grange, and the Wheel, do not understand this question and have not decreed that silver shall be restored to a perfect equality with gold, you are making the fatal mistake of your political life.

Gentlemen, you may pull the wool over the eyes of the farmers of Ohio on the tariff question; you can multiply tariff arguments by neighborhoods and by divers interests, and thus bamboozle a few men in every locality, but you can not pull the wool over the eyes of the great masses of the people upon this silver question. [Applause.] They know that when silver was struck down in 1873 there came at once a decline in the average value of every product of the farm. They know that with the demonetization of silver came lower prices for corn, for wheat, for tobacco, beef, cattle, for hogs, for mules, for horses, for every product of the farm. They know that that decline has been steadily going on as the gold-bugs of Wall street, with their grip on the House of Representatives, have controlled this money question in the interest of the money-shavers and the money-kings. They have determined that that yoke shall be lifted, and, my word for it, the votes cast here to-day will change more seats in the House of Representatives during this year than the votes cast upon any other measure that has been presented here in ten years. [Applause.]

Vote, if you please, gentlemen, but you will rue the day before the first Tuesday in November next. The gentleman from Ohio [Mr. BUTTERWORTH] the other day stated, in that magnificent speech of his, the counterpart of the one made to-day by the gentleman from Illinois [Mr. PAYSON]—they both talk magnificently, but they vote very badly [laughter]—the gentleman from Ohio [Mr. BUTTERWORTH] said that the election last fall was a triumph of Republican principles. He never made a greater mistake in his life. He did not make a greater mistake even when he spoke against the McKinley bill and then voted for it. [Laughter.]

It was no such thing. It was simply a triumph of Republican methods. It was a triumph of the method of "frying the fat" out of the manufacturers and paying them back at the next session of Congress, and with the aid of the Administration—the most debasing and most demoralizing spectacle ever witnessed in this country, the counting out of Tilden not excepted. It was simply a triumph of Republican methods. We are having a good many surprises and triumphs here lately. Either yesterday or the day before we had, for the first time, I believe, in our history, the grand climax, the triumph of Massachusetts culture upon the floor of this House. [Great laughter.]

We are having to-day the triumph of the Republican machine as it has never been run before, with a man at the head of it with more brains, more nerve, and, in my judgment, more recklessness than any man who ever before controlled it. [Applause on the Democratic side.] He has put the clamps upon even the majority of the gentlemen on the other side of the House, and they dare not murmur. They get up with an apology on their lips and say, "I am in favor of the free and unlimited coinage of silver; but, my christian brethren, this is not the time to enforce it." [Laughter and applause.]

Oh, no; you are like the drunkard who was in favor of prohibition

and against its enforcement. If you will allow the gentlemen on the other side, without dictation from caucus or party rule, to vote honestly and manfully their sentiments to-day, we will roll up such a majority for the demands of the people upon this silver question that even the man you have put in the White House, and who is now, as some of you declare, dictating this policy, will not dare to veto the bill. We will carry it by such a majority that we could override the veto by a two-thirds vote in this House; and let him veto it if he dare.

Here is one of the simplest propositions the people have ever presented to the American Congress: "You have struck down this great money that our fathers handed down to us as part of a policy under which we lived for eighty years. You struck it down adroitly; ay, it was a crime, a legislative crime, when you enacted it. We have gotten back a little under the Bland bill of 1878. Now, go back, Representatives," say the people, "and simply put silver upon a perfect equality with gold wherever the coinage laws refer to the two metals. You have fixed the standard; add two little words, 'and silver,' so that the provisions of law will refer uniformly to 'gold and silver.'" [Loud applause.]

[Here the hammer fell.]

I thank the gentleman from New York [Mr. TRACEY] for the courtesy of yielding me a portion of his time.

I avail myself of the general order of the House on this bill, and print as an appendix to my remarks certain brief tables for the information of those who have not recently reviewed them, and in proof of my assertion that the gradual and steady decline in the average value of farm products has followed with relentless certainty the demonetization of silver and the selfish and merciless warfare upon this time-honored metal as money, cruelly and persistently waged by the money power of the world.

APPENDIX.

FALL OF PRICES.

The following table gives the annual average gold prices of staple articles in the New York market for the years named, as given by the Bureau of Statistics:

Articles.	1851.	1873.	1878.	1885.	1889.
Wheat	$1.07	$1.47	$1.12	$0.91	$0.85
Flour	4.52	5.92	4.76	3.25	.....
Oats	.43	.43	.32	.36	.....
Corn	.61	.55	.51	.50	.375
Coal	5.22	4.26	3.54	3.82	3.50
Cotton	.10	.17	.107	.08	.....
Pig-iron	21.31	45.00	24.23	20.63	17.25
Bar-iron	36.49	78.00	.....	.....	.....
Nails	.035	.04	.028	.022	.....
Mess pork	14.00	16.00	11.47	11.61	10.25
Mess beef	8.86	11.00	11.93	13.51	.....
Hams	.08	.10	.084	.10	.....
Tobacco	.08	.12	.07	.10	.....
Wool	.42	.51	.41	.37	.35

Mr. Sauerbeck, whose tables are accepted by the Statistical Society of London as authority, taking 100 as his index number to indicate the general range of prices from 1867 to 1887, finds that in 1873 the index rose to 111, and in 1878 fell to 83; then it rose to 88; then fell again to 76 in 1884, and to 67 in 1888.

According to Mr. Sauerbeck, prices for 1888 are lower than for one hundred years and English wheat, as Mr. Frewen points out, is 47 per cent. below the average, and lower than since 1761.

The commercial value of silver in the appended table is taken from the report of the Director of the Mint, dropping fractions of cents. The price of the commodities, all save cotton, are the average wholesale prices in Chicago as given in the New Year's edition of the Chicago Tribune; the prices of cotton were prepared by the commercial editor of the New Orleans Times-Democrat.

Year.	Wheat.	Corn.	Butter.	Cheese.	Pork.	Iron.	Anthracite coal.	Cotton, good ordinary.	Cotton, good middling.	Silver.
		Cts.	*Cts.*	*Cts.*				*Cts.*	*Cts.*	
1874	$1.06⅜	65	28	14	$18.25	$42.00	$9.50	13½	13½	1.27
1875	1.02½	63⅜	28	15½	20.25	40.00	9.50	10⅞	13	1.24
1876	1.03	44½	26	13½	18.75	26.00	7.75	.....	12	1.15
1877	1.20½	44⅜	25	11½	13.62	20.50	6.62½	9⅞	11½	1.20
1878	.96½	37½	20	7¾	8.87½	21.50	6.25	8	9⅜	1.17
1879	.89	35½	28	12	9.75	30.00	6.62½	11½	12½	1.12
1880	1.05⅛	37½	28	12	13.25	35.00	8.50	10½	12½	1.14
1881	1.14½	49⅜	30	11	16.50	30.00	7.75	10⅜	11½	1.13
1882	1.13⅜	67½	33	11	19.37½	28.00	7.25	9½	10½	1.13
1883	1.01⅜	53½	30	13	15.12½	24.50	7.00	9 7/16	10 7/16	1.11
1884	.83	51½	20	9	17.50	21.00	6.75	9 3/16	10 3/16	1.06
1885	.83⅛	42⅜	16	7⅜	10.50	20.67½	5.50	8 5/16	9 5/16	1.00
1886	.75½	37	15	8½	9.90½	18.65	6.00	7⅜	9	.97
1887	.75⅜	39½	17	8½	16.70	21.00	7.00	9½	10½	.97
1888	.88⅛	46½	21	9	14.07½	20.00	6.00	8 3/16	10	.93½
1889	.85	34	18	8½	11.02½	18.00	5.15	9	9⅞	.....

It will be seen that from 1873 to 1886 the fall almost exactly corresponded with the fall of silver except in two years, after silver was partially restored to favor by legislation, and when the crops in Europe were almost a failure.

Federal Election Law.

REMARKS
OF
HON. WILLIAM E. MASON.
OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. MASON said:

Mr. SPEAKER: For years we have been told publicly and privately that the negro vote has been suppressed in the South, and as much as two years ago a Senator of the United States confessed the same and asked us what we were going to do about it. The bill under discussion to-day is our answer to the gentleman who asked the question.

I desire particularly to respond to the constitutional argument made by the gentleman from Virginia [Mr. TUCKER]. He said, in substance, that when a law of Congress impinges upon the right of the State to govern its own affairs, then that law of Congress must fall. The Republican party not only disagrees with him as to his statement of fact, but his statement of law as well.

A Representative in Congress is not a State officer; true, he has been elected by the people of a part of the State, but his office is a national one. His vote in Congress affects my district as well as it does his own. The law which he is able to help write on the statute-book is as binding upon my constituents, upon my family, and upon me as it is upon him. I have as much right to know that the gentleman from Virginia or South Carolina is honestly elected as I have to know that a gentleman from my own State is honestly elected; and therefore from this Republican standpoint—that Congressional office is a national one—the whole argument based upon the statement that this bill interferes with State rights must fall to the ground.

The gentleman also took, and many of the others have taken, the position that the Government could have nothing to do with the election of members of Congress unless the States fail to provide for an election. For the sake of the argument I will admit the correctness of this position, and my answer is that the State must prescribe time, place, and manner of holding elections for Senators and Representatives which will give to each elector his constitutional right to vote and to have that vote counted, and when the State does not do so it has failed to make a constitutional appointment for election, and it would then not only be the right but the duty of the Government to prescribe the time, place, and manner of holding elections. This thought was evidently in the minds of the framers of the Constitution, for by section 4 they say:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, but the Congress may, at any time, by law, make or alter such regulations.

So, then, it is not the law of Congress that must fall, but when any law of any State Legislature impinges upon the constitutional right of any citizen, regardless of color or condition, to enjoy his constitutional right of suffrage, then the law of Congress will intervene and the law of the State must fall. While we have a constitutional right to regulate the time, place, and manner of every Congressional election in the United States, I do not believe that power should be exercised except in the cases anticipated by the fathers who framed the Constitution, namely, where certain States or districts would fail to provide for an honest and fair election.

A State which provides an election for a member of Congress in which two-thirds of the electors are disfranchised does not provide an election contemplated by the Constitution.

The learned gentleman from Virginia [Mr. TUCKER] quotes the following from the Constitution:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature;

And on that bases the statement, "The power to pass upon the qualification of a voter to vote is a power that the Constitution gives to the States and can not be wrested from them." This statement was loudly applauded on his side of the House, but a brief analysis of his statement will show its weakness. Suppose the State should place a property or educational qualification not required by or in violation of the Constitution of the United States, could Congress "wrest the power" from the State? Suppose the State of South Carolina should put into its State law that no negro could vote for a member of Congress. Could Congress pass a constitutional law which would protect a citizen of the United States in his right to vote? Or will my colleague still claim that the "power can not be wrested from the States."

This argument may be good for "home consumption" in Virginia,

but will not do here. Why, Mr. Speaker, if the gentleman is correct, then that part of the Constitution quoted by me which gives Congress the power to "make" regulations for Congressional elections is meaningless and may as well be stricken from the Constitution.

But, to proceed further with the clever but technical argument of the gentleman, he says, in order to prove that Congress has no power to regulate Congressional elections, that the three following clauses should be considered together:

First. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed by the State Legislatures, etc.;

Second. But the Congress may at any time by law make or alter such regulations; and

Third. The eighteenth clause of the same article, which provides that Congress shall have power "to make laws which shall be necessary and proper for carrying into execution the foregoing powers."

Where does the gentleman get his comfort here?

First. The States must.

Second. The Congress may.

Third. The Congress is given power to make all laws necessary to execute the power. And yet the gentleman insists that the sole power rests with the States to do that thing; but the gentleman says:

> Does this mean to give the States the power in the first part of the section and take it away in the second, without rhyme or reason; does it mean to play with the States as we used to when children, "Indian gift," give with one hand and take away with the other?

To which I answer, yes, it does give the power to the State to use that power unless Congress sees fit to assume its constitutional power and make regulations as to the election of its own members.

There would be no disposition to take away from our "children," the States, that power if the "children" had common honesty enough to use that power as was anticipated and hoped for by the framers of our Constitution. He says that the power of Congress is limited, and that while Congress has the power to prescribe time, place, and manner of holding elections "that power is contingent, and conditional only when, first, the States refuse to provide the necessary machinery, etc., and, second, where they are unable to do so by reason of rebellion," etc. I deny that this is the law. The States never had the right to make a law regulating the election of a member of Congress that was not from the moment of its adoption subject to being "altered" by Congress.

The power of Congress to "alter" any State law governing elections of members of Congress is neither "permissive" nor "contingent," as is suggested by the gentleman from Virginia, but is "original" and "primary." It was adopted as a part of the same section which commands the State to do it. If the States attempt to do it Congress may "alter" what they do; if the States fail to do it Congress may "make" the laws necessary to carry on the election.

The gentleman quotes liberally from resolutions by different States while adopting the Constitution, yet not a single quotation is in conflict with our theory; but, if they had been, the instrument itself, the Constitution, contains the final and complete agreement of the States. On this platform the "minds" of the States met and united, and I care not what the arguments or suggestions of New Hampshire or South Carolina may or may not have been, it is sufficient for me to turn to the grand old instrument itself, which has stood the hammering of democracy for years, and read in simple language—

> The Congress may at any time by law make or alter the times, places, and manner of holding elections for Senators and Representatives.

The bill before the House does not propose to have supervisors of elections *unless at least one hundred citizens petition for such supervision*, and the germ of the whole bill lies in this fact, that under and by virtue of its terms *both political parties will be represented at the polls*, which has not been the case for years in many districts of the South.

In the State of Illinois, when the election methods became doubtful and dangerous, the leading Democratic clubs and the leading Republican clubs appointed committees to prepare election laws which would give both parties representation as judges and clerks at the ballot-boxes. This law was passed as a non-partisan measure, and I give it as my honest opinion that when any man refuses to the opposite party the right to be present and see the votes cast and counted he does it for the sole and only purpose of stealing the election and cheating the electors.

I have not time to quote many of the cases that have been brought to my attention within the last few years. I remember particularly the case in the Seventh district of South Carolina. Not a single Republican judge was allowed to sit; not a single Republican clerk was allowed to be present when the votes were cast and counted; and if this bill before the House to-day provided that all judges, clerks, and supervisors should be Republicans I would vote against the bill. It simply, however, provides that both parties shall be represented, as they are in Illinois to-day; and, until that becomes the law of the South and until every citizen can enjoy his constitutional right of suffrage, the boasted growth of the glorious South will be but a dream, a castle built in the air, some day to fall in ruins about your heads.

No man on the other side of the Chamber has yet risen in his place and said that this law will prevent legal electors from having their votes honestly and fearlessly cast and counted. I say I have heard no man on the other side of the Chamber announce as his opinion that under this law no man who casts his vote freely and independently will be debarred from that right if this bill becomes law. But I started to say that in many districts of the South both parties were not allowed representation at the polls. The governor of South Carolina was besought six years ago to give one Republican judge in each precinct in the Seventh district in South Carolina representation; he even refused to answer the request. Four years ago he was again asked by a committee to appoint at least one Republican commissioner of election in each county, and through them one Republican manager at each of the voting precincts for the electors and Congressmen throughout the State. This was denied by the governor of South Carolina. If this bill becomes a law the governor of South Carolina will not debar the Republicans of that State from having at least one friend in each of the precincts to see that the votes are fairly cast and honestly counted as cast.

It seems like a waste of time to put in the RECORD here the proofs of the dishonest elections in many of these Southern districts. This same governor of South Carolina stated in his inaugural address, in substance, that the negro should not be allowed to vote or to have anything to do with the management of the affairs of that State. He said in a part of his address:

> Never again shall any other than the Anglo-Saxon rule in this fair, beloved, and beautiful Southland of ours.

The Constitution of the United States says that the black man shall enjoy his right of suffrage; the governor of South Carolina says he shall not. This bill before the House says that the Constitution shall prevail and that the political dogmas of the governor of South Carolina must fall.

No better or stronger proof of the suppression of the Republican vote in the South can be offered than has already been demonstrated by several of my colleagues upon this side of the Chamber. Take, for instance, the State of South Carolina with five delegates in Congress. The total number of votes received by those five gentlemen is 51,000 in round numbers, while the Representatives from the first five districts of Illinois sit here with more than 204,000 legal electors back of them. I appeal to your sense of honesty if this is fair. Is there anything in the South Carolina statesman that should give him a right to a seat in this Congress with an average of 10,000 votes back of him, while we of Illinois must have an average of 40,000. When the census returns were made the citizens of South Carolina were there, but when the election returns were made they could not be found. We have for years said to you that you ought not to count the negro as a basis of representation unless you allowed him to vote, but you have not heeded us, and now we say to you, by this bill—inasmuch as you are determined to use those citizens as a basis of representation to increase your representation in Congress, and to this we do not object—we say to you by this bill, "You have counted them as voters; we are determined they shall vote."

Another curious fact I call your attention to is illustrated in nearly all Southern elections. While the first five districts in Illinois cast nearly an equal number of Democratic and Republican votes, in the five districts of South Carolina less than 3,000 Republican votes were cast. Why, one of your best Democratic papers in South Carolina said, editorially, in speaking of your elections:

> We have carried this sort of thing as far as it can possibly go, and the result is we are fast getting to be a set of rascals, if we are not there already.

Compare the Congressional vote of Georgia and Wisconsin, and on general average you will find, as illustrated by the gentleman from Wisconsin [Mr. HAUGEN], that one gentleman in Georgia has as much voice in determining the great questions that agitate the public mind as eleven men have in the State which he represents, and in some of the districts of Georgia one gentleman has as much political strength as twenty-two gentlemen have in some of the districts of Wisconsin. And again I appeal to you—to your sense of justice and honor—is this fair?

What, then, are the real objections to the bill? The gentleman from Virginia and some of the others have explained that the expense of carrying out the provisions of this bill are too large. If there is a shadow of doubt as to the honesty of elections in this country and the enactment of this law would remove any of that shadow, then I am for this bill if it takes ten times $7,000,000, as has been figured out by the gentleman from Virginia. His figures, however, are not fair, because they are based upon the theory that this election machinery will be put in operation in all of the Congressional districts, whereas the chances are that it will not be placed in operation in 25 per cent. of the Congressional districts in this country. But I have no patience with any gentleman who will discuss the expense attending the adoption of a measure which is intended to give to every citizen the rights guarantied him by the Constitution. The greatest and best evidence of real wealth is not the money in the vaults, but the standard of citizenship, and if it takes every dollar in the Treasury to make a man, let the money go and let us have that man.

To my mind, the weakest argument made against this bill—it has been made by every gentleman on the other side of the Chamber—

namely, that Federal officers, who are to be divided equally among the parties, will cheat and rob the people of their right to an honest ballot, and the gentleman from South Carolina, as well as many of his colleagues, in arguing this branch of the case cry out against it by intimating that it would re-establish the "carpet-bag" governments, saying that it would re-establish that system of inequality that went under the form of civil government. Examine the bill and see whether that charge is well founded or is a mere pretense. Section 4 of the bill provides that—

The supervisor must be a male citizen of the United States of good character, a resident and qualified voter in the State, county, or parish, or in the Congressional district in which he is to discharge his duties.

Does this look like sending Northern men down there to run Southern elections? Or, as the gentleman from Massachusetts puts it, when trying to make an excuse for fighting the bill,

It is not the elections that are troubling us, it is the inequalities of office-holders who are sent South to oppress the people.

Does it look like sending men South to oppress the people when the bill provides "they shall be appointed in the district in which they reside," and in the same section provides that only two out of three shall be of one political party, and that but two men shall do duty prior to the election, and that those two shall not be of the same political party? Does not this bill give to the Republicans and Democrats of the South exactly the same thing which the Republicans of South Carolina have prayed for for years in that State? and is it not a mere, shallow pretense when the gentleman from South Carolina says we are sending men South to manage Southern elections when we propose to appoint Republicans and Democrats of equal numbers to do those duties who are bona fide residents in the places in which their duties are to be performed?

Upon the question of the necessity of this or a similar bill to secure in the Southern districts a fair ballot and an honest count I desire to call attention to a few of the cases pending in this Congress. In the Second district of Mississippi, in the case of Chalmers *vs.* Morgan, a Mr. Van Buren (attorney for the Democrat), who testifies in the case, in answer as to which he thought preferable, the triumph of Republicanism or the suppression, or partial suppression, of negro suffrage, answered in part as follows (see record, page 837):

I think that anything like wholesale ballot-box stuffing or fraud in elections is almost, if not quite, as greatly to be deplored as Republican rule would be.

I quote this simply to show the moral and political sentiment which seems to prevail in the Second district of Mississippi.

A further examination of the record shows from the evidence of J. E. Drake (page 445) that twenty or thirty shots were fired into the voters when they were attempting to vote. I believe that if the election had been under the control of United States officers that firing would not have occurred. A. A. Montgomery, also residing in Oxford, says (page 593) and testifies that on the evening before the election a cannon was stationed on South street, some distance south of the court-house, and where the ballot-boxes were located, and fired repeatedly the night before the election, and early in the morning the firing was heard and at frequent intervals until late in the day. The committee also finds other irregularities in that district, as follows:

The constitution of partisan election boards having no members other than Democrats.

The appointment in many cases of parties on such boards to represent the Republicans who, by reason of ignorance and illiteracy, were not "competent and suitable men."

The unlawful removal of ballot-boxes from the polling-places and from the view of the United States supervisors.

The illegal erasure from the registration-list of duly qualified and registered voters, and the refusal to permit them to vote.

The stealing of ballot-boxes.

This, probably, would not have occurred if there had been United States officers there with the authority of the Government back of them, representing both parties, to see fair play.

At Taylor's box, in Tate County, in this same district (see record, page 191), a lamp was blown out and the box stolen and never returned. This, probably, would not have occurred if both parties had been represented at the box by United States officers. At Stewart's box, in De Soto County (see record, page 382), one of the Democratic judges testified that the box was left "sitting on the table in the room in which he slept, and that during the night he saw some one in the room, and the alarm was given and he got up and struck a light to see who it was or what it was, and found the ballot-box gone." If both parties were represented by legally authorized officers of the Government when that vote was cast and counted there would have been no excuse for this robbery and the robbery could not have taken place.

All I ask of any fair-minded man is to read the different plans adopted, and more particularly the one whereby the polls were closed in Republican precincts and votes were not taken at all. Almost every one, if not all, of the cases contested in this Congress shows that that practice has obtained. In these several districts, some ten or fifteen in number, the plan is, from the language of Dr. Lyle (record, page 187):

For the last ten years it has been the custom at the Early Grove box to open the polls when the chances indicated a Democratic majority or the majority had been counted for that party, and if the indications pointed to a majority being against the Democratic party, not to open the polls, or, if open and counted and the majority found to be anti-Democratic, not to send the box up to the court-house. This is the most convenient and is the favorite plan of refusing the majority a chance to vote in many of these Southern districts.

I have already quoted from the evidence in the case of the Seventh district of South Carolina, Smalls *vs.* Elliott, and I now call attention to a very few of the dishonest practices in that district, the case being Miller *vs.* Elliott. The shape of the district and its formation in violation of the United States law has become thoroughly well known to most of the intelligent people of this country, and notwithstanding one or two Democratic papers are honest enough to protest in the language which I quoted, yet it seems that Mr. Elliott's friends have been able to manipulate the district again in such a way as to secure a certificate.

There are of male citizens over twenty-one years of age in this district 7,695 whites and 32,893 colored, being 25,000 more colored than white, and, as stated by the Democratic paper above quoted, it was laid out by the Democratic party, intending to surrender it to the negroes of South Carolina. I ask any gentleman upon the floor of this House or elsewhere to read the many different plans adopted by the Democrats of the Seventh district of South Carolina to place the gentleman from South Carolina in the seat which he has been occupying for three years, and to which he was never elected by a majority of the people of his district.

Systematic cheating in the matter of registration was indulged in; ballots for Miller, the Republican, which were found in the wrong box were not counted for him, and the boxes were changed from time to time to confuse the illiterate voters, and when an attempt was made to show them which boxes were the Presidential boxes and which the Congressional boxes the managers of the election objected to it. (See evidence, pages 8, 13, 15, 21, 24, and others.) As a rule, only Democrats and no Republicans were allowed as managers of elections. (See evidence of L. R. Davis, page 24.)

I call attention to the evidence of Robert Wilson, Democratic manager (page 347 of the record):

Q. By whom was the position of the boxes changed?

A. In some cases by myself and in some by Mr. W. A. Cooper, one of the managers.

Q. Why was the position of the boxes changed?

A. They were changed to carry out the spirit of the law and test the intelligence of the voter. The voters were being directed by a man who had climbed up a tree so that he could see the position of the boxes over the barricade; the voters were coming in with their tickets and hands held upright, one in one hand and one in another, and whenever the boxes were changed the man up the tree would halloo out, "Mind dare!" "Change dem tickets!"

Here is a picture worthy of consideration. Here are the Democratic judges shifting the boxes to confuse the illiterate negro, who has as much right to vote under the law and Constitution as the judges themselves. When the law requires that an inclosure shall be railed off or otherwise provided, they put up a barricade, and one negro who is anxious to help his fellow-citizens to get their votes cast and counted is obliged to climb a tree and tell them when and how to change their vote from one hand to another in order to have it deposited in the right box.

Suppose we should apply this test of intelligence and ability to read to the hundred thousand majority of Tammany in New York City. They tell us the negro is not intelligent, but still insist that the man who has come to this country freely and voluntarily to better his condition, who can neither read nor write our language and who knows no rule of law except the order and edicts of Tammany, can go to the ballot-box as he does in New York and have some friend instruct him as to how to fix his ballot, in other words, to help the illiterate to cast his vote for Tammany in New York, but for the poor colored man, who came to this country through no wish of his own, he shall not have the right to have any assistance as to what box his vote shall be cast in.

I am not discussing the question as to whether or not there should be an educational qualification; I am simply stating that under the Constitution and laws of this country there is no educational qualification, and the ignorant men in South Carolina should have the same right as the ignorant men have in New York, many of whom vote at the dictates of "Boss Tammany" and know nothing of the history of the country or of the institutions of this Government.

Ballot-box-stuffing was indulged in again in this district, as will be seen by the evidence of different witnesses at pages 294, 295, and 296. But I do not care to discuss the Seventh district of South Carolina any further. This district and the conduct of the elections there have become a stench in the nostrils of the American people, and it is no wonder that a leading Democratic paper would say, "We are fast becoming a set of rascals, if we have not already got there."

I call the attention of the House and the country to one more case, the evidence of a Democratic police officer in the Seventh district of Mississippi, in the case of Kernaghan *vs.* Hooker. This witness testified as follows:

Int. State your name, age, residence, and occupation.

A. J. W. Cain; twenty-three years; Jackson, Miss.; am on the police force of the city.

Int. If you were present at a Democratic meeting held in the capitol on the night of the 5th of November, 1883, being the night before the election, state what arrangements or agreements were made there, or after said meeting, by the parties there assembled, in regard to the firing of cannon, and how the same were afterward carried out.

A. It was proposed that we were to fire the cannon early next morning,

and some of the boys proposed to carry it out through "Nigger Town" that night. They fired it out there perhaps a dozen times or more; stopped in some places and fired it in front of the houses. They stopped once in front of the colored hall, where they were holding some sort of a meeting, and the reason they did not fire it there was that it was in front of a house where a woman was about to die, and some one came out and begged us not to shoot. We went to West Jackson then and stopped in front of the lunch-stand and then came back to the capitol.

Int. Were there many or few people went with the cannon, and how did they act and what did they do and say?

A. There were about twelve or fifteen went with it. Some made the remark that it would be a good thing to carry it out there to bluff the negroes and keep them away from the polls.

Int. Were they noisy or quiet in their travels with the cannon?

A. They were very noisy.

Int. If they used any threatening language while passing through the colored neighborhood, state what it was.

A. Some said, "You damned black —— —— ——, you wouldn't come to the door to see what this cannon was being fired for if you knew the effect they were trying to have on you," and "You had better not come to the polls."

Int. If you know of any act of intimidation or violence committed in Jackson on that night, state the same fully.

A. That night, I suppose it was about 11 or 12 o'clock, after the meeting adjourned, I was in company with some gentlemen, Mr. Walt. Hendricks was one of them, Mr. Horace Perry was another, and walking on the V. and M. Railroad towards West Jackson. There is a house near the railroad belongs to Mrs. Spengler. There were some men there bursting in the door and cursing the niggers, telling them the damned —— —— had better keep away from the polls; if they didn't that every one of them would be killed, or language to that effect. They had some straps beating on the side of the house and said they wanted one of them out of that. Said they wanted Thornton Reynolds out of there. The men had handkerchiefs over their faces; they were masked. Some of them from the inside answered that the "nigger" was not in there. Then they commenced to burst in the window-lights. After that they commenced a shooting. About twenty shots were fired into the house—at least that. The crowd dispersed after that. We started on towards West Jackson, and heard several shots in different portions of the town. We then changed our minds—not to go to West Jackson—and came back up town.

Int. Of what ward are you a voter?

A. Of the South ward.

X Int. Describe the route taken by the crowd, the points at which the cannon was fired, state the exact number of times it was fired, and give the names of the parties who made use of the oaths you speak of in your answer to direct interrogatory 5.

A. From the capitol to West street, then north to Hamilton's avenue, then west to Farish street, then south to Capitol street, and then to the lunch-house at the depot, where I left them. That was the route. The cannon was fired first in front of the Clarion office, next at Sproule's shop, next at the corner of West and Capitol streets, next near Judge Campbell's, then at the corner of Hamilton's avenue, then in front of Henry Hudson's (a colored man), then in front of another colored man's house a little farther on, next at the corner of Farish street. We then moved on and halted in front of the Benevolent Hall, but didn't fire because of sickness in the neighborhood, as before stated; we fired again on the bridge on Farish street, then at Farish's stable, where we stopped under a gas light and jarred it out, and lastly at the lunch-stand. Some one of the party with the cannon used the oaths I have referred to, but I don't know who it was.

X Int. To whom were these epithets addressed, what man, and how far distant was he from the party, and did you see him at the time?

A. I saw Henry Hudson; he was the only man; he was not over 25 or 30 feet from the party.

X Int. Was Henry Hudson the only man you saw on the route?

A. No, sir; I saw other men.

X Int. Can you name any others?

A. I can not.

X Int. What did Henry Hudson do when the expletive was hurled at him?

A. He didn't do anything, but shut the door; I think his son came to the door.

X Int. Who was the captain commanding the squad in charge of the cannon?

A. I don't know that we had any captain; we had a cannoneer; I think Fuller and Louis Fite—I am not positive about Fite—were the cannoneers.

X Int. Did you make use of any of the oaths or epithets of which you speak in your examination-in-chief on that occasion?

A. I may have joined in with the crowd when they got to yelling and cursing; I expect I did.

X Int. Were any members of the party under the influence of liquor?

A. Yes, sir; Joe Rietti.

X Int. Did Joe Rietti do most of the cursing and yelling?

A. No, sir; not the most of it; he did his part.

X Int. Give us the name, dimensions, carriage, and history of the cannon used on that occasion.

A. She is named "Little Moses;" size, a little over 2 feet long; bore about 2¼ inches in diameter; rigged on the wheels of a sulky plow; don't know its history; it is generally fired about election day, to let 'em know we are going to have a fair election and to announce meetings of the Democratic club.

Int. Does he not hold some position under the Government there?

A. Not that I know of.

Int. In your progress with the cannon, "Little Moses," that night, did you go up into the North ward and fire the same before the doors of any Democrats?

A. We did not.

Int. Why didn't you do so?

A. We knew the cannon wouldn't have any effect on white men.

Int. Did you go up there and do any cursing, swearing, and hallooing before the doors of any white Democrats?

A. We did not.

Int. Why did you not?

A. We did not think it was necessary.

Int. Did you then think it was necessary to go into the colored parts of the city and fire the cannon and curse and swear and halloo before the doors of the people there?

A. I did, to keep them away from the polls.

Int. Do you know of any such plan or proposition on foot just before said election?

A. Mr. L. F. Chiles said that he and General William Henry had been talking and said it would be a good idea to take Charlie Morgan down in the swamp and tie him to a tree until after the election, as he was a leader among the negroes, and put somebody to watch him.

Int. Were any propositions made by him or any one else for you and your friends to carry out this plan?

A. Yes, sir.

Int. Who made such propositions?

A. Mr. L. F. Chiles.

Int. What office, if any, did Mr. Chiles hold at that time and now?

A. He was a deputy sheriff and alderman of the city of Jackson, and holds both of those offices.

Int. To what political party do you belong?

A. I am a Democrat. Have always been, and have never voted anything but a Democratic ticket.

And in another place he testifies as follows:

Int. You have stated in your cross-examination that you are a policeman of the city of Jackson, and that while off duty the night before the election you saw certain disorderly proceedings and did not interfere. Was not the principal reason of your non-interference at that time because of a general understanding among Democratic city and county officials in this city and county that at and just before election time Democrats are privileged to commit almost any acts they please, no matter how outrageous or disorderly, which may tend to intimidate Republican voters from the polls; was not this the real reason why you did not interfere?

A. Yes, it was.

Int. Is it not a fact that the grand juries in this county never indict anybody for outrages committed at and just before election times?

A. I never heard of them doing it.

Int. Do they ever indict any one for frauds on the ballot-box of this county?

A. I never heard of any. [The witness here expressed a desire to make a correction in his answer to interrogatory 12, last above given, and proceeding said:] I do not believe that every sort of outrage would be tolerated, but I believe that so far as intimidating niggers is concerned, that would be winked at by the officers.

The remark that the cannon was fired to let the negroes know they were to have a fair election is regarded by the average Southern Democrat as a good joke; but I appeal to any fair-minded member of this House, when he stops to consider that the poor, hard-working colored Republican of Mississippi has as much right under the law and Constitution as we have, is it common honesty to resort to such brutality as is here shown by the evidence of this witness, who has testified unwillingly against his own party?

No man dares stand up on this floor and say to the country that it is fair or that it has the first element of common honesty. The bill before the House would have a strong tendency to stop this robbing, this bulldozing, and this brutality, and yet I believe now that not a single member on the other side of the Chamber will vote for that bill. I am willing to go to the country upon that issue. The Democrats as well as the Republicans in my district have always believed and now believe in a fair election, and I am willing to submit to them whether or not it is a fair bill.

I feel that I must call attention to a few more cases of ballot-box-stealing done in the interest of some gentlemen who hold seats upon this floor. In the Second Congressional district of Florida—I will not quote from a Republican, but that there may be no question as to the interest of the party I will quote from some Democratic witnesses who were called in that case. Mr. Pond, who testifies on page 228 of the evidence, says—

That he is a Democrat and acted as inspector at the Madison precinct No 1; that, to the best of his knowledge, 615 votes were cast, and that the vote was not canvassed because the box was taken away from the inspectors.

He says further:

I was sitting with my back to the door, and the persons who took it got it before I could see whether they were armed or not. They had no authority from us to take it. I do not know what became of the box. I think the inspectors had canvassed about 70 votes. I am the editor and publisher of the Madison Recorder, and supported ROBERT BULLOCK, Democrat, for Congress.

The same witness was recalled, at page 231, at his request, and testified as follows:

The ideas as conveyed, that I did not know whether the parties were armed or not—this was an inadvertent statement, as I saw the men when they filed out of the court-house. There might have been fifteen or twenty of the armed men who took the boxes. I am certain they were armed and took it forcibly. I am still editor of the Madison Recorder. I do not remember whether in any issue of my paper I have said that the ballot-box had been forcibly taken away by armed men.

And after examining the files of his paper, he testifies on the same page:

An examination shows that I did not say anything in my paper about the taking of the ballot-boxes about which I have testified. I do not remember why I did not say anything about it.

I now call attention to the evidence of W. H. Thomas, also a Democrat, who testified in regard to stealing those same boxes. His evidence is as follows:

Q. Were you in the polls from the opening to the closing?
A. Yes, sir.
Q. Were you there when the ballots were counted from the box?
A. I was.
Q. How many ballots were there cast at that poll?
A. There were 615 votes cast.
Q. Were these votes canvassed?
A. No, sir; not all of them.
Q. How many were canvassed?
A. Between 50 and 60.
Q. Why were they not canvassed?
A. The ballot-box was taken.
Q. In what way was it taken?
A. The box was forcibly taken by armed men.
Q. How many armed men?
A. I could not tell.
Q. About how many?
A. It's a question I can't answer.
Q. At what hour was the ballot-box thus taken?
A. I judge it to have been between 9 and 10 at night, though I can't tell the exact hour.
Q. At what time did the poll close?
A. At sundown.
Q. Why was there not more than 50 or 60 votes canvassed before the ballot-box was taken away?
A. I judge because it was the time occupied in preparing the tally-sheet.
Q. Was any resistance made by the inspectors to the taking of the ballot-box?
A. There was none.

Q. Why was there none?
A. I don't reckon any one wanted to get killed.
Q. Were the men white or black men who stole that ballot-box?
A. I took them to be white men.
Q. Were they Goodrich or Bullock men?
A. I couldn't tell you that.
Q. What is your belief?
A. I can't answer that question.
Q. Don't you think they were supporters of Bullock?
A. I could not answer.
Q. What are your politics?
A. I am now and have been all my life a Democrat.

Let me call attention to the Hickstown box. Bellamy Smith testifies, at page 234:

That he is a farmer and a Democrat; that he was at the election at Hickstown; that when the inspector got there very late they said the ballot-box and the registration-list had been burned the day before. A ballot-box was produced, and still the inspectors refused to hold an election because they had no registration-list. We got a paper, and after a good deal of quarreling we commenced to vote, and voted until all on the ground had voted. The Republican party has a majority at that precinct.

I call attention to the evidence of this leading Democrat in that precinct to show that the Democratic party there by way of variety in one precinct stole the box and destroyed it before election day. If we had supervisors of elections, supported and sustained as they ought to be by the United States Government, and divided fairly and equally between the Democratic and Republican parties, there would be no prospect and not much occasion for stealing ballot-boxes and registers before election.

I now ask the attention of the House and of the country to the Hamburg precinct. You will find by reading the evidence of Charles S. Church that he was there; that it is a Republican precinct, and is so known and recognized; and that he (the witness) is a "Jeffersonian Democrat, as good as ever made;" that the "ballot-box at this precinct was destroyed by eighty or ninety armed men, who were, to the best of his knowledge and belief, Democrats." Is there any gentleman upon the floor of this House who believes that if this box had been in the possession of United States officers, equally divided in politics, any set of armed men would dare to have approached that box and taken it away by force?

The men who did take it robbed honest men of their right of suffrage, and men who will do that are not only robbers, but cowards, and, if they had understood that that attack was an attack upon the officers of the Government of the United States, the attack, in my opinion, would never have been made. I should add here that the evidence of the last witness is fully sustained and more particularly explained by the evidence of Reuben Haines, at page 246 of the record, and other witnesses. The next witness I quote from is a Democrat—J. H. Reading—who testifies that he was an inspector of election on that day at Greenville precinct, No. 5, Madison County; that it was a Republican precinct, and that Goodrich, the Republican, had a small majority; and the manner in which, between 1 and 2 o'clock at night, he was knocked down and robbed of the ballot-box is better told in his own language, and it is pretty conclusive.

I should say in passing that they were white men who robbed him of that box, because, he says, at page 251, "my opinion is that they were white men, although their faces were black, because, in the fight over the box I caught one by the hair of the head." But we will let the witness speak for himself:

Q. What became of the votes?
A. I don't know.
Q. Was not that ballot-box intrusted to you by the other inspectors?
A. It was.
Q. Why was it intrusted to you?
A. To bring it to Madison.
Q. What caused the other inspectors to intrust it to you?
A. Two of the inspectors lived far away from the polls, and it was raining and Colonel Harby, who, I think, was the clerk, being sick, the box was intrusted to me to take to Madison.
Q. What did you do with the box?
A. The box was setting on my counter. I was putting up the books of accounts of my business in the safe, as I always do every night. Some one knocked at the door. I asked "Who was that?" The reply was, "It's me, Frank." I asked him "What do you want?" He said, "I want to see you a little on some business." I stepped to the door and unlocked it. As I did so the door was shoved open in my face, bruising my forehead, and nearly knocking me down. Some one sprang on to me and grappled me. Before I recovered from the fall in an instant more two other men had a hold of me also. Another man jumps inside of the door with his pistol drawn, and said, "If you resist I'll shoot you." Still two other men came inside of the store; one grabbed the ballot-box, and the other the lamp. The man that grabbed the ballot-box ran off with it. The man who had the lamp put it out, and changed the key in my door from the inside to the outside. Then the men who had hold of me turned me loose, and all jumped out of the store and locked me up in there. They took with them my keys, both store and safe keys. I felt around in the dark and got a hold of some matches. I lit the lamp, so I could see around me; then I hallooed for Mr. Prescott, who lives about 50 or 100 yards away, to come to my assistance. Mr. Prescott came to the store with a lamp and gun. In the mean time I remembered that my back door was only closed with a bar across it on the inside. I took off the bar and went out the back door, and met Mr. Prescott as he came up with a lamp and gun. We went to the front of the store where the parties who took the ballot-box went out at, and took their tracks where they ran off and tracked them for about 300 yards, where we found horses had been hitched in a little pine sapling thicket. We could there track them no farther; they seemed to have gotten off on horses.
Q. Did these people of whom you speak take off that ballot-box?
A. Yes, sir.

Suppose, Mr. Speaker, that in the State of Maine or in the city of Chicago this man had been knocked down in the night and robbed of the box, every honest Republican and every honest Democrat would have cried out against it, and no one would have been satisfied until the thieves and robbers had been brought to justice. If there is any gentleman who is not satisfied after reading these samples of the dishonest manner of holding elections in these Southern districts and who does not recognize the necessity of having both parties represented at the ballot-box and at the polls, then all I ask is that the gentleman take the record of the contests now pending in this House and he will find ten thousand pages filled with printed evidence of the same kind of fraud and corruption in nearly all of the cases which have been decided or which are pending before this Congress.

If the pending bill had been the law of the country at the time this man was knocked down and robbed of the ballot-box, the votes in that precinct would have been counted and canvassed in the presence of the representatives of both parties, officers of the State or county, and also in the presence of the United States officers representing both parties, and the cowards who went to this man's store at night might have succeeded in stealing the box, but their work would have been too late to rob the honest citizens of their right of suffrage.

The gentleman from Kentucky charges the Republican party with neglecting the negro. We are guilty, guilty, a thousand times guilty. We gave them feet to walk with, but no ground to stand upon.

Mr. OATES. You gave them the right to vote, but you never gave them the right to hold office.

Mr. MASON. We gave them the right to vote without giving them the right and the power to have that vote cast and counted and without depriving the people of the South of the power of robbing them and cheating them of that right.

Mr. OATES. That allegation has been made too often in that general way, and it is utterly untrue.

Mr. MASON. Yes?

Mr. OATES. I concede that there may be, and I believe there are, localities at the South in which wrongs have been committed in connection with elections, but to make that broad charge against the people of that section is as unjust as any charge that was ever made upon this floor.

Mr. MASON. I ask unanimous consent for ten minutes to recite the districts where the negro vote is suppressed. Will you give it to me? [Laughter.]

Mr. OATES. You have been there and know, I suppose?

Mr. MASON. I have the record in this House of Representatives. Take, for instance, the Seventh district of South Carolina, which has a Republican majority of more than 20,000. In that district ballot-box after ballot-box was stolen and never returned. Twenty thousand natural Republican majority in the Seventh district of South Carolina, and there has not been a Republican here to represent them for years! Let me tell you the facts. Give me the time, if you say that my charges are not specific enough.

Mr. WILSON, of Missouri. Do you say that numbers of ballot-boxes were stolen in the Seventh district of South Carolina and never returned.

Mr. MASON. Yes, sir.

Mr. WILSON, of Missouri. That is not true.

Mr. MASON. You have not read the evidence.

Mr. WILSON, of Missouri. I say it is not true.

Mr. MASON. Then you do not know what you are talking about. [Laughter.]

Mr. WILSON, of Missouri. You do not know what you are talking about.

Mr. MASON. I am talking about the last Congress.

Mr. WILSON, of Missouri. I am talking about that.

Mr. MASON. Well, sir, I will refer you to the records. I can not give you the names of the precincts where the boxes were stolen, but there were more than one stolen and never returned.

Mr. WILSON, of Missouri. I challenge the record. I say the statement is not true.

Mr. MASON. Well, I say it is, and I will produce the record to prove that it is.

A MEMBER on the Democratic side. The burden of proof is on you.

Mr. MASON. I ask simply for time and I will prove it. Take the whole State of South Carolina; you talk about fair representation and about wanting to be fair. The Representatives of the first five districts in Illinois stand here, Democratic and Republican, with an average of 40,000 voters back of them, but you have an average of less than 10,000 to a district. Where are those voters in the South? You count the negro when the census is taken; you count him for the purpose of getting representation; you count him as a voter, and we propose now to do him justice and let him vote. [Applause on the Republican side.] One of your Senators said within the last two years, "We know we suppress the negro vote, but what are you going to do about it?" Read the answer in this little bill that is pending before the House. That is what we propose to do about it. [Laughter and applause on the Republican side.] Here is an extract from a good Democratic paper, The Columbia Register, in which the editor says:

We have carried this thing too far. We are fast becoming a set of rascals, if we have not already got there.

That is the exact language, but I suppose some gentlemen will deny it, although I have quoted it from a clipping that I made from the paper myself. Your own paper admits the fact: "We are fast becoming a set of rascals, if we have not already got there." Now, I will be honest with you, gentlemen. When the gentleman from New York [Mr. COVERT] made a plea against this bill because Northern men and Northern capital had gone down South, it made no impression on me. I confess that I had a prejudice two years ago against Southern men; that was before I knew them. I said two years ago that a man who would steal a vote would steal a horse; but I have changed my mind. I know a number of gentlemen on the other side of the House that I am sure would not steal a horse, but I would not trust them with a negro vote five feet in a dark alley. [Laughter.] No, I believe I have no prejudice now. [Laughter.]

Mr. OATES. You have mentioned only one district yet.

Mr. MASON. Well, you must give me unanimous consent for time, and I will cite the whole list.

Mr. OATES. If I had the time I would yield to the gentleman for that purpose.

Mr. MASON. We have been told by several gentlemen, we were told by my friend from North Carolina [Mr. EWART] the other day, that there is no negro problem in the South. Why, Mr. Speaker, there is a problem wherever there is a human being. The gentleman from North Carolina pleads for education for the negro, and I agree with him. I agree with him that both the Republican party and the Democratic party have neglected the negro in that respect——

The SPEAKER. The time of the gentleman has expired.

Mr. MASON. I do not think I have had five minutes, Mr. Speaker.

The SPEAKER. The gentleman from Illinois and the other gentlemen who have shared the time with him have had five minutes. [Laughter.]

* * * * * * *

Mr. MASON. Mr. Speaker, I desire to reply to the statement of the gentleman from Missouri that I had misstated the record in regard to the box being stolen in the Seventh district of South Carolina. I have here the record of the evidence taken at that time, and I wish to state to the gentleman—I do not see him now in his seat—the names of the boxes that were stolen and the circumstances under which they were taken.

Mr. HEMPHILL. Print that.

Mr. MASON. It will be printed, but I would like the pleasure of stating it also. I will not take up more than five minutes.

The first box that was stolen by the disinterested Democracy of the State of South Carolina was known as Fort Motte box.

Mr. ELLIOTT. I deny that it was stolen.

Mr. MASON. I know you deny it.

Mr. ELLIOTT. And the record shows that it was not stolen.

Mr. MASON. I know you deny it. Passing by the evidence I will read the certificate of the officer as to the stealing of this box. This is the certificate of the officer of Congress, not of this Congress, but of the previous Congress. This is what he certifies to the House of Representatives.

It was a box that had never been properly reported. It disappeared in some way, and when they attempted to offer that box in evidence this happened: The notary public who was taking the evidence for the benefit of the Fiftieth Congress, and was, in fact, an officer of the House of Representatives, wrote:

> It is to be regretted that I am unable to forward with the testimony taken here the ballot-box purporting to be the "Fort Motte ballot-box, returns and ballots," offered in evidence by counsel for contestant, marked by me "Exhibit B," for the reason that after the examination had concluded I was in the act of taking charge of the box when Mr. Wanamaker, counsel for the contestee—

That is your counsel.

Mr. ELLIOTT. Yes.

Mr. MASON. The notary public proceeds:

> took forcible possession of the same and refused to surrender it to me. I demanded the custody of the box, and was informed by Mr. Wanamaker that I should not have the box, and that if I attempted to take it away there would be a disturbance. He being supported by a large number of his friends, and not wishing to precipitate a row, I made no further attempt to obtain it.
>
> JNO. H. OSTENDORFF,
> *Notary Public, South Carolina.*

Your friends stole that box.

Mr. ELLIOTT. What right had the notary public to take an election-box?

Mr. MASON. That box was stolen. If it had been a commissioner of the United States holding in possession the ballot-box of any district, even all your hirelings would not have dared to rob him of it, backed, as he would be, by the United States. [Applause on the Republican side.] He would have stopped that fraud in a South Carolina district, and with the Government of the United States behind him no coward would have dared to take the ballot-box from an officer of this House.

Mr. ELLIOTT. It was not taken from any officer of this House. It was in the hands of——

Mr. MASON. It was in the hands of the notary and taken from him by your counsel and friends. You deny the record. Your counsel refused to surrender it that it might be certified, and you took it for purposes of your own.

Mr. ELLIOTT. I say it was in the hands of an officer of the State.

[The Speaker rapped loudly for order.]

Mr. MASON. And by its aid the last Congress retained you in your seat.

Mr. ELLIOTT. Go on. You have the reputation of having helped to seat me in the last House.

Mr. MASON. You were seated by your own party.

The SPEAKER. The gentlemen from South Carolina will be in order. The Chair desires to state that by the practice of the House when a gentleman speaks out of order he does not get into the RECORD, and if that is better understood perhaps gentlemen may not speak out of order.

Mr. ELLIOTT. The gentleman from Illinois did not object to the interruption.

The SPEAKER. It is impossible to preserve order unless gentlemen observe the rules of the House.

Mr. ELLIOTT. He was talking to me, and he did not object to the interruption, and I protest against the Chair objecting for the gentleman.

Mr. HEMPHILL. Would the gentleman object to a statement?

Mr. MASON. If it does not come out of my time I will not.

The SPEAKER. It does come out of the time of the gentleman from Illinois.

Mr. MASON. Then I do object.

Here is another place where I say a ballot-box was taken. I do not read from the brief, but I read from the record in the case. They took that box—these Democratic judges—and passed it from one to another until it finally disappeared forever from the view of humanity. The box was never produced before any court. It could not be produced here, and the votes were counted by your returning boards against the negro Smalls and for you; or at least, by leaving out that box that was stolen, it gave you an additional majority of 60 or 70 votes. There are two instances.

They were talking about stealing boxes. Of course it may not be stealing when you take it by force. There may be some difference between highway robbery [here the hammer fell] and stealing them in the way they were stolen in South Carolina, but here were four districts where the boxes had been taken —— [Loud cries of "Regular order!"]

Mr. ALLEN, of Mississippi. I insist that the gentleman shall be called to order. He is proceeding after his time has expired. [Renewed cries of "Regular order!"]

Mr. MASON. Mr. Speaker, I deny that I have spoken five minutes.

The SPEAKER. The gentleman himself may not have occupied five minutes, but with the interruptions he has had five minutes.

Mr. MASON. Then I claim the time that was taken up by interruptions. I claim the right to say that here are four districts. [Cries of "Regular order!"] I claim the right to insert four districts where this was the case [renewed cries of "Regular order!"], where they have stolen the boxes [renewed cries of "Regular order!"], and I have got the names of the boxes. [Cries of "Regular order!" and applause on the Republican side.]

Again I say to you that no man has yet given any reason against the passage of this bill based upon a statement of fact that it will deprive any citizen of his right to cast a ballot.

The gentleman from Virginia said:

> Suppose it is true that we do prevent the negro from voting, would it be any better for you to allow him to vote and then purchase his vote before it was cast?

Does the gentleman mean to insinuate by his question that if they can not bulldoze they will buy? And, if so, I answer him by saying that buying a vote is better than stealing it; buying anything is better than stealing it. Buying a vote involves simply a crime against the election laws of the country. Stealing the vote adds to that crime the crime of larceny. But the gentleman from New York [Mr. COVERT] eloquently pleads against the bill. He says:

> Can any fair-minded man seriously believe that necessity exists now for changing the plan and policy that has stood the test of a century's trial?

Let me call his attention to the fact that it has not stood the test for a century, that the great body of black citizens were not citizens until the adoption of the constitutional amendments within the last quarter of a century, and it has been tested only since the dark days of reconstruction of the South. It has been weighed in the balance and found wanting. He says that the honest public sentiment of the Northern districts would be against the local enforcement of the law, and that the bill is intended only to affect the South. I say to the gentleman that if the South is the only part of the country to be affected by an honest election law, so much the worse for the South. And it is a doubtful compliment he pays the South when he says that frauds are com-

mitted there and not in the North. He says that the South alone furnishes districts where there are one hundred citizens who believe that there is fraud in their elections. But when the gentleman goes so far as to say that "it is intended to prevent, by Federal intervention, the freedom and fairness of elections in the South," I wonder if he has read the evidence in any of the contested-election cases for the past four or six years. His eloquent appeal to gentlemen on this side of the Chamber that men from the North are now living in the South could have no effect upon me. A Northern man is no less and no more a citizen of the Republic than the man of the South.

If I have ever been prejudiced against the honorable Representatives on the other side of this Chamber, and I admit that I have been, if I can judge my own heart and my own conscience that hour of prejudice is past and gone. I can see excuses for things now which I could not see before, but excuse is not justification. My colleague [Mr. COVERT] says that—

> Smoke clouds point no more from fields of carnage, but from the chimneys of factories, conducted by men and means coming from the North and South alike.

Better the fire of the forge go out and the chimneys stand against the Southern sky a monument to a past prosperity than that the citizens of the States be deprived of their civil liberties and political rights. I know it is true, as he says—and I am thankful for it—"that cattle may be heard lowing from the hillside and from the valleys more than a quarter of a century ago devastated by the tread of contending armies." What matter a thousand herds if the citizen still continues a political slave? What matters it how many cattle there are on the hills, if political cattle are covered by the roofs of their homes? It is a poor freedom that lets a man wander where he will, eat, sleep, and drink where he will, if when standing in the multitude that governs the country his lips must be silent. What is the wealth, the factories, the herds, plantation and farm, home and hamlet, to that citizen who in the hour that he should be the greatest must kneel at the feet of his political master?

Oh, my friend from North Carolina, you tell us that there is no negro problem in the South. Listen to me a moment. You are mistaken. Wherever there is a human heart and a human soul, a human brain, a human aspiration, wherever there is a man, there is a problem. In the same speech in which you tell us there is no negro problem you disclose yourself one of the most serious branches of that problem; you give a solution to it—education. I agree with you—agree with you fully. How shall we learn from the books but by using them? How shall we learn to walk but by walking? How shall we learn to read but by reading? How better can we learn to vote than by voting? The use of your arm makes it strong. The use of the power of citizenship makes a better citizen. Tie the arm to the side and it withers and dies. Destroy the power to use the citizen's right and he becomes an enemy to the law, disheartened, discouraged, and in his heart an alien to our institutions.

You upon the other side of the Chamber have appealed to us to destroy this bill. Be patient; I would appeal to you to vote for the passage of this bill. If by the terms of the bill it will disfranchise any American citizen, show me where and how, and I will vote to amend it. If by the terms of the bill the alien and stranger have a voice in the affairs of the nation, show me when, where, and how, and I will vote with you to amend it. If the bill does, as I say, give to each party representation at the ballot-box then I appeal to you to vote for it.

The hour for argument is past. Without one feeling of bitterness I charge it; I know it; the record proves it. It can not be denied. These black men who piled up the treasure for the South, whose unrequited toil stands charged against our country in the records of a just God, are deprived of their rights as citizens; you know it is true. Give them one trial and see whether or not in the exercise of that citizenship they will not grow even faster than in the past. You say they are ignorant. Yes, we made them so. Your governor of South Carolina has said, to the applause of the multitude, that—

> God Almighty had stamped upon them the impress of inferiority.

That is not true. It was not the hand of God, but the barbaric iron heel of the Anglo-Saxon, our countryman, who beat them and cursed them who for a hundred years developed this country we call a land of freedom, and gave no compensation for that labor, not one lesson of refinement, not one suggestion of progress, not one glimmer of hope for the future that lay before them. The law of compensation is as fixed and immutable as the stars. That debt must be paid.

I beg of you, as citizens of a common country, to know that it is more important that justice be done by the citizens of this country, that is to live forever, than that your party or my own should remain in power, and when my Brother COVERT invites us to view from above the sons and daughters of America basking in the sunlight of peace, let us make it a peace based upon honor, upon justice, based upon the equality of all men before the law, and it becomes a peace, not for to-day or to-morrow, but perpetual, peace lasting through all the coming ages of time.

The Original-Package Bill—Nullification Threatened in Kansas.

REMARKS
OF
HON. AMOS J. CUMMINGS,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890,

On the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. CUMMINGS said:

Mr. SPEAKER: It seems to me that the question involved in the pending discussion is, what are the rights of the States, what is the power of Congress, and do they conflict? The grant of power to Congress is very plain. It is in these words, "The Congress shall have power to regulate commerce among the several States." It is an absolute grant, and confers a paramount but it seems to me not an exclusive power.

Commerce existed before the grant. Congress was given power to regulate it; but that power is to be rationally exercised. If no regulation is required, of course Congress will not interfere. There seems to be some confusion as to what the phrase "regulate commerce" means.

Tariff laws are not enacted to regulate commerce. The purpose is to obtain revenue; but, of course, incidentally, they affect commerce. The penalties attached to them are to make them efficient. They affect commerce, but they do not regulate it.

Navigation laws and the interstate-commerce act were made directly to regulate commerce. The latter raises a question as to where the paramount power of Congress ends and the State power to make police regulations begins. If all State laws that incidentally affect commerce are to be deemed regulations and to infringe upon the power of Congress, and are for that reason unconstitutional, then State statutes will require a tremendous purging. The confusion is almost interminable and the difficulty almost insurmountable. It seems to me that if the law of Iowa, which has raised this question and caused the litigation, was a police regulation, then the Supreme Court has made a mistake.

I am not a lawyer and have not the presumption to enter upon a criticism of that tribunal. But of one thing I am quite certain: That as a department of the Government it oversteps the bounds of propriety when it suggests to Congress that it had better give permission to the States to get over the difficulty.

In the first place, Congress has no right to return to the States any power that has been constitutionally granted to it. If it can return one power, why can it not return all? And even if it could, it is certainly very presumptuous in the court to suggest to Congress that it has been delinquent in not surrendering some of its power. While the different departments of the Government are contrived to act in harmony, it is the spirit of the Constitution that they should each act entirely independently of the other's dictation. And for one to suggest to another that it has been remiss is assuredly impertinent. Congress was established before the Supreme Court, and has by law, to a great extent, fashioned that court and given it its jurisdiction. It is an unseemly spectacle, when the court finds itself driven into an almost inexplicable difficulty, to turn around and ask Congress to help it out.

I am opposed to prohibition; but if Iowa wants it and can get it, let her have it. If she has not the power to get it, I for one am not going to help patch the Constitution with a law to confer it upon her. There is a plain way to amend the Constitution, but no constitutional way for Congress to patch it. It should be pre-eminent with this House. If we undertake to amend what we are pleased to consider its defects, Heaven only knows into what vagaries we may run. If the Supreme Court stands in the way of the desires of Iowa, I can not help it. I am inhibited by the Constitution from even considering how to remove that august difficulty. I shall not vote for this bill.

Nevertheless, I am pleased to learn that the Prohibitionists have at last found out that there are or ought to be State rights. But I am sorry to be advised that they are on the eve of rebellion to enforce them. In illustration of this I subjoin the following letter from a well known Republican lawyer:

TOPEKA, KANS., *July* 14, 1890.

DEAR SIR: I take it for granted from a remark you made in the House a few days ago that you will oppose the bill to amend the interstate laws, known as the Wilson bill, or any substitute therefor. It will no doubt be argued by the Kansas delegation in Congress that Kansas is solid for this bill. That is not a fact. It is only the Prohibitionists who see that their pet doctrine is undermined by the decision of the Supreme Court of the United States that are asking this extraordinary legislation. Since that decision nullification has been as common an utterance among the Prohibitionists of Kansas as it ever was in South Carolina. The Supreme Court of the United States has been reviled in the most outrageous manner. They speak of the "original-package" houses as Supreme Court saloons.

Senator INGALLS is quoted in a letter to a Prohibitionist in Kansas as saying that the Supreme Court decision is an outrage. Lieutenant-Governor A. J. Felt in a recent speech used this language:

"While I respect the mandates of the Supreme Court of the United States, I

consider that I owe my first allegiance to the constitution and laws of my State."

Such utterances as these have been common among the Prohibitionists—the people who are asking this legislation.

Every one knows, of course, that the decision of the United States court affects no class of liquor laws except prohibition, either as declared by statute or by a vote of the people in local-option States. It is argued that it affects licensed States as well, but up to the present time no "original-package" house has been started in a single place where prohibition does not exist. The question is, what power has Congress to enact this proposed legislation? The decision of the Supreme Court was that the State legislation is unconstitutional. How can Congress make it constitutional?

Congress can not pass any law investing the States with any power which they do not possess under the Constitution. If the State has not the power under the Constitution to do an act, no act of Congress can supply the want of power. Congress can not delegate its powers. If it can delegate and abdicate one of its powers given it by the Constitution, why not all? If that bill or any substitute becomes a law it will simply be an expedient of doubtful constitutionality passed at the dictation of Prohibitionists.

To show you the sentiment that exists here: At a meeting in this city on Saturday evening, July 13, the following among other resolutions was unanimously passed by an audience of 5,000 people:

"Believing that any law that Congress may enact to allow the States to regulate interstate commerce, thereby surrendering powers expressly conferred upon Congress by the Constitution, would be unconstitutional, null, and void, and knowing that such legislation is demanded by the advocates of prohibition only, and to bolster up prohibitory laws only, we enter our solemn and united protest against the Congress of the United States enacting the so-called 'Wilson bill' or any substitute therefor."

The sentiments embraced in this resolution are the ones that prevail in Kansas to-day outside of the adherents of prohibition. If Congress will allow matters to remain as they are, it is only a question of a few months when prohibition will be obliterated entirely. Why not take this method to get rid of this incubus in politics? It is the quick and easy road to tear down this disturbing element.

It may surprise you that nullification has taken so deep a hold on Kansas soil, but yet it is true. The fellows here that have been spelling nation with a big N say that their first allegiance is to prohibition, and these are the fellows that are begging legislation at your hands.

I can not believe that Congress will lend its aid to such a bill, one which lawyers do not believe can be made constitutional, that will open up a great field to litigation, and will take years for the questions to be finally decided by the highest tribunals. I trust you will use all of your endeavors against the enactment of this proposed law. Should you desire any further facts about the legislation of Kansas under the prohibitory constitution, I should be glad to furnish them.

This doctrine has brought on a revolt in the ranks of the Republican party in Kansas. Look in November for a political cyclone such as no other State has ever experienced. If you should have seven Democrats as your colleagues from Kansas in the next Congress, do not be alarmed. I am a Republican and am simply giving you a few facts as they exist here to-day.

Very truly yours,

A. L. ALLEN.

Hon. AMOS J. CUMMINGS, *Washington, D. C.*

It has been said that the decision of the Supreme Court in the Dred Scott case led to the great rebellion of 1861. Now we seem to be threatened with a rebellion of the Prohibitionists, because of this original-package decision. I can not forget that rum and negroes were once the twin commercial articles of the progenitors of both the Abolitionists and the Prohibitionists. In view of what has happened and what is threatened, it would perhaps be well for the Supreme Court hereafter to consider the consequences of its rulings before they are made.

Original-Package Bill.

REMARKS
OF
HON. MARK H. DUNNELL,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890.

The House having under consideration the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—

Mr. DUNNELL said:

Mr. SPEAKER: It is not my purpose to occupy even all of the ten minutes allowed me. It has always been very easy and natural for me to hold all courts in very high esteem, and certainly the Supreme Court of the United States is and has been justly entitled to the esteem which has been given to it from the very beginning of the Government. There are men upon the bench of that court who properly inspire the confidence of the entire country.

Some of the judges who joined in the decision which calls for the pending legislation or which is the occasion for it, from their long service, their eminent learning, and universally admitted probity, have a very strong hold upon the people of the whole country, and especially the people of the Northwest. It is not necessary in the discussion of this question to reflect upon those members of the Supreme Court who pronounced or joined in the decision now involved.

We have no right to challenge the integrity of any one of the judges who thus acted, nor indeed should that decision lower the court in our estimation. The men composing that tribunal are gentlemen of high character and learning. Congress should not seek to lower it in the estimation of the people of the United States. The court may sometimes pronounce a decision which for the time will be very severely condemned. It did so when it decided that spirituous liquors could, under a proper construction of the interstate-commerce law, be taken into a State where the law of that State prohibited their sale and be sold there in their original packages.

This decision meets with great opposition on the part of the American people. Still, Mr. Speaker, the court itself has opened up a way whereby we may avert the evils which flow from that decision. We may proceed straight forward and avert those evils without attempting to detract from the integrity, purity, and high standing of the Supreme Court of the United States.

I am very ready to vote for the House bill, and indeed feel constrained to do so, because it would cover the articles of commerce that may be put in peril by this decision of the Supreme Court of the United States, unless Congress takes the same action in regard to those articles of commerce that the Senate bill proposes to take in regard to spirituous liquors.

Oleomargarine, compound lard, and illuminating oils are among the articles to be protected by our legislation at this time against the evil effects of the original-package decision. Hence the importance of the House substitute for the Senate bill.

In the State of Minnesota we have a high-license law. We have no prohibitory law there; and yet this decision affects us as much as it does the States of Maine, Kansas, or South Dakota, which have prohibitory laws. Public sentiment in Minnesota is very well crystallized in support of high license. It has made a large reduction in the number of places where intoxicating liquors can be bought. It has reduced the number by one-half.

I have not been an advocate of prohibition in the State which I have the honor in part to represent, and I do not think the time has come in that State when prohibition would be a success. Perhaps we may, at some time, be able to have prohibition there; but I have not advocated the attempt up to the present time. Prohibition is not always a success, and yet very largely it may be. I always come to the rescue of prohibition as a principle. We are told that it has not been a success in my native State, Maine. I know it has been a very great success in the rural portions of that State.

You may travel 150 miles in that State without being able to get a single glass of whisky—rum, as it is called in Maine. It is all rum there.

In some little towns prior to prohibition, there would be fifteen or twenty places where it was sold, and it would be hauled to those places by four-ox teams. You can not get any of it there now. It can be bought in Portland and some other places in Maine, I have no doubt. Yet there has been a mighty advance in that State in that respect.

Minnesota is different from many other States in the Union. Its population is made up of a number of different nationalities. It may be well for us, in all the States, when the time shall come, to have prohibition; but that is not the question here. The Supreme Court has made a decision which puts in peril not simply prohibition, but also high license. It affects the State of Minnesota as much as the State of Iowa; and therefore I shall be very ready to vote for the Senate bill. I hope, however, the House bill may first come up for action, for I shall vote for the House amendment; and, if that cannot be carried, then I shall cheerfully vote for the Senate bill.

Now, Mr. Speaker, it is not necessary for me to say anything more. It is of no use to talk about the evils of intemperate drinking. It is not really legitimate as a matter of debate. The court itself opens up the way for the remedy. The demand is upon Congress to enter and legislate. We are here to represent the wishes of the people of the country in the passage of a bill on this subject as much as in anything that will come before us. There would come up to-day a louder demand for this legislation than for anything else. The American people would not be so well united on anything else as they would upon the passage of this bill. The emergency has come; the exigency has been thrown upon us, and I trust Congress will meet it. This is not a party question; it ought not to be used in that way. I do not like to hear it spoken of in that way.

The proposed legislation is not a Republican measure; it is not a Democratic measure. This is a national question, which has come upon us by the action of the Supreme Court—a co-ordinate branch of the Government—and I do not think it necessary to speak derisively of that court or to imply in any way that there were operating in that decision motives or influences other than those that came from deep convictions of the true interpretation of the Constitution of the United States. [Applause.]

Before closing I will call the attention of the House to the Senate bill and the House substitute.

The bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases is as follows:

Be it enacted, etc., That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory, enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in said State or

Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

The amendment proposed by the Committee on the Judiciary of the House is as follows:

Strike out all after the enacting clause and insert the following:

"That whenever any article of commerce is imported into any State from any other State, Territory, or foreign nation, and there held or offered for sale, the same shall then be subject to the laws of such State: *Provided*, That no discrimination shall be made by any State in favor of its citizens against those of other States or Territories in respect to the sale of any article of commerce, nor in favor of its own products against those of like character produced in other States or Territories. Nor shall the transportation of commerce through any State be obstructed except in the necessary enforcement of the health laws of such State."

It is proper to state that there is no State in the Union where laws to restrict and to some extent control the sale of intoxicating liquors have not been passed. While the Senate bill fully meets the case in regard to liquors, yet the House bill does that and at the same time protects the dairy, farming, and other industrial interests of the people of the country.

Original-Package Bill.

SPEECH

OF

HON. JOHN H. ROGERS,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890.

The House having under consideration the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—

Mr. ROGERS said:

Mr. SPEAKER: I had intended to prepare, with care, something of an argument upon the propositions now presented to the House. I could not add to or elucidate—I do not know that I could elaborate to any sort of advantage—the observations of my distinguished colleague upon the committee [Mr. CULBERSON, of Texas] on yesterday, and therefore I shall not undertake to cover the ground discussed by him; but I subscribe to every remark he made, as I understood him.

It is a matter of profound regret that I am unable to support either the Senate bill or the House substitute. I could get the sanction of my conscience much more nearly to the support of the amendment of the gentleman from Illinois [Mr. ADAMS] as being within the purview of constitutional power. The Senate bill came to us with the almost unanimous support of that body. I think I can safely say that the elaborate and learned debate in that body did not develop the fact that a single Senator believed the decision of the court in the Iowa case was correct or that Congress had the power to pass that bill. They simply yielded their convictions to the exigency of the situation.

The bill came here and was sent to the Judiciary Committee, and there it failed to secure favor, and a substitute was reported. I think I can say that neither the Supreme Court decision, the Senate bill, nor the House substitute commands the sanction of one-third of the members of that committee. That committee yielded also to the exigency of the situation.

And here we are, considering the House substitute, under a special order, as usual, that deprives us of the right of amendment and withholds the power to mature any measure of relief commanding the respect of our judgment.

I can not vote for the Senate bill for the reasons assigned by the gentleman from Texas; and I desire to supplement those reasons by a single line from the most distinguished jurist this country ever produced—Chief-Justice Marshall—in the case of Gibbons against Ogden. Said he:

Although Congress can not enable the State to legislate, Congress may adopt the provisions of a State on any subject.

Unfortunately the Senate bill does not adopt the "provisions" of any State of this Union, but it seeks to confer power on the several States to enforce their own laws; and this is done at the suggestion of the very court which held those laws unconstitutional. If they are unconstitutional, can Congress make them constitutional except by adopting them as the laws of the United States? Judge Marshall said not.

The Senate bill reads as follows:

That all fermented, distilled, or other intoxicating liquors, or liquids transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory.

What courts enforce State laws? If this bill becomes a law, what courts are to enforce the laws of the States attempted to be made valid by it—the State courts or the United States courts? The answer to this question, I submit, is a true test as to whether this bill adopts the laws of the State as the laws of the United States or confers power on the States to legislate, or, what is the same thing, makes valid State laws now held to be invalid so far as they affect commerce among the States. There is but one answer to this question. The State courts will enforce these laws, for that is the very thing the bill is intended to accomplish.

It is to confer power on the States which the Supreme Court of the United States has denied that they now possess. Moreover, the language of the bill shows this to be true. Liquor is to be, by its very terms, "subject to the operation and effect of the laws of such State," etc. Again, if the bill confers no power on the States, why pass it? If they do acquire power by it, is not the delegation of power to a State denied by Judge Marshall?

It will not do to say that power is acquired by the bill, but not power to legislate, for the bill by its very terms applies to the State laws now held invalid and seeks to give them force and effect. But if Congress has the power to make valid State laws now invalid, so that the States may enforce them, surely it is logically true that it can authorize the States to pass valid laws on the same subject. In other words, it can delegate to the States power to legislate, which is the very thing, as we have seen that the Supreme Court of the United States, by Judge Marshall, held could not be done.

In the case Judge Marshall was discussing the State laws adopted by Congress were valid laws when passed. Congress adopted them, having the power to legislate on the same subject. In that case the jurisdiction was in the Federal courts, *ex parte* McNeil, 13 Wall., 243; but in the case at bar the State laws as they affect interstate commerce have been held to be invalid because the States were without power to pass them.

In this Senate bill Congress seeks to make them valid without adopting them as the laws of the United States. It attempts to give life to unconstitutional State statutes and to delegate to the States power to enforce them, for to give them life without conferring power to enforce them would be a nugatory and a foolish thing.

Any action by Congress on any subject implies a necessity to act and power to do it. But the power over interstate commerce is exclusive in Congress. If exclusive, Congress can not abdicate that power or delegate it to the States, from which it acquired all its powers. It is clear, undeniable, that Congress by the Senate bill does not attempt to enact any laws of its own, regulating interstate commerce over the liquor tariff.

It simply tries to enable the States to do what it is claimed the Constitution vested in Congress the power to do, namely, regulate interstate commerce. One of two things, I submit, is true. If Congress acquired the power by the Constitution to regulate interstate commerce in liquors, it must exercise it. It can not delegate it. If it did not acquire it, it was reserved to the States, and Congress can not delegate it, for the simple reason it did not have it to delegate. My own conclusion is the States reserved this power as a part of their police power, and that Congress never had it, and that the Senate bill is unauthorized by the Constitution, and its passage will be a vain and a nugatory thing.

On the other hand, if it be said that the effect of the act is to adopt the laws of the several States, and therefore that it is within the rule above laid down, then it is manifest that the laws of the States become the laws of Congress, and the Federal courts would at once be called in to enforce the State regulations as so many Federal laws in so far as intoxicating liquors are concerned.

Are we ready for this? I speak for myself; I am not.

All that I have said of the Senate bill applies with equal force to the House substitute.

Indeed, the latter is the more objectionable by far. It is a remedy far worse than the disease, independent of the constitutional question.

Let us examine it.

As stated on yesterday by the gentleman from Texas [Mr. CULBERSON], the overpowering and controlling reason for the adoption of the Federal Constitution was to get rid of retaliatory legislation by the several States of the Confederation. Two things were found by bitter experience essential to the life of Federal sovereignty, and those two things the Confederation did not possess. One was the power to tax and the other was the requirement that in a Government like ours the different constituent sovereignties of the Union—the States—should not be allowed to retaliate against each other in their commercial transactions; and the contemporaneous history, as disclosed in The Federalist, demonstrates this, and Judge Story, in his work upon Constitutional Law, lays these down as the controlling considerations which led to the adoption of the Federal Constitution.

The Supreme Court has repeated this over and over again:

It can not be too strongly insisted upon—

Said this court in Wabash, etc., Railroad Company *vs.* Illinois (118 U. S., 557, 572)—

that the right of continuous transportation from one end of the country to the other is essential in modern times to that freedom of commerce from the restraints which the States might choose to impose upon it, that the commerce clause was intended to secure.

In other words, lest the States of this Union might legislate against each other in their commercial transactions, in the formation of the Union under the Constitution the commerce power was delegated to

the United States, so far as the States were concerned, in order that the United States might prohibit non-intercourse laws between the States. The decision proceeds:

This clause, giving to Congress the power to regulate commerce among the States and with foreign nations, as this court has said before, was among the most important of the subjects which prompted the formation of the Constitution. (Cook *vs.* Pennsylvania, 97 U. S., 566, 574; Brown *vs.* Maryland, 12 Wheaton, 419, 448.) And it would be a very feeble and almost useless provision, but poorly adapted to secure the entire freedom of commerce among the States, which was deemed essential to a more perfect union by the framers of the Constitution, if, at every stage of the transportation of goods and chattels through the country, the State within whose limits a part of the transportation must be done could impose regulations concerning the price, compensation, or taxation, or any other restrictive regulation interfering with and seriously embarrassing this commerce.

Commerce with foreign countries and among the States, strictly considered, consists in intercourse and traffic, including in these terms navigation and the transportation and transit of persons and property, as well as the purchase, sale, and exchange of commodities.

For the regulation of commerce as thus defined, there can be only one system of rules, applicable alike to the whole country; and the authority which can act for the whole country can alone adopt such a system. Action upon it by separate States is not, therefore, permissible.

In this connection I quote from the dissenting opinion of Justice Harlan in the same case, since he states well the position of Judge Marshall in Gibbons *vs.* Ogden, as to where the States got the right of intercourse with each other, as well as to what is meant by the word "regulate."

In Gibbons *vs.* Ogden it was said by counsel that the Constitution does not confer the right of intercourse between State and State, and that such right has its source in those laws whose authority is acknowledged by civilized man throughout the world. Chief-Justice Marshall said: "This is true. The Constitution found it an existing right and gave to Congress the power to regulate it." (9 Wheat., 211.) In the same case he said that this power is "the power to regulate; that is, to prescribe the rule by which commerce is to be governed." (Page 196.) It may be said, generally, that free commercial intercourse exists among the several States by force of the Constitution.

The court, in the same case, while discussing the reasons why certain acts of Congress were passed, say:

The power to regulate commerce among the several States was vested in Congress in order to secure equality and freedom in commercial intercourse against discriminating State legislation.

I remark at this point, if the States intended by the commerce clause of the Constitution to grant the power to Congress to prohibit the products of one State from going into another, they also conferred the power under the decision just read to prevent the citizens of one State from going into another, because commerce includes persons as well as goods and merchandise in transportation.

Finally, mark this language in the same opinion:

In view of the commercial anarchy and confusion that would result from the diverse exertions of power by the several States of the Union, it can not be supposed that the Constitution or Congress have intended to limit the freedom of commercial intercourse among the people of the several States.

Now let us look at the House substitute for the Senate bill:

That whenever any article of commerce is imported into any State from any other State, Territory, or foreign nation and there held or offered for sale, the same shall then be subject to the laws of such State: *Provided*, That no discrimination shall be made by any State in favor of its citizens against those of other States or Territories in respect to the sale of any article of commerce, nor in favor of its own products against those of like character produced in other States or Territories. Nor shall the transportation of commerce through any State be obstructed except in the necessary enforcement of the health laws of such State.

Here, then, is not only a delegation of power to the States, which the court has said Congress could not do, but it is a delegation of power to do the very thing which the Constitution was adopted to prevent, and this power is extended to all articles of commerce. It is a return to the old Confederation and an abandonment of the Constitution.

It is not confined to the evils that we are seeking to remedy. By its terms it says that whenever any article of commerce is imported into any State from any other State, Territory, or foreign nation and held or offered for sale therein the same shall then be subject to the laws of such State. In the States of Iowa and Kansas they have, theoretically, absolute prohibition. If these prohibition States, including Maine and others, have the power to enforce absolute prohibition as to liquors, and if this power is conferred as to all other articles of commerce, as in this bill provided, why may not the State of Maine, for example, have actual prohibition, if she choose, upon cotton-seed oil?

Why may not the State of Kansas, striking at that other twin evil with liquor, have actual prohibition upon the use of tobacco? Why may not Illinois, or Indiana, or Ohio, or Iowa, or any hog-producing State of this Union turn the sword of its legislative power against the products of the State in which I live. Why may not the State of Arkansas and the other cotton-producing States of this Union, which are interested in the growth and development of the cotton-seed-oil industry, turn the sword of their legislative power against the hog-producing States?

Already New York and Pennsylvania have placed the ban of prohibition on oleomargarine. Minnesota placed it on all beef imported which was not inspected in Minnesota by its own officers while on foot. If this power is conferred on the States, where shall such legislation end?

And when we have begun this retaliatory system of legislation, in these times when competition in various lines is far more sharp than in years gone by or in times contemporaneous with the adoption of the Constitution, when we have thrown our whole country into anarchy by this retaliatory legislation, then we shall find ourselves driven back to where the Confederation was driven, to the landmarks of the Constitution upon which is erected the whole commercial fabric of this great nation: freedom of commercial intercourse among the States. I can not give my assent to the adoption of the House substitute for these reasons in brief: the Senate bill is an entering wedge only; the House bill overturns our whole commercial fabric.

Mr. Speaker, I do not know but that it may be said—and yet upon that subject I entertain grave doubt—that by direct Congressional legislation we may prescribe the packages and the quantities they are to contain in which intoxicating liquors are to be shipped from one State to another State of this Union. The adoption of an amendment in that direction, if inside of the Constitution, when supplemented by other State legislation not yet enacted perhaps by any State, will at least minimize the evils under which the country is now suffering as the result of this decision of the Supreme Court. I had endeavored to formulate an amendment to the measure now presented so as to express my views upon this subject, but, as I have said, by the terms of the order under which we are operating I am denied that right.

Mr. Speaker, having said this much, I propose now, for the sake of presenting to the country my own views upon this opinion of the Supreme Court, to run briefly over what I conceive to be the errors into which the courts have fallen in the interpretation of the commerce clause of the Constitution, resulting in the perplexing problem we are now considering.

The first two cases seeking to interpret the commerce clause of the Constitution are Gibbons *vs.* Ogden and Brown *vs.* The State of Maryland, both decided by Chief-Justice Marshall. Those two decisions did not apply to intoxicating liquor. They applied to articles of commerce which are not commodities falling within the police powers of the States as affecting the life, morals, or health of the people. I believe that the error in the construction of the Constitution into which the court has fallen proceeds from an effort to apply the principle laid down by Judge Marshall, namely, "that the right to import carries with it the right to sell," to a case that was never in his mind when he delivered those opinions. This view is supported by the License Cases in 5 Howard, and never overruled until the Iowa case was decided.

It will be remembered that the Supreme Court of the United States, in the Mugler case, from Kansas, decided in substance that the Legislature of the State has absolute power and control over the sale and manufacture of liquors within the limits of the State. The State may prohibit either absolutely. Here is the plenary recognition of the fact that this article, intoxicating spirits *per se*, falls within the police power of the State, as affecting the peace, morals, and health of the citizens. We therefore find, when we consider the Mugler case in conjunction with the cases decided by Judge Marshall, that we have one class of articles falling exclusively within the commerce clause of the Constitution, as dry goods, and another class of articles falling not only under the commerce clause of the Constitution, but likewise under the police power of the States, as affecting the health, life, or morals of the community. What is this police power?

In Stone *vs.* Mississippi, 101 United States Reports, 818, the Supreme Court said:

Many attempts have been made in this country and elsewhere to define the police power, but never with entire success. It is always easier to determine whether a particular case comes within the general scope of the power than to give an abstract definition of the power itself, which will be in all respects accurate. No one denies, however, that it extends to all matters affecting the public health or the public morals.

Judge Story lays down the broad principle that when you come to construe the Constitution it is to be construed as any other instrument, so that every provision of it shall stand. One provision of this instrument is to be found in the tenth amendment, wherein it is declared that—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The court itself is estopped, as I have shown, from saying that this article of intoxicating liquors is not exclusively within the police power of a State as between its own citizens; and I hold that the Supreme Court of the United States, in applying the principle declared by Judge Marshall in Gibbons *vs.* Ogden and Brown *vs.* The State of Maryland, should have so construed the commerce clause of the Constitution as to uphold the reserved powers of the States.

I hold, Mr. Speaker, that it is as much the duty of the supreme judicial tribunal and of the Congress of the United States to avoid encroachment upon the reserved powers of the State as it is to support and defend the delegated powers found in the Constitution; and if the Supreme Court had excepted from the principle laid down by Chief-Justice Marshall intoxicating liquors, because they fell within the police power of the State, and hence reserved to the State, as essential to the health and morals of its people, a result would have been reached corresponding with the practice from the foundation of the Government and in accordance with the contemporaneous construction of the Constitution, as shown by the action of all the people and the courts.

Mr. Speaker, it may be said that the construction for which I contend and which reaches the same result as is reached in the license cases, though perhaps by a different course of reasoning, would prevent the importer of goods into this country after having paid the import tax from selling them at all in some States of the Union. The answer to that objection, Mr. Speaker, is that if intoxicating drink is a commodity falling within the police powers of a State as affecting health and morals, the Federal Government can neither take from nor add to it by virtue of any legislative powers vested in it. And if the importer of intoxicating drinks from abroad understands that, notwithstanding the Federal Government, which has control over all foreign imports, has exacted from him a tariff or a tax for the privilege of introducing his commodities, yet, when introduced, that commodity must find its market subject to the laws of the States of this Union, no wrong can be done him, for he imports with a knowledge of that fact and is therefore neither deceived nor wronged.

Mr. Speaker, there is one other point which I desire to discuss. I listened, as the debate ran on in the Senate, to the ablest constitutional lawyers of that body when they discussed this question. I remember distinctly that one Senator inquired of another then occupying the floor whether the Legislatures of the several States or the Congress had the power to determine whether or not an article falls within the police power of a State; and the Senator propounding that inquiry seemed to think (for he put the interrogatory in a triumphant manner) that the very statement of the proposition was an answer in favor of the Federal Congress.

I deny either branch of the proposition. I say that the States of this Union in the exercise of their reserved powers have authority to legislate with reference to police regulations. I say the Federal Government within the scope of its delegated power has the right to legislate upon the subject of what falls within the commerce clause of the Constitution; but I say that when the question arises whether either the one or the other has transcended its power, it becomes a question of judicial inquiry and oftentimes one of fact.

I know that in the recent oleomargarine case in Pennsylvania, where the Legislature of that great State had passed an act prohibiting the sale or manufacture of oleomargarine, either then in existence or afterwards to be imported or manufactured within the State, the supreme judicial tribunal of Pennsylvania upheld the constitutionality of that act; and it has been subsequently affirmed by the Supreme Court of the United States.

Mr. STRUBLE. On what theory was it affirmed by the Supreme Court of the United States?

Mr. ROGERS. On the theory that the Legislature of Pennsylvania had the sole power to determine that question. The court not only held that the power was in the Legislature of the State, but they excluded testimony tending to show that the oleomargarine involved was itself in existence and the property of one of its citizens when the law itself was enacted; and, moreover, they excluded testimony tending to show that the particular oleomargarine was in itself a healthful food product, composed of heathful ingredients.

Mr. STRUBLE. Then, may I inquire, did the court adopt the theory that the oleomargarine was unhealthful, and hence unmerchantable?

Mr. ROGERS. Not at all. They simply followed the case from Kansas, holding that the determination of the question as to what was a subject for the exercise of the police power among the citizens of the State was a matter confided to the Legislature of the State, so as to preclude judicial inquiry or an investigation by the court. I say that decision was as great an error as the decision which has been made with reference to this case from the State of Iowa, for it should have been remembered that when the authorities of the State undertook to confiscate this property in existence and belonging to a citizen of the State, lawfully in existence and lawfully belonging to him, it was a confiscation of property without compensation or due process of law.

Mr. MILLIKEN. I trust the gentleman will allow me one question. I have listened with much edification to his argument. He seems to deplore the decision of the Supreme Court, but he declares he will not sustain any of these bills. What remedy has the gentleman to offer for this state of things? When your house tumbles down you want to get something to shelter you.

Mr. ROGERS. Mr. Speaker, if my friend from Maine had heard the earlier remarks I have made upon this subject——

Mr. MILLIKEN (interrupting). That is a practical question.

Mr. ROGERS (continuing). Or if he had listened to the able, yes, the powerful, argument of the gentleman from Texas [Mr. CULBERSON] on yesterday, in which, to use an expression of one of my colleagues, "he reversed the Supreme Court," he would not have found it necessary to ask that question. Sir, if we are to have a remedy, let us have a remedy such as that pointed out by the Constitution. If the Constitution, as construed by the Supreme Court, is not the will of the people of the United States, let us amend, but not mangle, the Constitution. That is my answer to the gentleman from Maine.

Mr. MILLIKEN. Yes; but what is the remedy?

Mr. ROGERS. Amend the Constitution.

Mr. Speaker, in the discussion of this question I do not want to be misunderstood. I have the honor to represent a portion of a State which stands abreast with the times in intelligent thought and successful action upon the question of the liquor traffic. I represent in part a State upon whose statute-books is to be found inscribed a law still yet in advance of public thought, so far as I know, in any of the other States of this Union.

We have a statute to this effect, that no person either in the State or out of the State shall carry within its borders that class of pistols not used in warfare, either offensive or defensive, or shall keep them there for the purpose of sale, barter, gift, or exchange. And this provision, as I now recollect it, speaking solely from memory, extends also to cartridges manufactured for that particular class of weapons.

But the law goes still a step further. To make secure to the people that provision of the Federal Constitution which guaranties to every citizen the right to bear arms it provides when he carries a pistol falling within that class known as army weapons he shall carry it exposed to view. So that, by our law, we exclude from our markets in that State the traffic in what are known as concealed weapons. It is due to truth to say, doubtless, that the enforcement of that act is, perhaps, like the enforcement of prohibition in Maine, not perfect. But such is the law. And, if we have reached that stage, how soon will some other State build a Chinese wall around its limits against that class of manufactured articles which emanate from pious New England?

I allude to this, not only because it is an historical fact, but I use it in illustration here for the double purpose of showing to what extent this amendment of the House Judiciary Committee will go with reference to the manufactured articles included in the term "commerce" in this country. How much time, Mr. Speaker, have I remaining?

The SPEAKER *pro tempore* (Mr. ALLEN, of Michigan). The gentleman has twenty-four minutes.

Mr. ROGERS. I yield ten minutes to the gentleman from Iowa [Mr. HAYES].

Original-Package Bill.

SPEECH

OF

HON. ISAAC S. STRUBLE,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890.

The House having under consideration the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—

Mr. STRUBLE said:

Mr. SPEAKER: At this stage of the discussion of the measures now before the House I appreciate that it is hardly possible to say anything new in favor of or against either. Nevertheless, as a member of this body and as one who introduced a bill early in the present session bearing on the subject of the transportation of intoxicating liquors into a State or Territory contrary to the laws thereof, I desire to make a few observations on the pending bill and the substitutes proposed therefor.

There can be no doubt that the decision of the Supreme Court to which reference has been so often made in this discussion, and which is now so aptly designated as the "original-package case," is not only far-reaching in its scope, but most serious and alarming in its consequences. And, sir, while, if the decision simply involved the question or principle of prohibition, I, as a prohibitionist, would feel called upon to exercise myself in efforts to secure a remedy for the evils now flowing from the decision, when I reflect that on the consensus of legal and judicial opinion a most serious blow has been struck, not at prohibition alone, but at high license, high license and local option, and, in short, every possible form of regulation or repression of the liquor traffic; when I realize that this adjudication absolutely takes from the States all power to deal with this traffic and paralyzes the strong arm of State power in respect of this monster vice, I am aroused as never before, and feel that to the utmost of my ability I am called upon to assist in bringing about, through national legislation, a way of escape to all these States and Territories from the direful consequences of this surprising, and I may say astounding, judicial deliverance by our highest court, that body of men who perhaps compose the most honored and august judicial tribunal in the civilized world. I have denominated this decision as surprising and astounding, and, sir, in my opinion this language is not extreme, nor does it do injustice to the distinguished jurists composing our Supreme Court.

It is not my purpose to utter one word in this debate that can be reasonably construed as disparaging or disrespectful of the great and final court of the United States. On the contrary, I hold it to be the plain duty of every loyal citizen not only to entertain on his part an abiding respect for the tribunal, but to acquiesce cordially in such de-

cisions as it may render while the same may stand unreversed, but that each of us who may have occasion to refer to or discuss in public or private the rulings or decisions of that body should, as good citizens, advocate on the part of others that deference and respect due the men and the tribunal whose province and duty it is to consider and determine the supremest questions and interests arising under the Federal Constitution and statutes not only, but such other and kindred controversies arising under the various constitutions and laws of all the States and Territories as, under the Federal laws, may be carried from the State or Territorial courts to this tribunal of highest authority and wisdom.

I do not mean by what I have just said that every citizen should meekly and without thought of opposition bow to every deliverance this court may make. Not by any means. But that, whatever our individual opinions differing with those of the court, we should never lose sight of the fact that the Constitution of the land has wisely ordained this body and defined its powers and duties, and that, while we may, as in this case many of us do, differ with the court, our whole bearing and treatment of the court and the decision should be of a character to challenge the respect of mankind.

Now, why is this decision astounding and surprising? First, because by another decision of this same court (the license cases, 5 How., 504, etc.), and quoted at length by Chief-Justice Fuller, a decision rendered forty-three years ago by another distinguished Chief-Justice (Taney), supported by a united court, in separate opinions, and differing somewhat as to grounds, instead of a divided one, as in this instance, it was held that liquors shipped from one State into another and being in the original package could not be sold there in violation of the laws of the latter State; second, because of the well known and recognized authority existing with every State to administer its police power unhindered in the least by Federal interference or domination. To make these reasons more plain and effective, let me call attention to the case of Pierce *et al. vs.* The State of New Hampshire (one of the three license cases) more fully, and thereafter make further enlargement on the principle known as the police power of the State.

A barrel of gin was purchased in Boston by a dealer and shipped to Portsmouth, N. H., coastwise, and there was offered for sale without payment of the license required to be paid by a vendor of such an article. The New Hampshire statute was as follows:

SECTION 1. *Be it enacted by the senate and house of representatives in general court convened*, That if any person shall, without license from the selectmen of the town or place where such person resides, sell any wine, rum, gin, brandy, or other spirits, in any quantity, or shall sell any mixed liquors part of which are spirituous, such person so offending, for each and every such offense, on conviction thereof upon an indictment in the county wherein the offense may be committed, shall forfeit and pay a sum not exceeding $50 nor less than $25 for use of such county.

Section 2 simply repeals section 3 of an act passed July 7, 1827.

I can not do better than to quote at this time the language of Chief-Justice Taney:

Upon the whole, therefore, the law of New Hampshire is in my judgment a valid one. For, although the gin was an import from another State and Congress have clearly the power to regulate such importations, under grant of power to regulate commerce among the several States, yet, as Congress has made no regulation on the subject, the traffic in the article may be lawfully regulated by the State as soon as it is landed in its territory, and a tax imposed upon it, or a license required, or the sale altogether prohibited, according to the policy which the State may suppose to be its interest or duty to pursue.

It is fair to say that the principal ground on which a number of the concurring justices rested their judgment is the right of a State in the exercise of its police power to regulate and control its own domestic affairs, and not on the ground above stated by the Chief-Justice. When it is remembered that this decision has all these years stood as the plain doctrine of the highest court of the land, and that lawyers, courts, and people generally, in so far as the latter may have investigated this line of adjudications by our Supreme Court, have known and understood this doctrine, is it unreasonable that I should unequivocally designate the opinion of Chief-Justice Fuller as surprising and astounding, notwithstanding what is said by the justice who delivered the opinion in the case of Bowman *vs.* Chicago and Northwestern Railroad Company (125 U. S., 465), and so much of the language of Justice Matthews, in delivering the opinion in that case, as is quoted by Chief-Justice Fuller in this now under consideration?

In the case of Bowman *vs.* The Railroad Company the question of the right to sell was not involved, but only the right to ship into the State. The question of sale within the State was not decided, but was expressly reserved, as will appear from the following language of Justice Matthews:

But it is not necessary to express any opinion upon the point (the right of an importer to sell in unbroken packages at the place where the transit terminates), because that question does not arise in the present case.

Every lawyer knows that *obiter dictum* in any decision can never be relied on as indicating what the opinion and judgment of a court may be upon a case arising subsequently and involving similar issues. A good lawyer will only treat as authority that point in the case which the court decides, and not what may be said on collateral questions, however closely related they may be to the point or points actually determined.

Therefore I say, and without fear of successful contradiction, that, with Pierce *et al. vs.* New Hampshire and the undivided judgment of the court, although separate opinions of the judges were filed, standing undisturbed by any direct reversal, the opinion in Bowman *vs.* The Railroad Company deciding nothing more than the right under the interstate-commerce clause of the Federal Constitution to transport liquors from one State or foreign country into another, every lawyer and every reader of judicial opinions had an unquestioned right to anticipate, under the well known and heretofore clearly understood police power of the States, that while, under the Federal Constitution, in the absence of a law of Congress, a State may have no right to prohibit shipment of articles of commerce into her borders from without by non-residents, yet, when such articles as come plainly within the police power, as do liquors, are so shipped from one State into another, they shall on arriving at their destination immediately become subject to the police statutes of the State within whose borders they have been lodged.

And I maintain this is a reasonable and just view of the proper limitation of the interstate-commerce clause of the Federal Constitution, while at the same time it admits of the reasonable recognition and exercise of that police power of a State which is so essential to the preservation of the peace and good order of the State, in which is manifestly involved the protection of the rights of person and property of the citizen. Every man of ordinary sense well knows that intoxicating liquors are not free and privileged articles of commerce in such sense as are clothing, wholesome food, and many other commodities in common use among the people.

Intoxicating liquors of all kinds, by common consent and action of mankind as exhibited in certain laws in this country, Federal, State, and municipal, are essentially contraband. The undeniable brand of Cain, among many other brands, is on them. They are everywhere treated by law and by unchallenged public opinion as productive of incalculable and irreparable harm to those using them to any but a very moderate extent. Every man engaged in the business understands this. He knows he can not legally ship and sell his liquors without first recognizing the Federal laws taxing him, and second the State, and finally the municipal laws obtaining where he seeks to sell, and taxing, regulating, or prohibiting their sale.

He knows full well that nowhere under the shining sun in civilized lands can he have absolute freedom of commerce in intoxicating liquors; and, if this be so, and intoxicating liquors are clearly within the police power of a State, which is exclusively charged with the enforcement of laws maintaining public peace and safety of persons and property, what is more reasonable and just than to hold that, while under the Federal Constitution liquors may be shipped into another State, yet, when once there, the shipper must take his chances with State and municipal law and authorities? If allowed to sell there he may sell, but, if not so permitted, he must reship and find a more indulgent community before he can vend his dangerous and damaging wares.

It seems to me that such a view might well and consistently have been adopted by our Supreme Court in Leisy *vs.* Hardin, and particularly when is borne in mind the universality of law branding liquors as articles never to be set free from legal burdens, always and ever dangerous to personal welfare and the public good, and constantly and in all places requiring the watchful eye and strong arm of power to confine them within what in most liberal phrase may be termed "reasonable bounds." No other class of property is under such universal condemnation, though other articles of dangerous tendencies and powers do demand and receive the care and restraint of public authority; and yet our Supreme Court, by a majority of its judges, has decided that such a commodity as I have described must be honored with every right and privilege under the interstate-commerce clause of the Federal instrument as wholesome food and the most valuable apparel, and this because in an accepted sense intoxicating liquors are "articles of commerce."

Verily Congressional legislation in harmony with the suggestions of Chief-Justice Fuller is needed to save us, not only from the curse of rum, but from the misfortune of further similar findings by our Supreme Court.

But what are the propositions now before us? First, we have the Senate bill, in the following language:

Be it enacted, etc., That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory, enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in said State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

Second. The proposed substitute reported from the Judiciary Committee, which is as follows:

Strike out all after the enacting clause and insert the following:

"That whenever any article of commerce is imported into any State from any other State, Territory, or foreign nation, and there held or offered for sale, the same shall then be subject to the laws of such State: *Provided*, That no discrimination shall be made by any State in favor of its citizens against those of other States or Territories in respect to the sale of any article of commerce, nor in favor of its own products against those of like character produced in other States or Territories. Nor shall the transportation of commerce through any State be obstructed except in the necessary enforcement of the health laws of such State."

Third. The substitute offered by the gentleman from Illinois [Mr. ADAMS]:

That it shall not be lawful to import into any State or Territory, from any other State or Territory or from the District of Columbia, any fermented, distilled, or other intoxicating liquor, except in one or more original packages, as defined by this act.

SEC. 2. That for the purposes of this act an original package of intoxicating liquor, in bottles, shall be a case containing not less than one dozen quart bottles and an original package of liquor not in bottles shall contain not less than five gallons: *Provided, however*, That an original package of liquor imported from any foreign nation shall contain the quantity required by the laws relating to duties upon imports.

SEC. 3. It shall not be lawful to sell within any State or Territory any intoxicating liquor imported into such State or Territory, except in the original package in which the same has been imported, and subject to the reasonable police regulations of such State or Territory regulating the sale of such liquor as a beverage.

Of these three my preference is the first on the ground that it promises more certain and speedy results and is aimed directly at the existing evil. To adopt the House substitute will endanger the measure by making it uncertain of passage and necessitating a conference committee with a possibility of final disagreement. But for this objection I would favor the House substitute.

In regard to the proposed substitute of the gentleman from Illinois [Mr. ADAMS] it may be passed with the remark that I agree with one or more gentlemen who have referred to it with the observation that it might well be entitled "A bill to provide the size of a drink and to give Congressional sanction to the liquor traffic."

Speaking for myself, I desire in commenting on the Senate bill to say that I could wish it went further and, instead of permitting liquors to be shipped into a State promiscuously and generally, prohibited all shipments except in conformity to the laws of the several States. A bill (H. R. 5978) of this sort was introduced by me early in the session and referred to the Select Committee on the Alcoholic Liquor Traffic, and on April 24, 1890, was reported by that committee favorably with amendments.

The plain fact of the matter, in my judgment, is this: That, if Congress is to make recognition of the right of States to control the traffic in ardent spirits within their own borders, no liquors should be permitted to enter such borders except in accordance with the statutes of the States. Gentlemen who reside in States whose people are attempting anything like a serious enforcement of prohibitory laws know how difficult such enforcement is where local sentiment may not be strongly in favor of it. To permit free shipment for purposes not authorized by the State laws is to place within the power of lawless classes the very instruments enabling them to enter at once on violation of the law. But to prohibit shipments, except in accordance with the State statutes, is to pay suitable regard to those statutes and contribute in large measure friendly aid to their observance and enforcement.

The urgent demand for some legislation to avert the consequences of the late decision of the Supreme Court can not be ignored without willful blindness. In my own State the effect of it has been to prostrate the whole power of the State for the time being at the foot of the rum power. Before the decision there were perhaps sixty to seventy counties of the ninety-nine in Iowa as free from the curse of liquor selling and drinking as it is possible for communities to be while men will prostitute everything of manhood to make money out of it. I assert here in my place as one of the Representatives from Iowa, and responsible to public sentiment at home and elsewhere for the truthfulness of my utterances, that in a large majority of the counties in Iowa, prior to this decision, the law prohibiting illegal sales of liquor was well enforced. The evidence of this would be plainly visible on going into the towns and villages of those counties, and the fact has been clearly substantiated by the opinions of judges, the governor of the State, and official statistics.

Mr. Speaker, I had not intended, until my friend and colleague, Judge HAYES, attacked to-day the policy of prohibition in Iowa, to say anything whatever bearing upon that question in any partisan sense. I think the question now before us is above the question of prohibition. It is higher than that, because it involves the right of the State to say what the policy of the State shall be; it involves the very existence of the State as a power adequate to protect the life and property of the citizen. But my colleague, Judge HAYES, has seen proper to attack the Republican party in our State and the administration of our laws during the years we have had absolute prohibition upon our statute-books. He has to-day, upon this floor, not only assailed the principle of prohibition, but has undertaken to condemn and disgrace that principle and the prohibitory statutes of Iowa before the people of this country by alleging the total failure of the principle and of the law seeking to enforce it in that State.

Now, I maintain here, as a citizen of Iowa for more than eighteen years past, that, with the exception of the large cities, and particularly the cities along the river, a number of which are in his district, in three-fourths if not more of the counties of Iowa, until this decision was let loose as a thunderbolt to break down the police power of the State, the prohibitory laws of Iowa were admirably administered. The law went into effect July 4, 1884, and I maintain that since 1885 and up to the time of this unfortunate decision, with the exception of the river towns and two or three central counties with large foreign populations, the law was well enforced throughout the State of Iowa. But what is the condition now? In those interior counties of the State, three-fourths of which, as I have said, have had an admirable administration of the prohibitory law, what is the condition to-day?

The fact is unquestioned that these "original-package" saloons, as they are called in Iowa—it seems that in Kansas they are called "United States Supreme Court saloons" or something of that kind—these original-package saloons have sprung up in every county in the State, and I think I am justified in saying in almost every town in the State. My friend Judge HAYES represents the opposite extreme to what I may be said to represent on the temperance question in Iowa. Some people in Iowa call me a prohibition crank.

Now, if I am a prohibition crank, I want to say, without any personal reflection upon my friend Judge HAYES, that he is a license crank of the extremest kind, and I want to say further, with all due respect for my friend—because we all like him as a pleasant, social, and accommodating gentleman—I want to say that if prohibition has failed in Iowa, or in any part of Iowa, there is no man who, in an important sense, is so responsible for its failure as he. He is the district judge who a few years ago led in the opposition to prohibition in Iowa, and rendered that famous decision invalidating the constitutional amendment adopted in 1882 by a majority of 30,000 of the voters of our State, and the influence of Judge HAYES in Iowa on this question of prohibition has been greater and far more harmful to the State than that of a thousand men, private citizens, who might be marshaled together.

But it is not alone because of his decision above referred to when district judge that his influence has been so powerful in the State, for that opinion was sustained by the supreme court of Iowa; but because he is known to have openly and continuously in public and private condemned and derided this law, and by other decisions from the bench taught disregard and disobedience of it. His hostility was of such character as to clearly warp his judgment, and as an illustration of this it may not be improper to inform the House that in a cause in his court, involving, if I remember correctly, the prosecution of a liquor-seller, on objection being made to the evidence of a man who had purchased liquors of the defendant, on the ground that he was *particeps criminis* with the defendant, my colleague [Mr. HAYES] sustained the objection, and was of course promptly reversed on appeal. With such decisions as these and such outspoken hostility to the laws of his State, coming from one occupying an influential judicial position, it can be readily understood that the citizens of the State disposed to disregard the law would be greatly encouraged in acts of disobedience. And for these reasons I have affirmed my opinion that his influence against prohibition in the State has been of so great potency.

As I have said, my colleague [Mr. HAYES] has to-day on this floor attacked the principle and policy of prohibition and has declared them to be a failure in Iowa. And, further than that, he has charged the Republican party of the State with straddling the question in the platform adopted at the recent State convention held at Sioux City. Now, sir, I flatly deny this statement and propose to prove its incorrectness.

In their platform of 1889 the Republicans declared:

That we reaffirm the past utterances of the Republican party of Iowa upon prohibition, which has become the settled policy of the State and upon which there should be no backward step. We stand for the complete enforcement of the law.

This was after repeated and unqualified statements of position in previous platforms and after ample and sweeping legislation by the State Assembly, which legislation is still the law of the State.

The following is the position of the party as shown by the platform adopted a few weeks ago:

We declare against any compromise with the saloon, and stand with the people of this State in their hostility to its existence, spread, and power. We favor such legislation on the part of Congress as shall protect the police power of the States in their effort to regulate, confine, or prohibit the public bar, and for approval of the work and record of the Republican party of this State in the great cause of temperance, involving the public peace and the safety of good government, we appeal confidently to the electors of Iowa. We congratulate the people of Iowa upon the promise of the year, upon the measure of success that has attended the past, upon the confidence and courage with which the State awaits the future.

My colleague may choose to designate these clear statements "straddling," being accustomed to Democratic ingenuity and practice in platform construction to avoid committing the party, but in Iowa Republicans plainly understand that this position of the Republican party on the saloon question is that of hostility, opened and avowed, and it occurs to me no one on this floor, unless it be my colleague, will pretend that he does not understand such to be the attitude of the party.

Mr. Speaker, one point more in reply to my colleague and I am done. He has not only ventured to assail the Republican party in Iowa, but he has had the audacity to deny the statement of my colleague [Mr. HENDERSON, of Iowa] made to-day to the effect that "original-package saloons" are being opened all over Iowa, in places where, heretofore, the traffic has been suppressed.

I know from a recent trip to the State and from correspondence with constituents in other portions of the district I have the honor to represent that the statements of my colleague [Mr. HENDERSON, of Iowa] are correct and those of my other colleague [Mr. HAYES], in so far as they may have reference to Northern and Northwestern Iowa, are incorrect.

I firmly believe they are incorrect as to all sections of the State heretofore free from the saloon. Since this evening session opened a gentleman from Northern Central Iowa, an employé of this House, has handed me a letter of recent date written by Hon. H. W. Holman, county attorney for Buchanan County, in which is Independence, the county seat of that county and the place of Mr. Holman's residence, and in Colonel HENDERSON'S district. This letter was written to a friend, who is also an employé of this House, and is as follows:

We were very much disappointed to see the original-package bill laid over yesterday. You can have no idea what a "hell on earth" it has created here in Iowa. We have now four joints, and Jim Dougherty has come back and is to start, which will mean five; and they are starting in all of the little towns in the county.

Everybody can get all they want and drink all they want—minors, intoxicated persons, and everybody else. There has been more intoxicating liquor shipped into Independence, more liquor drank, and more drunkenness in the last thirty days than in two years preceding, all put together.

I wish you would give me your judgment of the bill on this subject. From what you can learn there, will it pass at this session? We are more anxious here than you can imagine without being here to see just how bad it is.

Very truly,

W. H. HOLMAN.

Mr. Speaker, this letter is only one of hundreds, I have no doubt, received from constituents of members in Iowa and other States where the alleged agents of non-resident beer and whisky venders are defying local statutes in consequence of this late disastrous decision.

The rum power is always disobedient and until severely punished defiant of all law. It will respect no provision of the statutes of any State or Territory of the land, no matter how reasonable, how humane it be.

It disregards youth and old age alike, and there is no distressed condition or circumstance of the drinker or his family which, unsupported by a rigorous law and law officers, is sufficient to stay the hand that "putteth (for cash) the cup to his neighbor's lips."

Prohibitory States, license States, license and local-option States are all alike being overrun with the alleged "original-package" vender. For once, from whatsoever States we come, we find ourselves confronted by an enemy who is no respecter of persons, localities, or statutes. Defying all sentiment, outraging the most sacred considerations of individual, of home, and society, he proposes to employ the days and nights at his nefarious work until Congress shall exercise its power under the Constitution, and by suitable enactment enable the several States and Territories to resume once more the enforcement of their respective statutes in regulation or prohibition of the liquor traffic. In the face of such an emergency as now confronts us I hope we may find ourselves a unit in favor of speedy action.

Uniform System of Bankruptcy.

SPEECH

OF

HON. JOHN A. CALDWELL,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 22, 1890,

On the bill (H. R. 3316) to establish a uniform system of bankruptcy throughout the United States.

Mr. CALDWELL said:

Mr. SPEAKER: The necessity of a bankrupt law is generally conceded, although there are many who honestly believe it pernicious and claim that it offers a premium for commercial rascality. But the fact that the leading mercantile nations of the world, except our own, have laws for the relief and discharge of the insolvent debtor, is an argument the force of which can not be gainsaid when considered in connection with the fact that such laws have been in existence for centuries.

It appears to me harsh and unjust to punish a man for the sins of others or the acts of Providence. A dishonest or corrupt merchant may contrive to defraud his creditors, or a reckless or imprudent one may bring upon himself disaster and ruin, or even a successful and prosperous merchant may find his wealth and property swept away by floods or tornadoes, and each of these in turn causes the failure of others, who should not suffer indefinitely and without hope or inducement to go to work again to recover their lost fortunes. It may be claimed that if a man be honest and has met with financial reverses he will have no difficulty in compounding with his creditors, but there should be an appropriate tribunal for such a proceeding, and a bankrupt law affords the only medium for the establishment of such tribunals.

Besides it is within my own knowledge that many merchants, and among them are some of the leading houses in the land, make it a rule never to compromise a debt due them. Such arbitrary and inflexible conduct can not be commended in the concrete, however admirable it may seem in the abstract. While there has been a growing sentiment favorable to the re-enactment of a bankrupt law, it does appear difficult to agree upon a law satisfactory in its details to all interests concerned. But I believe that we ought to pass the present measure, as I consider it as free from objection as can reasonably be expected in a law of such comprehensive scope and results.

Statutes for the settlement of the affairs of insolvent debtors have been enacted in all of the States, but their provisions and operations are unfortunately far from uniform.

In some States preferences are permitted even in the deed of assignment, while in others they are prohibited. The result is a confusion and complication leading to endless controversies and litigation between creditors and the assignees and trustees of insolvents.

In some States also provision is made for the release and discharge of the debtor. This, however, has no extraterritorial force, except as to such creditors as become parties or participate in the assignment. So that all any creditor had to do in order to preserve his claim was to keep aloof from the proceedings. But where preferences are not allowed in the deed of assignment it is the universal custom of the failing debtor to make preferences a few days or hours prior to executing the assignment. Practically, therefore, it is left for the insolvent debtor himself to determine how much of his estate shall be distributed among his creditors, and, of course he is not slow to take advantage of this right to secure his friends or relatives to the prejudice of other equally as worthy creditors.

All this the present act is designed to correct, and its effect and operation is made uniform throughout the land, and while it thus prevents one class of creditors from being favored, and placing all upon an equality, it extends to the unfortunate debtor a relief which he could in no other manner obtain, namely, a discharge from all obligations, valid and binding in all jurisdictions, whether creditors become parties to the proceedings or not.

Another cogent reason for the enactment of the bankrupt law is the fact that it provides for the punishment of any fraudulent proceedings on the part of the bankrupt or his creditors. Such safeguards are unknown under the State insolvent laws or at least of a large majority thereof.

State laws are confined to State limits, while commercial transactions ignore all territorial boundaries, and it would seem that some general law emanating from a general head or seat of government should be enacted, universal in its application and uniform in its operation. This I conceive to be the object of the present bill, and, while it may be imperfect and may include some objectionable provisions or features, yet I prefer to overlook its few defects for its many excellences, for the greater and general good I believe it will accomplish.

I am not unmindful of the forcible opposition which the gentleman from Texas, Mr. CULBERSON, has presented to the enactment of the bill, and I mention him individually because his views reflect in general terms all that has been said against the measure. Reducing these objections to propositions and I find they are,

First, the creation of numerous offices and consequently the payment of large expenses; and,

Secondly, the bill is unjust to the debtor class, and, therefore, is in the interest of the creditor.

Each of these objections, I think, has been fairly met and answered by the arguments of the gentlemen from New Jersey [Mr. BUCHANAN], Misaissippi [Mr. CATCHINGS], West Virginia [Mr. WILSON], and the gentleman who introduced the bill [Mr. EZRA B. TAYLOR].

It is impossible to enact a law of such practical importance involving the administration and settlement of the various affairs of business men without more or less detail and expense. Much of the same detail and in many respects the same expense are involved in the proceedings under the State insolvent laws, and whatever extra cost may be incurred under the bankrupt bill is more than justified and counterbalanced by the benefits to be derived by all concerned, the debtor as well as the creditor, the one in the release and discharge he will obtain and the other in the protection and security he acquires through the equitable distribution of the bankrupt's estate.

It is a mistake, in my opinion, to claim that the bill is unjust to the debtor because it subjects him to involuntary bankruptcy. It would be a misnomer to term the proposed measure "A bill to establish a uniform system of bankruptcy," unless it embraces the involuntary as well as the voluntary proceedings, and I do not believe any act embracing but one of these features would be satisfactory to the people, nor remain in existence twelve months before it would become so obnoxious as to imperatively call for its repeal. The opponents of the involuntary proceedings overlook, it appears to me, the fact that the creditor can harass his debtor by attachments and judgments and thereby not only embarass, but force the debtor into an assignment, or see his property taken in execution to satisfy the particular creditor.

It is common observation that as soon as the debtor allows himself to be sued a large number of his creditors immediately follow suit, and the result is more oppressive and harsh than it would be under proceedings to force him into bankruptcy.

The substitute bill offered by the gentleman from Texas [Mr. CULBERSON] only begs the question; it admits the necessity of a bankrupt law, and only removes the proceedings for the distribution of the insolvent's estate to the State tribunals, but leaves the discharge to be granted only in the Federal courts.

This is complicating instead of simplifying, and in the end would be fully as expensive to the parties interested, creditor and debtor, as the proceedings contemplated under the present bill; indeed, I am quite sure it would work greater hardship to the debtor, because he must bear all the expense and burden of the action in the Federal court wherein he is to petition for his release and discharge, and as every creditor is required to be made a party thereto, and hence may appear and answer, argument is not necessary to demonstrate what such a proceeding may entail in the way of costs.

The questions presented for adjudication in the Federal court would be numerous, and, with the delays attendant upon the hearing and trial, the poor yet honest debtor might have to spend years in prosecuting the case, forsooth, through the malice and spite of some particular or unfriendly creditor. During all this period the debtor can not and dare not launch into new enterprises or engage in business. The result practically is to deprive him of all opportunity of earning bread for himself and family. I will therefore support the present bill and would feel constrained to vote against the substitute, even were the alternative presented of that or nothing.

The Torrey Bankrupt Bill.

SPEECH
OF
HON. LITTLETON W. MOORE,
OF TEXAS,
IN THE HOUSE OF REPRESENTATIVES,
Tuesday, July 22, 1890,

On the bill (H. R. 2316) to establish a uniform system of bankruptcy throughout the United States.

Mr. MOORE, of Texas, said:

Mr. SPEAKER: I submit that the bill under consideration ought to become a law and that the substitute offered by my distinguished colleague ought not to be passed.

Commercial intercourse would be extended, the hazard of doing business lessened, and the price of commodities reduced to the consumers by the enactment of the bill now before the House.

It is confidently anticipated that the enactment and operation of this measure will decrease the number of mercantile failures because of its equitable provisions for the prevention of contests between creditors to secure a lien upon the property of the common debtor and the conservative influence that will be exercised by the fact that compulsory liens and attachments will be of no avail if the bankruptcy occurs within four months after they are created.

The rigid economy provided for the administration of the bill seems sure to bring about an increase in the average dividends paid by the estates of insolvents.

The substitution of one uniform law for the many and varying laws of the States can not but simplify the procedure incident to bankruptcy administration and lessen the expenses which must be borne by the estates.

If State laws could be uniform, which they practically can not be, and if the construction placed upon them by the several supreme courts were likely to be the same, which is improbable, still such laws would not meet the necessities for the discharge of honest insolvents, because by the Federal Constitution the impairing of the obligation of contracts is forbidden.

There are certain rights we enjoy as citizens of the State; there are certain responsibilities we assume as citizens of the United States. When we participate in the affairs of commerce we act rather as a member of the commercial world than as a citizen of a State or of the United States, and such act ought to be governed by a law which has been formulated and passed for the government of that world in relation to such acts.

It is not States, but individuals as such, who conduct the transactions the grand aggregate of which constitutes commerce, and in so doing they do not deal with political subjects, but with cost values, transportation charges, and the rapid receipt and distribution of goods. They have no interest as commercial men in State lines, and the variance of State laws is only an obstruction and charge upon commerce which ought to be obviated.

This is the era, if you please, of the railroad and telegraph. There should be a wise and equitable bankrupt law to foster and promote the wonderful commerce made possible by these agencies.

The States, as such, have no interests to serve which are opposed to the law under discussion. The citizens of the several States respectively have no interests that will not be benefited by the national legislation which is demanded from citizens in all parts of the country.

The credit system is necessary to commercial intercourse in this country. Transactions in the commercial world for cash are the exception, while transactions on credit are the rule. Credit is founded upon (1) the ability of the debtor to pay his debts, (2) the character of the debtor, and (3) the provisions of the laws to which the creditor must appeal for redress in the event compulsory process becomes necessary.

If credits are protected the debtor will thereby have greater ability to liquidate his indebtedness; if credits are debased, men in trade will have less confidence in each other, and as a result the debtor's ability to meet his maturing obligations will thereby be lessened.

The character of the debtor will be enhanced if there are just laws framed and administered so as to exercise a preventive influence as to forbidden commercial transactions. The creditor will always have greater confidence in the character of the debtor if he knows that a proper and certain punishment awaits the evil-doer.

Every creditor contemplates in given possible emergencies the necessity for an appeal to law for the collection of his dues. If he knows the laws to be equitable and just and is assured of the collection, at a minimum expense, of all or a part of the selling price of the goods sold, he is more generous with his credits and does a larger volume of business, and as a result the debtor is awarded a greater purchasing power of the capital invested than he would have if the conditions were reversed. In general terms, credits will be advanced by laws which make property secure, require men to practice the golden rule, and enable creditors to secure all or a part of the amounts due to them. The result of making credits secure is to increase the volume of trade, lessen the per cent. of profits and increase the aggregate profits received, and lessen the cost of all commodities to consumers. Reverse the conditions and you will at once reverse the results.

It follows as a necessary sequence that the manufacturer will extend a line of credit to the jobber in the exact proportion that he is secure against loss. The jobber will be governed by the same rule in extending credit to the retailer. The consumer will be benefited, in the ordinary course, by the fact that his credit also is increased. The result will be that the capital invested by the manufacturer, the jobber, and the retailer will in fact be increased by the fact that their credit is extended, and they will accordingly be enabled to do a larger business, and all of them will be able to transact their business at a smaller margin of profit by reason of this increased volume, and the consumer, as a result of the reduction of profits, will share in the general prosperity that will be thereby conduced.

The giving of preferences is pernicious to the debtor, because it is possible by their instrumentality to save the property from being applied to the payment of debts by a skillful arrangement under the laws of most of the States, and at the same time, in the ordinary course, to keep out of the penitentiary. The temptation to resort to this means of saving a part of one's estate for, say, the commendable purpose of protecting one's family, is a temptation to which a great many good men yield. Where preferences are given, with the result of payment of bona fide indebtedness, it ought not to be of any benefit to the creditor, and would probably result in destroying whatever standing he might have left in the commercial world. To prevent preferences would be to prevent both the wrong and the misfortune as above outlined.

Preferences are to the creditor a species of hit-and-miss speculation that ought not to be experienced. It is not infrequently the case that the creditor is driven into bankruptcy by reason of the fact that one or more of his important debtors give preferences to other creditors and leave him to go empty-handed. It is not infrequently the case that a given person, firm, or corporation has a large number of debtors who are subjected simultaneously to a calamity, *e. g.*, yellow fever or a drought. If all of the debtors honestly pay pro rata parts of their debts, the loss can probably be sustained without going into bankruptcy, but if it should happen that it is possible for the debtors to give preferences, and they do so, the result is likely to be a calamity to the indulgent creditor.

The enactment of this law is designed in the best and truest sense to bring about the greatest good to the greatest number, and I respectfully submit, therefore, that it should be enacted.

THE CULBERSON SUBSTITUTE.

The substitute as offered (bill H. R. 7994) provides that an insolvent may upon petition to the United States district court, accompanied by proper schedules of his liabilities and assets and a list of creditors, be discharged from all liabilities whatever. I think that it would be ruinous to the debtor classes of the whole country to pass such a law.

This substitute does not embody the usual and necessary provisions that should be contained in such a law; it is incomplete, as follows:

First. It does not provide for any compromise of claims due the bankrupt, nor for any arbitration of controversies.

Second. It does not provide for the exemptions of bankrupts and other persons.

Third. It does not provide for the extradition of bankrupts.

Fourth. It does not make any specific arrangement for appeals from the district court.

Fifth. It does not make any provision for the trial of plenary suits in the State courts.

Sixth. It does not provide for the trial of the question of bankruptcy,

nor any other question of fact, except upon deposit of a $50 jury fee and other burdensome obligations.

Seventh. It does not provide for the reference of the case after adjudication to any one, but leaves it to the court to drag and grope through the never-ending labyrinth of chancery practice.

Eighth. It does not provide any rules, forms, or orders for the conduct of the cases, but leaves the practice to the old, and for the purpose unsuitable, rules of chancery.

Ninth. It does not provide any punishment for crimes of the bankrupt committed before or after bankruptcy.

Tenth. In the matter of fees it is open to all the abuses known to the old law.

Eleventh. It does not provide for the collection of bankruptcy statistics.

Twelfth. It does not provide for any composition with creditors.

Thirteenth. It does not provide for the completion of the administration of the estate in the event of the death of the bankrupt.

Fourteenth. It does not provide for any meeting of creditors, nor allow them any voice at all in the selection of a receiver or trustee.

Fifteenth. It does not provide for the proof or allowance of claims.

Sixteenth. It does not make provisions for the payment of dividends.

In general, it is incomplete and not comprehensive of the subject.

It is respectfully submitted that this body ought not to pass a law providing only for voluntary bankruptcy, and especially this one.

I earnestly hope, in behalf of what I believe to be the best interests of the people of my State and of my district, that the bill favorably reported by the Committee on the Judiciary may become a law.

Uniform System of Bankruptcy.

SPEECH

OF

HON. EZRA B. TAYLOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 23, 1890.

The House having under consideration the bill (H. R. 3316) to establish a uniform system of bankruptcy throughout the United States—

Mr. EZRA B. TAYLOR said:

Mr. SPEAKER: The two amendments that were called to the attention of the House while the gentleman from Louisiana [Mr. BOATNER] was speaking I will offer in this connection and also two others.

Mr. HOPKINS. While the chairman of the committee is on the floor I would like to call his attention to section 25, and get some explanation of why that section is placed in the bill. I think it is an innovation in legislation of this kind.

Mr. EZRA B. TAYLOR. The gentleman from Arkansas [Mr. ROGERS] is preparing an amendment to strike out section 25 and also section 31, and as soon as it is prepared I shall be very willing to accept it.

Mr. ROGERS. Will the chairman yield to me for a moment?

Mr. EZRA B. TAYLOR. Certainly.

Mr. ROGERS. I have so amended the first amendment as to embrace section 31 as well as section 25. I wish to ask the chairman of the committee at this point whether or no he has prepared, and will offer in due time, the amendments which the committee directed should accompany the report.

Mr. EZRA B. TAYLOR. Oh yes. They were supposed to be offered in the beginning. Perhaps they were not offered formally, but they were the amendments that accompanied the report, having been recommended by the committee.

Mr. ROGERS. I call the attention of the chairman to what I understand to be the fact, though I have not read the report, that neither the bill nor the report shows what amendments the committee did recommend.

Mr. EZRA B. TAYLOR. Oh, yes; the report shows them.

Mr. ROGERS. All the amendments?

Mr. EZRA B. TAYLOR. Yes, sir; every one of them.

Mr. ROGERS. Then I have been misinformed. They ought to be pending.

Mr. EZRA B. TAYLOR. It shows them all, and they are pending by virtue of the report.

Mr. Speaker, I propose also to amend section 42 by striking out, commencing in line 15, the following:

(8) Neglected for sixty days after written demand shall have been personally served on him, to pay an open account which was, at the time of such demand, due by him for goods, wares, or merchandise sold and delivered.

That is the entire provision in regard to accounts. I propose also to amend section 37 by striking out subdivisions 1, 2, and 3, and renumbering the subdivisions following; so that the section as amended shall read as follows:

SEC. 37. Qualifications of referees. Persons shall not be eligible to appointment as referees unless they are, respectively, (1) not related by consanguinity or affinity within the third degree, or by marriage, to any judge of the courts of bankruptcy, or to any justice or judge of the appellate courts of the districts wherein they may be appointed, and (2) residents of the territorial districts for which appointed.

The object of one of the amendments I have just read was to meet a suggestion of the gentleman from Kansas that in certain Territories there are no persons who have resided there as long as the original bill requires. In reference to another of the amendments, I will state that, while I am confident no court would appoint anybody as referee except a lawyer, I am entirely willing that the word "lawyer" shall disappear from the bill as connected with referees.

Mr. Speaker, I understand that the gentleman from Louisiana [Mr. BOATNER] in his remarks of yesterday expressed his general satisfaction with this bill, and, in fact, stated that until yesterday morning he had been in favor of it. Of course he had carefully considered it or he would not have formed that opinion. I have no doubt, therefore, he is still in favor of the bill and appreciates its good qualities, while he desires by the amendments he has proposed to perfect the measure, so that he may more earnestly support it.

Several of the amendments which he has suggested are, I think, entirely immaterial, and one of them I believe would operate contrary to his own view of the matter. I think, under the bill as now drawn, there will be fewer persons liable to the action of the provision for involuntary bankruptcy than there would be under his amendment. The fact that a farmer does something besides raising agricultural products is not a test; that would not change the general principle contemplated in this bill. The provision is one which would be liberally construed by the courts. Of course no man is so situated as to be exclusively engaged in raising agricultural products. Every man so engaged does many other things, both of a business nature and not of a business nature, a fact which any court would recognize. The word "chiefly," suggested by the gentleman from Virginia [Mr. BUCHANAN], would add nothing to the construction that would be given to the language of the bill.

The word "trader" or "merchant," suggested by the gentleman from Louisiana [Mr. BOATNER], is a word the significance of which, so far as I know, has not yet been so thoroughly settled in any bankrupt law in any country as to describe exactly the occupation sought to be designated. The farmer may be a trader in the ordinary acceptation of the term. As suggested by other gentlemen, he is a trader; becomes indebted as such; it may be continuously a part of his business. While some courts have held that the word "trader" would not apply to such incidental business, other courts have held to the contrary effect, and the question now is one of construction. I apprehend that the language employed in this bill would exclude from the operations of the involuntary provisions fully as many persons and would operate more wisely than the language proposed in the amendments of the gentleman from Louisiana.

On the other hand, under that amendment large classes of persons would be excluded from any advantage of this measure. All the professions, all persons except those belonging to the three occupations named, with the exception of the farmer and the wage-worker, would be denied any door by which they could enter into the benefits of this law and secure the discharge of their indebtedness.

Now, I am opposed in the first place on principle to any other kind of a bankrupt law than a mutual one, one of which both sides interested can take advantage on proper occasion. In the matter of principle there ought to be no exemption from the voluntary or the involuntary clauses of the bill; and it was only because of the reasons suggested yesterday that these two classes—the agriculturist and the wage-worker—were exempted from involuntary bankruptcy, while allowed the advantage of voluntary bankruptcy.

Now, the chief object of a general law of this nature is in my mind the elevation of commercial honesty throughout the whole country. And, Mr. Speaker, there is no part of this country that does not need such an influence; there is no part of the country in which a uniform bankrupt law would not operate to elevate commercial honesty and honor. That is the highest and noblest purpose which can be effected by a measure of this kind; and it is for that reason chiefly that I advocate and have always advocated legislation of this character.

Mr. Speaker, I am neither a creditor nor a debtor; I have no friends who to my knowledge desire to take advantage of this legislation, either on the one side or on the other; but I have lived a great many years and have enjoyed some opportunities for observation, as a result of which I say that, among other things, the condition of commercial disjointure, so to speak, in this country is such as creates more rapidly than any other cause a want of honor in commercial transactions East, West, North, and South. I speak of the period before the war and since the war. How can it be otherwise? In the various States there are different methods of collecting and enforcing debts. In Pennsylvania a man may give a note due in ten years and confess judgment on it at once; and to enforce that note the creditor does not have to go to court. In Ohio, about half the time a man may prefer his creditors in an assignment for the benefit of creditors or any other disposition of his property, and the other half of the time he can not do so. These things depend upon the manner in which Legislatures may think and act. In other States the local creditor has a greater advantage still.

He has the enginery of the law by which he can force the collapse of a debtor who is quivering; the debtor knows that he can, and is at his mercy; he realizes that the creditor is saying, "Do this or I will proceed against you." The objection—I do not say the objection urged in this House, but the objection raised against this bill outside—is mainly from the fact that local interests can take advantage of these various conditions.

Talk about the Eastern creditor; talk about the lawyer. The lawyer is interested in his own locality; and the lawyer who collects at home and has the advantage of being on the spot and the ability under the law to force payment by his threats, will be sure to oppose this bill, because his interest is that way.

Let some general law be enacted by which assurance is given that when a man in failing circumstances goes to the wall his estate shall be divided honestly and equally among all of his creditors, everywhere, and all of the chicanery, all of the enginery of deceit, all of the preferences, dishonest preferences, that I have suggested or hinted at, will be known no more. Commercial honor will rise; commercial confidence will lessen the price of goods; and there is no place where goods are bought and sold but that this necessity exists; in Kentucky equally as in Massachusetts, and everywhere else. The community where local preferences are allowed have no advantages, whatever they may suppose. The wise men who sell them goods put a tariff on all they sell them in order to equal the risk they run of collection, and the general consumer is losing in that way while the particular Shylock is gaining and growing in dishonesty and fraud.

Mr. McMILLIN. Will the gentleman allow a question?

Mr. EZRA B. TAYLOR. Yes, sir.

Mr. McMILLIN. Under the bill there is a provision, I believe, for the appointment of some three hundred commissioners or receivers, if I remember correctly?

Mr. EZRA B. TAYLOR. They may be appointed, if so many are needed.

Mr. McMILLIN. It is provided that they shall be paid $1,500 a year.

Mr. EZRA B. TAYLOR. One thousand dollars.

Mr. McMILLIN. One thousand dollars out of the Treasury of the United States.

Mr. EZRA B. TAYLOR. Yes, sir.

Mr. McMILLIN. Now, where is the justice in requiring the people to pay both debts and taxes; to pay the expenses in winding up bankrupt estates?

Mr. EZRA B. TAYLOR. The bill provides where the money shall come from. It provides that those who go into bankruptcy shall pay as far as practicable. But I have not time to enter into the details of the bill. They have been pretty fully gone over heretofore. There would be no cost, as I understand it and as I believe, to the Government of the United States. It would do no more than give its assurance of this payment, because the referees are really judicial officers.

A second reason for urging the passage of the bill is that it is for the advantage of the unfortunate individual who finds himself unable to pay his debts, and to the advantage through him of the whole community, for a working bee is worth more than a drone. The man who is under a burden of failure, who is unable to pay his obligations at once, becomes a deceitful man, and necessarily. He must be either an idle or a deceitful man. He must become a secretive man. He goes into business as the "company" of somebody known or unknown; he goes as the "agent" for somebody. He secretes his earnings from his creditors and becomes demoralized. On the other hand, remove from him the burden which no man can stand up against; remove the restriction which hampers his efforts, and he springs anew into the arena of action and becomes often, and I was about to say ordinarily, the best business man in the community. His experience becomes of vast importance to him. Ninety per cent. of traders fail, and yet they recover, if they have an opportunity to do so.

And lastly, Mr. Speaker, this bill is for the benefit of the creditor, the creditor who may be also a debtor.

It is a universal law, acting all over the country alike. It is one that will protect the creditor in his rights; it is one which is merciful to the debtor; it is ennobling to him rather than demoralizing and humiliating. It gives him an opportunity again to work his way in the world, and so far as the general commercial aspect of the case is concerned it increases our sense of commercial honor and the volume of commercial honesty. There are gentlemen who look over the bill and see at a glance that there is this provision and that provision they would wish changed, notwitstanding the fact that it may be and often is the case that the very thing they wish is provided somewhere else in the bill. Some condition is to be added which is to be found somewhere else in the bill. They will hastily make a motion to amend, and if the motion is not acted upon favorably they will proclaim their intention of voting against the bill, while the amendment is really a matter of little consequence, even if not provided elsewhere in the bill.

This bill of fifty-nine pages, general in its workings and large in its details, ought to have had a fuller consideration than we have been able to give it, I admit. But I do ask gentlemen who simply see a fault in it not to condemn the whole on that account. I can understand those who believe that there should be no bankrupt law, but I can not see why those who admit the necessity of a bankrupt law, and who concede that this is the best bill ever presented to Congress on the subject, should oppose it.

Other gentlemen will find a little flaw here and there which they say, if not corrected, will cause them to vote against the bill. It reminds me, Mr. Speaker, of being at the dinner-table of a hotel in a little city where was spread an abundant feast, a magnificent dinner. A gentleman sat nearly opposite to me and called for plum sauce. The waiter said: "We have no plum sauce to-day." "No plum sauce! What kind of a hotel is this?" And he got up in anger and refused to eat his dinner. I learned afterwards he was a little wrong in his head, but my illustration is not weakened by that fact. So, I say we had better not exaggerate the plum sauce before the roast beef.

Now, a word in regard to a proposed substitute that provides, in the first place, merely that these estates of the bankrupts shall be settled by the ordinary chancery practice in the courts of equity; second, that it is voluntary only—a scheme that has received the conditional promise of the support of the distinguished gentleman from Kentucky [Mr. BRECKINRIDGE]. It seems to me that no man can consider such a proposition even very briefly without seeing that it would not do for a single moment. In the first place, in the adjustment of the estates it would never become completed. Go into the general chancery practice as it exists wherever that practice does exist and it would be a repetition only of Jarndyce vs. Jarndyce in every case, and would have no end until every dollar of the estate was expended. In the next place, it would be infinitely expensive—bills and answers, replications, cross-answers, motions, interlocutory orders and decrees, hearings and rehearings, examinations, and submissions without end.

In the third place, it would open the doors so wide to fraud that no rascal need afterward commit burglary or highway robbery. The law would allow him all the advantages he wanted. You might guard it as you pleased, and unless you had the eye of Omnipotence it would give him time to make his arrangements, both as to the purchase, the credit, and the disposition of his property, with the assurance that after he has bought and taken the avails of his purchase and put those avails out of sight, with sufficient time intervening so that nobody can see the place of concealment and no footstep can follow it, he then can coolly come into court and pay the indebtedness by getting a discharge in bankruptcy and proceed again in the same way.

Mr. BRECKINRIDGE, of Kentucky. Does it interrupt the gentleman from Ohio if I make this suggestion? That can not be done, under the suggestion I make, in the State of Kentucky. My suggestion was that the estate should be wound up by the State court under the insolvency law of Kentucky, and that upon the debtor filing the decree of that court in the bankruptcy court of the United States, with an opportunity to creditors to deny the allegation that there has been no fraud committed by him, then to allow the Federal court to give the bankrupt a discharge, which can only be given, under the decisions of the Supreme Court, by the Federal courts, as otherwise it impairs the obligation of contracts.

Mr. EZRA B. TAYLOR. Of course.

Mr. BRECKINRIDGE, of Kentucky. Therefore, there could never be any money brought into the Federal courts and no assets. Therefore, there could be no fraud committed, because the estate would have all been wound up under the State law and distributed amongst the creditors.

Mr. EZRA B. TAYLOR. But, Mr. Speaker, that could not be. Such a law as that is not proposed and such a law as that could not exist; but the remarks that I have made apply to the case in hand; that is, to the pending substitute; and I do not know of anything that was ever suggested that was so impracticable, that would be so expensive, and so fraudulent.

Before I take my seat I beg to state a fact in regard to Mr. Torrey, inasmuch as he has been referred to in this debate. On account of his acquaintance with the subject of bankruptcy, the committee invited him to meet with and assist them in their deliberations, and he did so to their great satisfaction; being the author of the bill he was familiar with all its details. I also desired him to make a synopsis and to assist me in other proper ways. What he has done has been done by request of the committee or at my solicitation. His ability, energy, and high personal character have impressed the committee very strongly, and if the bill becomes a law the country will be largely indebted to him for its beneficent results.

Mr. HAYES. Mr. Speaker, I would like to ask the gentleman from Ohio [Mr. EZRA B. TAYLOR] a question. In these amendments that the committee have suggested, have they made any change in subdivision 11, section 42, in regard to the non-payment of commercial paper for fifteen days?

Mr. EZRA B. TAYLOR. No, for that is supposed to refer to commercial paper that ought never to go to protest.

Mr. HAYES. That is what it ought to refer to.

Mr. EZRA B. TAYLOR. It does refer to that.

Mr. HAYES. To make that more specific, I would like to amend by adding to that the words "being a manufacturer or merchant."

Mr. EZRA B. TAYLOR. Let the amendment be printed.

The SPEAKER *pro tempore*. The amendment will be printed in the RECORD.

Sundry Civil Appropriation Bill.

SPEECH
OF
HON. CHARLES H. TURNER,
OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Friday, July 25, 1890.

The House being in Committee of the Whole and having under consideration the amendments of the Senate to the bill (H. R. 10884) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes—

Mr. TURNER, of New York, said:

Mr. CHAIRMAN: My purpose in rising at this time is not altogether to discuss the pending bill or amendments thereto, but to take this, the first opportunity that has offered itself to any member of the Committee on Labor, of which I have the honor to be a member, to criticise somewhat the extraordinary course of this House in relation to the disposition of its time and the measures that it has taken under consideration.

In the course of the many months of this session many important committees, I am aware, have been unheard; but the Committee on Elections has certainly had plenty of time. Special rules have been from time to time brought in and forced through by a majority vote, giving consideration to questions having more or less of a partisan bias. But, sir, throughout all the days of this session, the Committee on Labor has thus far been unheard; and, Mr. Chairman, gentlemen on the majority side of the House have risen and taunted that committee with lack of diligence. The gentleman from Ohio, for whom I have the profoundest respect, said the other day that we of the minority were obstructing the consideration of labor measures brought in here.

For the purpose of setting myself right in the eyes of the distinguished member from Ohio, to show that we are not obstructing labor measures, and for the purpose also of defending my committee from the charge that it has not been duly diligent in the prosecution of the work committed to its hands, I take this opportunity—possibly somewhat out of the usual course—that I may call the attention of the House to the extraordinary situation in which it now finds itself. I find that the Committee on Labor was first instituted in the Forty-eighth Congress—a Democratic Congress—and very appropriately, too, because the laboring man turns naturally to the Democratic party as the party of his home and the party of his friends.

I find, in spite of all the fine words that have been wasted in this Congress about devotion to the laboring man from people representing great capitalistic and great monopolistic interests, that no Republican Congresses ever found that there was any need of any special committee for the consideration of labor measures. But, sir, when, under the operation of a most iniquitous tariff system, labor became restive and restless and its voice rising louder and louder came clamorous to the doors of this Chamber—when the Forty-eighth Congress assembled, a Democratic Congress, a committee was appointed where the protests of labor might be heard and heeded and its request acceded to. And who, sir, was the first Representative to win the honorable distinction of demanding a hearing for organized labor in these legislative halls? Hon. John J. O'Neill, who, in defining his position, said:

Mr. Speaker, I stand here as a Democrat, but I stand here as a representative of the laboring element in my district. I sprang from that element, and it is not with the words of a demagogue I stand here to argue that you shall dignify the calling of labor by creating a committee in this House to which the representatives of the laboring element can submit their claims. You had better do it now, for you must realize as well as I do that there must be a vent through which the feelings of that element can reach the law-making power. You do not want this terrible rumbling and uneasiness to culminate, as it did formerly, in the celebrated railroad strike. You desire to find what they want. Give them, then, the right to be heard.

Sir, in that Democratic Congress for the first time was created a committee that should devote its entire time to the consideration of labor matters. Every workingman in the land may thank the Democratic party, dominant in the Forty-eighth Congress, for the recognition that it extended by this action to the labor interests. But, sir, of what avail is it that a Committee on Labor should exist, that it should meet, that it should hold sessions, that it should give hearings, that it should formulate measures, if it shall be denied consideration on this floor? The Committee on Labor created by a Democratic Congress exists in this. It has been faithful and diligent in its work; it has formulated new measures for the relief of the labor interests of the country; its reported bills have stood for months upon the Calendar of this House, but this House has given no single hour to their consideration. Its every effort has been paralyzed, and the resolution introduced on the 2d of June, setting apart two days for the consideration of labor measures, still slumbers in the Committee on Rules, and I begin to fear that this slumber is the sleep of death.

Let this House pause and mark the contrast between its record and the record of the three preceding Democratic Houses. Sir, the Forty-eighth Congress not alone created the Committee on Labor, but under the auspices of that committee it created the National Bureau of Labor Statistics, and the Democratic House at least passed a law prohibiting the importation of contract labor. The Forty-ninth Congress, also a Democratic Congress, considered and acted upon no less than seven labor measures, and if some of these failed of becoming laws the failure is to be charged not to the Democratic House, but to the Republican Senate.

Among these was that great boon to American labor known as the alien-contract law. This law, compelling ships to return to the old nations of Europe all immigrants coming here under contract, was reported by Mr. O'Neill, amended and made more stringent by Mr. MCMILLIN, passed by a Democratic House, and after slumbering a year in the Senate was signed by a Democratic President and became a law. In my judgment this is the most valuable labor legislation ever had in this country, and the credit of this is due to the Democratic party. Then came another Democratic Congress.

The Fiftieth Congress, that memorable Congress of the long session, although a great measure that involved a change in the entire tax system of this country was considered and considered at great length, nevertheless, however pressing and urgent might have been the demand back of that Democratic majority for the consideration of that measure, which the Administration itself had approved, halted and gave four full days to the various demands that the organized labor of this country made upon Congress. In the four days that were given by the Fiftieth Congress to the consideration of the labor measures, six measures were passed. But in this Congress we have been in session month after month, under a code of rules that we were told were enacted for the purpose of doing business; yet the Committee on Agriculture, representing the great farming interests of the country, have ready for consideration in this House several important measures, and the great voice of the agricultural interest of this country has been stifled.

The demands of labor have been unheard; but wherever a protected industry, or one that would be protected, has knocked at the doors of this Congress, it has found a ready response. They may tell us that by and by the Committee on Rules, when there is nothing else to be done, will give us plenty of time for the consideration of these labor matters. They can not plead ignorance of these bills, for on June 3 a resolution was introduced giving two days to the Committee on Labor. It is possible that the distinguished members of the majority of the Committee on Rules never have had their attention called to it any more than they had to the resolution introduced by my friend from Indiana [Mr. COOPER] calling for an investigation of the Pension Office. It is possible that in their zeal to press forward partisan legislation they never have noticed this resolution. They have, indeed, been wonderfully diligent in the consideration of party measures. And I see no particular reason why they should have slighted labor matters, had they had any interest in them. "But," says some one, "there is a bill proposed from the committee that might possibly involve the expenditure of some money."

Well, I submit, Mr. Chairman, even in this most economical Congress, in which we have, I suppose, succeeded in dissipating the surplus that Democratic economy had heaped up [applause on the Democratic side]—I submit, Mr. Chairman, that if there be any bill from the Labor Committee for the workingmen of this country, for the payment of money that is justly due them which is withheld by the United States from them, that even in this most remarkably economical Congress, that bill, which embodies their demands, should be heard. Ah, Mr. Chairman, it is not enough to say that it would cost something, because measure after measure has gone through here expending far more money than can possibly be involved in this bill, measures which became laws without any thought or consideration of the amount of money involved therein.

I can see in this—and I say that the record of at least two of the gentlemen upon the majority side of that committee would very well bear out this supposition—I can see in this only that this Congress has been so busy in its partisan enactments, so reckless in its expenditures of the public money where it thought there would be votes for itself, that it has never heeded the great voice of labor, though organized labor has been clamoring at its doors, and labor might as well not have been represented by a committee as by this committee thus stifled.

Mr. KERR, of Iowa. Will the gentleman yield for a question?

Mr. TURNER, of New York. Yes, with great pleasure.

Mr. KERR, of Iowa. What particular bills do you desire to have passed?

Mr. TURNER, of New York. Well, I want an opportunity to discuss all the bills. If the gentleman, who has been very attentive and studious here, will notice the Calendar with the same assiduity as he studies it when he gets a bill of his own thereon, I think he will have no difficulty in discovering that there is one bill that has been reported three times in three separate forms in the hope of getting the ear of the Committee on Rules; that it has been referred back to the committee, and the committee has done its work over again in the vain hope that some day and somehow in some way they might prevail upon that obdurate body of gentlemen to give consideration to this measure.

Mr. KERR, of Iowa. Will the gentleman mention the particular bill?

Mr. TURNER, of New York. The eight-hour back-pay bill is one bill. The bill remedying certain defects in the eight-hour law is another, a bill that the distinguished gentleman from New York, my colleague upon that committee [Mr. FARQUHAR], says the Typographical Union assembled in Atlanta indorsed.

Mr. GROSVENOR. Will the gentleman from New York yield for a question? Is there any labor bill that was not pending in the Fiftieth Congress?

Mr. TURNER, of New York. Well, now, the gentleman was a member of the Fiftieth Congress, and if he had attended to his duty in that regard with all the earnestness with which he attends to all other matters he would have helped to pass all those bills of the Fiftieth Congress.

Mr. GROSVENOR. But "the gentleman" was in the minority in the Fiftieth Congress.

Mr. TURNER, of New York. But the majority of the Fiftieth Congress did pass six bills from the Labor Committee, and only one has come over to this House from that Congress. Why do not the majority in this House pass these bills? The eight-hour back-pay bill is not passed, the amended eight-hour bill is not passed, and the resolution of my distinguished friend from Nebraska [Mr. CONNELL] asking for an investigation of labor matters has thus far been unable to get a hearing in this House.

That resolution was not in the other Congress, and the $2 a day bill was not in the last Congress. The only bill left over by a Democratic Congress, which has been considered in this Congress, was the so-called eight-hour back-pay bill. Thus, Mr. Chairman, has a hearing been denied the Labor Committee during the present Congress, and yet in season and out of season, at all times, on every possible occasion which was presented, we have exerted ourselves to the utmost, we have tried our best to secure legislation. And I desire, for the purpose of informing the gentleman from Ohio [Mr. GROSVENOR], who adverted to the position of the minority in regard to these questions as obstructive to the labor movement, to call his attention to this statement which I have submitted, in no sense an exaggerated one, and ask him how he himself or the leaders of his party, when they go before their constituents, the laboring people of this country, expect to be able to justify the action of this Congress in dealing with labor matters, or rather in refusing to deal with them.

This, Mr. Chairman, is the shameful record of the Fifty-first Congress, a Congress more dominated by partisan spirit, more submissive to the demands of the capitalists, more shameless and unblushing in its subserviency to the demands of the trusts and corporations than any other ever convened in this Capitol. It is the first Republican Congress assembled since this Labor Committee was constituted; it is the first to stifle and silence the voice of that committee, and I trust, Mr. Chairman, it shall prove the last representative body of the great American people where the voice of labor shall be unheard. [Applause.]

[Here the hammer fell.]

Arid Lands Survey.

SPEECH

OF

HON. ANTONIO JOSEPH,

OF NEW MEXICO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 26, 1890,

On the Senate amendments to the bill (H. R. 10884) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes.

Mr. JOSEPH said:

Mr. SPEAKER: In the sundry civil appropriation bill of October 2, 1888, the following provision was enacted:

For the purpose of investigating the extent of which the arid region of the United States can be redeemed by irrigation, and the segregation of the irrigable lands in such arid region, and for the selection of sites for reservoirs and other hydraulic works necessary for the storage and utilization of water for irrigation and the prevention of floods and overflows, and to make the necessary maps, including the pay of employés in field and in office, the cost of all instruments, apparatus, and materials, and all other necessary expenses connected therewith, the work to be performed by the Geological Survey, under the direction of the Secretary of the Interior, the sum of $100,000, or so much thereof as may be necessary. And the Director of the Geological Survey, under the supervision of the Secretary of the Interior, shall make a report to Congress on the first Monday in December of each year, showing in detail how the said money has been expended, the amount used for actual survey and engineer work in the field in locating sites for reservoirs, and an itemized account of the expenditures under this appropriation. And all the lands which may thereafter be designated or selected by such United States surveys for sites for reservoirs, ditches, or canals for irrigation purposes, and all the lands made susceptible of irrigation by such reservoirs, ditches, or canals are from this time henceforth hereby reserved from sale as the property of the United States, and shall not be subject after the passage of this act to entry, settlement, or occupation until further provided by law: *Provided*, That the President may at any time in his discretion by proclamation open any portion or all of the lands reserved by this provision to settlement under the homestead laws.

The amendment of the Senate to the pending bill proposes to repeal a portion of the above-quoted act, in the following words:

So much of the act of October 2, 1888, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes," as provided for the selection and location of reservoirs and canals upon the public lands and the reservation of irrigable lands is hereby repealed: *Provided*, That reservoir and canal sites heretofore located or selected shall remain segregated and reserved from entry or settlement until otherwise provided by law.

The circumstances under which the act of October 2, 1888, became a law are worthy of careful attention. For many years the Representatives and Delegates in Congress from the Western States and Territories have realized the necessity of comprehensive action on the part of the Government towards setting aside sites for reservoirs and canals for the purpose of irrigation, so as to make available for homes a large part of the public domain unfit without irrigation for agricultural purposes. By this act it was intended to take the first steps in that direction by a preliminary appropriation for beginning the work of surveying the sites. Provision was accordingly made in this bill as it passed the Senate, in such terms that it was hailed with joy by all the Western people. Upon consideration by a committee of conference upon the disagreeing votes of the two Houses of Congress as to this and other matters contained in the same bill, the language was inserted which is quoted above, and in this form it afterwards became a law.

This particular language was not considered by either House of Congress, but was inserted by the conference committee at the close of one of the longest sessions of Congress ever known, and adopted by both Houses without any debate, and, indeed, without the knowledge of a large portion of members of either House as to exactly what the bill contained. No one believed at the time of its passage that it was possible that the bill could have any such effect as was subsequently given it, nor was any such effect intended. No such provision of law could have commanded the support, after full discussion, of more than a handful of members of either House of Congress.

After the passage of this law the settlement of the Western States and Territories continued the same as in the past. Entries under all the public land laws were received by the land offices throughout the West, and it was not until nearly a year after the passage of the law that it was announced by the Secretary of the Interior that under the construction of the law which he held, and in which he was supported by the opinion of the Attorney-General, he was obliged to declare that all entries of land west of the one hundredth meridian made since October 2, 1888, were wholly void and must remain suspended. After a long delay this decision was officially promulgated in some of the land districts and notice was sent to the land office to receive no more filings, while in other districts no official promulgation has ever taken place, and, so far as I am informed, until a very recent date, the officers have continued to receive entries as in the past. The result of this decision of the Secretary of the Interior was most unfortunate upon the whole of the public land within its operation.

It was never expected or supposed by a single member of Congress who was in Congress when this bill passed that it would have any such effect. Homesteaders who have gone upon the public lands, filed their entries, and taken all the requisite steps under the law, have been thrown into the most absolute confusion. All titles have been unsettled by the official declaration that every step, though taken in perfect good faith, has been wholly void and of no effect. Immigration into the public-land States and Territories has been almost entirely stopped by the announcement that the benefits of the homestead laws were no longer open. In many of the States and Territories, and particularly in New Mexico, large investments for canal purposes had been made prior to the promulgation of this decision, under which vast improvements, to result in the greatest benefits to the people of New Mexico, have been begun and in part carried to a successful issue; but with the stopping of entries upon the public lands and the ceasing of immigration these investments have been suspended and the prospects for obtaining water for irrigation in many of the fertile valleys of New Mexico have been postponed to the far-distant future.

Among the many canal and irrigation projects already under way in New Mexico may be mentioned the following:

The Pecos Valley Irrigating Canal Company has already expended $700,000, and before the completion of its enterprise will spend $300,000 more. It has already built at least 100 miles of canal, now in operation, and has 50 miles additional under contract. The total number of acres which can be finally brought under cultivation by this canal will be between 350,000 and 500,000. The Rio Grande Canal and Irrigation Company have already expended $150,000, and when completed will reclaim from three to four hundred thousand acres by a canal from 150 to 200 miles long. A vast capital will be invested in this enterprise, which will be of the greatest benefit to the people of the Rio Grande Valley. The Taos Valley Canal and Irrigation Company has begun the irrigation system of that valley by the initial expenditure of $100,000, and expects, by a canal 125 miles long, to irrigate some of the finest agricultural land in New Mexico. The Jornada del Muerto Canal and Irrigation Company has made preliminary surveys for a canal which will be 250 miles long, and a number of other canal and irrigation companies have made surveys looking to the reclamation of many thousands of acres in New Mexico.

Besides these, numerous other similar enterprises have attracted capital from the Eastern States, promising to New Mexico a speedy development of her great resources. Many of the lands to be reclaimed are adapted to the cultivation of suitable grapes for making wine as well as of the finer-flavored and less hardy fruits. The future value of these lands when under irrigation can hardly be estimated at the present time.

But the act of October 2, 1888, has effectually stopped all these enterprises, as well as checked the tide of immigration on the part of settlers, already attracted by the prospects of certain crops, without recurrent failure, under the beneficent system of irrigation.

It is not surprising that the Western people, through their Senators, Representatives, and Delegates, have demanded with one voice the repeal of the law of October 2, 1888, in so far as it withdraws from settlement and entry the public lands.

I am, therefore, strongly in favor of the amendment of the Senate to the pending bill repealing the law of 1888 under which these lands were closed to settlement. But this amendment does not meet all the necessities of the situation. The Western people will not be satisfied with the mere repeal of the law of 1888. They believe that the step then taken towards the survey and setting aside of reservoir and canal sites is a wise step worthy of continuance. They therefore demand that, while the obnoxious provision preventing entries upon the public lands should be repealed, the work of marking the irrigation districts and setting aside the reservoirs and canals should be continued. The people of New Mexico do not wish by this to be deprived of the great benefits which have already accrued to them and will accrue in the future from the investment of private capital in such enterprises, but they believe that they are rightly entitled to the assistance and aid of the Government in making surveys where no surveys have been made, and in determining for the future the proper location of the essential works for irrigation purposes. This is essentially a work to be done by the public rather than by private associations.

But I am satisfied that, while this work should continue, the only ultimate solution of the desert-land problem will be to turn over to the States and, through properly constituted officers, to the remaining Territories all of the arid lands within their limits which have not been disposed of under the public-land laws. The needs of the different localities are varied, and Congress can not determine as well as the local Legislatures the particular disposition which should be made in each State of the desert lands so as to secure their irrigation in the best manner and at the earliest possible date. A bill (H. R. 971) making provision for this was presented by me in the first days of this session. It has not yet received the action of Congress. I am glad to notice the many expressions of debate in both Houses of Congress in favor of this proposition, and hope that before this Congress adjourns provision will be made for the admission of New Mexico as a State, under the enabling act presented by me, and a transfer to New Mexico and the other States of all desert lands within the borders of each.

Fears have been expressed in the pending debate that upon the construction of the reservoirs and canals by private associations of capitalists the people of the various irrigation districts would find themselves dependent entirely upon the will of the canal companies.

I believe that the work of setting aside the reservoirs and canals is properly a duty devolving upon the General Government. I believe, too, that the title to the reservoir and canal sites, as well as to all the waters, should in every instance be ultimately reserved, without power of alienation, to the people of the States and Territories. And I think that the best interest of the people demands that the canal system should be under the direct control of the people of the irrigating districts.

But I am not willing that New Mexico should lose the benefit of the numerous irrigating systems already in process of construction by private enterprises. New Mexico has the best system of irrigation laws in the world, founded upon the old Spanish laws and transferred to New Mexico before the settlement of the Atlantic seaboard. These have been modified and developed by actual experience. The people are protected by them from oppression by canal-owners. The very laws under which the canal companies have organized and operated fix the maximum charges for water, and in nearly every instance a perpetual water right can be bought at a very moderate sum. As new emergencies arise the people will be prepared to meet them and to apply the needed remedies. In the State of Colorado all questions between the canal-owners and the water-users have been settled, and while proper encouragement has been given to capital to develop the country the rights of the people have been effectively guarded. There will be the same result in New Mexico.

For these reasons I favor the amendment of the Senate restoring the public lands to entry, but this should be further modified by providing:

1. For the continuance of the survey for irrigation purposes.

2. For the perpetual reservation to the people of the ultimate title to all reservoir and canal sites and of all the waters of the States and Territories.

With these provisions the people of the respective localities can guard and protect their interests, while the development of the West will not be retarded.

Restriction of Immigration.

SPEECH

OF

HON. ELIJAH A. MORSE,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 6, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. MORSE said:

Mr. SPEAKER: Having addressed the House at length upon the pending bill at a previous stage, I avail myself of the large liberty and latitude allowed in this discussion to speak upon another subject.

I think I represent my constituents when I say that I believe in restricted immigration. I would by no means confine the restriction to the Chinese, but I would go further. I do not believe our country desires, or can assimilate, or that it is safe to open its doors to the unrestricted admission of any considerable portion of the four hundred and fifty millions of that people who constitute the Chinese Empire.

It is also a serious question in my mind as to how far our country can go in incorporating into its body-politic the dangerous and hostile elements that are pouring in upon us from European countries. We have been calling our country "an asylum for the down-trodden and oppressed," and so it is and ought to continue to be.

But in view of the class of immigrants who are coming to us now, I have sometimes wondered how it would do to turn around and call the country "a sewer for the scum of all God's creation to empty into."

I would extend a cordial welcome to the honest immigrant seeking these shores who desires to become an American citizen, but I submit that we want no more bomb-throwers, anarchists, nihilists, paupers, tramps, and lunatics, and we want no more Mormon immigrants.

I would favor immediate and radical legislation to prevent these dangerous classes from coming to this country. The insane asylums, charitable and reformatory institutions of Massachusetts have numerous illustrations of this class of assisted and vicious immigrants, who went straight from the ship to these reformatory and penal institutions.

The governor of the Commonwealth of Massachusetts recently made this the subject of a message to the Legislature.

While I entertain these views in regard to the Chinese and other undesirable immigrants, I can not command language strong enough to condemn the abuse which in some sections of the country, particularly in the Pacific States, is being heaped upon these innocent and inoffensive heathen who have been allowed to come to our shores, by sand-lot orators of the type of Dennis Kearney.

I believe the Book which says that God "hath made of one blood all nations of men for to dwell on all the face of the earth." The dictates of humanity and religion forbid persecution, murder, and violence, that are frequently perpetrated in this country upon the Chinese who are already here, and it is a disgrace to our country that these criminals have so often gone unwhipped of justice. Wise statesmanship and policy alike forbid this injustice. If continued, it will result in retaliation upon our missionaries and residents in China, if not in non-intercourse.

I will not take the time of the House further. I will extend my remarks in the RECORD by printing a memorial upon the subject from a constituent of mine, an eminent citizen of Massachusetts, without necessarily indorsing all his views.

A memorial upon the subject of Chinese immigration.

BOSTON, *May 2*, 1890.

DEAR SIR: The alarm existing in some of the Western States where the Chinese have appeared in great numbers would naturally lead one not familiar with the subject to infer that these people have come unbidden, that their presence is injurious to the interests of white labor, and that they are likely to increase in this country to such an extent as to threaten our institutions and even mongolize some portions of our territory.

This feeling of alarm is said to seize upon one who visits the Chinese quarter in San Francisco. There he sees eighty thousand or more of the lower order of Chinamen and several thousand Chinawomen, mostly prostitutes, living apart from the white residents, retaining their national language, costume, and manner of living, worshiping their foreign gods, and regulating their affairs not by our standards and in accordance with our laws, but by standards and laws imported from their own country. They show no disposition or ability to become americanized or to adopt any of our institutions.

The thought naturally arises, on seeing such a sight, how deplorable would be the state of affairs in this country if the untold millions of China, who are supposed to be waiting an opportunity to come to our shores, should succeed in establishing themselves here.

So strongly are the people of the Pacific coast impressed with a fear of Chinese immigration that they have caused the matter to be made an issue in State politics to the exclusion of other issues, and induced both of the great national parties to insert anti-Chinese planks in their platforms. They have also brought such pressure to bear upon both Houses of Congress and the President as to secure the passage of that unwise and therefore unnecessary piece of legislation in 1882 prohibiting the Chinese for ten years from coming here, and also to wring from China an unwilling consent to discrimination on our part against her own people.

Not satisfied with having secured the passage of laws to arrest immigration, they have risen at Rock Springs, Seattle, and other places with that appearance of spontaneity and determination which men generally show in a good cause, when the case is desperate and the laws inoperative, and attempted to rid themselves of their trouble by waging a war of extermination against the Chinese, hardly equaled in violence and atrocity by anything that occurred during our early wars with the Indians.

This is not the first time in American history when prejudice and fear have led to an uprising on the part of the people, accompanied sometimes by acts of violence and bloodshed. The wars against the Indians by our New England forefathers were caused by fear of those people, not shared in by the settlers of Delaware, Pennsylvania, and Virginia, nor by our neighbors in Canada, all of whom acted on the belief that kind treatment and a few trinkets would do more to keep the peace than tons of gunpowder.

The alien and sedition laws of June 25 and July 7, 1798, were passed through fear of an invasion of the French which never came. The war of 1812 was not caused so much by the impressment of our seamen as by the fear that England meditated other encroachments upon our rights and independence, and this is shown by the treaty made at the close of the war, when the original cause of the trouble was not even mentioned. The immediate cause of the great rebellion was the fear that Lincoln and the Northern people, supposed sympathizers with John Brown, intended to destroy the right of property in slaves, and with it the cotton interest, and it was prolonged more than a year by the mistaken fear of a negro insurrection and Northern vengeance.

Perhaps a calm investigation of the Chinese question will show that we have nothing to fear from the coming of these people any more than from the coming of French-Canadian, Russian, or Italian immigrants; and that the dangers which appear so threatening to Western alarmists are not real, but exist only in an imagination excited by unreasoning fear.

Let us look at the statistics of this immigration and consider the influences which brought these people to our country and now keep them here. In 1860 there were 34,933 Chinese in the United States, nearly all of whom came to California as gold-diggers. During the next four years there was a net gain of arrivals over departures and deaths of about 4,000 a year, caused principally by the demand for laborers to construct the Union Pacific Railroad. During the next four years the tide turned the other way, in consequence partly of the cessation in demand for labor in railroad construction and partly by the unprofitableness of placer mining after machinery was introduced; and the Chinese population fell off 1,855 in 1864, and 2,555 during the next three years. Here was a net loss in four years of 4,440 out of a total of 51,474, or nearly 9 per cent.

In all probability this decrease would have continued if the reclamation of the tule lands, the digging of irrigating canals in connection with wheat production, and the construction of the Central Pacific Railroad had not called for the importation of more laborers. The Chinese responded to the new call, and there was a net gain of 6,126 in 1868, 9,289 in 1869, and 5,760 in 1870. Here immigration made another pause, and the increase was only 1,376 in 1871 and 3,929 in 1872.

The tendency toward a decrease was soon arrested, however, by the fresh demand for labor in manufacturing. Up to 1872 California had confined itself principally to gold mining, railroad construction, and wheat raising. Now the time had come for the introduction of manufacturing, and the people of California, profiting by the successful experiments tried in North Adams and a few other places of training the Chinese to make boots and shoes, soon caused those people to be employed on the Pacific coast in making clothing, hats, and caps, boots, and shoes, furniture, cigars, and a dozen other staple articles of manufacture. As laborers were difficult to get at any price, inducements, in the way of prepaid passage money and a promise of high wages, were offered to the Chinese to come here. Under the stimulating influence of these inducements the arrivals from China again showed a large net increase, and in the four years, 1873 to 1876, that increase was over 9,000 per annum. Some of this increase, however, may have been due to the construction of the Southern Pacific and the Evans-Mendocino Railroad lines. In 1876, or as soon as the railroads just named were completed, and the factories supplied with workmen, the demand for Chinese labor again fell off, and has never since been renewed.

The work of gold-mining, tule-land reclamation, railroad construction, canal-cutting, wheat-farming, and manufacturing rapidly fell into the hands of white laborers, principally from Europe, whose superior strength and ability to use machinery caused them to be preferred to the Chinese, and the latter were driven from these employments to domestic service, laundry work, and petty shop-keeping. The Chinese promptly recognized the cessation in demand for their labor and took immediate steps for their return to China. In 1877 the increase of immigrants fell to only 627, against 9,119 the year before. In 1878 there was a net decrease of 600. In 1879 the decrease was 1,805, and in 1880, when the sand-lot agitation against the Chinese commenced, the decrease was 2,494.

To recapitulate: There was an increase during four years (1860–1863); then a positive decrease during four years (1864–1867); then another increase during three years (1868–1870); then a strong tendency toward a decrease during two years (1871–1872); then a very large increase during four years (1873–1876); and, lastly, another positive decrease during four years (1877–1880).

These figures show that the flow has not been steadily hitherward, but fluctuating, with a tendency, if uninterrupted by us, to turn slowly homeward. Left to itself the tide which had set so strongly in this direction, when better labor could not be secured, would have slowly ebbed away, never to return again.

But the foolish agitation in 1880 and 1881, born of hatred and ignorant fear, instead of preventing further Chinese immigration, as was intended, had just the opposite effect, and resulted in a fresh influx of thirty thousand laborers, who rushed over here in the course of eighteen months for no other purpose than to get into the country before the restriction act went into effect. These fresh arrivals were not needed, and the inducements before offered, in the way of prepaid passage money and promise of employment, were not held out to them. They came because of the restriction act and, not finding employment in California, went almost immediately to Idaho, Oregon, British Columbia, and other parts of the West, as miners and railroad laborers, many of them drifting eastward as laundrymen, cigar-makers, and shop-keepers. In 1883 there were 381 Chinese immigrants; in 1884 there were 84; in 1885 there were 57; and in 1886 there were only 8. The decrease by death during these four years may be fairly estimated at 4,800.

History has many instances where restriction and prohibition has had the opposite effect to that which was intended. The Chinese built a wall 1,500 miles long to exclude the Tartars, whom they feared and hated; but the Tartars, who had been contented before that time with making short incursions in small numbers, saw in this expensive work the evidence of wealth beyond, and, massing themselves, overran the whole country.

The martyrdom of the early Christians, the persecution of the Jews, and the attempt of the Inquisition to extinguish Judaism and Protestantism all had different results from those which were intended.

A certain king of France, having failed to introduce the potato into his country through a gratuitous distribution of the seed, tried the experiment of putting a high board fence around his potato patches, with a warning of death to any who should steal the king's property, and he soon had the satisfaction of seeing his tubers on the table of every family in his kingdom.

A certain king granted a pension to an old man who had never, in eighty years, gone beyond the walls of his native city; but he coupled the pension with the restriction that the man should never go outside the gates, and in less than a week the old man lost his pension by yielding to a new-born but irresistible desire to see something of the world outside.

The Chinese Government wishing to continue the profitable monopoly in opium, which it had enjoyed for centuries, passed stringent prohibitory laws and made war against the English importers; but the attempt to restrict the traffic resulted in their own humiliation and the establishment of the English opium trade for all time.

Congressional restriction, instead of preventing Chinese immigration, undoubtedly increased it temporarily. In 1881 the arrivals were 20,711; in 1882, before August 1, when the restriction act went into effect, the arrivals were estimated at 10,000. From August 1, 1882, to October 20, 1885, a period of nearly three years and four months, the arrivals were only 17,656, while the departures were 42,085, and the deaths, estimated, 5,300; or a net loss of 29,729. According to these figures the present Chinese population should be about 10,000 less than in 1880, when it was 105,465; but competent judges in California estimate the total at 110,000, as thousands landing in British Columbia are finding their way here across our northern border.

This increase will not continue, however, as the Chinese now thoroughly realize that the demand for their labor is not equal to the supply, and this fact will speedily cause them to turn their faces again homeward. The six Chinese companies of California, against which there has been so much foolish talk by the sand-lot orators, will do much to expedite the return of unemployed laborers, as one object of their organization and a large part of their capital is for that very purpose. Four thousand Chinese left British Columbia and over 5,000 left San Francisco during the months of September, October, and November, 1885, 2,300 being on board vessels in harbor at one time. Very few of them had any intention of returning.

One thing on our part, however, may do much to arrest the Chinese in their homeward flight, and that is the discovery in the Middle and Eastern States that they are excellent domestic servants, and can supply a demand long standing for better cooks, waiters, and scullions than are found among colored people or than come to us from European countries. Irish menials have already made this discovery, and their jealousy of the Chinese will largely account for the cry against the "haythens" in San Francisco.

Another thing may prevent their going or at some later day may cause their return in large numbers, and that is a demand for miners and railroad laborers in our Southwestern States and in Northern Mexico, where the climate and other conditions are more favorable than in California. But even the more favorable conditions of a southerly region are not likely to induce them to come with the intention of making their permanent residence in America. Similar favorable conditions exist in Australia, South Africa, Java, Japan, Peru, and the Sandwich Islands, where the Chinese have gone in great numbers; but in every case their stay has been but temporary, and except in Java their numbers are now slowly but steadily diminishing.

If the limits of this letter permitted, something might be said concerning the constitutional and treaty rights of the Chinese to residence and protection here, also concerning their fitness for citizenship and the position they would probably occupy if they came in great numbers with the idea of a permanent residence; but such discussion is entirely unnecessary, as we shall probably never be called upon to consider the Chinese immigrants except as laborers and aliens. The Chinese never have come, and probably never will come, with the intention of taking up a permanent residence here.

In discussing their presence here, they are not to be compared with the Irish, Germans, Swedes, Russians, and others, who are homogeneous with our Anglo-Saxon stock, and capable of rapid absorption and assimilation by us; nor are they to be compared exactly with the French-Canadians and Italian laborers, who come for the same purpose as the Chinese, to make a little money and then return to their native land. The differences between the Chinese and other immigrants, and between the Chinese and ourselves, in race, language, religion, habits, education, ideas of government, and the pursuit of happiness, are all essential differences, and our celestial friends after a short residence among us have no desire to take up their domicile permanently with us or to adopt any of our ways or institutions.

The soil of China is as good as ours; the climate as good, if not better; and the semi-communal, semi-patriarchal system of government in that country much better suited to their genius than anything they find here. Their intense love of country, their affection for their families, especially their deceased ancestors, the greater economy of living in China, and the superstitious dread of having their bones left in a foreign land will do much to keep them at home.

The only Chinese who are likely to come here will be like those who have come before, the boatmen, outcasts, adventurers, and other low people on the shores of China near Hong-Kong, who drift first to that island, and by contact with the English become in a measure fitted for emigration to this country, or, at any rate, ready to emigrate when a demand for their labor calls them here. Their number, however, is limited. Many of them belong in Hong-Kong, are subjects of Her Britannic Majesty, and have as much right to be here under our treaty with England as any of her lighter-skinned and more favored children.

Something might be said of the folly committed by both national parties in 1880 in putting an anti-Chinese plank in their platforms, and something on the other hand of the wisdom of President Cleveland in 1885 in announcing to the Austrian Government, when Keiley was rejected as our minister, that we made no distinctions here on account of race or religion.

In view of the probability of an early attempt in the so-called labor interest to restrict immigration from Europe, it would be well for us to remember the declaration contained in our national Constitution and in the constitution of nearly every State in favor of free immigration to all who seek their happiness here; which declaration debars us from ever making such a restriction if we have any regard for consistency or respect for the wisdom of those who founded our Government. It would be well for us also to consider the advantage to laborers already established here of having other laborers arrive to take their places and free them for more elevated employments, a higher social life, and better wages.

The consequences of the restriction act and of the recent outrages on the Chinese in the West will be far-reaching and we shall suffer from those acts in our future dealings with China, as we deserve. We have shown the Chinese that we were insincere when in 1868 we joined Burlingame in his flowery statements concerning the right of expatriation and universal brotherhood. We have shown them that we, like England and France, can disregard a solemn treaty obligation with a weaker government when it suits our interests to do so. In passing the restriction act we, unfortunately for the world's progress, admitted what China has all along contended for, that one country has a right to exclude the people of another country, instead of taking the higher ground that the whole earth is man's heritage and that each individual has a natural God-given right to go wherever he will and be protected in his pursuit of happiness.

The Chinese, after they were helped by Americans secretly with money in their war with England and France in 1857, and up to 1881, regarded us with less fear and more favor than any other nation on earth; but they have evidently changed their views, as the contracts for $70,000,000 just reported as given out for the construction of railroads in China are none of them given to us, though we should naturally have had the principal share of them.

Poor China feels that in passing the restriction act we deliberately insulted her, and we must not be surprised if her wounded pride leads her to retaliate. With just and friendly treatment on our part she might have been made as valuable to us as an outlet for our produce and manufactures and as a field for the

employment of our young men as India has been to England; but we have now thrown away our golden opportunity, perhaps never to be recovered.

The objections commonly made to our Chinese immigrants seem to me not well taken, but, on the contrary, to be points in favor of their being here. There might be, with some show of reason, objection to them, if, like the ignorant, unskilled, and sometimes offensive immigrants from Europe, they came intending to stay, bringing their families, mixing in our society, filling our schools, prisons, and poor-houses, exercising the right of suffrage and combining together for their own political ambition or private benefit, underbidding American laborers, or in any way willfully disturbing the public peace. But no such character can be given them.

During thirty-five years' residence here they have shown themselves to be industrious, peaceful, law-abiding, sober, honest, and frugal, without political ambition, minding their own business, taking care of themselves and each other, offering no offense to anybody, and only asking in payment for their drudgery to receive the crumbs which drop from our bountifully supplied table.

Joaquin Miller says: "I never, during all my years of intercourse with this people as miner and four years as magistrate, saw a single drunken Chinaman. I never saw a Chinese beggar. I never saw a lazy Chinaman."

Their very inoffensiveness is probably the principal reason for their ill-treatment by the inferior but more aggressive hoodlums of the West. It is a true saying that "only those have rights who dare maintain them," and this is as true concerning the Chinese as it is concerning the Quakers, Jews, colored men, and others, who are non-combatants through principle or weakness; but this truth is no reason why hoodlums and desperadoes should abuse them, and every lover of justice must approve the action of President Cleveland four years ago in using the force of the United States Government to protect them in Oregon and Washington Territory.

One objection made to the Chinese in California is that they send large sums of money out of the country. That this is absurd can easily be shown. About five thousand Chinese return to their native country annually, taking on an average about $600 each, or $3,000,000 in all. This sum may seem large to some, but by comparison it is very small, a mere trifle, and not one-twentieth part of the permanent value created by them annually and left here for us to possess. It is not equal to the sum taken out of the country by French-Canadians who work in New England factories; nor to the sum remitted by the Irish to their friends in the old country; nor to the sum that we spend annually for imported kid gloves. It is not one-fifteenth of the money paid to other countries for coffee, and not one-sixth of the sum voluntarily sent by us to China, their own country, to pay for that mere luxury, tea.

The point I wish to make in regard to the Chinese problem is this: Since the abatement of the gold fever and until the restriction act went into effect the comings and goings of the Chinese have been governed by demand and supply, the laws of which are well understood and obeyed by them; and if we will permit the operation of these laws without stimulating their coming by unwise restriction acts, there will be nothing to fear from the hordes which are erroneously believed to be waiting on the shores of China for transportation to this country. In legislating concerning the Chinese we should keep in mind that they are not here as permanent citizens, but as temporary laborers, and that our care of them during their short stay is purely a matter of police and sanitary regulation.

The cry that "the Chinese must go" proceeds from ignorance or malice, and very largely from European immigrants in California, who have but recently been admitted to the benefits of our institutions.

I am, dear sir, yours very truly,

EDMUND D. BARBOUR.

Hon. ELIJAH A. MORSE, *M. C., Washington, D. C.*

Original-Package Bill.

SPEECH

OF

HON. DANIEL KERR,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 6, 1890,

On the report of the committee of conference upon the disagreeing votes of the two Houses on the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. KERR, of Iowa, said:

Mr. SPEAKER: The Senate bill, the adoption of which is recommended by the conference report now before the House, is intended to allow the States, in the exercise of their police power, to control the traffic in intoxicating liquors in such way as they may deem most conducive to the public welfare, whether it be by restriction, by high or low license, or by restriction of the sale for such uses as the State may deem legitimate, and to such persons as the State may think competent to purchase, by such persons as may be authorized to sell.

Until recently it had not been questioned by the highest court in the country that the State had full power over this entire subject. Its police power to protect the public health or the public morals was supposed to have been settled by the continued decisions for a long series of years. The decision in the Bowman case, made more than two years ago, which denied the power of a State to place any restrictions on the transportation of any article of commerce on any interstate road, contained declarations which, taken in connection with that decision, gave rise to the belief that the recent decision would be made in due time.

At that time I introduced a bill providing that interstate roads and express companies should be subject to the same restrictions as the State placed on its own roads. This, it seemed to me, and still seems to me, the best method of dealing with the subject, leaving the State to be the judge as to the best and proper method of restriction to be placed on its transportation. I introduced the same bill into this Congress. It, with several others, was referred to the Committee on Commerce. As the effect of that bill would be substantially the same and perhaps more comprehensive than the House substitute for this bill, I need not say that I should have preferred either of them to the bill now under consideration, if it had been possible to obtain either.

Mr. STRUBLE, of my State, introduced a bill (H. R. 5978) which limited the restriction to the single article of alcoholic liquors, as the Senate bill does, and that bill went to the Committee on the Alcoholic Liquor Traffic and was favorably reported by me by direction of that committee. The report in favor of that bill applies so clearly to the Senate bill now under consideration that I adopt it as a part of my remarks. The report is as follows:

The Select Committee on Alcoholic Liquor Traffic, to whom was referred the bill (H. R. 5978) to prohibit the transportation of intoxicating liquors into any State or Territory in violation of law, have had the same under consideration, and recommend the passage of the bill with certain amendments.

The bill gives legislative authority of the General Government to the State to regulate the transportation of intoxicating liquors by railroad companies and other common carriers. This action has been rendered necessary by the decision of the United States Supreme Court in what is known as the Bowman case. The court in that case, in rendering the decision, made use of the following language (125 U. S., 493) in reference to the power of a State:

"For the purpose of protecting its people against the evils of intemperance it has the right to prohibit the manufacture within its limits of intoxicating liquors. It may also prohibit all domestic commerce in them between its own inhabitants, whether the articles are introduced from other States or from foreign countries. It may punish those who sell them in violation of its laws. It may adopt any measures tending even indirectly or remotely to make the policy effective until it passes the line of power delegated to Congress under the Constitution."

But the court says further:

"It can not without the consent of Congress, express or implied, regulate commerce between its people and those of other States of the Union in order to effect its end, however desirable such a regulation might be."

This opinion was dissented from by a minority of the court, including the late Chief-Justice Waite, Justices Harlan and Gray, who maintained that the State had full power to prohibit or regulate transportation in the exercise of its police powers, but the decision must stand as the law, and the object of the bill is to give to the State the express consent of the General Government to the exercise of the same power over interstate commerce for the suppression of the unlawful traffic in intoxicating liquors as it now exercises without question over State commerce.

The Supreme Court in reaching their conclusion in the Bowman case, speaking of the law of Iowa especially, said (125 U. S., pages 475, 476):

"It may, therefore, fairly be said that the provision in question has been adopted by the State of Iowa not expressly for the purpose of regulating commerce between its citizens and those of other States, but as subservient to the general design of protecting the health and morals and the good order and peace of the State against the physical and moral evils resulting from the unrestricted manufacture and sale within the State of intoxicating liquors."

The court, after reaffirming the opinion in the case of Mugler vs. Kansas (123 United States, pages 623, 657) and others where the power of the State to prohibit was expressly recognized, says:

"These cases rest on the acknowledged right of the States of the Union to control their purely internal affairs, and in so doing to protect the health, morals, and safety of their people by regulations that do not interfere with the powers of the General Government."

We do not think it was the intention of the framers of the Constitution in granting the power to regulate commerce between the States to prohibit the exercise of its legitimate police power, the object being only to prevent unjust discriminations against the products of other States. There is no theory of our Government deeper seated in their minds and dearer to the people than the right of local self-government, the theory that the mass of governmental powers, except such as are delegated to the General Government by express grant or by implication, are vested in the Legislatures of the several States, to be exercised for the protection and improvement of the people. The minority of the court in the Bowman case (125 U. S., 520) make use of the following language:

"It may be said generally that free commercial intercourse exists among the several States by force of the Constitution; but as by the express terms of the Constitution the powers not delegated to the United States nor prohibited to the States are reserved to the States, respectively, and to the people, and as by the repeated adjudication the States have not surrendered, but have reserved the power to protect by police regulations the health, morals, and safety of the people, Congress may not prescribe any rule to govern commerce among the States which prevents the power and reasonable exercise of this reserved power. Even if Congress, under the power to regulate, had authority to declare what shall or what shall not be subjects of commerce among the States, that power would not fairly imply authority to compel a State to admit within her limits that which in fact is, or which on reasonable grounds she may declare to be, destructive of the health, morals, and peace of her people.

"The purpose of committing to Congress the regulation of commerce was to insure equality of commercial facilities by preventing one State from building up her own trade at the expense of sister States, but that purpose is not defeated when a State employs appropriate means to prevent the introduction into her limits of what she lawfully forbids her own people from making. It certainly was not meant to give citizens of other States greater rights in Iowa than Iowa's own people have."

As a matter of fact, whatever may have been the purpose of the court in the Bowman case, however they may have been impelled to decide by virtue of the provision on which they base their judgment, the effect has been virtually to destroy in many cases, and in all cases greatly to impair, the efficiency of the laws of the States for the prevention of an evil of great magnitude. As was said by an eminent judge—

"That is doing more to endanger society and impair the capacity of men for self-government than all other evils combined."

In view of the fact that it is conceded by all the court that Congress may grant the power to the State to apply the same restriction to interstate as to State roads and in view of the further fact that the States that have adopted the policy of prohibition find the difficulty of enforcing their laws, as the result of the decision of the court on this question, very greatly increased and demand that their police power over this subject shall be unrestricted, to the end that their local policy be enforced, your committee recommend that the second section of the bill be stricken out, and that as thus amended the bill pass.

This report, which was printed before the recent decision known as the original-package decision, presents the argument for the Senate bill as succinctly as I could do, and the difficulties which existed in enforcing the law under the former decision have been greatly increased by the recent decision. In fact, the law of the State for the protection of society is practically nullified by the recent decision, and to restore its force it is necessary to follow the suggestion of the court and pass this bill that subjects the imported liquors to the police laws of the State for the protection of the citizen.

Original-Package Bill.

SPEECH
OF
HON. CLIFTON R. BRECKINRIDGE.
OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 6, 1890,

On the report of the committee of conference upon the disagreeing votes of the two Houses on the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases.

Mr. BRECKINRIDGE, of Arkansas, said:

Mr. SPEAKER: I desire to say only a few words on the pending proposition. No member of this body desires more earnestly than I do that the whole question of regulating the liquor traffic, as it is usually called, should be left exclusively to the people of the respective States. It is essentially a "home-rule" question, involving the social well-being of the different communities and their rational police regulations. It also comes, to a large degree, under the regulation incident to the exercise of the taxing power of the States. For more than a hundred years this view, in a general way, is the one which has prevailed, and it was held that these powers had never been delegated by the States to the Federal Government, and hence that they still reposed with the States.

Without going into the nicer shades and distinctions involved, it is sufficient to say that the Supreme Court practically and broadly decided that these powers are not with the States, but that they are with the Federal Government.

While I expected to vote for some such bill as the one we have and wholly favor the object it has in view, yet upon examination and reflection it is plain that we can not take a power out of the Constitution and transfer it to the States simply by an act of Congress.

Why, sir, the Constitution, under which alone we have or claim any power here, and which we are sworn to uphold and observe, to obey and defend, plainly says that Congress has no power to do this thing. All that Congress has the power to do is to "propose amendments to this Constitution," and it requires "two-thirds of both Houses" to do even this. When it comes to passing the proposed amendment, how is that to be done? It is "valid" only "when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress." (Article V of the Constitution.) Now, here we are proposing practically to amend the Constitution, for it is nothing less, by simply an act of Congress. Is that right? Is it wise? Everybody wants this object attained; but, if it is done this way, it can be undone this way. If this be done this way and the people acquiesce in it, then what have we left of constitutional limitations? Other cases and desires will come after this precedent, and we no longer have a government of limited and prescribed powers here.

If we can give a constitutional power to the States we can take from them. This does away with the whole principle of restricting the Federal and State governments to their respective spheres, as defined by the Constitution. Congress is to give and Congress is to take. The States, then, are mere provinces.

If it be said that one of the now pending propositions is to regulate commerce between the States, a power we clearly have, then the trouble is that at best this is to regulate it in the States, and that power we clearly have not, and the Constitution makes no distinction between commodities. Under our powers we are forbidden to consider spirits except as any other commodity. Whatever may be our feelings this is not the place to exercise them. We are forbidden by the Constitution to do so.

Suppose we try to regulate commerce "between" the States, can we destroy an article that we are given power simply to "regulate" as "commerce?" It then ceases to be commerce. We are not given the power to destroy, but to regulate. If we can destroy one we can destroy all, for the Constitution forbids any distinctions. I do not say that if we destroy one we must destroy all; but if we can do this with one we can do it with all, and clearly we have no such power.

Then, again, national laws must be equal. In one place here it is proposed to let it vary, being one thing in one place and another in another place. This not only is unequal, but it confers power that, if we have it, can only be restored to the States by an amendment to the Constitution taking it away from us and restoring it to the States.

I voted for the substitute proposing a regulation of commerce in this article, liquors, proposed by the gentleman from Illinois [Mr. ADAMS], and it was defeated; but neither the House nor the Senate proposition is such as I think we are competent to pass. They exceed our delegated powers. Far better, Mr. Speaker, to give the court a chance to correct the error we all think it has committed, and thus leave these matters to the States, as we think the Constitution intends. If the court fails, then let us propose an amendment to the Constitution clearly placing the power back with the States. Congress is not a court to review the Supreme Court, nor are we a supreme body to make and unmake the Constitution, the great sheet-anchor of the people, made to restrain us.

The present propositions are but makeshifts. They are far worse than that. They carry the principle of unlimited power here, and we can not plant the seed of this and fail to reap the bitter fruit in the future. It comes to us under an urgent call and under a pleasing guise. Our people want it, and they will applaud it for the moment; but I do not think this will meet with their approval upon reflection.

I know good men differ upon this question, and most sincerely; but this is my view of right and duty and of permanently sound policy. These propositions are not even necessary, as we all favor the object, and I think it far better that we should remedy this matter in the way that we know makes no infraction of the Constitution and that plants no dangerous principle looking to the exercise of unusual power by this body. Especially should we, who so often need to invoke the restraints of the Constitution as a protection against the greed and passion of factions unjustly hostile to our prosperity and peace, be careful how we loosen its ties. We should set the example of standing patiently and sufferingly, if need be, by the Constitution, enduring its restraints, and of not infracting or straining it even for a virtuous end. Any policy has its ills, but this one of a strict construction of the Constitution and a faithful observance of all its requirements is the one which in the long run will give us the greatest degree of liberty, justice, and peace.

Samuel Sullivan Cox.

REMARKS
OF
HON. WILLIAM M. EVARTS,
OF NEW YORK,

IN THE SENATE OF THE UNITED STATES,

Tuesday, July 8, 1890.

The Senate having under consideration resolutions of respect to the memory of Hon. Samuel Sullivan Cox, late a Representative from the State of New York—

Mr. EVARTS said:

Mr. PRESIDENT: I might well ask to occupy some closing moments of the declining hours of this day in speaking of my dead friend if I had no other relation to him and to his character and his career than that which attends him as an eminent public servant of the State which he so long represented so ably in Congress, or for those varied excellences of character and of life which made him a notable figure in our history for so many years. But it so happens, Mr. President, that for more than twenty years I had the pleasure of enjoying his friendship, at all times agreeable to me, never broken and always accompanied with esteem for his life and his manners and his career.

It is difficult to conceive a career more versatile and at the same time more ample and attractive than that which marks the course of this young native of Ohio from the time when he started—and at a great pace, which he kept up to the end of his life—until the time of his death, when he had become the most eminent of the public men of his party in the great State of New York. He was a scholar; he was an editor; he was a lawyer; he was a politician; he was an orator; he was a philosopher; he was a traveler; he was an author; he was a diplomatist; he was a wit; and yet the whole warp and woof of his life was that of a member of Congress and in the active pursuit of politics.

In all these regards, if it can not be said of him that he ever did any one thing that no other man could do, yet no one but must say and feel that, within the field of our observation and our contemporary history, no man has done so many things so well as our deceased colleague, Mr. Cox.

But we must add to our estimate of this career the circumstance that he lived in an age and in a sphere in public life when the nation was awakened and aroused, rent and torn, restored and re-established, and that the thirty years of what makes up his public notice and his public service was always upon such a theater and occupied with great actors and great actions. We must, then, all agree that in our calm civilization and in our established institutions, ever accepted and ever expected to endure—we must agree that there have been great opportunities of the highest dignity and the highest responsibility, and that these opportunities were well used by this Ohio statesman, this New York statesman, whose death we lament.

Mr. President, in all the intercourse that I had with Mr. Cox, though we were always opposed to one another in politics, always representing on every scene of action in our own State opposite views, with opposite alliances, I do not know that in any instance I can recall any action of his that seems to me unsuitable to that career which he had espoused, that duty which he had undertaken to fulfill. It is idle to talk under free institutions, under representative government, in derogation of parties and of partisans.

All the public life of a free country is carried on by parties and all are led by partisans. You might as well criticise the career and the methods of the soldier and of the great captains of armies for being devoted to the warfare and the battle and the storm through which their paths of duty lie. These are our paths, these are our duties, and the proper criticism of us all is with what fidelity and with what advantage to the interests that we espouse we have maintained our place in them.

I do not think, in looking back through thirty years among the eminent men of the Democratic party in the State of New York, there is any one that can be fairly considered as having been more engaged and more usefully engaged and more constantly engaged in public affairs than Mr. Cox.

This is a singular honor to one who comes from a native, a great State, with a career there established, that Mr. Cox was received with open arms by the great party and the great population of our city and all that make up the interests of our State. But this is nevertheless true. He became the idol of the earnest and warm-hearted and sometimes too tumultuous Democracy of our great city; but he also had a warm place in the affection and regard of his political opponents in that wide community. There is no trace or token throughout his life of bitterness or resentment towards him in all this busy scene of his activities. And thus, throughout and in all regards, Mr. Cox stands out a notable figure, from the boy editor on to the final death scene of the statesman. All may study it; all may reflect upon it.

Mr. President, these mortuary meditations and reflections which arise upon the contemplation of death, whether they be in the secret chambers of our own hearts or whether among faithful friends, or on this larger scene of public observation of men whose lives have served the community—these are not without their greatest and most beneficial effects upon the personal life and upon the public conduct of all who submit to these reflections. The patriarch who had known all of the vicissitudes of joy and sorrow, of pride and contumely, and had learned patience by this experience, was yet forced to cry out, Man that is born of a woman is of few days and full of trouble. But the royal poet of Israel, who knew every step of life himself also, from the sheep-cote to the throne, he, with exultant and triumphant view of human life and of the endowments of man by his Maker, said: Thou hast made him a little lower than the angels, and hast crowned him with glory and honor.

This wide sweep in human affairs between that view which deplores man's life as lamentable and that which exalts him as in nature and faculty almost divine—in this life of ours of cultivated, educated, christianized communities—takes in all the pessimists and all the optimists; all the egoists and all the altruists; all those who build up and those who destroy; all those who touch nothing that they do not adorn and all those who touch nothing that they do not defile; all those of the evil eye of envy and all those of the pitiful eye of charity; all those who ennoble and expand and all those who belittle and bedraggle; all those who sap the virtues of society and those who feed their healthful growth; all those, in fine, that would lift a mortal to the skies and all those that would drag an angel down.

Mr. President, when a man's days are ended there comes after his death a judgment even in this life. Nature and society pass in a kind and yet a just survey upon each completed life. On which side of these opposing views of human interests and human hopes which I have portrayed shall the life and conduct of our deceased friend find a place? When the woven tapestry of the fabric of his life, with its many bright colors and its gay and graceful figures, is folded away among the leaves of fate for the instruction and the delight of those who shall peruse that great book, all men shall read of him that he "served the state from boyhood up, labored for, loved her," and as for society and friendship and mankind, all his work was to adorn, to ennoble, and to expand; all such are enrolled in memories that will not suffer their remembrance to die.

I move, Mr. President, the adoption of the resolutions.

The Silver Question.

SPEECH

OF

HON. JOHN S. HENDERSON,

OF NORTH CAROLINA.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 12, 1890.

The House having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 5381) directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes—

Mr. HENDERSON, of North Carolina, said:

Mr. SPEAKER: The bill under consideration, as agreed upon in conference, is the result of a compromise between the rich bonanza silver kings and the millionaire bondholders and speculators of Wall street. It may be a good thing for them, but it is not what the people demanded or expected. The complete demonetization of silver is accomplished. Every Senator and Representative who supports this measure deliberately commits himself to a bill which will stop the coinage of the silver dollar after July 1, 1891, and makes every bond and Treasury note or other obligation owing by the Government redeemable in gold alone. The notes issued for the purchase of silver are redeemable in gold at the option of the holder; and under the provisions of existing law the Secretary of the Treasury is required to provide the gold which may be necessary to redeem such notes by the sale of United States bonds. I do not believe that the bill will put an additional dollar of currency in circulation; and it is certain that there may be a dangerous contraction of the currency whenever the Secretary of the Treasury shall choose to have it.

If the new bill contemplates an increase of the currency, why should its authors and supporters insist upon the repeal of the Bland silver-coinage act of 1878? If that act had been executed by the Secretary of the Treasury in accordance both with its letter and spirit, not less than an average of $62,000,000 could have been coined annually and added to the circulation.

The bill under consideration directs the Secretary of the Treasury to purchase in the aggregate 4,500,000 ounces of silver bullion monthly, or so much thereof as may be offered, at the market price; but there will be no coinage of any part of this bullion unless the Secretary of the Treasury can not otherwise provide means to redeem the new notes. It may safely be predicted, therefore, that no such contingency will ever happen. The contest which began in 1873 has finally ended in a complete victory for the Republican conspirators who fraudulently and secretly secured the passage through Congress of the original demonetization scheme of 1873.

The Republican party in the year 1890 publicly ratifies what it attempted to accomplish indirectly and clandestinely seventeen years ago. That party is entitled to the entire responsibility and sole credit for this iniquitous measure. The meaning of it all is that the Republican party of the United States deliberately rejects the free and unlimited coinage of silver, makes gold the exclusive standard of value, completely demonetizes silver and treats it as a mere commodity. It will be a rich man's law and the poor man's loss. I shall be grievously disappointed if the American people do not overwhelmingly repudiate this abominable measure at the ballot-box in the November elections. The passage of this bill will give unalloyed satisfaction to the Administration and to the rich speculators, bondholders, and brokers of Wall street, but it should not command the approval of the people of the United States.

The logical effect of the new law will be to inaugurate another system of legalized robbery in favor of the rich man at the expense of the poor. The Republican party has always been actuated by this policy in taxing the country. No scheme of taxation ever devised and imposed by the Republican party has been for the sole purpose of raising revenue to defray the expenses of the Government economically administered. Republican bills to raise revenue are always framed so as to enrich one class and one section, and to make another section and the other classes poor.

A remedy must be found somewhere to relieve the farmers of the country from the unjust burdens which have kept them in bondage to other classes and to corporate capital. The farmer sells his products in the cheapest markets of the world, and owing to an unjust system of tariff taxation he is compelled to buy in the dearest. The home market is being contracted and he is not only losing, but is not allowed to compete freely in the foreign markets. The farmers do not ask for any special privileges, but they are entitled to fair play and an equal chance with every other class in the struggle for existence. The relief they are seeking will be obtained if they are true to themselves and will act with prudence and wisdom. One thing which will be certain to bring relief is the repeal of all laws which discriminate against them. The next thing to do is to make the wealth of the country pay its just proportion of the taxes. The third thing necessary is a financial system which will give to the people a supply of legal-tender currency equal in amount to the demands of trade and of business, and this amount should be increased in proportion to the increase of business and of population. The policy which gives a discretion to the Secretary of the Treasury to expand or contract the currency at his pleasure, which discretion is always exercised by him against the interest of the people, should never have been tolerated and ought to be instantly abandoned.

For the purpose of future reference, I herewith append a statement, which has been carefully prepared by a competent person, at the request of myself and of some of my colleagues, showing the record of the two great parties on some of the burning questions which have divided them during the past quarter of a century. The statement is a very able one and will prove instructive reading to all who are studying the causes and are seeking to find remedies for the present financial troubles of this country. The farmers especially will be glad to have the information which the statement contains, as it will enable them to put the responsibility where it belongs for much of the vicious and oppressive legislation of which they are grievously complaining.

The following is the statement I have referred to:

TARIFF LEGISLATION.

The Whig protective tariff of 1842 overturned Mr. Clay's compro-

mise tariff of 1833, which at the end of nine years would have reduced the average rate of duties to the revenue standard; in other words, to the standard required by the wants of the Government instead of that demanded by the manufacturers. This revenue standard was to be an average of 20 per cent., and experience proves that it would have produced a revenue more than sufficient for the support of the Government if the free-list had not been extended beyond all precedent. Thus, in 1836, of the $189,980,000 of total imports, only $88,690,000 paid duty, and in 1839, of the total imports, amounting to $113,717,000, only $48,391,000 paid duty.

The obvious thing to do in the circumstances in order to increase the revenue was to impose duties on many articles which the act of 1833 admitted free of duty. But, instead of this and in violation of the understanding arrived at in 1833, to which Mr. Clay and the Whigs of that day were parties, the compromise was overthrown, the revenue standard was abandoned, and the protective system was revived in a form as oppressive as that of 1828, which had been justly characterized as the "bill of abominations," and which brought the nation to the verge of civil war.

The tariff of 1842 was tolerated by the people for but four years. It was projected in the interest of the manufacturers and revenue was a secondary consideration. While it imposed heavy taxes on the people for everything they ate or wore or used in their farming and other operations, it failed to raise revenue at all in proportion to the taxes paid by the people; and the reason is plain, namely, that seven-eighths of the taxes paid by the people went into the pockets of the manufacturers. This was the estimate of that clear-headed Southern statesman, Dixon H. Lewis, of Alabama, and no one attempted a reply to him. This enormous disproportion between the amount of revenue received by the Government and that received by the manufacturers results from the fact that seven-eighths of the goods consumed by the people are manufactured in this country, and the prices of the home-made goods are raised, of course, up to the standard which the tariff compels foreigners to ask for their goods. The avowed object of a protective tariff is to raise prices; and if it fails to have that consequence, it is of no use.

When the tariff of 1846 was enacted such able men as Mr. Webster, of Massachusetts, and Mr. Evans, of Maine, predicted that it would not raise an amount of revenue sufficient to support the Government; and yet at the end of six years from the date of its going into operation it produced more than twice as much revenue as the tariff of 1842 had ever done. Thus the greatest amount of revenue ever produced by the protective tariff of 1842 in one year was $27,528,000—this was in 1847—while the revenue tariff of 1846 produced in 1853 $58,931,000, and the next year, 1854, it produced $64,224,000!

The cry then was raised, and among others by Mr. MORRILL, of Vermont, that the tariff of 1846 raised too much revenue; and the remedy proposed by the protectionists was, not to reduce the duties or taxes, but to raise them higher, so as to keep foreign goods out of the American markets, and thus turn the constitutional provision for raising revenue into a scheme for putting money into the pockets of the manufacturers.

But, instead of listening to this selfish suggestion of the monopolists, the Democratic Congress in 1857 accomplished the object of reducing the annual revenue by a still further reduction of the taxes, while the reciprocity treaty with Great Britain, with reference to our trade with Canada, tended in the same direction, to a reduction of the superfluous revenue and to a mitigation of the public burdens. The act of 1857 reduced the taxes on most articles. The tariff of 1842 was based on the system of specific duties, or duties imposed upon the quantity of the several articles, with little regard to their relative values, and, of course, discriminated heavily against the plainer and cheaper articles, which are consumed by the masses of the people, whose means are limited.

The tariff of 1846, and also that of 1857, was on the same principle: it was strictly an ad valorem tariff, or a tariff imposed upon the value of articles and in exact proportion to their values.

The following table will show the rates of duty or tax paid by the people under these several tariffs of 1842, 1846, and 1857:

Tariff of—	On dutiable imports.	On total imports.
1842, average duty	30.90	23.19
1846, average duty	25.54	20.59
1857, average duty	20.12½	15.66

The act of 1842 was passed in the House of Representatives by 103 yeas to 99 nays, and of the yeas 93 were from Northern States and 10 from the South. Of the 99 votes against the bill 28 were from the North and 71 from the South.

The tariff act of 1846 was passed in the House by 114 yeas to 93 nays, and of the yeas 63 were from the South and 51 from the North. Of the nays 20 were from the South and 73 from the North.

The tariff act of 1857 was passed in the House by yeas 118, nays 72, and of the affirmative vote 56 were from the North and 62 from the South. Of the negative vote 67 were from the North and 5 from the South. Of the 5 negative votes from the South against this strictly revenue tariff 3 were from Missouri and 2 from Kentucky.

The House of Representatives at that time was controlled by the Republicans, although neither of the great parties had a majority. Mr. BANKS, Republican, of Massachusetts, had been elected Speaker, not by a majority, but by a plurality, by agreement of the majority, after a vain struggle, lasting seven weeks, to elect in the usual way. The House passed a tariff bill which was by no means an extreme protective measure; and so far was it from that character that it failed to receive the support of the more ultra protectionists. Mr. Lewis D. Campbell, of Ohio, was chairman of the Committee on Ways and Means. But moderate as the bill was it was not acceptable to the Democratic Senate; and Mr. Hunter, of Virginia, when it was sent up to the Senate, moved a substitute, which was substantially the bill as it became a law, that is to say, the lowest tariff the country has had since the war of 1812, and based exclusively on the ad valorem principle. The vote in the Senate on Mr. Hunter's amendment, or substitute, was as follows:

YEAS—Messrs. Adams and Brown, of Mississippi; Allen and James, of Rhode Island; Bell, of New Hampshire; Benjamin and Slidell, of Louisiana; Biggs and Reid, of North Carolina; Clay and Fitzpatrick, of Alabama; Douglas, of Illinois; Evans, of South Carolina; Fish, of New York; Fitch, of Indiana; Foster and Toucey, of Connecticut; Green, of Missouri; Gwin, of California; Houston and Rusk, of Texas; Hunter and Mason, of Virginia; Iverson and Toombs, of Georgia; Johnson and Sebastian, of Arkansas; Jones, of Iowa; Mallory, of Florida; Pugh, of Ohio; Stuart, of Michigan; Sumner and Wilson, of Massachusetts—33.

NAYS—Messrs. Bell, of Tennessee; Bigler and Brodhead, of Pennsylvania; Collamer and Foot, of Vermont; Durkee, of Wisconsin; Geyer, of Missouri; Nourse, of Maine; Seward, of New York; Thompson, of Kentucky; Trumbull, of Illinois, and Wade, of Ohio—12.

A committee of conference settled the points of difference between the two Houses very much in favor of the Senate substitute, and the bill became a law March 3, 1857, by the approval of President Pierce.

It will have been noticed that among those who voted for the bill were several Republicans, namely: Messrs. Allen and James, of Rhode Island; Bell, of New Hampshire; Fish, of New York; Foster, of Connecticut; Sumner and Wilson, of Massachusetts. And that the following Democrats voted against the bill, namely: Messrs. Bigler and Brodhead, of Pennsylvania; Geyer, of Missouri, Democrats, together with Messrs. Bell, of Tennessee, and Thompson, of Kentucky, Americans. But it was eminently a Democratic measure.

THE MORRILL TARIFF ACT.

Mr. MORRILL, of Vermont, then a member of the House of Representatives, introduced from the Committee on Ways and Means, March 12, 1860, a bill, No. 338, "to provide for the payment of outstanding Treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes."

This act increased the duties imposed by the act of 1857 upon every article except such as enter as raw material into American manufactures, and upon these the duty was generally taken off or lowered. But the system of specific duties—they should always be called taxes—imposed upon the quantity of the article instead of the value, affords the protectionists the best opportunity for killing two birds with one stone, that is to say, for protecting or giving bounties to the manufacturers and at the same time exempting them from the heavy burdens of taxation. The American manufactures are not so fine, in many respects, as those of Europe. The finest carpets, for instance, are imported and consumed here by the wealthy classes, while the plainer articles of the kind, which are made in this country, are used by plain, honest people, who have more honor, character, and intelligence than money. Now, the Democratic revenue tariffs of 1846 and 1857 imposed the taxes on carpets, as on everything else, in exact proportion to their value, so that the duty or tax of 24 per cent. upon a yard of carpeting worth a dollar would be 24 cents, and the duty upon a yard of carpeting worth $5 would be five times as much or $1.20.

But the protectionists know a trick worth two of this. Thus, "patent velvet (carpets), Tournay velvet, tapestry velvet, printed on warp, etc., value over $1.25," tax, per square yard, 50 cents. Supposing the square yard to be worth $1.30, and the tax will be 50 cents, or at the rate of 38½ per cent. If the carpet should be worth $5 per yard, the tax would still be 50 cents per yard, and the rate would be only 10 per cent. If the value of certain carpets is less than $1.25 per yard, the tax is 40 cents per yard. The value might be only half of $1.25, or even less, and yet the people who are under the necessity of using plain carpets are required to pay a double tax on them, in proportion to their value.

This rascally system of putting the heaviest burdens upon the people of moderate means has been changed in some of its details, but it is still preserved.

Perhaps no more flagrant instance of its injustice can be imagined than its application in the Morrill bill to ready-made clothing. A suit of clothes may be worth $10 or $100, and it may be doubtful if the millionaires and wealthy manufacturers would condescend to wear a suit worth only $100. The Democratic tariff of 1857 imposed 24 per cent. upon ready-made clothing, so that the man who bought a $10 suit would pay on it a tax of $2.40, while the man who bought a $100 suit would pay upon it $24 in taxes.

But the protectionists, who are always looking out for the interests

of the rich and powerful, arrange the taxes differently. They tax clothing, not according to its quality and value, but by the pound! They make the people pay 12 cents per pound, and in addition 25 per cent.

Now, everybody knows that plain clothing is about as heavy as fine clothing, sometimes heavier. The plain overcoat worn by a man whose business it is to drive a team or to expose himself to the weather, for any purpose, needs to be quite as thick and warm as that worn by the man of wealth and fashion. Yet he is required to pay as much per pound for his coarse wrapping as the millionaire pays for his elegant and costly article.

This most unjust discrimination against people of moderate means was greatly aggravated by subsequent acts. That of 1863 raised the tax per pound to 18 cents, with 30 per cent. ad valorem added. In 1866 the tax per pound was raised to 24 cents, with 40 per cent. ad valorem added. In 1867 the tax per pound on clothing was raised to 50 cents, with an addition of 40 per cent. ad valorem, and at this rate it was continued until 1883, when it was reduced to 40 cents per pound and 35 per cent. ad valorem, at which rate it still continues.

Heavy additional duties were imposed by the Morrill tariff on iron and manufactures of iron. But it would become tedious to read the hundreds of details of articles on which the duties were greatly increased. In many instances, and, indeed, wherever practicable, specific duties were substituted for ad valorem, in order to discriminate in favor of the rich.

The Morrill bill was passed in the House May 10, 1860, by yeas 105, nays 64. The yeas were all from Northern States, except 1 from Delaware, 4 from Kentucky, 2 from Maryland, and 1 from Tennessee—8 in all. These eight Southern members belonged to the "American party."

The nays were all Democrats, though not all of them from the South.

The bill was sent to the Senate for its concurrence, and was referred to the Committee on Finance, and on June 15 Mr. Hunter, of Virginia, reported back the bill from the committee with instructions to move its postponement until the second Monday in the following December. He gave his reasons at some length for the motion, and was replied to by Messrs. Bigler (Democrat) and Cameron (Republican), of Pennsylvania, and Mr. Simmons (Republican), of Rhode Island, after which the vote was taken on the adoption of the motion to postpone, which resulted—yeas 25, nays 23; as follows:

YEAS—Messrs. Bayard and Saulsbury, of Delaware; Bragg and Clingman, of North Carolina; Chesnut, of South Carolina; Davis, of Mississippi; Fitzpatrick, of Alabama; Pugh, of Ohio; Green and Polk, of Missouri; Gwin, of California; Hemphill and Wigfall, of Texas; Hunter, of Virginia; Johnson and Sebastian, of Arkansas; Johnson, of Tennessee; Lane, of Oregon; Mallory and Yulee, of Florida; Pearce, of Maryland; Powell, of Kentucky; Rice, of Minnesota; Slidell, of Louisiana; and Toombs, of Georgia—25.

All Democrats.

NAYS—Messrs. Anthony and Simmons, of Rhode Island; Bigler and Cameron, of Pennsylvania; Chandler, of Michigan; Clarke and Hale, of New Hampshire; Dixon and Foster, of Connecticut; Doolittle, of Wisconsin; Fessenden and Hamlin, of Maine; Foot, of Vermont; Harlan, of Iowa; King and Seward, of New York; Latham, of California; Sumner and Wilson, of Massachusetts; Ten Eyck, of New Jersey; Trumbull, of Illinois; Wade, of Ohio; and Wilkinson, of Minnesota—23.

All Republicans except Messrs. Bigler and Latham.

SECOND SESSION, THIRTY-SIXTH CONGRESS.

In the Senate, December 5, 1860, Mr. Bigler, of Pennsylvania, moved that the House bill No. 338, which passed that body at the last session, be taken up, his object being that a day might be fixed for its consideration. But the Vice-President, Mr. Breckinridge, decided that under the rules it could not be considered until after six days from the assembling of Congress.

December 11 Mr. Cameron, of Pennsylvania, moved to take up the House tariff bill No. 338.

Mr. Hunter, of Virginia, opposed the motion on the ground that other more important business should occupy the attention of the Senate.

Mr. Cameron called for the yeas and nays, which were ordered, and resulted—yeas 29, nays 27; as follows:

YEAS—Messrs. Anthony and Simmons, of Rhode Island; Baker, of Oregon; Bigler and Cameron, of Pennsylvania; Bingham and Chandler, of Michigan; Clark and Hale, of New Hampshire; Collamer and Foot, of Vermont; Crittenden, of Kentucky; Dixon and Foster, of Connecticut; Doolittle and Durkee, of Wisconsin; Fessenden and Hamlin, of Maine; Grimes and Harlan, of Iowa; Kennedy, of Maryland; King and Seward, of New York; Sumner and Wilson, of Massachusetts; Ten Eyck, of New Jersey; Trumbull, of Illinois; Wade, of Ohio; and Wilkinson, of Minnesota—29.

NAYS—Messrs. Bayard and Salisbury, of Delaware; Benjamin and Slidell, of Louisiana; Bragg and Clingman, of North Carolina; Brown and Davis, of Mississippi; Douglas, of Illinois; Fitch, of Indiana; Fitzpatrick, of Alabama; Green and Polk, of Missouri; Gwin and Latham, of California; Hemphill and Wigfall, of Texas; Hunter, of Virginia; Iverson, of Georgia; Lane, of Oregon; Johnson and Nicholson, of Tennessee; Pearce, of Maryland; Powell, of Kentucky; Pugh, of Ohio; Thompson, of New Jersey; and Yulee, of Florida—27.

The yeas were all Republicans, except Messrs. Bigler, Democrat, and Crittenden and Kennedy, "Americans."

The nays were all Democrats. The Vice-President announced that the bill was before the Senate as in Committee of the Whole and that the question was on the amendment of the Senator from Oregon [Mr. Lane] to substitute the tariff act of July 30, 1846, and that it be referred to the Finance Committee. The motion was carried, yeas 29, nays 27—Messrs. Grimes (Republican) of Iowa and Kennedy (American) voting with the majority. December 20, Mr. Hunter, from the Finance Committee, reported back the House bill No. 338 with a recommendation that it be postponed until the 4th of March. He asked that it lie on the table.

January 18, 1861, on motion of Mr. Cameron, the House bill No. 338 was made the special order for Wednesday, the 23d; and on that day it was referred to a select committee consisting of Messrs. Simmons, Hunter, Bigler, Fessenden, and Gwin. Mr. Fessenden was excused from serving and Mr. Collamer (Republican) of Vermont, was appointed in his place. The majority of this select committee was Democratic, but, Mr. Bigler being a protectionist, a majority was at the same time in favor of that policy.

February 1, Mr. Simmons reported back the bill with amendments; and February 13, Mr. Simmons addressed the Senate in support of the bill. He stated that the tariff act of 1857 had failed to produce a sufficiency of revenue, that the average income of the Government had been about $46,000,000, while the expenditures had reached $66,000,000. The bill, he said, would add about or near one-third to the rates imposed by the act of 1857. Mr. Simmons alluded to the financial panic of 1857 as a trifling affair, which only interfered in a slight degree with commerce and revenue from customs; and, like most protectionists, he no doubt attributed that financial disaster to the effects of a revenue tariff; whereas everybody knows that it resulted from the overissue of bank paper by the hundreds of ill regulated institutions of that kind in the country.

President Buchanan, who, though a Democrat, was a protectionist—most Pennsylvanians have always been of that school—states the causes and consequences of the financial collapse of 1857, in his annual message at the opening of Congress in that year, as follows:

It is apparent that our existing misfortunes have proceeded solely from our extravagant and vicious system of paper currency and bank credits, exciting the people to wild speculations and gambling in stocks. These revulsions must continue to recur at successive intervals so long as the paper currency and bank loans and discounts of the country shall be left to the discretion of fourteen hundred irresponsible banking institutions, which, from the very law of their nature, will consult the interest of the stockholders rather than the public welfare.

The revulsion of 1837 caused the revenue from customs to fall off from $23,000,000 to $11,000,000. But this panic and its consequences were attributed by the protectionists of that day to the compromise tariff. Then what will they say in regard to the causes and consequences of the still greater financial collapse of 1873? The people will remember its effects upon themselves; they can not have forgotten the widespread bankruptcy and ruin that overtook millions of them; and they are aware that they were groaning then, as they still are, under a heavy protective tariff.

A reference to the reports of the Secretary of the Treasury made during those years of sorrow will show, at the same time, that there was a heavy falling off of revenue. The panic occurred in September, 1873. The fiscal year 1873 terminated at the end of June preceding. So that 1874 was the first year that felt the effects of the collapse. Now, going back to 1871, the revenue from customs was $202,000,000; in 1872 the revenue was $212,000,000; and 1873 it was a few thousands short of $185,000,000. But the next year the revenue from customs fell down to $160,000,000, and continued to fall from year to year until 1878, when it was down to $127,000,000. It rallied a little the next year, when it reached $133,000,000; but it was not until 1882, nine years after the panic, that the high protective tariff produced a revenue equal to that of 1871.

It will not do, then, to attribute financial disasters and failing annual returns of revenue to low tariffs.

After a reply by Mr. Hunter to the statement of Mr. Simmons, the Senate came to a vote on the passage of the bill, which was passed February 20 by—yeas 25, nays 14; as follows:

YEAS—Messrs. Anthony and Simmons, of Rhode Island; Baker, of Oregon; Bigler and Cameron, of Pennsylvania; Bingham and Chandler, of Michigan; Clark and Hale, of New Hampshire; Doolittle and Durkee, of Wisconsin; Fessenden and Morrill, of Maine; Foot, of Vermont; Foster, of Connecticut; Grimes and Harlan, of Iowa; King and Seward, of New York; Sumner and Wilson, of Massachusetts; Ten Eyck, of New Jersey; Trumbull, of Illinois; Wade, of Ohio, and Wilkinson, of Minnesota—25.

All Republicans except Mr. Bigler.

NAYS—Messrs. Bragg and Clingman, of North Carolina; Douglas, of Illinois; Green, of Missouri; Hunter, of Virginia; Johnson and Sebastian, of Arkansas; Johnson and Nicholson, of Tennessee; Lane, of Oregon; Latham, of California; Pearce, of Maryland; Powell, of Kentucky, and Rice, of Minnesota—14.

All Democrats.

February 21 the bill was sent back to the House with amendments, and on motion of Mr. SHERMAN, of Ohio, who was then a member of the House of Representatives, it was ordered printed.

February 23 Mr. SHERMAN moved a resolution that the tariff bill be taken up and referred to the Committee of the Whole on the state of the Union, and to be considered as a special order; that general debate on it terminate within ten minutes after it is taken up, and that the House now resolve itself into a Committee of the Whole on the bill.

On a motion to suspend the rules to take up the bill, the yeas were 122, nays 49. The Americans, Messrs. Leach, Smith, and Vance,

of North Carolina, and the Anti-Lecompton Democrats, Clark, of New York, and Davis, of Indiana, voted with the Democrats in the negative. Messrs. Etheridge, Hatton, and Stokes, of Tennessee, Anderson, Bristow, Mallory and Moore, of Kentucky; Harris and Davis, of Maryland, and Bouligni, of Louisiana, Americans, voted in the affirmative with the Republicans. Others of these classes failed to vote.

Mr. SHERMAN then moved the previous question, which was agreed to, and the resolution was adopted by yeas 93, nays 26.

February 25 the Senate amendments, one hundred and fifty-six in number, were taken up for consideration, and all of them agreed to except one. That one was to impose a duty on tea and coffee. A committee of conference settled the difference in favor of the House, and the duty on those articles was stricken from the bill. The bill was then sent to President Buchanan, and approved, March 2, 1861.

The first session of the Thirty-seventh Congress met July 4, 1861.

July 16 Mr. Stevens, Republican, of Pennsylvania, introduced a bill to provide increased revenue from imports, etc., which was read a first and second time, referred to the Committee of the Whole on the state of the Union, ordered to be printed, and made the special order for to-morrow at 1 o'clock.

Mr. Vallandigham expressed the hope that reasonable time would be given for the discussion of the measure.

July 17, on motion of Mr. Stevens, the tariff bill was taken up, and ordered that debate should close in one hour.

Mr. Vallandigham proposed as a substitute the act of 1857 and the repeal of the act of the last session.

Mr. Stevens, after moving three amendments, briefly replied to Mr. Vallandigham.

The bill increased the duties on a great variety of articles, but its chief features were the imposition of a duty of 15 cents per pound on tea of all kinds, 4 cents per pound on coffee, and an increase of the duties on sugar unrefined from three-fourths of a cent to 2 and 2½ cents per pound. No changes were made in the duties on iron, cotton, or woolen manufactures.

The bill was amended in Committee of the Whole, but Mr. Stevens moved the original bill as a substitute for the amended bill; and the substitute was adopted by yeas 82, nays 48.

The affirmative vote was all Republican and all from the Northern States, except that of Mr. Frank Blair, of Missouri, who was also a Republican.

All the Democrats present voted against the bill, together with several Northern Republicans, among whom were Messrs. Windom of Minnesota, Shellabarger of Ohio, Buffinton of Massachusetts, Colfax of Indiana, Rollins of New Hampshire, Kellogg of Illinois, and Van Wyck of New York, afterwards a Senator from Nebraska. The father of President Harrison also voted against this bill—Scott Harrison, an "American," from Ohio.

The bill went to the Senate and was referred to the Finance Committee.

July 25 Mr. Simmons, Republican, of Rhode Island, reported back the House bill, with an amendment, as a substitute, which was adopted—yeas 32, nays 18. The substitute, besides other changes, embraced a tax on incomes, ranging from 2½ to 7½ per cent.

The yeas were all Republicans, except Mr. McDougall, of California. The negative vote included all the Democrats, together with Messrs. Browning and Trumbull, of Illinois, Carlile, of Virginia, Grimes and Harlan, of Iowa, and Harris, of New York, Republican.

A committee of conference was appointed, which, August 2, reported a substitute which included with the tariff bill a provision for a direct tax of $20,000,000 upon lands, lots of ground, buildings, or dwelling-houses, and an income tax upon incomes exceeding $800 per annum. The Senate agreed to the report of the conference committee by yeas 34, nays 8. The nays were Messrs. Breckinridge and Powell, of Kentucky; Bright, of Indiana; Johnson, of Tennessee; Polk, of Missouri; Kennedy, of Maryland; Latham, of California, and Saulsbury, of Delaware—all Democrats.

The House concurred in the report of the conference by yeas 80, nays 39.

Of the affirmative vote, Messrs. Cobb of New Jersey, Bailey of Pennsylvania, and Steele of New York were Democrats. There were also 5 "Americans" or "Unionists" who voted for the bill, namely, Messrs. Harrison, of Ohio, Brown and Sheffield, of Rhode Island, Calvert and Leary, of Maryland. So, of the 80 votes for the bill, 81 were Republicans.

The negative vote of 30 embraced all the Democrats except three, together with Messrs. Beaman and Trowbridge, Republicans, and Messrs. Wright, of Pennsylvania, Crittenden, Dunlap, Grider, Harding, Jackson, Mallory, Menzies, and Wadsworth, of Kentucky, and Rollins, of Missouri, who were classed as Unionists.

This act was approved by President Lincoln August 5, 1861. The act of December 24, 1861, was introduced in the House on the preceding day by Mr. MORRILL, of Vermont, from the Committee on Ways and Means. It increased the duties imposed by the act of August 5, upon tea, sugar, and coffee, on the recommendation of Secretary Chase. It passed the House by, yeas 77, nays 29. Mr. Aldrich, Republican, of Minnesota, voted with the Democrats and Unionists against the bill.

The bill passed the Senate the same day without debate and without amendment, and was signed by the President the following day.

The act of July 14, 1862, was passed through each House with little debate, and no vote was taken on its passages, although there was a committee of conference appointed to settle the differences between the two Houses. This act increased the duties on most articles. Mr. Elijah Ward, of New York, moved an amendment reducing the duties on a number of articles and addressed the House in support of his motion. The Democrats despaired of defeating or modifying the bill and deemed it useless to call for the yeas and nays.

This act substituted specific in place of ad valorem duties on most articles of importance, where it had not been done by previous acts.

The act of March 3, 1863, made some slight changes in the foregoing act, but without affecting its general character.

The act of June 30, 1864, was a further increase in the rates of duty. It elicited a lively debate between Mr. S. S. Cox, then of Ohio, and others, and Messrs. MORRILL and Stevens. In the course of his able remarks Mr. Cox said:

> By the joint resolution passed a few weeks ago we increased the tariff rates of 1862 50 per cent. The present bill, while repealing that resolution after the 1st of July, does not lessen, but increases largely the same rates. It adds to them on most articles the amount of the internal tax. The duties are paid in gold. This adds the premium of gold to the tariff rates. So that in considering the effect of these measures I must consider them as affected by the paper money which has been showered upon the country with such prodigality.

Mr. Cox proceeds to show that 39.538½ tons of pig-iron, which cost in England $542,952 in gold, when imported cost the American consumer in depreciated paper, with tariff tax of 43 per cent., freight, insurance, and importer's profit, $1,685,301, or three times the original cost.

June 3 the bill was passed by yeas 82, nays 26.

The Pennsylvania Democrats voted with the Republicans for the bill.

The bill was amended in the Senate and passed June 17, by yeas 22, nays 5, not voting 22.

The affirmative vote was all Republican and the negative all Democratic.

A committee of conference settled the differences between the two Houses, and their report was adopted in each, June 29, without a call of the yeas and nays.

The act of March 3, 1865, was amendatory of that of June 20, 1864, in many particulars. It was introduced February 27 in the House by Mr. MORRILL, and was passed March 1. The yeas and nays were not called, but a motion of Mr. Cox to lay the bill on the table was lost—yeas 43, nays 85, not voting 54. The opposition vote was all Democratic.

On March 2 the bill was passed in the Senate with amendments without a call of the yeas and nays. A committee of conference adjusted the differences between the two Houses and the bill became a law March 3.

This act increased the internal taxes to correspond with the increased tariff taxes on spirits and other articles, or it increased the tariff taxes to correspond with the internal-revenue taxes. Among these was the iniquitous and unconstitutional tax of 5 cents per pound on the production of cotton.

The House bill to provide increased revenue, No. 718, was passed in that body July 10, 1866, by yeas 95, nays 52, a non-partisan vote. It was sent to the Senate, and on motion of Mr. Grimes, Republican, of Iowa, its consideration was postponed until the second Wednesday in December.

The act of July 28, 1866 (H. R. 780), reduced the internal tax on raw cotton to 3 cents per pound and made changes in the taxes on tobacco and distilled spirits. It passed the House by yeas 87, nays 36, 59 absent. The nays were all Democrats or anti-Republicans.

The bill was passed in the Senate with amendments, but without a call of the yeas and nays. It is entitled "An act to protect the revenue, and for other purposes," and the sections relating to changes in the duties and taxes were of secondary importance.

December 11 the House bill 718, which passed that body July 10 and was postponed to the second Wednesday in December, was now taken up in the Senate, and 500 copies ordered printed, and referred to the Finance Committee.

January 11, 1867, Mr. Fessenden, from the Finance Committee, reported a substitute for the House bill. This bill failed to become a law. Pending the consideration of the Senate substitute in that body, Mr. B. Gratz Brown, Republican, of Missouri, said:

> Mr. President, I think any one who has listened to the debate on this bill will be satisfied that it is not a measure for increasing the public revenue. Whatever may be alleged generally as the opinions of some members of the Finance Committee, yet whenever a single item has come up for discussion, whenever any point in the bill has been subjected to criticism, it has been found that the duty laid is a duty laid for some other purpose, and not for revenue.

The Senate substitute was adopted by that body by yeas 27, nays 10, absent 15. The yeas were all Republicans except Messrs. Reverdy Johnson, of Maryland, and McDougall, of California.

The nays were Messrs. Davis, of Kentucky, Doolittle, of Wisconsin, Henderson, of Missouri, Fowler and Patterson, of Tennessee, Grimes and Kirkwood, of Iowa, Hendricks and Lane, of Indiana, and Trumbull, of Illinois—10.

There were fifteen absentees, of whom four were Democrats, namely,

Messrs. Buckalew, of Pennsylvania, Guthrie, of Kentucky, Nesmith, of Oregon, and Salisbury, of Delaware.

The two Houses could not agree upon the amendments, and the bill failed.

But another act to provide increased revenue from imported wool, etc., which was passed in the first session, was now passed in the Senate and bears date March 2, 1867.

FORTY-FIRST CONGRESS, SECOND SESSION.

The act of July 14, 1870, entitled "An act to reduce internal taxes, and for other purposes," embraced a tariff reduction also.

It was passed in the House by yeas 153, nays 35, 42 absent. The negative vote all Democratic.

The reductions failed to satisfy the Democratic demands.

In the Senate the debate turned upon the proposition of Mr. Conkling to repeal the income tax. It was urged by that gentleman and others, and opposed by Mr. SHERMAN.

The motion to strike out the income tax prevailed by yeas 34, nays 23. The vote was non-partisan. In place of the revenue from the income tax the Committee on Finance restored the duty on sugar, and in this form the bill was passed in the Senate by yeas 43, nays 6, absent 23. The House and Senate came to an agreement as to the terms of the bill, and it became a law July 14, 1870.

FORTY-THIRD CONGRESS, FIRST SESSION.

May 25, 1874, in the House Mr. DAWES, Republican, of Massachusetts, reported a bill from the Committee on Ways and Means (H. R. 3491) to amend existing customs and internal-revenue laws, and for other purposes.

May 26, Mr. DAWES called up the bill, and said:

The leading manufacturing interests of the country have been represented before the committee and have been heard patiently and thoroughly. The committee have also heard, on the other hand, the officers of the Treasury Department, who are anxious, as we had occasion heretofore to say to the House, that increased taxation should be the policy of Congress.

It never seems to have occurred to Mr. DAWES that anybody but the protected manufacturers and the tax-collectors on the part of the Government had any business to inquire into the matter. He said, in reply to Mr. COX, that the most gratifying feature of the whole bill, to him, was the fact that it would not add to the public revenue. In other words, that he, as the representative of the manufacturers, looked after their interests first, and that the higher the tariff the higher their profits and the lower the revenue to the Government.

June 1 Mr. DAWES introduced from the Ways and Means Committee a substitute for the original bill. It was passed on the same day, by yeas 177, nays 49. The affirmative vote was made up of all parties, chiefly Republican. The negative vote was all Democratic. The test vote was on suspending the rules.

The bill was passed in the Senate June 22, with amendments.

A conference committee made a report, which was agreed to by the Senate, but disagreed to by the House, and the bill was postponed to the first Monday in December.

Second session. January 1875, the conference committee amended their report, which was agreed to by both Houses, and the bill was signed by the President February 8, 1875.

FORTY-SEVENTH CONGRESS, FIRST SESSION.

The tariff act of 1883 was made a part of the "act to reduce internal taxation, and for other purposes." It was introduced in the House of Representatives in March, 1882, by Mr. Kelley, of Pennsylvania; it was referred to the Committee of the Whole on the state of the Union, but was not taken up for consideration until June 21.

June 27, 1882, the bill was passed in the House by yeas 128, nays 80. In the Senate the tariff feature was added. The Senate also proposed taking the taxes off of bank capital and deposits and the repeal of the stamp tax on bank checks, patent medicines, and friction matches, but no let up on tobacco or spirits.

The bill was debated until August 3, when it was abandoned. Mr. MORRILL, then a Senator from Vermont, proposed to drop the tariff features of the bill and pass it as it came from the House, but no action was taken upon that motion.

SECOND SESSION, DECEMBER 8, 1882.

The House bill was again taken up, on motion of Mr. MORRILL, and recommitted to the Finance Committee.

January 4, 1883, Mr. MORRILL, by direction of the Finance Committee, reported back the House bill to reduce internal-revenue taxation, with an amendment embracing an entire revision of the tariff, including the machinery for collecting the duties.

According to Mr. MORRILL'S estimate the bill would make reductions upon imports amounting to $45,049,000. The articles on which the reductions were to take place were cotton manufactures, iron and steel, silks, wools and woolens, sugar, molasses, and some other articles.

There was to be also a reduction of internal taxes amounting to $34,790,324, making in all a reduction in taxation amounting to $79,839,324.

Mr. MORRILL stated that the Finance Committee had followed, in making the tariff revision, the report of the Tariff Commission, which he lauded very highly. To this Mr. Beck replied at some length, and indulged in some pointed criticisms upon the work of the commission. It was in the course of this debate that Mr. SHERMAN made the extraordinary blunder of stating, first, that it had "got to be an axiom of tariff policy to levy specific duties;" that "it is now an admitted axiom by every man who has ever undertaken in the last forty years to frame a tariff bill that specific duties are better than ad valorem duties." Having laid down these "axioms" he goes on to state that—

Therefore it is that from the tariff of 1842, including the tariff of 1846 and every tariff which has been made in this country from that time, it has been an admitted axiom of legislators that specific duties should be substituted for ad valorem as far as practicable.

Now, what stranger to the laws of this country could suspect, in the face of this broad statement of the leading financier of the Republican party, that the tariffs, both of 1846 and 1857, are exclusively ad valorem tariffs and that neither of them contains a solitary specific duty? Yet such is the fact. These tariffs classify every imported article under schedules A, B, C, etc., and impose ad valorem duties upon them. On schedule A, embracing only spirits, the duty is 100 per cent. On schedule B, 40 per cent. On schedule C, 30 per cent., and so on down to 5 per cent. and a free-list. The tariff of 1857 is simply a further reduction of these several rates. Mr. SHERMAN must have derived his *ex cathedra* dictum from a country newspaper printed high up in Vermont.

During this Senate debate Mr. VANCE, of North Carolina, quoted the statement of a gentleman engaged in the business of pottery.

Mr. Sewell (Republican), of New Jersey, said the gentleman referred to manufactured no pottery except Portland knobs, which he does with machinery and which he can do at the present tariff rates.

Mr. VANCE. He comes under the generic term, as I understand.

Mr. SEWELL. But it is a class of pottery where they can use machinery in manufacturing. * * *

Mr. VANCE. As to the statement made by the Senator from New Jersey, and which I saw stated by several orators before the New York tariff convention, that 90 per cent. of this pottery business is labor, I desire to call the attention of the Senate to the tables prepared by the Tariff Commission on the pottery interest. In 1880 there were 686 establishments, there were 9,494 hands employed, there were $6,380,610 capital invested, there were wages paid $3,279,536, and the product was $7,943,229. They were lacking right smartly of 50 per cent. instead of 90.

Mr. VANCE continued his remarks and exposed the enormous taxes on window-glass. He showed that the importations for 1882 amounted to $1,454,833; that the revenue received was $1,114,165; and that domestic manufactures consumed were about three times as much as the imported articles; so that the people paid to the American manufacturers three times as much tax as to the Government.

The bill was passed, February 20, by yeas 42, nays 19.

Ten Democrats voted for the bill, namely, Messrs. Barrow and BROWN, of Georgia; Bayard, of Delaware; Camden and Davis, of West Virginia; GORMAN, of Maryland; Jackson, of Tennessee; Jones, of Florida; MCPHERSON, of New Jersey; and Slater, of Oregon. One Republican, Mr. Mitchell, of Pennsylvania, voted with the Democrats against the bill.

A committee of conference settled the differences between the two Houses in regard to the amendments, and the bill was signed by the President, Arthur, March 3, 1883.

INTERNAL TAXES.

It is a curious fact that the man, Alexander Hamilton, whom protectionists claim as the author or father of their policy, was the first to protest against the extension of the system of taxation upon foreign goods imported, and that at a time when those taxes amounted to less than 9 per cent. He held that higher duties would discourage commerce and be unjust to that important branch of business. In his report on the public credit of December 13, 1790, he says:

It need scarcely be observed that the duties on the great mass of imported articles have reached a point which it would not be expedient to exceed. There is at least satisfactory evidence that they can not be extended further without contravening the sense of the body of merchants.

In one of his letters in The Federalist, letter No. 12, he says that the duties imposed by the several States had never exceeded upon an average more than 3 per cent., but he thought they might under the Federal Government be "increased to treble their present amount," in other words, to 9 per cent. And it was at this point, in this report on the public credit, when the duties were less than 9 per cent., that he called a halt and proposed what would now be thought extremely moderate taxes on domestic distilled spirits; that is to say, 11 cents per proof gallon if distilled from grain or fruits grown in the United States, and 13 cents per proof gallon if distilled from sugar, molasses, or other foreign-grown articles. There was then no sugar or molasses produced in the United States.

The act as drawn by Hamilton was passed in both Houses of Congress, but not without strenuous opposition on the part of the Southern members. Among the ablest of these were the Representatives from North Carolina. They were inflexibly opposed to the system of excise taxes. The vote in Committee of the Whole on striking out the thirteenth section, imposing the tax on distilled spirits, as the bill was originally reported, was as follows:

YEAS—Messrs. P. Muhlenberg, Heister, and Scott, of Pennsylvania: Brown Moore, and Parker, of Virginia; Stone, of Maryland; Bloodworth, Sevier, Steele, and Williamson, of North Carolina; Burke and Tucker, of South Carolina; Baldwin, Jackson, and Matthews, of Georgia—16.

NAYS—Messrs. Foster, Gilman, and Livermore, of New Hampshire; Ames, Goodhue, Grout, Leonard, Partridge, Sedgwick, and Thatcher, of Massachusetts; Sherman, Sturgis, Trumbull, and Wadsworth, of Connecticut; Benson, Floyd, Lawrence, Sylvester, and Van Rensselaer, of New York; Boudinot, Cadwalader, Schureman, and Sinnickson, of New Jersey; Clymer, Fitzsimmons, and Wyncoop, of Pennsylvania; Seney and Smith, of Maryland; Griffin, Giles, Lee, Madison, and White, of Virginia; Smith, of South Carolina; Vining, of Delaware, and Bourne, of Rhode Island—36.

After settling the machinery of the bill it was passed by the House and went to the Senate. The Senate then sat in secret session and no debates are preserved. On the passage of the bill in that body the yeas were 20 and nays 5. Messrs. Johnston and Hawkins, Senators from North Carolina, voted for the bill. The nays were Messrs. Dalton and Strong, of Massachusetts; Foster, of Rhode Island; Gunn, of Georgia, and Maclay, of Pennsylvania—5. The New England Senators voted against the bill because it imposed higher taxes on the distillation of spirits from sugar and molasses, in which their constituents were extensively engaged, than on spirits distilled from grain and fruits of domestic growth.

The act was approved by President Washington March 3, 1791, and went into operation July 1 of that year.

In 1794 an act was passed which imposed taxes on the manufacture of tobacco, snuff, and refined sugar. On this question the North Carolina delegation was divided. Messrs. Blount, Macon, McDowell, and Winston voted to reject the bill, while Messrs. Dawson, Gillispie, Locke, Mebane, Grove, and Williams voted to sustain it.

Other internal taxes were imposed, but it is needless to go into the particulars.

The act of 1797, imposing stamp duties, was passed in the House by yeas 47, nays 41. It was supported by the Federalists and opposed by the Republicans, or followers of Jefferson, without regard to sections.

The bill was passed in the Senate by yeas 20, nays 7. Messrs. Bloodworth and Martin, of North Carolina, voted against it.

The act of July 9, 1798, providing for the assessment of lands, houses, and slaves, was passed in the House by yeas 69, nays 19. The opposition chiefly from the South and West. It was passed unanimously in the Senate.

The foregoing act only prepared the machinery for the direct tax, which was passed, and became a law July 14.

It provided for raising two millions by taxes on lands, houses, and slaves.

It passed the House by yeas 62, nays 18; and passed the Senate with little opposition.

The foregoing internal taxes were imposed for the purpose of paying off the Revolutionary public debt and for meeting and preparing for the contingency of a war with England or France. They were all repealed about the beginning of the present century, after which no internal taxes, whether direct or excise, were found necessary until 1813, when the war with Great Britain was on hand. War was declared in June, 1812; but, strange to say, the first war tax was not proposed until July of the following year. Mr. Madison was President, and the Jeffersonian Republican or Democratic party was in power, and would be responsible for whatever taxes it became necessary to impose to meet the emergency. The invasion of our independent rights as a nation by Great Britain had made war necessary, and heavy taxation necessary.

The country had then become more populous and wealthy than it was fifteen years before, and a three million direct tax was laid upon lands, houses, and slaves, and excise taxes were imposed upon spirits manufactured in the country, upon refining sugar, upon pleasure carriages, upon licenses, upon sales at auction, upon banks and bankers, and a stamp tax was imposed upon legal instruments.

But it is needless to go into a history of these several measures. Being proposed by the Republicans, or Democrats, they were opposed by the Federalists, who though not so relatively numerous as formerly, were still powerful in talent, wealth, and influence, especially in New England. The several measures were necessary; but they were in their nature unpopular, though framed with a view to avoiding friction, and they were laid aside as soon as possible.

INTERNAL TAXES IMPOSED IN 1861 AND FOLLOWING YEARS.

The direct tax proposed in the bill as it came from the Ways and Means Committee was to raise $30,000,000. It was introduced by Mr. Stevens, of Pennsylvania. The chief opposition to it came from the Republicans, Messrs. Conkling and Colfax. The former proposed to make requisitions upon the States and allow them to collect their quotas in their own way. He was reluctant to vote for the bill; but its most obnoxious feature was that it created an army of officers to collect the taxes.

Mr. Colfax proposed a substitute, which was to levy the tax on bonds, stocks, money at interest, and incomes.

Mr. Conkling's resolution was adopted—yeas 70, nays 67. This was July 24, 1861.

But the next day Mr. Stevens reported back from the Ways and Means Committee that they were unable to frame a bill in conformity with the resolution of Mr. Conkling and consistent at the same time with the Constitution.

Finally the House passed a bill providing for the collection of twenty millions in the usual way.

Mr. Vallandigham demanded the yeas and nays; which being taken, resulted—yeas 77, nays 60.

Many Republicans voted against the bill. In the Senate the bill was annexed to the tariff bill and was passed and became a law, as has been stated above in the account of tariff legislation.

This direct-tax act included an income tax of 3 per cent. upon incomes which exceeded $800, with half that rate upon holders of United States notes and bonds, but 5 per cent. if such holders resided abroad. The direct tax was suspended and never fully enforced.

INTERNAL REVENUE—EXCISE TAXES.

The act of July 1, 1862, entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," was the foundation of the present internal-revenue system.

It imposed a tax of 20 cents per gallon on first-proof spirits; and on malt liquors of every kind the tax was $1 per barrel of 31 gallons.

Licenses were required of all sorts of dealers, manufacturers, and of persons engaged in every imaginable occupation, and the yearly prices of the licenses varied according to the real or supposed importance of the business.

The act of March 7, 1864, increased the tax on distilled spirits to 60 cents per gallon. And the act of June 30, 1864, increased the tax on distilled spirits to $1.50 per gallon prior to February 1, 1865, and after that date to $2 per gallon.

Brandy distilled from grapes was taxed 25 cents per gallon. Further additions were made to the list of taxed articles and occupations, "too numerous to mention." Heavy additions were made to tobacco taxes in all the varieties of its manufacture and use.

Little opposition was made to the passage of these acts, which, in the main, were necessary to meet the wants of the Government, although needlessly oppressive in many respects and in some flagrantly unconstitutional. This was particularly true of the taxes on the mere production of raw cotton and tobacco. But they were Southern products, and it afforded pleasure to bitter partisans to inflict them, not so much for the revenue as for the hardship they imposed, on the principle, stated by Macaulay, that the Puritans in Cromwell's time suppressed bull-fights, not on account of the pain given to the animals, but because they gave pleasure to the spectators.

The act of July 20, 1868, reduced the duty on spirits to 50 cents per gallon. The tax on manufactured tobacco was also reduced from 50 cents per pound to 32 cents. Other changes were made.

The yeas and nays were not called on the passage of this bill.

The act of July 14, 1870, entitled "An act to reduce internal revenue, and for other purposes," repeals a large number of special taxes and stamp taxes.

The act of June 6, 1872, increased the tax on distilled spirits from 50 to 70 cents per proof gallon. It reduced the tax on tobacco from 32 to 20 cents per pound.

But it is noticeable that all these taxes, whether reductions or other, are based on the favorite Republican idea of taxing plain people more heavily than the wealthy. In other words, they place the same amount of tax on cheap goods that they do on finer and more costly articles. Thus:

On all chewing and smoking tobacco—

The act reads—

fine-cut, cavendish, plug, or twist, cut or granulated of every description; on tobacco twisted by hand, or reduced to a condition to be consumed, or in any other manner than the ordinary mode of drying and curing, prepared for sale or consumption, even if prepared without the use of any machine or instrument, and without being pressed or sweetened, and on all fine-cut shorts and refuse scraps, clippings, cuttings, and sweepings of tobacco, a tax of 20 cents per pound.

This clause of the act is about as searching as the iron-clad oath, and the object of its Republican authors was to make poor white men and negroes pay as much tax on their twisted ground leaves and "sweepings" as fine gentlemen pay on their fine-cut, their cavendish, and plug. And this principle runs through the whole tariff and internal-revenue legislation of the Republican party. The act of March 3, 1875, "to further protect the sinking fund and to provide for the exigencies of the Government," raised the tax on distilled spirits from 70 to 90 cents per proof gallon.

The act of March 1, 1879, reduced the taxes on snuff and tobacco to 16 cents per pound. The tax on cigars was raised to $6 per 1,000 and on cigarettes to $1.75 per package weighing 3 pounds.

The act of March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," relieved the banks from taxation and repealed all stamp taxes. The special taxes were also reduced.

But the Republicans, true to their instincts, while abolishing bank taxes and income taxes, still hold on to the taxes on the farmer, the tobacco grower and consumer, and still discriminate in taxes on tobacco in favor of the rich and against the poor.

It is needless to add that the Democratic party has favored every reduction of taxation, and has opposed every needless increase of taxes; and especially has it opposed measures which, under the pretense of being intended to increase the revenue, have been designed to put money into the pockets of the manufacturers at the expense of the people

and to the injury of the public revenue. In the several cases in which tariff acts have been united with internal revenue acts, the course of parties has been shown already.

MODIFICATION OF INTERNAL-REVENUE LAWS.

[Forty-ninth Congress, second session.]

March 3, 1887, Mr. HENDERSON, of North Carolina, moved to suspend the rules and pass this bill.

A bill to modify the internal-revenue system of legislation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso contained in subdivision 6 of section 3244 of the Revised Statutes of the United States, which reads as follows: "*Provided*, That nothing in this section shall be construed to exempt from a special tax any farmer or planter who, by peddling or otherwise, sells leaf-tobacco at retail directly to consumers, or who sells or assigns, consigns, transfers, or disposes of to persons other than those who have paid a special tax as leaf-dealers or manufacturers of tobacco snuff, or cigars or to persons purchasing leaf-tobacco for export," be, and the same is hereby, repealed.

SEC. 2. That section 3361 of the Revised Statutes of the United States, and all laws and parts of laws which impose restrictions upon the sale of leaf-tobacco by the producers thereof, or by guardians, executors, or trustees having the control of the land on which the same was produced, or by owners of land who have received tobacco as rent from their tenants, and all laws and parts of laws imposing penalties therefor, be, and the same are hereby, repealed; and none of the persons or classes of persons above mentioned shall be deemed dealers in leaf-tobacco or retail dealers in leaf-tobacco or be subject to any special or other tax as such.

SEC. 3. That section 3255 of the Revised Statutes shall be amended by adding at the end of said section the following:

"The Secretary of the Treasury shall exempt all distilleries which mash five bushels of grain or less per day from the operations of the provisions of this title relating to the manufacture of spirits, except as to the payment of the tax, which said tax shall be levied and collected on the capacity of said distilleries; and said distilleries shall be run and operated without storekeepers or 'storekeepers and gaugers.' And the Commissioner of Internal Revenue, with the approval of said Secretary, may exempt any distillery or all distilleries which mash over five and not more than twenty-five bushels of grain per day from the operations of the provisions of this title relating to the manufacture of spirits, except as to the payment of the tax, which said tax shall be assessed and collected upon the capacity of the distillery so exempted, as hereinbefore provided. And the said Commissioner, with the approval of said Secretary, may establish special warehouses, in which he may authorize to be deposited the product of any number of said distilleries to be designated by him, and in which any distiller operating any such distillery may deposit his product, which, when so deposited shall be subject to all the laws and regulations as to bonds, tax, removals, and otherwise as other warehouses. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is hereby authorized and directed to make such rules and regulations as may be necessary to carry out the provisions of this section: *Provided*, That such regulations shall be adopted as will require that all the spirits manufactured shall be subject to the payment of the tax as required by law."

SEC. 4. That section 3255 of the Revised Statutes of the United States be amended by striking out all after said number and substituting therefor the following:

"The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may exempt distillers of brandy made exclusively from apples, peaches, grapes, or other fruits from any provision of this title relating to the manufacture of spirits, except as to the tax thereon, when in his judgment it may seem expedient to do so."

SEC. 5. That the provisions of an act entitled "An act relating to the production of fruit-brandy, and to punish frauds connected with the same," approved March 3, 1877, be extended and made applicable to brandy distilled from apples or peaches, or from any other fruit the brandy distilled from which is not now required, or hereafter shall not be required, to be deposited in a distillery warehouse: *Provided*, That each of the warehouses established under said act, or which may hereafter be established, shall be in charge either of a storekeeper or a storekeeper and gauger, at the discretion of the Commissioner of Internal Revenue.

SEC. 6. That section 3332 of the Revised Statutes, and the supplement thereto, shall be amended so that said section shall read as follows:

"When a judgment of forfeiture, in any case of seizure, is recovered against any distillery used or fit for use in the production of distilled spirits, because no bond has been given, or against any distillery used or fit for use in the production of spirits, having a registered producing capacity of less than 150 gallons a day, every still, doubler, worm, worm-tub, mash-tub, and fermenting-tub therein shall be sold, as in case of other forfeited property, without being mutilated or destroyed. And in case of seizure of a still, doubler, worm, worm-tub, fermenting-tub, mash-tub, or other distilling apparatus of any kind whatsoever, for any offense involving forfeiture of the same, it shall be the duty of the seizing officer to remove the same from the place where seized to a place of safe storage; and said property so seized shall be sold as provided by law, but without being mutilated or destroyed."

SEC. 7. That whenever in any statute denouncing any violation of the internal-revenue laws as a crime or misdemeanor there is prescribed in such statute a minimum punishment, less than which minimum no fine, penalty, imprisonment, or punishment is authorized to be imposed, every such minimum punishment is hereby abolished; and the court or judge in every such case shall have discretion to impose any fine, penalty, imprisonment, or punishment not exceeding the limit authorized by such statute, whether such fine, penalty, imprisonment, or punishment be less or greater than the said minimum so prescribed.

SEC. 8. That no warrant, in any case under the internal-revenue laws, shall be issued upon an affidavit making charges upon information and belief, unless such affidavit is made by a collector or deputy collector of internal revenue or by a revenue agent, nor unless such affidavit is first approved by the district attorney and written instructions given by him for the issuing of the warrant; and, with the exception aforesaid, every such warrant shall be issued upon a sworn complaint, setting forth the facts constituting the offense and alleging them to be within the personal knowledge of the affiant; and no warrant shall be issued upon the affidavit of a person other than such collector, deputy collector, or revenue agent, unless the commissioner or other officer having jurisdiction shall indorse upon the warrant and shall enter upon his docket an express adjudication that the examination on oath of the affiant shows that there is probable cause for charging the person prosecuted with the offense.

SEC. 9. That whenever it shall be made to appear to the United States court or judge having jurisdiction that the health or life of any person imprisoned for any offense, in a county jail or elsewhere, for a period of one year or less, is endangered by close confinement, the said court or judge is hereby authorized to make such order and provision for the comfort and well-being of the person so imprisoned as shall be deemed reasonable and proper.

SEC. 10. That the circuit courts of the United States and the district courts of the Territories are authorized to remove from office any commissioner appointed or authorized to be appointed by said courts under sections 627 and 1983 of the Revised Statutes.

SEC. 11. That all clauses of section 3244 of the Revised Statutes, and all laws amendatory thereof, and all other laws which impose any special tax upon manufacturers of stills, are hereby repealed.

SEC. 12. All laws in conflict with this act are hereby repealed.

SEC. 13. This act shall be in force from and after the 1st day of April, in the year 1887.

Mr. HENDERSON, of North Carolina, demanded the yeas and nays on suspending the rules.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 139, nays 112, not voting 68; as follows:

YEAS—139.

Allen, J. M.	Davidson, A. C.	Libbey, *Rep.*	Seymour,
Anderson, C. M.	Davidson, R. H. M.	Lore,	Shaw,
Bacon,	Dawson,	Lowry,	Singleton,
Barbour,	Dibble,	McAdoo,	Skinner,
Barksdale,	Dunn,	McCreary,	Snyder,
Barnes,	Eden,	McMillin,	Sowden,
Barry,	Eldredge,	McRae,	Springer,
Belmont,	Ermentrout,	Merriman,	Stewart, Charles
Bennett,	Forney,	Miller,	Stone, W. J., Ky.
Blanchard,	Gibson, C. H.	Mills,	Stone, W. J., Mo.
Bliss,	Glass,	Morgan,	Storm,
Blount,	Green,	Morrison,	Swope,
Boyle,	Hale,	Morrow, *Rep.*	Tarsney,
Brady, *Rep.*	Hall,	Murphy,	Taulbee,
Breckinridge, C. R.	Halsell,	Neal,	Taylor, J. M.
Breckinridge, WCP	Hammond,	Norwood,	Taylor, Zach., *Rep.*
Bynum,	Harris,	Oates,	Tillman,
Cabell,	Hatch,	O'Ferrall,	Trigg,
Caldwell,	Heard,	O'Neill, J. J.	Tucker,
Campbell, Felix	Hemphill,	Outhwaite,	Turner,
Campbell, T. J.	Henderson, J. S.	Page,	Van Eaton,
Candler,	Herbert,	Peel,	Viele,
Carleton,	Hiestand, *Rep.*	Perry,	Wadsworth, *Rep*
Catchings,	Hill,	Pettibone, *Rep.*	Ward, J. H.
Clements,	Houk, *Rep.*	Pidcock,	Ward, T. B.
Cobb,	Howard,	Pindar,	Warner, A. J.
Comstock,	Hudd,	Randall,	Wellborn,
Cowles,	Hutton,	Reagan,	Wheeler,
Cox, W. R.	Irion,	Richardson,	White, A. C., *Rep.*
Crisp,	Johnston, T. D.	Robertson,	Wilkins,
Croxton,	Jones, J. H.	Rogers,	Willis,
Culberson,	Kleiner,	Rusk,	Wise,
Curtin,	Landes,	Sayers,	Wolford,
Daniel,	Lanham,	Scott,	Worthington,
Dargan,	Le Fevre,	Seney,	

NAYS—112.

Adams, G. E.	Farquhar,	La Follette,	Rice,
Allen, C. H.	Findlay, *Dem.*	Laird,	Riggs, *Dem.*
Atkinson,	Fleeger,	Lehlbach,	Rowell,
Baker,	Frederick, *Dem.*	Lindsley,	Ryan,
Bayne,	Fuller,	Little,	Sawyer,
Bingham,	Funston,	Long,	Scranton,
Bound,	Gallinger,	Louttit,	Sessions,
Boutelle,	Geddes, *Dem.*	Lyman,	Smalls,
Brown, C. E.	Gilfillan,	McComas,	Spooner,
Brown, W. W.	Grosvenor,	McKenna,	Stephenson,
Buchanan,	Grout,	McKinley,	Stewart, J. W.
Buck,	Guenther,	Millard,	Stone, E. F.
Bunnell,	Harmer,	Milliken,	Strait,
Burleigh,	Hayden,	Moffatt,	Struble,
Burrows,	Haynes,	Morrill,	Swinburne,
Butterworth,	Henderson, T. J.	Nelson,	Taylor, E. B.
Campbell, J. M.	Hepburn,	O'Donnell,	Taylor, I. H.
Cannon,	Hermann,	O'Neill, Charles,	Thomas, J. R.
Caswell,	Hires,	Osborne,	Thomas, O. B.
Conger,	Hiscock,	Owen,	Thompson,
Cutcheon,	Hitt,	Parker,	Wait,
Davenport,	Holman, *Dem.*	Payne,	Wakefield,
Davis,	Holmes,	Payson,	Warner, William,
Dingley,	Hopkins,	Perkins,	Weaver, A. J.
Dorsey,	Jackson,	Peters,	Weaver, J. B., *Dem.*
Dunham,	James,	Phelps,	Weber,
Ely,	Johnson, F. A.	Plumb,	West,
Everhart,	Johnston, J. T.	Price,	White, Milo.

NOT VOTING—68.

Adams, J. J.	Dougherty,	King,	Rockwell,
Aiken,	Ellsberry,	Lafloon,	Romeis,
Anderson, J. A.	Evans,	Lawler,	Sadler,
Ballentine,	Felton,	Lovering,	Spriggs,
Bland,	Fisher,	Mahoney,	Stahlnecker,
Bragg,	Foran,	Markham,	Steele,
Browne, T. M.	Ford,	Martin,	St. Martin,
Brumm,	Gay,	Matson,	Symes,
Burnes,	Gibson, Eustice	Maybury,	Throckmorton,
Campbell, J. E.	Glover,	Mitchell,	Townsend,
Clardy,	Goff,	Muller,	Van Schaick,
Collins,	Hanback,	Neece,	Wade,
Compton,	Henderson, D. B.	Negley,	Wallace,
Cooper,	Henley,	O'Hara,	Whiting,
Cox, S. S.	Jones, J. T.	Ranney,	Wilson,
Crain,	Kelley,	Reed,	Winans,
Dockery,	Ketcham,	Reese,	Woodburn.

So (two-thirds not having voted in favor thereof) the rules were not suspended, and the bill was not passed.

One hundred and thirty Democrats and 9 Republicans voted for this bill and 106 Republicans and 6 Democrats voted against this bill. This vote shows that the Republicans are opposed to giving the people any relief from the oppressions of the internal-revenue system.

Sections 4 and 5 of the foregoing bill were enacted into law by the Fiftieth Congress, and the other sections of the bill, with slight alter-

ations, were passed through the House of Representatives of said Congress, some of the sections being contained in bill H. R. 5931, which passed the House, on motion of Mr. HENDERSON, of North Carolina, February 7, 1888, and all of them were contained in the Mills tariff bill as it passed the House.

THE NATIONAL-BANKING SYSTEM.

The present national banking system was established in 1863, on the recommendation of the late Judge Chase, who was then Secretary of the Treasury. Herecommended the system is his first annual report, in December, 1861. The idea of hypothecating United States bonds as the basis of banking and circulation was borrowed from the State of New York, where it had prevailed from 1838, and where State bonds were used instead of those of the United States.

There can be no doubt that it is the safest possible system of bank circulation. But the question arises, why give to individuals the enormous power as well as the enormous advantage of doing that which the Government can do in the interest of the whole people?

Bills establishing a national-banking system were introduced in both Houses in January, 1863, but the Senate bill, introduced by Mr. SHERMAN, of Ohio, was preferred.

Mr. Powell, Democrat, of Kentucky, February 4, thought that the United States could not charter a bank in the States without the consent of the Legislatures thereof. He also moved to amend the bill by striking out the clause authorizing the redemption of the bank bills in lawful money and inserting gold and silver. He held that Congress could not make paper a legal tender. He at the same time gave notice of a motion to make United States notes receivable for all public dues. He was replied to by Mr. SHERMAN.

Mr. Powell's proposed amendment, requiring each banking association to keep in its vaults an amount of gold and silver coin equal to at least one-fourth of its circulation, was then voted down by yeas 14, nays 22; as follows:

YEAS—Messrs. Bayard (James A.) of Delaware, Carlile of Virginia, Davis and Powell of Kentucky, Foot of Vermont, Grimes of Iowa, Harding of Oregon, Howard of Michigan, Kennedy of Maryland, Rice of Minnesota, Trumbull of Illinois, Turpie of Indiana, W ll of New Jersey, and Wilson of Missouri—14.

NAYS—Messrs. Anthony and Arnold of Rhode Island, Chandler of Michigan, Clark of New Hampshire, Dixon and Foster of Connecticut, Doolittle and Harlan of Iowa, Fessenden and Morrill of Maine, Harris and King of New York, Hicks of Maryland, Lane of Indiana, Lane and Pomeroy of Kansas, Sherman of Ohio, Sumner and Wilson of Massachusetts, Ten Eyck of New Jersey, Wilkinson of Minnesota, and Willey of Virginia—22.

The eight Democrats in the Senate, namely, Messrs. Bayard, Davis, and Powell, Kennedy, Rice of Minnesota, TURPIE, Wilson of Missouri, and Harding of Oregon, all voted for Mr. Powell's amendment. The other gentlemen who voted in the affirmative were Republicans. The vote against the amendment was all Republican.

Mr. Powell moved that the banks should be required to resume specie payments within twelve months after the close of the war.

The vote on this motion was a tie—18 to 18—and was therefore lost. All the Democrats present voted for the amendment, among them Messrs. Latham of California, Nesmith of Oregon, and Richardson of Illinois, who were not present at the former vote. The nays were all Republicans.

Mr. Collamer, Republican, of Vermont, then took the floor and made a strong speech against the bill.

February 12, 1863, the bill was passed by yeas 23, nays 21, all the Democrats, except Mr. Nesmith, of Oregon, voting against it, namely, Messrs. Davis and Powell, of Kentucky; Kennedy, of Maryland; Latham and McDougall, of California; Rice, of Minnesota; Richardson, of Illinois; Saulsbury, of Delaware; and TURPIE, of Indiana.

IN THE HOUSE OF REPRESENTATIVES.

February 19 the bill passed the House with little debate by yeas 78, nays 64.

The Democrats with two or three exceptions, voted against the bill, together with a number of Republicans.

The act was signed by President Lincoln February 25, 1863. It has undergone several modifications, but the essential features are retained. In fact, the act of June 3, 1864, superseded that of 1863, but is so much like it as to render a particular account of its history unnecessary. The changes made were only matters of detail.

The Democrats in the Senate voted against the bill. It was explained by Mr. SHERMAN.

The act contained no provision for taxing the State banks, and that was added afterwards. The tax is 10 per cent. on the circulation of State or local banks, the effect of which has been to drive their notes completely out of use.

The act of July 12, 1882, authorized any national-banking association organized under the acts of February 25, 1863, June 3, 1864, and February 14, 1880, or under certain named sections of the Revised Statutes "at any time within two years next previous to the date of the expiration of its corporate existence under the present law, and with the approval of the Comptroller of the Currency," to extend its charter for not more than twenty years.

This act was passed in the House May 19, 1882, by yeas 125, nays 67, absent or not voting 99.

The vote in the House for the bill consisted of 107 Republicans and 18 Democrats, and the vote against the bill consisted of 64 Democrats and 3 Republicans.

In the Senate 26 Republicans and 8 Democrats voted for the bill, and the vote against the bill in the Senate consisted of 12 Democrats and 1 Republican.

The recharter of the national banks was, therefore, an eminently Republican measure.

UNITED STATES NOTES, OR GREENBACKS, AND BONDS.

The first act authorizing the issue of United States notes, or "greenbacks," was passed February 25, 1862. It authorized the Secretary of the Treasury to issue United States notes to the amount of $150,000,000. They were made receivable for all taxes, internal duties, excises, debts, and demands of the Government, except for duties on imports, which were to be paid in coin consisting of gold and silver, and they were made a legal tender for all debts, public and private, except for interest on the public debt, which was to be paid in coin.

The Secretary was authorized to issue United States bonds and to sell them for coin or other "lawful money" at par. The bonds bore 6 per cent. interest, payable in coin. A sinking fund was established, and the coin revenue from imports was devoted to the payment of the interest semi-annually and to the redemption of 1 per cent. of the principal. The bonds were redeemable at the option of the Government after five years and were payable at the end of twenty years.

All subsequent acts authorizing the issue of United States notes made them receivable for 6 per cent. bonds on the above terms.

These measures encountered Democratic opposition, but to no purpose, as the Republicans were all-powerful.

The act of March 18, 1869, "solemnly pledged" the faith of the United States "to the payment in coin or its equivalent of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of any such obligation has expressly provided that the same may be paid in lawful money or other currency than gold and silver."

The resumption of specie payments by the Government—in other words, the redemption of the United States notes, or greenbacks, in coin—did not take place until ten years later, on January 1, 1879.

The vote upon the passage of the act of March 3, 1869, above quoted, was—yeas 120, nays 60, not voting 42.

There were then 49 Democrats in the House, of whom 13 voted for the bill and 9 failed to vote, leaving 27 Democrats who voted against it, together with 33 Republicans.

Two facts are to be taken into view in reference to this vote. In the first place, the act of February 25, 1862, which laid the foundation for the national debt, provided a sinking fund, as has been stated, for its redemption in the coin paid for duties on imports, and, in the second place, the effect of the declaratory act was to enable the Government to call in the original 6 per cent. bonds and replace them by bonds bearing 4½ and 4 per cent. interest. This could not have been done while a doubt remained as to the redemption of the bonds in specie.

IN THE SENATE.

The act passed the Senate February 27, 1869, by yeas 30, nays 16, not voting 20, as follows:

YEAS—Messrs. Abbott, of North Carolina; Cattell and Frelinghuysen, of New Jersey; Conkling and Morgan, of New York; Conness, of California; Corbett and Williams, of Oregon; Cragin and Patterson, of New Hampshire; Dixon and Ferry, of Connecticut; Edmunds and Morrill, of Vermont; Fessenden and Morrill, of Maine; Grimes and Harlan, of Iowa; Harris, of Louisiana; Howard, of Michigan; Nye and Stewart, of Nevada; Robertson and Sawyer, of South Carolina; Sherman, of Ohio; Sumner and Wilson, of Massachusetts; Thayer and Tipton, of Nebraska; and Willey, of West Virginia—30.

NAYS—Messrs. Cole, of California; Davis and McCreery, of Kentucky; Doolittle, of Wisconsin; Fowler and Patterson, of Tennessee; Henderson, of Missouri; Hendricks and Morton, of Indiana; McDonald, of Arkansas; Osborn and Welch, of Florida; Pomeroy and Ross, of Kansas; Spencer, of Alabama; and Wade, of Ohio—16.

Mr. Dixon, of Connecticut, who voted for the bill, ranks as a Democrat. Of the 16 negative votes 4, namely, Messrs. Davis and McCreery, of Kentucky, Mr. Hendricks, of Indiana, and Mr. Patterson, of Tennessee, were Democrats, and of the twenty absent or not voting, were Messrs. Bayard and Saulsbury, of Delaware, BUCKALEW, of Pennsylvania, Norton, of Minnesota, and Whyte and Vickers, of Maryland.

DEMONETIZATION OF SILVER.

The founders of the Government made the silver dollar the standard coin of the United States; and gold coins, though recognized as the equal of silver at 15½ of the latter to 1 of the former, still stood second in rank. In 1834 the relative proportions of the two metals in the coins was changed to 16 of silver to 1 of gold, and in February, 1873, silver, according to this standard, was worth 3 cents in the dollar more than gold.

It was on this ground, that the standard silver dollar was worth more than the gold dollar, that Senator JOHN SHERMAN, in the Senate, and Samuel Hooper, of Massachusetts, in the House of Representatives, smuggled through Congress a bill which provided that only gold coins of various sizes should be coined and circulated as money. But this was done by indirection. After providing for the coinage of gold dollars, two-and-a-halfs, fives, tens, and twenties, and declaring them to be a legal tender,

provision was made for what is called a subsidiary silver coin, having less than the standard weight of the precious metal and to be a legal tender only to the extent of $5 in any one case.

Then follows a clause which declares that no other coins shall be made; and the effect of this act was to stop the coinage of silver dollars and to reduce silver to the rank of copper.

But the act said nothing about the old silver dollars which were then in the hands of the people; and they remained good money until another fraud was perpetrated by the revisers of the statutes, which was done in concert no doubt the next year. The guilt of SHERMAN and Hooper consisted in stopping the coinage of the silver dollar sneakingly, without the knowledge ot the Congress which passed the measure. This was demonstrated a few years later, when the discovery was made that the silver dollar was no longer to be coined or treated as money. There was a general confession made to this effect, in both Houses, in 1878. Such men as Blaine, Thurman, VOORHEES, STEWART of Nevada, Kelley of Pennsylvania, and others confessed that in voting for the bill they had not a remote idea that they were demonetizing silver. The act merely purported to be an act for regulating the mints.

And so with the clause smuggled into the Revised Statutes in violation of the act which authorized the revisal. The section is numbered 3586. It is surprising that the forgers had not had the audacity to refer it to the act of February 12, 1873, but they seemed to shrink from that responsibility, and have left it without a reference, which always accompanies a revised clause. It was a forgery as palpable as would be the insertion of words in a will after the decease of the testator; for the act authorizing the revision provided that only the acts on the statute-books which had not been repealed or become obsolete should find a place in the revisal.

Section 3586 is as follows:

The silver coins of the United States shall be a legal tender at their nominal value for any amount not exceeding $5 in any one payment.

The book containing this fraudulent entry contains 1092 pages, and, of course, no single Congressman read it before voting to accept it as an honest revisal.

In 1878 silver was partially restored to its place as a national coin. Prior to 1873 any one having silver or gold bullion could go to the Mint and have it coined, in any amount. But the act of 1878, while restoring the legal-tender character of silver, restricted the coinage. The law as it now stands provides for and authorizes, as of old, an unlimited coinage of gold, at the pleasure of the holders of gold bullion; but only a limited amount of silver can be coined. The maximum allowed is $4,000,000 per month, but the minimum of $2,000,000 has never been exceeded. The silver is to be purchased by the Government.

The effect of this discrimination against silver is to keep down its value and keep up that of gold. The cry of the demonetizers is now no longer that silver is too dear, but that it is too cheap. But the people know that a silver dollar will buy as much as a gold dollar and they demand the free coinage of both metals.

But the pending act will entirely stop the coinage of silver after July 1, 1891.

The effect of this bill will be to carry out the knavish conspiracy of 1873, for the demonetization of silver, and in future the bonds of the United States can only be redeemed in gold. The Republicans have thus done what the bondholders—a large part of them foreigners—demanded. They have made gold the sole standard of value, while greenbacks and silver certificates are to be the money of the people. They will never see any gold.

THE CIVIL RIGHTS BILL.

The act entitled "An act to protect all citizens in their civil and legal rights" bears date March 1, 1875. The first and second sections define those "rights" and the penalties for their denial or violation.

SECTION 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement, subject only to the conditions and limitations established by law and applicable alike to citizens of every race and color regardless of any previous condition of servitude.

SEC. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of $500 to the person aggrieved thereby, to be recovered in an action of debt, with full costs; and shall also, for every such offense, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year.

This infamous act was based on an old English common-law requirement of inn-keepers, which was never adopted or enforced in any part of this country. That common-law requirement grew out of the fact that inn-keepers in the towns and villages in that country, centuries ago, were given a monopoly on condition that they should entertain all travelers who were able to pay the fare. And this condition being fulfilled, no rival inn could be set up in the town.

Every intelligent man knows that no such law or custom ever had force in this country, and the attempt to enact it into a law in the latter part of the nineteenth century was a stupid piece of fanaticism, as barbarous in principle as it is unconstitutional and unjust.

The Supreme Court of the United States decided, October, 1883, the foregoing sections of the act to be unconstitutional and void. Judge Bradley delivered the opinion of the court. Several cases were determined at the same time. The language of the court is as follows:

The first and second sections of the act of Congress of March 1, 1875, entitled "An act to protect all citizens in their civil and legal rights," are unconstitutional and void, and that judgment should be rendered upon the several indictments in those cases accordingly.

The bill originated in the House of Representatives. It was reported from the Judiciary Committee December 18, 1873, by Mr. B. F. Butler, of Massachusetts, a Republican, but it was not passed until the second session, February 4, 1875; the yeas 162, nays 99, not voting 28.

YEAS—Messrs. Hays, Pelham, Rapier, Sheats, and White, of Alabama; Hodges, Hynes, and Snyder, of Arkansas; Clayton, Houghton, and Page, of California; Hawley, Kellogg, and Starkweather, of Connecticut; Whiteley, of Georgia; Barrere, Burchard, Cannon, Clements, Corwin, Fort, Hawley, Hurlbut, Martin, McNulta, and Ward, of Illinois; Cason, Coburn, Hunter, Orth, Packard, Sayler, Shanks, Tyner, Wilson, and Williams, of Indiana: Cotton, Donnan, Kasson, Loughridge, McCrary, McDill, Orr, Pratt, and Wilson, of Iowa; Cobb, Lowe, and Phillips, of Kansas; Darrall, Morey, Sheldon, Smith, and Syphers, of Louisiana; Burleigh, and Hale, of Maine; Albert, of Maryland; Buffington, Butler, Dawes, Gooch, Harris, E. R. Hoar, Hooper, Pierce, and Williams, of Massachusetts; Begole, Bradley, Burrows, Conger, Field, Hubbell, Waldren, Willard, and Williams, of Michigan; Averill and Dunnell, of Minnesota; Howe, Lynch, McKee, and Niles, of Mississippi; Hyde and Parker, of Missouri; Crounse, of Nebraska; Clark, Dobbins, Hazleton, Scudder, and Ward, of New Jersey; Pike and Small, of New Hampshire; Bass, Clark, Crooke, Duell, Hale, Hathorn, Hoskins, Lamport, Lansing, Lawson, MacDougall, Merriam, Roberts, Scudder, Sessions, Smart, Smith, Tremaine, and Wilber, of New York; Thomas, of North Carolina; Bundy, Foster, Garfield, Gunckel, Lawrence, Monroe, Parsons, Robinson, Smith, Sprague, and Woodworth, of Ohio; Albright, Bierz, Curtis, Cessna, Harmer, Kelley, Myers, Moore, O'Neill, Packer, Richmond, Ross, Negley, Scofield, Shoemaker, Smith, Strawbridge, Taylor, Todd, and Townsend, of Pennsylvania; Evans and Pendleton, of Rhode Island; Cain, Carpenter, Rainey, and Wallace, of South Carolina; Lewis, of Tennessee; Hendee, Poland, and Willard, of Vermont; Platt and Stowell, of Virginia; Hagans, of West Virginia; Barber, Hazleton, McDill, Rusk, Sawyer, and Williams, of Wisconsin—162.

NAYS—Messrs. Bromberg, Caldwell, and Sloss, of Alabama; Gunter, of Arkansas; Luttrell, of California; Loffland, of Delaware; Bell, Blount, Cook, Harris, Stephens, Sloan, and Young, of Georgia; Eden, Knapp, Morrison, and Robinson, of Illinois; Holman, Niblack, and Wolf, of Indiana; Adams, Arthur, Beck, Brown, Crossland, Durham, Milliken, Reed, Standiford, and Young, of Kentucky; Archer, Lowndes, O'Brien, Swann, and Wilson, of Maryland; Lamar, of Mississippi; Bland, Buckner, Clarke, Cormingo, Crittenden, Glover, Hatcher, Stanard, Stone, and Wells, of Missouri; Parker, of New Hampshire; Hamilton and Phelps, of New Jersey; Chittenden, Cox, De Witt, Perry, Potter, Roberts, Schell, Schumaker, Whitehouse, and Wood, of New York; Ashe, Leach, Robbins, Vance, and Waddell, of North Carolina; Banning, Berry, Finck, Lamison, Neal, and Taylor, of Ohio; Nesmith, of Oregon; Clymer, Magee, Randall, Speer, and Storm, of Pennsylvania; Atkins, Bright, Butler, Crutchfield, Harrison, Thornburgh, and Whitthorne, of Tennessee; Giddings, Hancock, Herndon, McLean, Mills, and Willie, of Texas; Bowen, Harris, Hunton, Smith, Thomas, and Whitehead, of Virginia; Davis and Hereford, of West Virginia; Eldredge, of Wisconsin—98.

In the Senate the bill was passed, February 27, by yeas 38, nays 26; as follows:

YEAS—Messrs. Alcorn and Pease, of Mississippi; Allison and Wright, of Iowa; Anthony, of Rhode Island; Boreman, of West Virginia; Boutwell and Washburn, of Massachusetts; Cameron and Scott, of Pennsylvania; Chandler and Ferry, of Michigan; Clayton, of Arkansas; Conkling, of New York; Conover, of Florida; Cr gin, of New Hampshire; Edmunds and Morrill, of Vermont; Flanagan, of Texas; Frelinghuysen, of New Jersey; Harvey and Ingalls, of Kansas; Howe, of Wisconsin; Jones and Stewart, of Nevada; Logan and Oglesby, of Illinois; Mitchell, of Oregon; Morton and Pratt, of Indiana; Patterson and Robertson, of South Carolina; Ramsey and Windom, of Minnesota; Sargent, of California; Sherman, of Ohio; Spencer, of Alabama; West, of Louisiana—38.

NAYS—Messrs. Bayard and Saulsbury, of Delaware; Bogy and Schurz, of Missouri; Carpenter, of Wisconsin; Cooper, of Tennessee; Davis, of West Virginia; Dennis and Hamilton, of Maryland; Eaton and Ferry, of Connecticut; Goldthwaite, of Alabama; Gordon and Norwood, of Georgia; Hager, of California; Hamilton, of Texas; Kelley, of Oregon; Lewis, of Virginia; McCreery and Stevenson, of Kentucky; Merrimon and Ransom, of North Carolina; Sprague, of Rhode Island; Stockton, of New Jersey; Thurman, of Ohio; and Tipton, of Nebraska—26.

Every Democrat voted against this bill in each House, and in the House of Representatives 14 Republicans voted with them.

In the Senate 6 Republicans voted with the Democrats against the bill.

It is needless to add that the Southern votes in each House for the bill, with two or three exceptions, were given by carpet-baggers.

Senator EDMUNDS, who poses as a great lawyer, voted for this shameful and preposterous act, which the Supreme Court, an almost unanimously Republican body, has pronounced unconstitutional and void.

Mr. Carpenter, his equal, if not his superior, as a lawyer in every respect, it will be seen, voted against the bill.

One Republican in the House, from North Carolina, voted for the bill, as will be seen, and not one voted against it.

The second section, as will be seen, makes it a crime, punishable by fine and imprisonment, to deny the right of any fellow, however base or nasty, to equal accommodations of bed and board in any hotel. That sacred right must not be questioned.

It is needless to say that an inn or tavern or hotel is private property in as strict a sense as is a private dwelling. The proprietor has no monopoly. Anybody, black or white, or brown or yellow, may establish an inn in any town or at any cross-road in America, and he has the inalienable right to say who shall be his guests. The so-called civil-rights act was a gross invasion of this right as cruel and as indefensible as the most tyrannical edict of the Czar of Russia.

Original-Package Bill.

SPEECH

OF

HON. ROBERT M. LA FOLLETTE,

OF WISCONSIN.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890.

The House having under consideration the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—

Mr. LA FOLLETTE said:

Mr. SPEAKER: For a century the General Government has exercised the powers delegated to it by the States as defined in the Constitution expressly and by implication. The national spirit of our people has been magnificently attested in support of that national authority many times in our history. They have watched those powers and the interpretation of the Constitution on which they rest expand to meet the growth and changing conditions of the country. They have, without stint, liberally and loyally given that approval which the general welfare of the people under the Constitution demanded and sanctioned. Along the lines of that broad policy they have seen the nation gather strength year by year, and rise to more than imperial power, but only to enlarge the opportunities and liberties of its people and extend the sovereign authority of every citizen.

Mr. DOLLIVER. Good!

Mr. LA FOLLETTE. And, sir, they have ratified this exercise of those powers the more freely and ungrudgingly because in the minds of each there have ever been certain clearly defined limitations, within which, by the common consent of all, each State would govern for itself. Within this exclusive domain, among other reserved powers, the supreme authority over all matters relating to the protection of life and health, the preservation of good order and decency, and the advancement of public morals has always been conceded to be purely local.

Not only has it ever been admittedly a matter of State control alone, but so essentially is it an inherent right of the people that it has always been held inalienable. It is beyond the power of the State to part with it at all or to delegate it to others. The exercise of this power is primarily vital to the existence of society itself, and it belongs, therefore, of divine right to the people who constitute that society. Hence whatever endangers the public safety or the public health or threatens public morals is, so far as it concerns and involves the people of the State, under the supreme control of the State, through its Legislature, in the exercise of its police powers.

This doctrine has been laid down in an unbroken line of decisions from the beginning. Without exaggeration it may therefore be said that in a hundred years of national history few decisions of the Supreme Court have so surprised and shocked the people of the United States as the recent one handed down in the case of Leisy and others *vs.* Hardin, now known as the "original-package case."

By one more than a bare majority—three judges dissenting—the court decided in this case that as "ardent spirits, distilled liquors, ale, and beer are subjects of exchange, barter, and traffic, like any other commodity in which the right of traffic exists," they are articles of commerce, and may be transported from one State into another State, and there lawfully sold in the original package in which transported, even though such sale be in direct violation of the laws of the State where it takes place. Indeed, they declare that until after the sale takes place the property has not "become mingled in the common mass of property within the State" and is not subject to any law of the State interfering with its unrestricted transportation and sale. They hold that the article shipped from one State into another, after it reaches its destination, after it has ceased to be an article of interstate transportation, after it has even been offered for sale, and until actually once sold and delivered within the State, is still an article of interstate commerce, and not subject to any restrictions through State laws.

It matters not how long it may have been within the State, what it was brought into the State for, or what may have been done with it since it reached its destination, if it has not been once sold it is still beyond the reach of State interference. After it has been once sold, however, within the State, should it again be sold in violation of State law it is held to have undergone some mysterious transmutation in passing from the first to the second purchaser, which brings it within the reach and scope of State restriction.

Sir, it is idle to waste time in criticism of the decision or in predicting its ultimate reversal by the Supreme Court. Whatever may be the settled opinion of lawyers upon this floor, the responsibility for immediate action rests upon this House to-day and can not be ignored. It is manifest that, if local government within the States is to be preserved, if the public safety, health, and morals of the States are to be under the shield and protection of the police power of the State, this opinion of the court must be promptly followed by Congressional legislation.

It is surprising that gentlemen here should oppose any legislation restoring to the States the powers which they have so long exercised without injury to or attempted interference with interstate commerce, when the direful results of this decision are so imminent. Pause for an instant, gentlemen, and contemplate it. Under it distillers and brewers of any State can ship to their agents in another State intoxicating liquor in packages, bottles, or flasks of any size, and the agents may there retail the same from their bars or from wagons upon the streets and highways without let or hinderance. If within a State which prohibits the manufacture and sale of intoxicants, the prohibitory laws would not apply to them. If within a State which permits the manufacture and sale under restrictions and upon payment of heavy fees and taxes, they would escape them altogether. They would sell in the original package without State or local permission, without restriction, and without the payment of any fees or taxes whatever. No State law fixing penalties for selling to habitual drunkards, to men intoxicated or bordering on intoxication, or to minors, or for selling upon election day, or upon the Sabbath, could reach them. In defiance of all State laws, in defiance of all public sentiment, the open, unrestricted, uncontrolled traffic in free whisky would hold its demoralizing sway.

I know of no State in this Union, I know of no civilized people on this earth, which wholly fails to subject this business at least to police supervision and restriction. I know no man of any intelligence whatever who opposes its subjection to certain limitations and control; and yet here is a decision which practically nullifies at one blow every State law in the land on the subject, wipes out all State lines and levels every barrier of defense.

In my State we have a local-option law which gives the control of this subject absolutely to the town, city, or village. Any township in Wisconsin by a majority vote of its electors may prohibit the sale of intoxicating liquors in such town or may decide to grant license and fix the rate of the same. But under the law as here laid down the action of any town, city, or village is liable to be reversed and set aside by some man who lives outside of the State, who pays no taxes, maintains no industry, is utterly indifferent to its business advancement, to its educational, social, and moral development, who contributes nothing to its lasting prosperity, who cares nothing for the injury and wrong and misery he may inflict upon any family or any home in that community, and who is beyond the reach of all law for the consequences of his acts. Think sir, of the results certain to follow handing over every community, every town, and village to such an invasion. No power to restrain its ravages, no power to protect its confirmed victims, no power to shield the inexperience and innocence of youth.

Something has been said in this discussion touching the political consequences involved to those who favor or oppose this measure. Sir, I believe that gentlemen upon both sides will rise above those considerations. This is a question of government, a question of preserving the political entity of the State, a question of the protection of society and the home. The whole police power of the State is either to be revived in the essentials vital to civil society by this proposed legislation or left broken and powerless where this decision leaves it. For one I am in favor of local government and home rule wherever it can be exercised without violating the express and implied powers delegated to the Federal Government by the States.

And for these very reasons I shall vote for the House substitute instead of the Senate bill.

The Senate bill aims only to restore to the States the control of intoxicating liquors which they have exercised without dispute for more than a generation of time. It goes no further than this, though it is conceded that the reasoning of this decision reaches much beyond the one article of interstate commerce involved in this particular case. It nullifies to the same extent all State legislation prohibiting, restricting, or controlling traffic in explosives, illuminating oils, oleomargarine, butter, cheese, and lard substitutes, and all food adulterations.

The House substitute for the Senate bill provides that *any article* of commerce when imported into any State and there *held* or *offered for sale* shall be subject to the laws of the State. It also wisely provides that no State shall by its legislation discriminate in favor of its own as against the products of another State.

This bill will effectually prevent any hinderance or obstruction to free interstate commerce and exchange, and will also enable each State to enforce its laws for the protection of the health, the peace and good order and morals of society.

Without a broad, comprehensive measure such as the House bill—unless the Supreme Court shall hereafter reverse its decision—Congress will be called upon to meet this great question piecemeal. There will be an imperative demand to extend the principle involved in the Senate bill to illuminating oils, compounds and imitations of butter, cheese, and lard, and all other articles of interstate commerce, which, from their character are or may be the subjects of State regulation under the police power.

Adulterations of every character, under the cloak and mask of the "original package," will make their way, in open defiance of all State laws, across every State line, into every home, and onto every table,

and there will be no immunity and no protection for the citizen anywhere if this legislation is to be defeated.

Sir, there is an opportunity offered here to guard the great dairy and agricultural interests of Wisconsin and the country against a danger plainly threatened by the manufacturers of adulterated dairy, lard, and other food products whose cause is openly and ably championed on this floor. There is an opportunity to insure to the States the necessary and unhindered exercise of their police powers. There is an opportunity to accomplish all this to-day, protecting the State at every point by one stroke. I shall therefore stand to the last for the House bill. Failing to secure that—if we should fail for the present—we are then under the rules certain to have immediate consideration of the Senate bill. [Applause.]

[Here the hammer fell.]

Original-Package Bill.

SPEECH

OF

HON. JOHN A. PICKLER,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890.

The House having under consideration the bill (S. 398) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—

Mr. PICKLER said:

Mr. SPEAKER: No question of greater interest to the people will come before Congress during the session than the one under discussion.

Whatever the belief as to the liquor traffic, there is the deepest interest felt in this legislation.

The saloon-keeper, the drinking man, the low-license man, the high-license man, local optionist, and prohibitionist are all interested in this question and discussing it. The cities, with their great revenues from the license of the sale of liquor, are anxiously watching this question and demanding legislation to protect them in the collection of these licenses, as well as to protect them from the confusion, debauchery, and anarchy which will be the certain results of the unlicensed, unrestricted sale under the decision of the Supreme Court.

The towns of Iowa, Kansas, and the Dakotas which have prohibited its sale, and where the saloon is not known, are anxiously waiting the action of Congress to stay the curse of the incoming original package into their midst.

And the people everywhere—the lovers of law and order, the lovers of peace and morality, the lovers of home, the school, and the church—are, all over this great nation, anxiously watching the American Congress.

The unguarded, unrestricted, unrestrained sale of intoxicating liquors staggers the boldest and startles the most daring. Neither in the tariff question nor the silver question nor in any other question is there felt such universal interest as is felt in the action Congress shall take in this matter.

The advocates of license and the regulation of the traffic see all their theories swept away and confusion only under the decision of the court.

The believer in local option is likewise left helpless.

The prohibitionist, who believes that evil and only evil comes from the saloon; who believes the traffic iniquitous; who believes the sale of intoxicating liquors is a great evil, a wrong to society, and who so believing will never consent to license a wrong; who holds the city or municipality licensing its sale equally responsible with the seller; who regards the voter who sanctions the sale by his vote a copartner in results with the seller; who believes that a compromise with evil is a contract with the devil; who wages an unrelenting and untiring warfare against the saloon; who is seven days in the week and twelve months in the year opposed to its existence; whose conscience is against it; who believes he is engaged in a godly warfare for the right; whose hand and heart are against it, and through whose influence and teaching the evil effects of alcohol upon the human system are being taught in the public schools of our land; who believes this the greatest moral question of the age; who believes it the conscience question of the nation; who forces this question into politics, and demands that all political parties shall deal with it; who believes the erection and maintenance of peaceful and happy homes in the nation is the highest duty of the political party; who is active, vigorous, aggressive; who does not fight for money, but for principle; who is not dismayed at being called narrow, of one idea, and a crank by fawning sycophants of the liquor interests; who has enlisted for the war; who is rapidly gaining, but seldom losing recruits to his cause; who bears aloft the banner of prohibition, and with the war-cry of God and home and native land expects to bear it victoriously to the end—the prohibitionist, Mr. Speaker, I repeat, entertaining these views, is appalled at the results which must follow the decision of the Supreme Court unless modified by legislation. I know of no class of men who are willing to take the risk, to his town, to his city, his family, and himself, of the liquor traffic without restrictions as to times and place of sale.

It is alarming to contemplate, and the very great force with which this matter was yesterday presented by the chairman of the committee [Mr. JOSEPH D. TAYLOR] must carry conviction to every mind as to the necessity of action.

I have been highly interested in the constitutional and legal aspects of this question so ably presented by the members of the committee.

It is clear that the decision of the Supreme Court of the United States in the case of Gus Leisy & Co., plaintiffs in error, *vs.* A. J. Hardin, now so famous, to modify which is the intent of this legislation, was wholly unexpected and a surprise to the lawyers as well as the people of the country.

To my mind the argument and conclusion of the dissenting opinion are unanswerable, and I quote from the same as follows:

Mr. Justice Gray, with whom concurred Mr. Justice Harlan and Mr. Justice Brewer, dissenting, said:

Mr. Justice Harlan, Mr. Justice Brewer, and myself are unable to concur in this judgment. As our dissent is based on the previous decisions of this court, the respect due to our associates, as well as to our predecessors, induces us to state our position, as far as possible, in the words in which the law has been heretofore declared from this bench.

The facts of the case, and the substance of the statutes whose validity is drawn in question, may be briefly stated.

It was an action of replevin of sundry kegs and cases of beer, begun in an inferior court in the State of Iowa against a constable of Lee County, in Iowa, who had seized them at Keokuk in that county under a search-warrant issued by a justice of the peace pursuant to the statutes of Iowa, which prohibit the sale, the keeping for sale, or the manufacture for sale of any intoxicating liquor (including malt liquor) for any purpose whatever, except for pharmaceutical, medicinal, chemical, or sacramental purposes, and under an annual license granted by the district court of the proper county, upon being satisfied that the applicant is a citizen of the United States and of the State of Iowa, and a resident of the county, and otherwise qualified.

The plaintiffs were citizens and residents of the State of Illinois, engaged as brewers in manufacturing beer at Peoria in that State and in selling it in the States of Illinois and Iowa. The beer in question was manufactured by them at Peoria, and there put up by them in said kegs and cases, each keg being sealed and having upon it, over the plug at the opening, a United States internal-revenue stamp, and each case being substantially made of wood, containing two dozen quart bottles of beer, and sealed with a metallic seal which had to be broken in order to open the case. The kegs and cases owned by the plaintiffs, and so sealed, were transported by them from Peoria by railway to Keokuk, and there sold and offered for sale by their agent, in a building owned by one of them, and without breaking or opening the kegs or cases.

The Supreme Court of Iowa having given judgment for the defendant, the question presented by this writ of error is whether the statutes of Iowa, as applied to these facts, contravene section 8 of article 1, or section 2 of article 4 of the Constitution of the United States, or section 1 of article 14 of the amendments to the Constitution.

By section 8 of Article I of the Constitution, "the Congress shall have power," among other things, "to regulate commerce with foreign nations, and among the several States," and "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

By section 2 of Article IV, "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

By section 1 of the fourteenth amendment "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

By the tenth amendment, "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Among the powers thus reserved to the several States is what is commonly called the police power, that inherent and necessary power, essential to the very existence of civil society, and the safeguard of the inhabitants of the State against disorder, disease, poverty, and crime.

The police power includes all measures for the protection of the life, the health, the property and the welfare of the inhabitants, and for the promotion of good order and the public morals. It covers the suppression of nuisances, whether injurious to the public health, like unwholesome trades, or to the public morals, like gambling houses and lottery tickets. (Slaughter-house cases, 16 Wall., 36, 62, 87; Fertilizing Company *vs.* Hyde Park, 97 U. S., 659; Phalan *vs.* Virginia, 8 How., 163, 168; Stone *vs.* Mississippi, 101 U. S., 814.)

This power, being essential to the maintenance of the authority of local government, and to the safety and welfare of the people, is inalienable. As was said by Chief-Justice Waite, referring to earlier decisions to the same effect, "No Legislature can bargain away the public health or the public morals. The people themselves can not do it, much less their servants. The supervision of both these subjects of governmental power is continuing in its nature, and they are to be dealt with as the special exigencies of the moment may require. Government is organized with a view to their preservation, and can not divest itself of the power to provide for them. For this purpose the largest legislative discretion is allowed, and the discretion can not be parted with any more than the power itself." (Stone *vs.* Mississippi, 101 U. S., 814, 819. See also Butchers' Union Company *vs.* Crescent City Company, 111 U. S., 746, 755; New Orleans Gas Company *vs.* Louisiana Light Company, 115 U. S., 650, 672; New Orleans *vs.* Houston, 119 U. S., 265, 275.)

The police power extends not only to things intrinsically dangerous to the public health, such as infected rags or diseased meat, but to things which, when used in a lawful manner, are subjects of property and of commerce, and yet may be used so as to be injurious or dangerous to the life, the health or the morals of the people. Gunpowder, for instance, is a subject of commerce and of lawful use, yet, because of its explosive and dangerous quality, all admit that the State may regulate its keeping and sale. And there is no article the right of the State to control or to prohibit the sale or manufacture of which within its limits is better established than intoxicating liquors. (License cases, 5 How., 504; Downham *vs.* Alexandria Council, 10 Wall., 173; Bartemeyer *vs.* Iowa, 18 Wall., 129; Beer Company *vs.* Massachusetts, 97 U. S., 25; Tiernan *vs.* Rinker, 102 U. S., 123; Foster *vs.* Kansas, 112 U. S., 201; Mugler *vs.* Kansas and Kansas *vs.* Ziebold, 123 U. S., 623; Kidd *vs.* Pearson, 128 U. S., 1; Ellenbecker *vs.* Plymouth County, 134 U. S., 31.)

The clause of the Constitution which declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States" has no bearing upon this case. The privileges and immunities thus

secured are those fundamental rights and privileges which appertain to citizenship. (Conner *vs.* Elliott, 18 How., 591, 593; Curtis, J., in Scott *vs.* Sandford, 19 How., 393, 580; Paul *vs.* Virginia, 8 Wall., 168, 180; McCready *vs.* Virginia, 94 U. S., 391, 395.) As observed by the court in Bartemeyer *vs.* Iowa, "The right to sell intoxicating liquors, so far as such a right exists, is not one of the rights growing out of citizenship of the United States." (18 Wall., 133.)

Nor is the case affected by the fourteenth amendment of the Constitution. As was said in the unanimous opinion of this court in Barbier *vs.* Connolly, after stating the true scope of that amendment, "But neither the amendment—broad and comprehensive as it is—nor any other amendment, was designed to interfere with the power of the State, sometimes termed its police power, to prescribe regulations to promote the health, peace, morals, education, and good order of the people, and to legislate so as to increase the industries of the State, develop its resources, and add to its wealth and prosperity." (113 U. S., 27, 31.) Upon that ground the amendment has been adjudged not to apply to a State statute prohibiting the sale or manufacture of intoxicating liquors in buildings long before constructed for the purpose, or the sale of oleomargarine lawfully manufactured before the passage of the statute. (Mugler *vs.* Kansas, 123 U. S., 623, 669; Powell *vs.* Pennsylvania, 127 U. S., 678, 683, 687.)

The remaining and the principal question is, whether the statute of Iowa, as applied to the sale within that State of intoxicating liquors in the same cases or kegs, unbroken and unopened, in which they were brought by the seller from another State, is repugnant to the clause of the Constitution granting to Congress the power to regulate commerce with foreign nations and among the several States.

In the great and leading case of Gibbons *vs.* Ogden (9 Wheat., 1), the point decided was that acts of the Legislature of New York granting to certain persons for a term of years the exclusive navigation by steam-boats of all waters within the jurisdiction of the State were, so far as they affected such navigation by vessels of other persons licensed under the laws of the United States, repugnant to the clause of the Constitution empowering Congress to regulate foreign and interstate commerce.

Chief-Justice Marshall, in delivering judgment, after speaking of the inspection laws of the States and observing that they had a remote and considerable influence on commerce, but that the power to pass them was not derived from a power to regulate commerce, said: "They form a portion of that immense mass of legislation which embraces everything within the territory of a State not surrendered to the General Government; all which can be most advantageously exercised by the States themselves. Inspection laws, quarantine laws, health laws of every description, as well as laws for regulating the internal commerce of a State, and those which respect turnpike roads, ferries, etc., are component parts of this mass. No direct general power over these objects is granted to Congress; and consequently they remain subject to State legislation."

The unanimous judgment of this court in 1847 in Peirce *vs.* New Hampshire, reported together with Thurlow *vs.* Massachusetts and Fletcher *vs.* Rhode Island as the license cases, 5 How., 504, is directly in point, and appears to us conclusively to govern the case at bar.

The case of Peirce *vs.* New Hampshire directly involved the validity, as applied to liquors brought in from another State, of a statute of New Hampshire, which imposed a penalty on any person selling any wine, rum, gin, brandy, or other spirits, in any quantity, "without license from the selectmen of the town or place where such person resides." (N. H. Laws of 1838, c. 369; 5 How., 555.) The plaintiffs in error, having been indicted under that statute for selling to one Aaron Sias in the town of Dover, in the State of New Hampshire, one barrel of gin without license from the selectmen of the town, at the trial admitted that they so sold to him a barrel of American gin and introduced evidence that "the barrel of gin was purchased by the defendants in Boston, in the Commonwealth of Massachusetts, brought coastwise to the landing at Piscataqua Bridge, and from thence to the defendants' store in Dover, and afterwards sold to Sias in the same barrel and in the same condition in which it was purchased in Massachusetts."

The defendants contended that the statute was unconstitutional because it was "in violation of certain public treaties of the United States with Holland, France, and other countries, containing stipulations for the admission of spirits into the United States," and because it was repugnant to the clauses of the Constitution of the United States restricting the power of the States to lay duties on imports or exports, and granting the power to Congress to regulate commerce with foreign nations and among the several States. Chief-Justice Parker instructed the jury "that this State could not regulate commerce between this and other States; that this State could not prohibit the introduction of articles from another State with such a view, nor prohibit the sale of them with such a purpose; but that, although the State could not make such laws with such views and for such purposes, she was not entirely forbidden to legislate in relation to articles introduced from foreign countries or from other States; that she might tax them the same as other property, and might regulate the sale to some extent; that a State might pass health and police laws, which would, to a certain extent, affect foreign commerce and commerce between the States; and that this statute was a regulation of that character, and constitutional." After a verdict of guilty, exceptions to this instruction were overruled by the highest court of the State. (5 How., 554-557; 13 N. H., 536.)

In that case, as in the case at bar, the statute of the State prohibited sales of intoxicating liquors by any person without a license from municipal authorities, and authorized licenses to be granted only to persons residing within the State; and the liquors were sold within the State by the importer, and in the same barrel, keg, or case, unbroken and in the same condition in which he had brought them from another State. Yet the judgment of the highest court of New Hampshire was unanimously affirmed by this court.

It only remains to sum up the reasons which have satisfied us that the judgment of the supreme court of Iowa in the case at bar should be affirmed.

The protection of the safety, the health, the morals, the good order, and the general welfare of the people is the chief end of government. *Salus populi suprema lex.* The police power is inherent in the States, reserved to them by the Constitution, and necessary to their existence as organized governments. The Constitution of the United States and the laws made in pursuance thereof being the supreme law of the land, all statutes of a State must, of course, give way, so far as they are repugnant to the national Constitution and laws. But an intention is not lightly to be imputed to the framers of the Constitution, or to the Congress of the United States, to subordinate the protection of the safety, health, and morals of the people to the promotion of trade and commerce.

The police power extends to the control and regulation of things which, when used in a lawful and proper manner, are subjects of property and of commerce, and yet may be used so as to be injurious or dangerous to the public safety, the public health, or the public morals. Common experience has shown that the general and unrestricted use of intoxicating liquors tends to produce idleness, disorder, disease, pauperism, and crime.

The power of regulating or prohibiting the manufacture and sale of intoxicating liquors appropriately belongs, as a branch of the police power, to the Legislatures of the several States and can be judiciously and effectively exercised by them alone, according to their views of public policy and local needs; and can not practically, if it can constitutionally, be wielded by Congress as part of a national and uniform system.

The statutes in question were enacted by the State of Iowa in the exercise of its undoubted power to protect its inhabitants against the evils, physical, moral, and social, attending the free use of intoxicating liquors. They are not aimed at interstate commerce; they have no relation to the movement of goods from one State to another; but operate only on intoxicating liquors within the territorial limits of the State; they include all such liquors without discrimination, and do not even mention where they are made or whence they come. They affect commerce much more remotely and indirectly than laws of a State (the validity of which is unquestioned) authorizing the erection of bridges and dams across navigable waters within its limits, which wholly obstruct the course of commerce and navigation; or than quarantine laws, which operate directly upon all ships and merchandise coming into the ports of the State.

If the statutes of a State restricting or prohibiting the sale of intoxicating liquors within its territory are to be held inoperative and void as applied to liquors sent or brought from another State and sold by the importer in what are called original packages, the consequence must be that an inhabitant of any State may, under the pretext of interstate commerce, and without license or supervision of any public authority, carry or send into, and sell in, any or all of the other States of the Union intoxicating liquors of whatever description, in cases or kegs, or even in single bottles or flasks, despite any legislation of those States on the subject and although his own State should be the only one which had not enacted similar laws. It would require positive and explicit legislation on the part of Congress to convince us that it contemplated or intended such a result.

The decision in the license cases, 5 How., 504, by which the court, maintaining these views, unanimously adjudged that a general statute of a State, prohibiting the sale of intoxicating liquors without license from municipal authorities, included liquors brought from another State and sold by the importer in the original barrel or package, should be upheld and followed; because it was made upon full argument and great consideration; because it established a wise and just rule, regarding a most delicate point in our complex system of government, a point always difficult of definition and adjustment, the contract between the paramount commercial power granted to Congress and the inherent police power reserved to the States; because it is in accordance with the usage and practice which have prevailed during the century since the adoption of the Constitution; because it has been accepted and acted on for forty years by Congress, by the State Legislatures, by the courts, and by the people; and because to hold otherwise would add nothing to the dignity and supremacy of the powers of Congress, while it would cripple, not to say destroy, the whole control of every State over the sale of intoxicating liquors within its borders.

The silence and inaction of Congress upon the subject, during the long period since the decision in the license cases, appear to us to require the inference that Congress intended that the law should remain as thereby declared by this court, rather than to warrant the presumption that Congress intended that commerce among the States should be free from the indirect effect of such an exercise of the police power for the public safety, as had been adjudged by that decision to be within the constitutional authority of the States.

For these reasons we are compelled to dissent from the opinion and judgment of the majority of the court.

The majority of the court in this opinion, however, after some discussion of the question, makes the following declaration and inquiry:

That ardent spirits, distilled liquors, ale, and beer are subjects of exchange, barter, and traffic like any other commodity in which a right of traffic exists, and are so recognized by the usages of the commercial world, the laws of Congress, and the decisions of courts, is not denied. Being thus articles of commerce, can a State, in the absence of legislation on the part of Congress, prohibit their importation from abroad or from a sister State, or when imported prohibit their sale by the importer? If the importation can not be prohibited without the consent of Congress, when does property imported from abroad or from a sister State so become part of the common mass of property within a State as to be subject to its unimpeded control?

And the court, closing the opinion, to the great surprise of the country, answers the query in these words:

The plaintiffs in error are citizens of Illinois, are not pharmacists, and have no permit, but import into Iowa beer which they sell in original packages, as described. Under our decision in Bowman *vs.* Chicago, etc., Railway Co. (*supra*), they had to import this beer into that State, and in the view which we have expressed they had the right to sell it, by which act alone it would become mingled in the common mass of property within the State. Up to that point of time we hold that, in the absence of Congressional permission to do so, the State had no power to interfere by seizure, or any other action, in prohibition of importation and sale by the foreign or non-resident importer.

As I understand from the argument of the gentlemen of the Judiciary Committee, the members of the committee are unanimous in the opinion that the decision of the court, unless modified by legislation, must result in great evil, lawlessness, and disgrace to the country in its permission of the unrestrained sale of liquors. The gentleman from Texas [Mr. CULBERSON], however, and from Arkansas [Mr. ROGERS] take the position that the legislation proposed by this bill is in effect an effort by Congress to confer power upon the States to enact police regulations for the government of their people, a power which is supremely vested in the States, as admitted by all. And therefore these eminent lawyers contend that they will not by supporting the measure place their States in the attitude of suppliants to the national Congress, asking that body to grant a power the States already possess, a power never granted by the Constitution to Congress, and one which has ever been retained by the States.

On the other hand, the chairman of the committee [Mr. EZRA B. TAYLOR, of Ohio] and the gentleman from Iowa [Mr. REED] with like ability and earnestness contend that the passage of this act can not be construed as an undertaking by Congress to confer any power of police regulation upon the States, but that it is the proper exercise by Congress of its power under the Constitution to regulate commerce with foreign nations and among the several States and with the Indian tribes; that the proposed legislation is a regulation of the commerce of the articles embodied in its provisions.

Whatever may be the opinion of the lawyers and however they may differ upon the question, the highest tribunal of this land, the Supreme Court of the United States, has taken the view that such a statute would be the Congressional permission alluded to in the decision and a regulation of commerce.

From a practical standpoint, therefore, the question is settled; the court has pointed out the necessity of such a statute under its decision, and has specifically called the attention of Congress to this necessity.

The people everywhere demand this legislation, and Congress would certainly be exceedingly remiss in duty not to grant it.

The people are anxious for speedy action, in order that the disgraceful scenes inaugurated by these original-package vendors in Iowa, Kansas, and other States, as detailed by their representatives upon this floor, may not be allowed further continuance.

Three propositions are before us.

First, we have the Senate bill, in the following language:

Be it enacted, etc., That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory, or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory, enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in said State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

Second, the proposed substitute reported from the House Judiciary Committee, which is as follows:

Strike out all after the enacting clause and insert the following:

"That whenever any article of commerce is imported into any State from any other State, Territory, or foreign nation, and there held or offered for sale, the same shall then be subject to the laws of such State: *Provided*, That no discrimination shall be made by any State in favor of its citizens against those of other States or Territories in respect to the sale of any article of commerce, nor in favor of its own products against those of like character produced in other States or Territories. Nor shall the transportation of commerce through any State be obstructed except in the necessary enforcement of the health laws of such State."

Third, the substitute offered by the gentleman from Illinois [Mr. ADAMS]:

That it shall not be lawful to import into any State or Territory, from any other State or Territory or from the District of Columbia, any fermented, distilled, or other intoxicating liquor, except in one or more original packages, as defined by this act.

SEC. 2. That for the purposes of this act an original package of intoxicating liquor, in bottles, shall be a case containing not less than one dozen quart bottles; and an original package of liquor not in bottles shall contain not less than five gallons: *Provided, however*, That an original package of liquor imported from any foreign nation, shall contain the quantity required by the laws relating to duties upon imports.

SEC. 3. It shall not be lawful to sell within any State or Territory any intoxicating liquor imported into such State or Territory, except in the original package in which the same has been imported, and subject to the reasonable police regulations of such State or Territory regulating the sale of such liquor as a beverage.

I am in favor, Mr. Speaker, in order that we may have a law at the earliest moment, and a law concerning the restraint of the liquor traffic, the great question which agitates the country, and upon which the people are aroused—I repeat, I am in favor for this reason of passing the Senate bill rather than the House substitute. I shall be content, however, if the House substitute shall become the law, and shall cheerfully vote for it should the Senate bill fail.

The substitute of the gentleman from Illinois is, to my mind, vicious in the extreme in that it would be a practical legalization by Congress of the sale of intoxicating liquors, which is a proposition to which in my opinion the American people will never submit. This amendment is not characteristic of the good judgment, ability, and devotion to duty of the gentleman from Illinois and, I take it, does not express his own sentiments.

Should Congress fail to counteract the influence of this decision of the Supreme Court, the alarming increase of its sale and consumption without restrictions can only be contemplated with the greatest concern and anxiety.

We are appalled at the amount consumed under the present system of restraints, licenses, and prohibitions.

The quarterly report of Col. W. F. Switzler, chief of the United States Bureau of Statistics, for the quarter ending March 31, 1890, shows that during the year 1888 there were consumed in the United States distilled spirits amounting to 75,845,352 gallons; of wines, 36,335,068 gallons; of malt liquors, 767,587,056 gallons; making a total of all kinds of 879,767,476 gallons, amounting to between 14 and 15 gallons (14.30) to each individual, old and young, in the nation. The total money cost was over $800,000,000. It required 16,122,509 bushels of grain for the production of the distilled spirits, besides many millions of bushels of barley and other materials used in the production of malt liquors.

And we may pause a moment to inquire what effect this great consumption of liquors is having upon the health of the nation. In this connection I desire to quote from the scientific paper of N. S. Davis, M. D., LL. D., of Chicago, entitled "The influence of alcohol on the human system," a work of undoubted authority. He says:

The popular belief is that alcohol, in moderate doses, stimulates the nervous system and increases the force and efficiency of the heart's action. That this popular belief concerning the stimulating effects of alcohol is erroneous has been fully conceded by Dr. Anstie, himself an able and persevering investigator, when in his work on Stimulants and Narcotics, page 337, he says:

"A general review of the phenomena of alcohol narcosis enables me to come to one distinct conclusion, the importance of which appears to be very great, namely, that (as in the case of chloroform and ether) the symptoms, which are so commonly described as evidences of excitement depending on a stimulation of the nervous system preliminary to the occurrence of narcosis, are in reality an essential part of the narcotic, that is the paralytic phenomena."

The assumption that if any part of the alcohol taken is retained for a time in the system, it must of necessity be converted into some kind of force or energy, is not sustained by any known facts, either of scientific experiment or of clinical experience. On the contrary, it acts in the same direction as chloroform, ether, and other members of the same chemical group of substances, namely, as an anæsthetic to nerve sensibility, a relaxant to muscular contractibility, and a retarder of molecular movements in the tissues; these effects being produced in direct ratio to the amount taken relatively to the weight of the individual taking it.

These direct effects of alcohol, as demonstrated by rigid experimental inquiries, are in perfect harmony with the phenomena presented by its use in all grades and conditions of human society. The diminution of nerve sensibility, developed in proportion to the quantity of alcohol taken, may be seen in all stages, from simple exemption from all feeling of fatigue, pain, and sense of weight, as exhibited by ease, buoyancy, hilarity, etc., to that of complete unconsciousness and loss of muscular power. It is this anæsthetic effect of the alcohol that has led to all the popular errors and contradictory uses which have proved so destructive to human health and happiness. It has long been one of the noted paradoxes of human action that the same individual would resort to the same alcoholic drink to warm him in the winter, protect him from the heat in the summer, to strengthen when weak or weary, and to soothe and cheer when afflicted in body or mind. With the facts now before us, the explanation of all this is apparent.

The alcohol does not relieve the individual from cold by increasing his temperature, nor from heat by cooling him, nor from weakness and exhaustion by nourishing his tissues, nor yet from affliction by increasing nerve power, but simply by diminishing the sensibility of the brain and nerves, and thereby lessening his consciousness of impressions whether from cold or heat, weariness or pain. In other words, the alcohol, by its presence, has not in any degree lessened the effects of the evils to which he was exposed, but has diminished his consciousness of their existence, and thereby impaired his judgment concerning the degree of their effect upon him. It not only diminishes the sensibility of the nervous structures, however, but, as the scientific facts already adduced show, it also retards all the molecular movements, thereby diminishing the activity of nutrition, secretion, elimination, and the evolution of heat, constituting it a true organic sedative. When taken in small quantities, from one to three or four glasses of beer or wine daily, the individual usually slowly increases in weight, not from increased nutrition, but from retarded waste and the retention of old atoms longer in the tissues.

The law is that all the phenomena of life are associated with and dependent on molecular changes, and that each individual cell or aggregation of bioplasm constituting a living organic atom has its determinate period of growth, maturity, and dissolution. Therefore, to introduce into the living system any agent that will retard the molecular changes, is equivalent to retarding the phenomena of life. And if by retarding these changes, cells or atoms are retained in the tissues longer than the natural duration of their activity, such retention may increase the bulk and weight, but in the same ratio it embarrasses the tissues with the presence of material which is constantly becoming inert and tending to degeneration.

Consequently, the individual who thus increases his bulk and weight by taking simply enough of the weaker alcoholic drinks daily to retard the processes of secretion and waste, in the same proportion diminishes his activity, his power of endurance, and his ability to resist the effects of morbific agents of every kind. It is this sedative effect of alcohol on the molecular changes in the tissues, when maintained by a long-continued moderate use of the article, that favors and finally develops those degenerative changes which constitute tubercular, caseous, and fatty deposits in the lungs, liver, kidneys, heart, arteries, and brain, by which health is destroyed and the natural duration of life much shortened.

It is the same kind of interference with the processes of nutrition, disintegration, and waste, only exerted more actively, that causes gastritis, sclerosis of the liver and kidneys, and delirium tremens in the excessive drinker of distilled spirits.

That the various important structural changes here enumerated are produced by the ordinary use of both fermented and distilled drinks, the records of medicine afford abundant proof.

Dr. George Harley, who followed Dr. Payne in the discussion, after referring to the visible lesions produced in the digestive, circulatory, and urinary organs, the various tissue changes, etc., says:

"These tissue changes, however, formed but a small part of the morbid effects met with in practice, from the fact that for every drunkard there were fifty others who suffered from the effects of alcohol in one form or other; among them were persons who had never been intoxicated in their lives. Of this so-called class of moderate drinkers neither our hospital statistics nor our national mortality tables took any account, and yet it was those very moderate drinkers who were in reality the most numerous class of alcoholic victims."

He corroborated this statement by reference to the registrar-general's tables of comparative mortality of those engaged in different industries, in which it was shown that the death-rate of men between the ages of twenty-five and sixty-five years, engaged as brewers, commercial travelers, inn-keepers, publicans, wine, spirit, and beer dealers, was six times greater from diseases of the liver, and nearly two times greater from diseases of the urinary organs and the circulatory system than in farmers and graziers, drapers and warehousemen, gardeners and nurserymen.

The London Lancet of January 26, 1889, in a leading editorial on the discussion in the Pathological Society, has the following significant statement:

"What is eminently worthy of the attention of practitioners in this connection is the frequency of tubercular disease in cases of alcoholic paralysis. In fact, the association of chronic alcoholism in all forms and tuberculosis was brought out by almost every speaker, including Dr. Payne, who said truly that the inaccurate impression that habits of alcoholic excess were in any way antagonistic to tubercular disease must be regarded as swept away."

The detrimental influence of what is called the temperate or moderate use of both fermented and distilled liquors on health and the duration of life has been very clearly demonstrated by the practical workings of life-insurance organizations. These institutions, established and maintained exclusively on financial principles and for financial results, are developing facts of the greatest value in determining the effect of social habits and occupations on health and longevity. For example, in 1847 the United Kingdom Temperance and General Provident Institution of London began to issue life policies to total abstainers from all alcoholic drinks and to non-abstainers on exactly the same terms, but kept them in separate sections on the record. Up to December 31, 1888, the whole number of policies issued was 91,368, of which two-fifths were to total abstainers and three-fifths to non-abstainers. The rate of premiums paid for policies was the same in both sections and was based on uniform rules regarding the expected duration of life at any given age.

According to these rules of expectancy, 2,644 deaths were expected in the total-abstinence section during the seventeen years from 1865 to 1882, but only 1,861 actually occurred, being 783 less, or 29.5 per cent. of the total expectancy saved. Under the same rules and for the same period of time the number of deaths expected in the non-abstainers' section was 4,408, and 4,339 actually occurred, being only 69 less, or 1.5 per cent. of the total expectancy saved. The difference in favor of the abstainers is 28 per cent.

In the Scepter Life Association the deaths in the non-abstainers' section during seven years ending with 1882 were 335 out of 438 expected, or 24 per cent. below expectancy, while in the total-abstainers' section the deaths were only 73 out of 165 expected, or 56 per cent. below expectancy, making 32 per cent. in favor of the total abstainers. So uniform have been these results wherever the data have been furnished for comparison that the Briton Life Association issues

policies to total abstainers at a reduction of 10 per cent., and some other companies nearly the same.

From all the facts thus far adduced, whether from rigid experimental investigations in different countries; from the pathological results developed in the most scientific medical societies; from the most reliable official statistics of sickness and mortality, as influenced by occupations and social habits, or from the life-insurance records kept on a uniform basis through periods of ten, twenty, thirty, or even forty years, it is clearly shown that alcohol when taken into the human system not only acts upon the nervous system, perverting its sensibility, and when increased in quantity causes intoxication or complete anæsthesia or insensibility, according to the degree of increase, but it also, even in small quantities, lessens the oxygenation and decarbonization of the blood and retards the molecular changes in the tissues of the body. And when these effects are continued through months and years, as in the most temperate class of drinkers, they lead to permanent structural changes, most prominently in the liver, kidneys, stomach, heart, blood-vessels, and nerve structures, and lessen the natural duration of life in the aggregate from ten to fifteen years.

Consequently there is no greater or more destructive error existing in the public mind than the belief that the use of fermented and distilled drinks does no harm so long as they do not intoxicate. "It is not the temperate use but the abuse of alcoholic drinks that does harm," is the often-repeated popular phrase that embodies the error which helps to rob more than 100,000 persons of from five to twenty years of life each in the United States, through the gradual development of chronic structural diseases induced by the daily use of beer, ale, wine, or distilled spirits in quantities so moderate as at no time to produce intoxication. No more true or important remark was made in the noted discussion in the London Pathological Society, from which I have already quoted, than the one by Dr. George Harley, that "for every drunkard there were fifty others who suffered from the effects of alcohol in one form or other."

Another popular error but little less mischievous is the opinion that the substitution of the different varieties of beer and wine in the place of distilled spirits promotes temperance and lessens the evil effects of alcohol on the health and morals of those who use them.

Accurate investigation will show that beer and wine drinkers consume more alcohol per man than the spirit-drinkers; and while they are not as often openly intoxicated, they suffer fully as much from disease and premature death, in the aggregate, as do those who use distilled spirits.

Again, the beer-drinker drinks more nearly every day, and thereby keeps some alcohol in his blood more constantly; while a large percentage of spirit-drinkers drink only periodically, leaving considerable intervals of abstinence, during which the tissues regain nearly their natural condition. The more constant and persistent is the presence of alcohol in the blood and the tissues, even in moderate quantity, the more certainly does it lead to perverted and degenerative changes in the tissues, ending in renal and hepatic dropsies, cardiac failures, gout, apoplexy, and paralysis.

From all the foregoing considerations it is evident that the consumption of 579,767,476 gallons of fermented and distilled drinks in this country annually has neither aided to nourish the tissues nor added to the physical strength or mental activity of those who have consumed it, but, on the contrary, its consumption has perverted the nutrition, slowly and insidiously developing fatal diseases, diminished both physical and mental health and activity, thereby greatly lessening the amount of productive labor, and has shortened more than one hundred thousand lives. If we add to these strictly physiological and pathological results the enormous amount of moral deterioration and crime induced by the use of these drinks, it completes the aggregation of pecuniary impoverishment, mental demoralization, and sacrifice of human life, that has no parallel from any other one agency operative in human society.

I do not, Mr. Speaker, as a believer in the desirability of the abolition of the rum traffic, regret the results of this decision. I believe that its tendency will be toward the overthrow of the saloon.

The proposed or similar legislation must now or very speedily be enacted into law by the Congress of the United States. Thus Congress is brought face to face with the great evil of the liquor traffic, and must sanction and authorize restraining statutes.

The power to prohibit is authorized by the nation. The States thus have the moral support and direct assistance of the Congress of the United States in the enforcement of all laws enacted by the States restraining this traffic. It is a re-enforcement of the police power of the State Legislatures by the law of the nation. The power and policy to restrain the liquor traffic by Congress, if this legislation be enacted, is no longer a problem, it is a fixed fact.

There will be great rejoicing, Mr. Speaker, all over this land if this bill shall pass—rejoicing because this law will deal a very severe blow at the liquor traffic.

Criticism has been made in this debate of prohibitionists and the prohibition idea. The prohibitionist is characterized as "narrow," as of "one idea," a "crank," and a "hypocrite." Such epithets are undeserved and such appellations unwarranted. Prohibitionists are true to the American principle that the majority should rule.

If the majority of a State or municipality vote that a license shall be granted, the prohibitionist submits and obeys that law, and if the majority vote for prohibition he expects that that law should be obeyed, and moreover he is determined it shall be obeyed.

A prohibitionist simply believes in obeying the laws of his country; many of his opponents do not. He is determined to wage war against the liquor traffic along all lines; he believes he is right, Mr. Speaker, and he knows that right always eventually prevails. It will not fail on this question.

I will not discuss the magnitude of the evil which the prohibitionist seeks to overcome, but will close with a few quotations from an article in the May Forum, 1890, by Rev. Dr. Howard Crosby, who is not a prohibitionist, as to the character of this evil, or rather as to a government by rum-sellers. He uses the following language:

> Why not a government by rum-sellers? * * * The idea is unsavory. No pleasant associations are grouped about it. We instinctively picture a government of dirt and disorder when we use the phrase. Why is this? A government of iron-sellers or wool-sellers would not sound so.
>
> The rum-seller or saloon-keeper is engaged in an immoral business.
>
> It is an immoral business because it makes drunkards and ruins families. We know by the observation of years that the frequenters of the saloon are not moderate drinkers; that they do not come to slake a reasonable thirst, as one does when he goes to the water pitcher. There may be here and there one such, but the mass of those who enter the saloon go for the excitement of drink, not for the quenching of thirst. It is no slander to say that the saloon is the resort of idlers, loafers, and roughs. Any one who has eyes may see who go in and out of the saloon and who stand at its portals.
>
> Any one who has had experience in visiting and helping the poor of a city like New York knows that a very large part of the distress he sees arises from the waste of money on drink. Wages are spent at the saloon by the father, and the wife and the children suffer. The rent is not paid. The family move from place to place. The furniture is broken and soiled. The clothes are patched and ragged. The children become street Arabs and grow up to be criminals of all sorts. The father's drink has not only consumed the living of the family, but filled the family with strife and iniquity. This is but a plain, unvarnished statement of what is well known to every city missionary and to every benevolent visitor.
>
> No mother would have her child visit a saloon; no sister would see a brother frequent a saloon without shuddering. How, then, are the saloons supported? By the depraved and careless classes. These classes are very numerous. The depraved find their inspiration in the saloon. The vulgar jest, the obscenity, the quarrel, the fight, which find a home in the saloon, exactly suit the depraved, and in that resort they strengthen their depravity. The careless comprise those men who know all this about the saloon and inwardly despise it, but yet, for a moment's gratification in drinking, do not hesitate to drop in and take their glass at the bar, thus lending an air of respectability to the loathsome place. The careless are a legion in every community. They care nothing for the public good, and hence they care nothing for example or influence. They could easily turn the scale in favor of reform in any department of life, because of their great number, but they have not enough interest in humanity to bear a feather's weight of self-denial. They are not drunkards, nor akin to them, but they help to continue the evil quite as much as if not more than the depraved. Though moral persons they abet immorality by their abuse of responsibility.
>
> Were all right-minded electors to vote and to vote according to conscience, and not according to party, the rum power would be suppressed at once. The saloon would then be destroyed; this tap-root of evil annihilated, public office would be in purer hands, legislation would run in moral lines, and the people would be more prosperous and contented.
>
> This is the most important question now before the American public. Tariff, railroads, the negro, the fisheries, Canadian reciprocity, Pan-American alliance, and the silver question are all of secondary consequence when compared with this matter of the fundamental morals of legislation and society. It would be well if the attention of our citizens could be diverted from all other questions and concentrated on this, until it should be settled that rum is not to rule our land and spread its filth and corruption over the glorious potentialities of the heritage with which a gracious Providence has endowed us.

Commerce Among the States.

REMARKS
OF
WILLIAM M. SPRINGER,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES.

Wednesday, August 6, 1890.

The House having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 398) to limit the effect of the regulating of commerce between the several States and with foreign countries in certain cases—

Mr. SPRINGER said:

Mr. SPEAKER: I regret that so little time has been allowed for debate upon this important measure. Scarcely a bill has been considered this session which is of greater importance, yet only a very brief time is allowed for its discussion. I can not submit the numerous authorities on the subject, which I have collected, but must content myself by stating generally my views, and by inserting in the RECORD a citation of such authorities as are in point.

I was not here when the bill was originally discussed, and therefore did not participate in that debate; but since I have returned to the House I have taken some pains to look into the question, and it seems to me that the Senate bill is an attempt on the part of Congress to give validity to certain laws of Iowa and other States which the Supreme Court has held to be in violation of the Constitution of the United States. In the Leisy case the Supreme Court distinctly held that the law of Iowa, which permitted the seizure of the packages in controversy, was in violation of the Constitution of the United States, and they cited as authority to sustain this view the great case of Gibbons *vs.* Ogden, decided sixty-six years ago, the opinion having been pronounced by Chief-Justice Marshall. The doctrine laid down in this celebrated case has never been overruled by any formal decision of the Supreme Court.

COMMERCE AMONG THE STATES.

Mr. Speaker, what is the meaning of the clause in the Constitution "commerce among the States?" As was said by Chief-Justice Marshall in the case just mentioned, Gibbons *vs.* Ogden (9 Wheaton, 4):

> As men whose intentions require no concealment generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our Constitution and the people who adopted it must be understood to have employed words in their natural sense and to have intended what they have said.

Then the learned Chief-Justice proceeded to give a definition of the word "commerce" and of the meaning of the clause "commerce among the States." It was conceded in argument and by the court, without dissent, that commerce meant "traffic, the buying and selling

or the interchange of commodities;" and the whole point in contention was whether the word also embraced navigation. The court said:

Commerce, undoubtedly, is traffic, but it is something more: it is intercourse. It describes the commercial intercourse between nations and parts of nations in all its branches and is regulated by prescribing rules for carrying on that intercourse.

The court held that the words in the Constitution—

Congress shall have power * * * to regulate commerce with foreign nations and among the several States and with the Indian tribes—

comprehended every species of commercial intercourse between the United States and foreign nations and carry the same meaning throughout the sentence.

Commerce among the States—

Said the learned Chief-Justice Marshall—

can not stop at the external boundary line of each State, but may be introduced into the interior.

In the case of Brown *vs.* Maryland (12 Wheaton, 419) Chief-Justice Marshall, in delivering the opinion of the court, after stating this doctrine, said:

If this power reaches the interior of a State and may be there exercised, it must be capable of authorizing the sale of those articles which it introduces. Commerce is intercourse; one of its most ordinary ingredients is traffic. It is inconceivable that the power to authorize this traffic, when given in its most comprehensive terms, with the intent that its efficacy should be complete, should cease at the point where its continuance is indispensable to its value. To what purpose should the power to allow importation be given, unaccompanied with the power to authorize a sale of the thing imported? Sale is the object of importation and is an essential ingredient of that intercourse of which importation constitutes a part. It is as essential an ingredient, as indispensable to the existence of the entire thing, then, as importation itself. It must be considered as a component part of the power to regulate commerce. Congress has a right, not only to authorize importation, but to authorize the importer to sell.

Thus we have, from the highest judicial authority in the land, the Supreme Court of the United States, not only a definition of the word "commerce," but a declaration of the meaning of the clause in the Constitution, "commerce among the States." Congress alone has the power to regulate this commerce among the States. Congress can not delegate this power to the several States. Judge Cooley, in his work on Constitutional Limitations (third edition, page 116), says:

One of the settled maxims in constitutional law is that the power conferred upon the legislature to make laws can not be delegated by that department to any other body or authority. Where the sovereign power of the state has located the authority, there it must remain; and by the constitutional agency alone the laws must be made until the Constitution itself is changed. The power to whose judgment, wisdom, and patriotism this high prerogative has been intrusted can not relieve itself of the responsibility by choosing other agencies upon which the power shall be devolved, nor can it substitute the judgment, wisdom, and patriotism of any other body for those to which alone the people have seen fit to confide this sovereign trust.

I call attention to the decisions of fifteen or twenty cases in State courts fully sustaining this position of Judge Cooley cited in his work already referred to, page 117. I also call attention to a very noted case, that of Roach *vs.* Van Riswick (MacArthur & Mackay's Reports, page 171, of the decisions of the supreme court of the District of Columbia). In this case the court unanimously held that Congress had no power under the Constitution of the United States to delegate general legislative authority to the local government of the District of Columbia, upon the ground that the Constitution had conferred this power upon Congress.

Now, Mr. Speaker, what are the provisions of the pending bill? The House conferees have recommended that we recede from the House amendment, or substitute, and agree to the Senate bill just as it passed that body. Let me read the Senate bill, the passage of which is now the pending question before the House.

It is as follows:

Be it enacted, etc., That all fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory or remaining therein for use, consumption, sale, or storage therein, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

It will be seen that this bill delegates the whole question of commerce among the States, so far as "intoxicating liquors or liquids" are concerned, to the Legislatures of the several States. It is claimed that Congress may, in the rightful exercise of the power conferred upon it by the Constitution, adopt the State regulations on the subject, and thus make them—the State laws—the laws or regulations of Congress. But this Senate bill not only adopts existing State laws or regulations on the subject, but it subjects this traffic among the States to any laws the States may enact in the future. Chief-Justice Marshall, in the case of Gibbons *vs.* Ogden, already cited, said:

Although Congress can not enable a State to legislate, Congress may adopt the provisions of a State on any subject.

But in that case he was dealing with a statute which was confined to pilots within the bays, inlets, etc., which are in whole or in part within the limits of some particular State. The regulation of pilots, although remotely and sometimes materially affecting foreign or interstate commerce, was, at the same time, recognized as within the police powers of the States. But when it comes to traffic itself between the States, the regulation of it was committed alone to Congress, and the power could not be delegated to the States. As was so clearly and forcibly stated by the Supreme Court of the United States in the case of Robbins *vs.* Shelby Taxing District (120 U. S., 489):

In a word, it may be said that in the matter of interstate commerce the United States are but one country and are and must be subject to one system of regulations, and not to a multitude of systems. The doctrine of freedom of that commerce, except as regulated by Congress, is so firmly established that it is unnecessary to enlarge further upon the subject.

This doctrine was quoted with approval by the same court in the case of Bowman *vs.* Chicago and Northwestern Railway Company. (125 U. S. Reports, 497.)

The late Mr. Justice Matthews pronounced the opinion of the court in this case, and the same doctrine was affirmed in the Leisy case, recently decided by that tribunal.

It is true that there are some sentences or phrases in the opinion of the Supreme Court, pronounced by Mr. Chief-Justice Fuller in the Leisy case, which have somewhat confused the friends of this Senate bill—such expressions as this, for instance:

A subject-matter which has been confided exclusively to Congress by the Constitution is not within the jurisdiction of the police power of the State, unless placed there by Congressional action.

This is almost a judicial paradox. If the legislative power over the subject-matter has been confided exclusively to Congress, how can Congress delegate this power to the States? Congress can not delegate powers exclusively confided to it. This will hardly be disputed by any one. But the explanation of this apparent judicial paradox is this, it seems to me: The court was quoting from decisions in other cases, where Congress had adopted the laws of the States as to pilots, sanitary regulations, and other subjects which, while purely local in their operation, remotely affected interstate and foreign commerce. But the court very properly says, in the Leisy case, that—

The power thus exercised by the States is not identical in its extent with the power to regulate commerce among the States. The power to pass laws in respect to internal commerce, inspection laws, quarantine laws, health laws, and laws in relation to bridges, ferries, and highways, belongs to the class of powers pertaining to locality, essential to local intercommunication, to the progress and development of local prosperity, and to the protection, the safety, and the welfare of society, originally necessarily belonging to, and upon the adoption of the Constitution reserved by, the States, except so far as falling within the scope of a power confided to the General Government. Where the subject-matter requires a uniform system, as between the States, the power controlling it is vested exclusively in Congress, and can not be encroached upon by the States; but where, in relation to the subject-matter different rules may be suitable for different localities, the States may exercise powers which, though they may be said to partake of the nature of the power granted to the General Government, are strictly not such, but are simply local powers, which have full operation until or unless circumscribed by the action of Congress in effectuation of the general power. (Cooly *vs.* Port Wardens, 12 How., 299.)

With this explanation the meaning of the court is clear and free from doubt. The transportation of liquors from one State into another and the selling of them in original packages by the importer is a matter of interstate commerce. It is "commerce among the States," which Congress can alone regulate. The right to sell is inseparable from the right to transport. Hence, the Supreme Court in the Leisy case, and in numerous other cases, has held that the laws of Iowa and other States which prohibit the sale of such liquors in the original packages are contrary to the Constitution of the United States and are therefore null and void.

Notwithstanding this fact, Congress is now called upon to breathe into those unconstitutional laws by this bill the breath of legislative life. If those laws are unconstitutional, how can Congress give them vitality? Furthermore, the bill proposes to subject interstate commerce, so far as it relates to intoxicating liquors, to the police laws of the State as soon as it arrives within the border of the State, and it proposes to subject that commerce not only to existing State laws, but also to any laws that may hereafter be enacted on the subject by the States.

If gentlemen will reflect for a moment they will see that the present prohibition laws of Iowa and other States will not be adequate to meet the new condition of things; and such States will proceed to legislate for the purpose of ascertaining as soon as goods cross the border of the State whether the packages contain any of these contraband articles. Persons traveling from one State to another will soon find an inspector at the State line to examine their baggage and see whether they have in their possession any of these contraband goods.

The States will have the right under this law to stop every package of goods coming within the State and to determine whether such packages contain any of the articles which, under the police laws of those States, are subject to seizure. You gentlemen propose to put up this wall between the States of the Union, this wall which it is claimed may be established under the right of inspection for the purpose of protecting the people of each State. Under such a system unreasonable searches and seizures and confiscations may take place on the borders of the States anywhere throughout the country.

My friends, in attempting to pass a measure of this kind you are entering upon the most dangerous ground that Congress has ever occupied in its legislation. The measure is based upon a doctrine contrary to every principle of the Constitution; it strikes down the very fundamental principles of our Government, the object of establishing which, more than anything else, was that there should be perfect freedom of

communication between the States of the Union. If gentlemen desire to destroy this freedom which has been the chief glory of our Government from its foundation to the present time, this bill will do it.

The bill is the beginning of an effort on the part of certain gentlemen to destroy the right of the people of this country to go and come whereseever they please throughout this Union, taking their property with them. If you can pass this bill you can prohibit the taking of pig-iron from Alabama to Pennsylvania; you can prohibit the transportation of coal from Virginia to Maine, because it may come in competition with the cheaper coal obtainable from New Brunswick. The principle involved in this bill, if carried to its utmost extent and applied to other subjects, may authorize any State to set up barriers against the products of all other States and to establish inspection bureaus at the State line to ascertain whether any of the contraband goods are crossing the line. You thus inaugurate under this Government, which has boasted of its freedom, a condition of things similar to that which exists among the petty States of Euprope, where a gentleman traveling from one to another must have his baggage examined three or four times every day. [Applause.]

But gentlemen must not for a moment suppose that there is no relief for the abuses of which complaint has been made. The power to deal with this subject is confided exclusively to Congress, and Congress may now, if it sees fit, pass a law regulating the liquor traffic among the States. Let those who have this subject in their charge bring in a bill on that subject, and let us consider it now, and deal with the question as we are required to do under the Constitution. If we do not deal with this question ourselves, if we shirk our responsibilities, and endeavor to revive the defunct laws of the States on this subject, we will fail.

The Supreme Court will hold, whenever a case may come before it under this Senate bill, that it attempts to delegate to the States a power which has been confided exclusively to the Congress. The act, if passed and signed, will be declared by the Supreme Court null and void, and Congress will be obliged hereafter to perform its plain constitutional duty: to pass all laws that may be necessary to regulate commerce among the States.

Indian Appropriation Bill.

SPEECH
OF
HON. OSCAR S. GIFFORD,
OF SOUTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, August 9, 1890.

The House having under consideration the amendments of the Senate to the bill (H. R. 10726) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1891, and for other purposes—

Mr. GIFFORD said:

Mr. SPEAKER: Probably no portion of this country has a greater interest in this bill than the State of South Dakota. In that State we have nearly twenty-five thousand Indians, about double the number to be found in any other State or that can possibly be in any other State of this Union or Territory, unless, perhaps, in the Indian Territory. A considerable amount of the appropriations carried by this bill is to be paid to those Indians in our State.

We have in South Dakota what is known as the great Sioux Nation of Indians. They have been for years past a war-like and hostile tribe. They have cost this Government, perhaps, as large an amount of money as any other tribe of Indians upon the continent. About fourteen years ago they were able to exterminate General Custer and his command. They carried on a border war for a period of about six years, from 1862 to 1868, to the terror of the people of the States of Minnesota and Iowa. They carried their warfare even to the eastern and the southern borders of the great State of Minnesota. They defied this Government for many years. Even as late as 1880, Sitting Bull was able to stand at bay against our forces upon the British border, and it was only through the influence of some friendly people, aided, perhaps, by his own necessities, that he was induced to surrender and again occupy the agency in South Dakota. These Indians occupy a position in the central portion of our State, and therefore it is of paramount importance to us that they shall be properly treated and cared for in this and all future bills making appropriations for their support and maintenance or to carry out any of the provisions of the treaties made with them. Any sort of hostile action now on the part of those Indians would terrorize the whole border, not only of our State, but of the adjoining States, and would cost this Government many millions in money.

I need not say in this connection that the Indian wars in which our Government has been engaged during the past three-quarters of a century have cost us not only thousands of lives of soldiers and of settlers, but also hundreds of millions of money.

This Government, however, has awakened recently to the advantages of a new policy in dealing with these Indians. That policy is partially developed in this bill. It is to treat them in a consistent and rational manner, to educate them, to teach them to work as well as to read and write, and not to depend wholly upon the efforts of benevolent people or of missionaries to christianize and civilize them and make them self-supporting, but that the Government shall use its strong arm and influence to that end and for that purpose. Now, we in South Dakota know that these Indians can be made self-supporting. We know it from actual experience, because we have those amongst us who are supported, or largely so, through their own exertions. But the provision of every agreement and every treaty with those Indians should be and must be carried out to the letter. It is the duty of the members representing that State as well as of those from other States of this Union to see to it that those agreements are carried out fully, not only in letter, but in spirit, and some of the provisions of this bill and some of the Senate amendments which have been incorporated into the bill provide expressly for carrying out certain portions of the treaties recently made with the Sioux Indians.

Now, one word in regard to this educational policy which has been to some extent criticised. This bill provides for the construction of industrial schools—one or two only. A few years ago this Government undertook the experiment—it was an experiment—of providing industrial education for some Indians at Carlisle, Pa. The experiment has proved a magnificent success; it has proved to be a wise move on the part of the Government; it has been attended with such success that the committee and Congress and the Government are willing to extend the work of giving the Indians an industrial education to some extent, not to embark upon the undertaking as a great enterprise, not to extend this industrial education to all of the Indians, but to a portion of them, so that the influence of those who receive education in these industrial schools may be felt among their people at home. When you select a few hundred Indian youth—boys and girls—and teach them to work, they in turn by their example will teach their associates among the tribes to work. A few thousand dollars or a few hundred thousand dollars or a few million dollars expended in that direction is of vastly more benefit to the Government and the people than the maintenance of a standing army as a menace or for the purpose of fighting the Indians.

The Indian policy of this Government in the past has been a failure, a miserable failure. The whole policy of the Government has been to drive the Indians out of the country. With us to-day there is no place to which to drive them.

Mr. SAYERS. The gentleman speaks of dispensing with the necessity of troops to protect our people from the Indians. Do we not keep up the Army at any rate? Do the appropriations or does the extent of our Army diminish?

Mr. GIFFORD. If it were not for these appropriations there would be to-day a greater standing Army kept up to protect the people; for these appropriations are very largely in accordance with treaties or agreements made with the Indians.

Mr. SAYERS. I do not understand that the numbers of our standing Army have been decreased in the last ten or twelve years; have they?

Mr. GIFFORD. Oh yes, indeed; or rather, while the numbers may not have been decreased, the fact is to be considered that an army engaged in warfare with the Indians costs the Government ten times as much as one maintained at our posts during peaceful times. A state of war, with a given number of troops engaged, costs the Government ten times as much as the same number of troops in time of peace. Everybody knows that. But the idea is to educate these Indians to a certain extent numerically, and thereby elevate and prepare them for civilized life; and we in South Dakota expect to perform our share in carrying out the wise and liberal policy adopted by the Government.

[Here the hammer fell.]

Lotteries.

SPEECH
OF
HON. THEODORE E. BURTON
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, August 16, 1890.

On the bill (H. R. 11569) to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes.

Mr. BURTON said:

Mr. SPEAKER: This bill seeks to diminish the evils arising from lotteries. Its aim is to prevent the use of the United States mails for the promotion of gambling schemes. While some of the lottery companies using the mails are located in foreign lands, beyond our jurisdiction,

nearly all the evils arising from this form of gambling may be traced to one corporation, the Louisiana State Lottery. Let us follow its history:

The Louisiana State Lottery Company owes its legal existence to an act passed by the Legislature of Louisiana in August, 1868, and printed in the Acts of Louisiana for 1868, on page 24. It is entitled "An act to increase the revenues of the State, and to authorize the incorporation and establishment of the Louisiana State Lottery Company, and to repeal certain acts now in force." In the printed copy of the statutes a minute is added by the secretary of state to the effect that the foregoing act, having been presented to the governor of the State of Lousiana for his approval and not having been returned by him to the house of the General Assembly in which it originated, within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

Prior to this act other laws were in force, three of which were passed in the year 1866, of which the most important provided that any person selling lottery tickets should pay a license tax of $10,000. (It was provided that the person licensed might keep open several places of business, not exceeding ten in number, in not more than one parish.) It also provided that each lottery ticket sold should have a stamp, representing 5 per cent. of the amount for which it was sold, and that this percentage should be paid to the auditor of state.

The act for the establishment of the State Lottery Company contains, I make bold to say, the most unblushing declaration of intention to grant a privilege to plunder which can be found upon any statute-book. The preamble runs as follows:

Be it enacted, etc., That whereas many millions of dollars have been withdrawn from and lost to this State by the sale of Havana, Kentucky, Madrid, and other lottery tickets, policies, combinations, and devices, and fractional parts thereof, it shall hereafter be unlawful to sell, offer, or expose for sale any of them or any other lottery, policy, or combination ticket or tickets, devices or certificates, or fractional parts thereof, except in such manner and by such persons, their heirs, executors, and assigns as shall be hereinafter authorized.

Also, in articles of incorporation, article 2 provides as follows:

The objects and purposes of the corporation are, first, the protection of the State against the great losses heretofore incurred by sending large amounts of money to other States and foreign countries for the purchase of lottery tickets and devices, thereby impoverishing our own people.

Interpreted, this means: "Whereas the citizens of our State have been robbed by the swindling devices located at Havana, at Madrid, and in Kentucky, we will prevent this cheating of our own citizens by outside parties and legalize a similar swindling, within our own borders, by means of which, these fraudulent devices shall be utilized for the benefit of a corporation in our own State." How well this intention has been carried out is shown by the fact that, according to the best estimates, not over 7 per cent. of the amount paid for lottery tickets comes from citizens of Louisiana.

The statute, not only by implication, but expressly, points to the impoverishment of the people by lotteries; but, instead of placing the seal of disapproval upon such enterprises, it creates a worse enterprise in that State, gives it a charter of twenty-five years, and grants a monopoly for that time. By other provisions of incorporation, the acts licensing dealers in lottery tickets and all provisions giving authority to sell as agents for outside lottery companies are repealed. It would be difficult to find a statute in which the evils arising from the operations of lotteries are on the same pages clearly set forth and yet legalized and made permanent.

In 1879, by the constitution of the State of Louisiana, adopted in that year, the provision granting a monopoly to this company is revoked, and general authority is given the General Assembly to grant lottery charters or privileges, provided each shall pay not less than $40,000 per annum into the treasury of the State and that all charters shall cease or expire January 1, 1895. It is further provided in this constitutional provision, article 167, that the $40,000 payable annually by the Louisiana State Lottery shall belong to the Charity Hospital, of New Orleans. The original charter is recognized as a contract binding upon the State for the period therein specified, except this monopoly clause, which is abrogated. Of all additional sums from other companies, the hospital at Shreveport shall first receive $10,000 per annum, and the balance shall be divided among the several parishes of the State, for the benefit of their schools. No other company has been incorporated in the State under this provision.

It will doubtless be a surprise to many to know that the net profits of this institution, available for distribution among the stockholders, exceed those of any corporation in the United States. In making a comparison we may include any of the great railroad corporations. Its plan provides for twelve drawings in each year, ten so-called "ordinary" and two "extraordinary" drawings. The total amounts realized from these twelve drawings from the sale of tickets is $28,000,000, of which less than $15,000,000 is paid out in prizes. It is claimed that the expenses of transacting the business of the corporation, payment of commissions to agents, etc., add to its expenditures $4,000,000, aggregating $19,000,000 for disbursements, but leaving a clear net profit of $9,000,000. To these net profits must be added millions more, derived from incidental schemes in the way of daily drawings, which, it is claimed by persons having opportunities of information, would add at least $4,000,000 profit to the enormous sum of $9,000,000 already stated. It is probable that few who invest in these tickets examine the tables published in the advertisements, showing the amounts paid out in prizes at each drawing, or notice the disparity between the amounts received for tickets and the aggregate of prizes.

In this connection I wish to call attention to an advertisement which daily appeared in one of the papers in this city, the material part of which I will present herewith. In this advertisement a list of prizes is given, and the aggregate sum total of such prizes is stated. The advertisement should show that in the monthly drawing to which it refers, $2,000,000 is paid for tickets and only $1,054,800 paid back in prizes. By an error in the footing, which is very singular, the total amount of prizes, instead of $1,054,800, is given as $1,854,800. This error may or may not be intentional; but in an enterprise of this kind, where profits are so large, a few errors, more or less, amounting to $800,000, are hardly to be considered. This enormous profit is the more extraordinary when it is taken into account that the authorized capital stock of the lottery company is $1,000,000 only, of which it is provided that 10 per cent., or $100,000, is to be paid in before business is begun. It has never been claimed that more than $100,000 was paid in for a business capital for this corporation. Yet, on this inconsiderable sum profits are realized amounting, it is safe to say, to more than $10,000,000 per year. In the early history of the company its stock sold at 35 per cent. of the par value, or $35 per share. Sales have since been made at $1,400 per share, and yet in its advertisements it is proclaimed, "Incorporated by the Legislature for educational and charitable purposes."

And this statement is made because a stipend of $40,000 per year is paid toward the support of a hospital, and this sum the Supreme Court has decided must be accepted as an absolute equivalent for all taxes. Without going outside of the advertisement, attached herewith, for information, we may recognize the colossal gains and many other characteristic features of this institution. It is as follows:

LA. S. L. LOUISIANA STATE LOTTERY COMPANY.

Incorporated by the Legislature for educational and charitable purposes, and its franchise made a part of the present State constitution, in 1879, by an overwhelming popular vote.

Its grand extraordinary drawings take place semi-annually (June and December), and its grand single-number drawings take place in each of the other ten months in the year, and are all drawn in public at the Academy of Music, New Orleans, La.

* * * * * * *

Grand monthly drawing will take place at the Academy of Music, New Orleans, Tuesday, August 12, 1890—Capital prize, $300,000; 100,000 tickets at $20; halves, $10; quarters, $5; tenths, $2; twentieths, $1.

LIST OF PRIZES.

1 prize of $300,000 is	$300,000
1 prize of $100,000 is	100,000
1 prize of $50,000 is	50,000
1 prize of $25,000 is	25,000
2 prizes of $10,000 are	20,000
5 prizes of $5,000 are	25,000
25 prizes of $1,000 are	25,000
100 prizes of $500 are	50,000
200 prizes of $300 are	60,000
500 prizes of $200 are	100,000

APPROXIMATION PRIZES.

100 prizes of $500 are	50,000
100 prizes of $300 are	30,000
100 prizes of $200 are	20,000

TERMINAL PRIZES.

999 prizes of $100 are	99,900
999 prizes of $100 are	99,900
3,134 prizes amounting to	1,854,800

Agents wanted everywhere.

For club rates or any further information desired write legibly to the undersigned, clearly stating your residence, with State, county, street, and number. More rapid return mail delivery will be assured by your inclosing an envelope bearing your full address.

Important.—All ordinary letters containing postal notes, money-orders issued by all express companies on New York exchange.

Address

M. A. DAUPHIN, *New Orleans, La.*

Address registered letters containing currency to "New Orleans National Bank, New Orleans, La."

Remember that the payment of prizes is guarantied by four national banks of New Orleans, and the tickets are signed by the president of an institution whose chartered rights are recognized in the highest courts. Therefore, beware of all imitations or anonymous schemes.

Remember that the present charter of the Louisiana State Lottery Company, which the Supreme Court of the United States has decided to be a contract with the State of Louisiana and part of the constitution of the State, does not expire until January 1, 1895. The Legislature of Louisiana, which adjourned on the 10th of July of this year, has ordered an amendment to the constitution of the State, to be submitted to the people at an election in 1892, which will carry the charter of the Louisiana Lottery Company up to the year 1919

Adam Smith, in his Wealth of Nations, says:

The world neither ever saw, nor ever will see, a perfectly fair lottery or one in which the whole gain compensated the whole loss, because the undertaker could gain nothing by it.

And again, in speaking of public lotteries, he says:

In the State lotteries the tickets are really not worth the price which is paid by the original subscribers.

But it is not by any means the great financial accumulations of this corporation, nor the disparity between the investments of the ticket-buyer and his chances of return, which afford the greatest objections to its existence and influence.

The worst influence of such enterprises consists in the public demoralization arising from their extensive gambling operations and from the private demoralization of those who invest their savings in the desperate chances of obtaining prizes. It is probable that in no country in the world is the mania for speculation or the desire for the acquisition of sudden wealth more prevalent than in the United States. Much of the dishonesty which appears among those having public positions or fiduciary trusts can be directly traced to speculation, or, more correctly speaking, to gambling. The purchase of lottery tickets is one of the most injurious phases of this tendency. It is a well known fact that the persons engaged in the purchase of lottery tickets are not for the most part men or women of large or even moderate means.

These companies, by attractive circulars and by accounts of the drawings of great prizes, prey upon the poor and induce them to invest their meager earnings in the hope of acquiring great gains. It affords an opportunity for those who are unwilling to work, for those who have fallen into a rut out of which, except by some great strike of fortune, they can not find their way, to those who have become possessed of a mania for gambling, an opportunity to squander their substance. In the factories, among the employés of railway companies, among clerks in the service of the Government, and in many other places this mania for gambling has become prevalent, an evil of such magnitude that it may well be said to be of national importance. Whether these seekers for unearned gains are successful or unsuccessful, a wise public policy would alike seek to prevent the acquisition of large sums without honest labor, and the squandering of earnings which are needed for the support of the investors and their families. Actuated by this idea, nearly every State and Territory in the Union has, by statutory provisions, in many cases rendered more binding by insertion in the State constitution, prohibited the establishment of lotteries within its borders, and also provided severe penalties for the advertisement or sale of lottery tickets.

It must be admitted that this almost universal opposition to the existence of lotteries is due to the growth of public sentiment and an increased appreciation of the great evils arising from their operations in the different communities. Lotteries for alleged education or charitable purposes, or under the authority of the State for the benefit of its revenues, were in vogue in this country during the last century and for the first twenty years of this. Among the acts of this Congress before 1820 were a large number of statutes incorporating lotteries or facilitating and directing their operations.

A potent illustration of the change of public sentiment upon this subject may be found in the consideration of an incident growing out of a charter authorizing a lottery in this District of Columbia. In the year 1795 the Legislature of the State of Maryland passed an act to authorize two lotteries in the city of Washington for the purpose of raising $52,500. The money was to be used for drainage and in the construction of a canal. These acts were ratified by an act of Congress passed in 1812 and approved by James Madison, President of the United States. The tickets were offered for sale in the State of Virginia, but the vendor was arrested and sentenced for violation of the State law. Five of the most eminent lawyers in the United States, on the 27th of June, 1820, rendered an opinion in which the business of conducting lotteries is treated with rare consideration. They say:

> The corporation of the city of Washington have established lotteries * * * and the object for which the money * * * is to be applied has been submitted to the President of the United States, and has been approved by him. Have the Legislatures of the individual States the power, by any law which they can pass, to prohibit the sale of the tickets in the lotteries thus established? We think the State Legislatures have no such power.

And further on they say:

> It will be admitted by everybody that it is in the nature of the lottery that the tickets must be sold, and that they must be, as they always are, transferred from hand to hand by sale. * * * But surely a State law which forbids a citizen to buy or sell a ticket in a lottery well established under the authority of the Union * * * trespasses on the rights of the citizen as far as it goes, interferes with the general purposes for which the lottery is established, and changes the qualities of the tickets by impairing that saleable and transferable faculty to which it owes its value, and without which the lottery itself may be wholly defeated and must be greatly injured or delayed.

This opinion is signed by such eminent lawyers as William Pinkney, of Maryland, David B. Ogden, and Thomas Addis Emmet, of New York.

The very elaborate and ingenious argument of these lawyers was examined by the Supreme Court of the United States, and decided by it to be erroneous in the case of Cohens *vs.* Virginia, reported in 6 Wheaton. In that case, the Supreme Court of the United States sustained the right of the State of Virginia to forbid the sale of lottery tickets within its borders. During the past fifty years, there has been a marked improvement in public sentiment upon this subject of lotteries, so that, as before stated, their operations are now absolutely forbidden in nearly all the States and Territories.

It will be noticed that this legislation, forbidding the use of the United States mails for the distribution of advertisements of lotteries or the conveyance of letters containing money for the purchase of lottery tickets, is not now for the first time the subject of legislation by Congress. In the years 1872 and 1876, laws were passed strictly forbidding the use of the mails for advertisements or the carrying of letters containing money addressed to any lottery. The objection was made at the time, and has occasionally been raised since, that such legislation was in excess of the constitutional powers of Congress, but it is doubted whether this argument will now be used by any one.

To deny the right of Congress to legislate upon this subject would lead to very absurd conclusions. It would be saying that a post-office system may be established, but no control or direction is given to determine what matter shall be carried, and that the mails may be used for the promotion of fraudulent schemes, which nearly all the States have forbidden and made punishable by penal statutes. The existing law has been found to be faulty. Like almost all penal statutes dealing with a great evil in which selfish interests are involved and for the maintenance of which ingenuity and skill are brought into requisition, the law as first framed has been found to be insufficient.

The principal amendments proposed by the pending bill are three: First, the provision making the use of the mails for the promotion of lottery schemes a criminal offense, not only at the place of mailing, but also, at the place where the letters, or other mail matter, are addressed for delivery or distribution. Second, the prohibition of the use of the mails for the carrying of newspapers containing lottery advertisements. Third, authorizing postmasters to detain letters addressed to the agents of lottery companies, as well as when addressed to the company itself, or its immediate managers. The third amendment has been found necessary by reason of the practice, now universally followed, of directing mail matter to a national bank, or other corporation, or person, instead of sending it directly to the lottery company or its managers. It is hoped that these provisions will, as far as is possible by legislation, prevent the use of the United States mails for the promotion of these lottery schemes, so injurious to the communities in which their operations are conducted.

I can not agree with those who indiscriminately condemn the people of the State of Louisiana, for this evil, as if a lower standard of public virtue prevailed there. The existence of such an enormous financial institution, having the power to control the monetary forces of the State, would be a menace, and an almost insuperable corrupting influence, in any community. In describing the present situation there, it is sufficient to say that the potent moral and civilizing forces, which are such a mighty factor in the world's improvement, have not yet acquired sufficient momentum to influence the votes of a majority of the members elected to the Louisiana Legislature.

Notwithstanding the passage by the Legislature of an act submitting to the people of Louisiana a constitutional amendment continuing the charter of this company until 1919, the most casual observer must see that a great popular uprising against this iniquitous form of gambling has occurred there. This movement includes not only the residents of rural portions, but the representative men of the cities and business centers as well. With such aid as the passage of this bill will render to them, we may firmly believe that the people of Louisiana, the great Commonwealth in which the mighty waters of the Mississippi meet the sea, will display a degree of patriotism and public spirit which will soon banish this plague spot from their midst.

Compound Lard.

SPEECH

OF

HON. LUCIEN B. CASWELL,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 21, 1890,

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. CASWELL said:

Mr. SPEAKER: The bill before the House is in the same line of the law attaching to the internal revenue the manufacture and sale of oleomargarine.

It requires those who manufacture compound lard to obtain from the Commissioner a license. Special taxes are levied upon the manufacturers and upon the dealers. The bill requires all parties who offer the article for sale to brand it, that people may know its real character. The article, under the guise of lard, brings in the market a price far above the real value of the ingredients. The manufacturers and dealers can well afford to pay special taxes thereon. It is wrong in principle to allow its sale without its real character being known to the trade.

Gentlemen tell us that compound lard is a nutritious food and that its sale should be neither taxed nor prohibited. We listened to arguments of this kind during the protracted discussion four years ago on the oleomargarine bill; yet we then knew, as every one knew, that in nine cases out of every ten when people purchased oleomargarine they believed it to be genuine butter or they never would have made the purchase. So with compound lard; not one in a hundred would buy and use it for food did he not suppose the article offered was pure lard.

Butter and lard are staple articles; they are known and have a reputation world wide. Everybody knows what lard is and what butter is. They can not know what the spurious or compound article is. When we want lard we do not want oil of any kind; our tastes rebel against it. People will not use the one for the other if they know it. But the deception is easy; hence so much the greater. The human eye can not detect the fraud; nothing, in most cases, but actual tests or use can determine the difference, and then it is too late. The deception is complete, and the object gained.

The evil consequences are not visited upon the purchaser alone. They reach far beyond him. The millions who sit at tables are victims. They must be continuously fed upon these spurious articles, through the instrumentality of fraud practiced upon the one who furnishes the food, that some manufacturer, or dealer, may enjoy an extraordinary profit in his business. The great mischief lies in the fraud and deception. If that is not so, why does the manufacturer of lard dislike to brand the character of the article upon the package. He knows at once that would destroy the sale. He is then bereft of the extra profit in his goods. The people want lard, they do not want oil or a compound of grease, oil, and drugs. They want the genuine article from the hog, and the cleaner and purer the better.

I do not claim, Mr. Speaker, that this legislation is friendly to the manufacture and sale of compound lard. I do not propose to proceed under false colors, if the manufacturers of these articles do. I concede this proposed legislation is intended to discourage their manufacture and sale. I believe the production of these articles is against the best interests of the people, and it should be discouraged, if not prohibited altogether. If I could have my way I would make it a penal offense to manufacture and sell oleomargarine or compound lard on every foot of land under the jurisdiction of the United States, and I would prohibit the importation of either. The deception which is practiced upon the people in their manufacture and sale is a severe blow to the honest producer of these great staples throughout the country.

Before the passage of the oleomargarine bill the entire dairy industry was paralyzed. Farmers, in many places, turned their cows into their pastures without milking. The country was flooded with a spurious substitute for butter. The imposition upon the people was complete. The production of butter, except at a loss, was an impossibility. The people were cheated and deceived on all sides. No man could purchase a pound of butter with safety. The price of dairy cows reached a point far below their cost, and the whole butter product would have soon been turned over to the manufacturer of the substitute, made of filthy grease. Some samples may have been made of healthful ingredients, but more frequently from deleterious and obnoxious substances against which mankind revolts. So with compound lard. To question it is to condemn it for use. Cotton-seed oil is no doubt useful in its place; it no doubt is very valuable for some purposes; so are linseed and other oils; but I protest against the use of either upon the market in disguise as hog's lard for common use in our families, hotels, and boarding-houses.

The hog crop is one of the great resources of the country. It is doubtful if its value to the whole people can be equaled by any other line produced by the farmer. Lard hogs are especially desirable. In the Northwest, where corn is produced in such abundance, the hogs bring to the farmer valuable support. They will always sell in the market at some price, and if Congress can do aught to encourage or increase their production, we should not hesitate for a moment to do it. The number of hogs raised in Wisconsin in 1888 was 1,123,866, valued at $7,766,798. It is in proof that hogs have been depreciated in value on an average 75 cents per head.

It is plainly our duty when a great industry is threatened or impaired to remove the cause, if we can. Not only that, but we should enact such laws as will protect and promote these industries. The great wealth of the country is earned through these sources. Not only should we protect the farmer in his legitimate pursuits, but we should protect the public, when we can, from impositions. No man should prey upon the people through deceptive sources, and a mischief within our reach should be cured as readily as by a State legislature. The arm of the Federal Government is much stronger than that of the State. Because of interstate trade and commerce, it is almost impossible to reach these evils by State legislation alone. Their laws are not uniform. The courts give them different constructions, and the sharp dealer will always find an avenue of escape. But the Federal laws are far-reaching and most effectual.

The manufacture of compound lard is a growing mischief. The public by it is grossly deceived. It is put on the market under the guise of "pure lard," "refined lard," and with various other devices to make the people believe that they are purchasing a choice, pure article of food. This deception ought go no further. It has taken a strong hold upon the markets already. With a slight reduction in price this bogus article is often sold in large quantities to the unsuspecting people, and at a large profit. The consequence is that genuine lard must be sold, if sold at all, at far reduced rates, and it is going lower and still lower. This inroad upon the hog product now causes annually an immense loss to the farmer. The compound lard, made from cotton-seed and various other ingredients, is rapidly taking the place of genuine lard; not because of its merits, but by reason of the deception practiced upon the consumer.

This bill is a step in the right direction. If not sufficient I would follow it with other and more effective enactments, even to its actual prohibition. I repeat, I do not wish to aim a blow at cotton-seed oil; far from it. But I protest against its manufacture and sale as lard. It is not lard, and no man should be permitted to sell it as such.

Some gentlemen say we might as well prohibit the mingling of cotton with wool in the manufacture of clothing that we wear. There is a different principle involved in the making of cloth. Its ingredients are visible to the naked eye, and the purchaser in most cases can see and understand the article offered for sale. Not so with lard or butter. The deception in these articles is beyond detection at the time of purchase.

The imposition can not be discovered in most cases until it is too late to avoid the purchase. Such is the case with most compounds and mixtures. It should be a penal offense to deceive the consumer of food by the sale to him of spurious articles, as much as the use of counterfeit money. The one is an offense against the people, while the other is against the Government. But the people are the sufferers in both cases. One affects the health and the other the pocket. There is no greater fraud or deception than that which affects the food we eat. It is an offense to manufacture or pass counterfeit money. It is a crime against nature to counterfeit the food which we use.

I have no doubt as to our duty in this case. The welfare of the people, both of the producer and the consumer, demands that we pass this bill, and compel the manufacturer to throw off his mask and subject his goods to the merit which they possess, and to that alone. I care not how soon we subject all articles to the same rule, especially when they bear the similitude of staples so necessary for common consumption. I am glad of the opportunity to vote for this bill, as I will for all others of like character.

The deceptions of sharp men practiced upon the people are very general, and it becomes our duty, as their representatives, to thwart their schemes whenever we can. And, while I would do this, I would promote every honest calling, every industry that may add to the welfare and prosperity of the people.

The Tariff and Taxation.

The people demand relief from all unjust and burdensome taxation.

"There can be no lawful tax which is not laid for a public purpose."—*Supreme Court.*

"The excise law is an infernal one."—*Jefferson.*

SPEECH

OF

HON. JOHN S. HENDERSON,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 19, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purpose—

Mr. HENDERSON, of North Carolina, said:

Mr. CHAIRMAN: I do not hope that any words of mine will have the slightest influence upon the action of the gentlemen having charge of this bill, but a sense of public duty, a duty which I owe to myself and to my constituents, requires me to bring to the attention of Congress and of the country some considerations and reflections which impel me to vote against the bill under consideration. In one very essential particular the bill has been framed in deliberate violation of the declarations and promises contained in the Republican national platform adopted at Chicago June 21, 1888. That platform used the following language:

BROKEN PROMISES.

The Republican party would effect all needed reduction of the national revenue by repealing the taxes upon tobacco, which are an annoyance and burden to agriculture, and the tax upon spirits used in the arts and for mechanical purposes, and by such revision of the tariff laws as will tend to check imports of such articles as are produced by our people, the production of which gives employment to our labor, and release from import duties those article of foreign production (except luxuries) the like of which can not be produced at home. If there shall still remain a larger revenue than is requisite for the wants of the Government, we favor the entire repeal of the internal taxes rather than the surrender of any part of our protective system at the joint behest of the whisky ring and the agents of the foreign manufacturers.

This is the language of promise, plain and unequivocal. There is no room for ambiguity or deception. Of course everybody now sees that these promises were made to be broken. Standing, however, on such a platform, the Republican party elected Benjamin Harrison President of the United States and secured a majority of the Representatives who were elected to seats in this House. In North Carolina and in every other State where anything could be made by doing so the Republican candidates, the Republican press, and the Republican stump speakers distinctly and repeatedly promised the people, with every appearance of sincerity and truth and without any ifs or ands about it, that the entire internal taxes on tobacco should be immediately abolished when and as soon as a Republican Congress could

have an opportunity to do it. And the pledges thus solemnly given were not only in accordance with the Republican national platform, but were in literal agreement with the provisions of the Senate substitute for the Mills tariff bill as reported to the Senate by Mr. ALDRICH, from the Senate Committee on Finance, on October 4, 1888. In that report the committee state:

The proposition for a repeal of all internal taxes on tobacco is presented in compliance with a universal demand.

Is the public demand for the repeal of these taxes less imperative and less universal now than it was in October, 1888? There is nothing equivocal in the language of the platform, or in the provisions of the Republican tariff bill of the Senate, or in the declarations publicly and deliberately made by the leaders of the Republican party, both in and out of Congress, in the campaign of the year 1888. It will be noted, too, that the language of the Senate Finance Committee, and of the Senate substitute itself, was in entire harmony with the declarations of the Republican platform. And it must not be forgotten that this Republican substitute tariff bill passed the Senate at the second session of the Fiftieth Congress, after the result of the election for President and for Representatives in Congress in November, 1888, had been officially determined.

But this strangely inconsistent conduct of the Republican leaders can be accounted for by a closer inspection of the plank of their national platform which I have just quoted. It will be remembered that after announcing their purpose to repeal the tobacco tax and the tax on spirits used in the arts and for mechanical purposes, in order to reduce the surplus revenue, they declare that further reductions would be effected "by such revision of the tariff laws as will tend to check imports of such articles as are produced by our people, the production of which gives employment to our labor, and release from import duties those articles of foreign production (except luxuries) the like of which can not be produced at home."

ONE PROMISE FULFILLED.

The McKinley bill carries out the latter half of this resolution to the letter. It exempts from taxation most articles that would bring all the tax into the Treasury and imposes almost prohibitory duties upon all foreign articles that would come in competition with those that are manufactured in this country. The result must be a too great reduction of the revenue, and hence it is that the tobacco tax is not to be repealed or reduced. The Republican party wants revenue, a great deal of it, and the Republican leaders are determined to raise it at the expense of the farmers of the tobacco-growing States. Their avowed policy is at the same time flagrantly violative of the Constitution, which gives no power to "check imports," except so far as rates of duties which will produce the greatest revenue may incidentally have that effect. The "revenue standard" is the limit to which Congress can go, without criminal usurpation of power.

TAXATION FOR REVENUE.

The Democratic party says that unnecessary taxation is unjust taxation; and to exact from the people taxes beyond the requirements of the Government economically administered is robbery under the forms of law. The Democratic doctrine is the doctrine of the Constitution. The authority of Congress to levy taxes at all is defined in section 8, Article VII, of the Constitution of the United States, as follows:

The Congress shall have power to levy and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

Judge Cooley, in his work on Principles of Constitutional Law, thus defines the limits of constitutional taxation:

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and therefore not warranted by constitutional principles.

And to the same purport is the opinion of the Supreme Court of the United States in the case of Loan Association vs. Topeka, 20 Wall., 655. Mr. Justice Miller, in delivering the opinion of the court, said:

Of all the powers conferred on the Government that of taxation is the most liable to abuse. Given a purpose or object for which taxation may be lawfully used, and the extent of its exercise is in its very nature unlimited. * * * This power can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there are no implied limitations of the use for which the power may be exercised. * * * To lay with one hand the power of the Government on the property of the citizen and with the other bestow it upon favored individuals, to aid private enterprises and build up private fortunes, is none the less robbery because it is done under the form of law and is called taxation. This is not legislation. It is a decree under legislative forms. Nor is it taxation. We have established, we think, beyond cavil, that there can be no lawful tax which is not laid for a public purpose.

I quote to the same effect from one of the most capable, thoughtful, and upright men who ever sat in this House, in a speech delivered May 5, 1882. I mean the late Samuel J. Randall, of Pennsylvania, who said:

The existing overflowing Treasury brings a demand for reduction of the tariff and internal-revenue taxes. In my opinion, in such a condition of our finances reduction of taxation should at once begin. Unnecessary taxation is injurious to the interests of the people in many directions. Government has no justification for the collection of burdensome taxes in excess of the sum requisite for the support of its proper administration.

What have we seen in this Congress? The excess of our resources has induced the presentation of every conceivable scheme to deplete the Treasury, and our expenditures, unless checked in time, will reach enormous proportions and bring back again, as prior to 1874, a saturnalia of extravagance and disgrace. In the matter of taxation we are acting under a written constitution. * * * I do not favor a tariff enacted upon the ground of protection simply for the sake of protection, because I doubt the existence of any constitutional warrant for any such construction or the grant of any such power. It would manifestly be in the nature of class legislation, and to such legislation, favoring one class at the expense of any other, I have always been opposed.

Mr. Randall's mournful anticipations have been abundantly realized by the action of the Fifty-first Congress. "Every conceivable scheme to deplete the Treasury" has been resorted to by the Republican majority, the expenditures of the Government have reached "enormous proportions," and "a saturnalia of extravagance and disgrace" has been inaugurated. At the same time the taxation and burdens of the people are to be vastly increased. An annual surplus of about $100,000,000 has been wiped out and an immense deficit seems to be in sight. On this subject I wish to commend an extract from The Philadelphia Times:

The people of the country who for eight years past have been forcing all parties to declare in favor of reducing the Treasury surplus by reducing taxes must now face the fearful truth that the profligacy of the present Congress has already destroyed the surplus and bankrupted the Treasury nearly $100,000,000 independent of the proposed reduction of $50,000,000 of revenue by the new tariff bill; and, if the bill shall pass, the deficit will be increased fully $50,000,000 more, with increased taxes on very many of the common necessaries of life. Never in all the history of partisan folly has such midsummer madness been exhibited by any party in power; and if there is any wisdom and patriotism left in Republican leadership in Washington a sudden and peremptory halt will be called upon Republican suicide. Nero's fiddling over burning Rome has never had so bold a counterpart as is presented by party leaders seeking to force an increased tax-tariff bill that reduces the revenues over $50,000,000, and the force election bill to cost $12,000,000 more, when sheer profligacy has already bankrupted the Treasury nearly $100,000,000.

REPUBLICANS TAX NECESSARIES AND EXEMPT LUXURIES.

No revision of the tariff will be worth anything to the people unless the taxes on the necessaries and comforts of life shall be materially reduced. High tariff duties enable monopolies, trusts, and illegal combinations to exact excessive profits from the consumers of their products. It is Federal taxation which is crushing the people and keeping them in debt. No legislation by Congress can confer any real or lasting benefit upon the farmer as long as the existing high rates of tariff duties are maintained. Revenue laws, enacted by the Republican party, have always discriminated against the poor man and in favor of the rich. And reductions of revenue by that party have always been on the same line. Since the war the income tax—payable only by the rich—has been repealed, but the tariff tax on the poor man's sugar, salt, and clothes has not been decreased. Banks, railroads, and other corporations have been relieved from taxation, but the tariff taxes on blankets, tin-plate, and household furniture remain. The taxes on whisky, wine, and liquors have been reduced, but no reduction is made in the tariff on woolen goods worn by poor men and women. Taxes to the amount of $320,000,000 per annum have been removed from the wealth of the country, but there has been no corresponding reduction in the taxes paid by the farmers and laborers. The McKinley bill proposes to increase the tax on cotton-ties nearly 200 per cent. The bill also provides for higher rates of duties "on low-priced and staple articles necessary to the well-being and comfort of the people, thus materially increasing the cost of living, especially for the poorer classes, placing the American artisan and producer at a disadvantage in the production of all kinds of commodities."

The following statement is interesting reading for the tax-payers:

Here are some tariff absurdities and monstrosities. Attar of roses for the rich lady's handkerchief is imported free. Soap for workman's hands pays a tariff of 20 per cent. Agates for the rich child are imported free; dolls for the poor child pay a tariff of 35 per cent. Feathers and down for the rich man's bed are free; blankets for the poor man's bed pay a tax of 10 cents a pound and 35 per cent. ad valorem. Undressed furs for the rich man's wife are free; woolen cloaks for the poor man's wife are taxed 45 per cent. and in addition thereto 40 per cent. ad valorem. Meerschaum for the rich man's pipe is free; clay for the poor man's pipe pays a tax of 35 per cent. Mineral water, ivory, gold, and silver medals for the rich are free, but salt, sugar, wool, lime, lumber, hair, and cement are all heavily taxed. Here are a few of the more common articles out of the more than 4,000 articles on which the American is taxed, all taken from the tariff act:

	Per cent. tax paid.		Per cent. tax paid.
Castor-oil	194	Cutlery	43
Woolen blankets	79	Nails	43
Combs	30	Copper	41
Ready-made clothing	54	Carpets	46 to 52
Cotton cloth, bleached	75	Woolen dress goods for women	82
Household furniture	35	Woolen shawls	88
Hand-saws	40	Window-glass	93
Hollow ware	47	Iron and steel wire	66
Bolts and rivets	60	Woolen cloth for men	90
Files	65	Zinc	70
Wire cloth	114	Razors	50
Lead	60	Pins	30
Salt	80		

To show how the tariff affects the farmer I will quote an article from The St. Louis Republic:

THE FARMER'S DISCOUNTED DOLLAR.

The Republic showed some time ago that the dollar of the Western farmer will not buy over half as much as the dollar of the Eastern manufacturer, because, while the prices of farm products have tended naturally down, the downward tendency of the price of manufactures has been artificially checked under the working of the protective tariff. * * * Mr. T. E. Wilson has compiled several valuable tables of statistics confirming our conclusions. He has made

up the following table of average export prices from the annual report of the Treasury Bureau of Statistics:

Product.	1855.	1880.	1889.
Corn	$0.892	$0.543	$0.474
Wheat	1.663	1.245	.897
Flour	9.946	5.878	4.832
Beef	.088	.064	.055
Butter	.181	.171	.165
Cheese	.106	.095	.093
Cotton	.087	.115	.099
Tobacco	.....	.077	.088

From these official figures he does what any farmer may do, calculates the amount of corn, wheat, or other products necessary to pay off a mortgage in the different years. Thus, if a farmer owed a debt of $2,000 in 1855 under the low tariff and had paid $1,000 of the principal and all interest up to date, he would still owe the whole debt, because it would take as many bushels of his produce to pay $1,000 now as would have been required to pay $2,000 in 1855. Mr. Wilson summarizes and tabulates thus:

The mortgage of $2,000 in 1855 represented or could be paid with 2,242 bushels of corn; in 1889 the mortgage of $1,000 could not be paid with less than 2,123 bushels. In wheat, the $2,000 mortgage meant, in 1855, 1,202 bushels; the $1,000 mortgage means now 1,114 bushels. If we take his condition in 1868, when the tariff war upon him began, this table shows how much more he owes to-day, after paying off one-half of the mortgage, than he did when the mortgage was contracted.

His mortgage.

Articles.		1868, $2,000 represented—	1889, $1,000 represents—
Corn	bushels	1,702	2,113
Wheat	do	1,054	1,114
Flour	barrels	200	207
Cotton	pounds	10,526	10,101
Bacon	do	16,000	11,628
Lard	do	13,700	11,628
Pork	do	17,544	13,513
Beef	do	16,807	18,181
Butter	do	7,117	6,060
Cheese	do	14,598	10,753
Tobacco	do	18,018	11,363

As money is a mere medium of exchange, changes in the currency can give no relief against such conditions, because the same conditions would again recur after the price of money had adjusted itself to the quantity of the necessaries o life. The only remedy lies in the repeal of all laws which make manufactured goods scarce and therefore dear.

The American home market for farm products can not be increased except by an increase of the population. The diversification and multiplication of industrial pursuits will not add to the number of consumers. The prices of cotton, wheat, corn, and breadstuffs are fixed in Liverpool and London because this country has a surplus of these things which are sold in those markets and prices fixed in the foreign markets regulate the prices everywhere. The United States are losing their foreign market for agricultural products on account of foreign competition and the effect of a high protective policy. Take wheat, for an example. In 1880, the United States exported 144,483,007 bushels and in 1888 49,531,915 bushels, a loss of 94,951,092 bushels. On the other hand, Russia in Europe, in 1880, exported 36,565,653 bushels; in 1888, 126,114,726 bushels. British India exported, in 1880, 13,896,168 bushels; in 1888, 32,894,925 bushels. Strange to say, not only the exportation but the production of wheat in this country is on the decline. In 1880 the production of wheat in the United States was 488,549,868 bushels; in 1888 the production was 415,868,000; in 1889, 490,560,000. The production for 1890 is estimated to be 405,000,000 bushels. Notwithstanding an addition of 15,000,000 to the population, the value of the crop is also decreasing, being worth $474,201,850 in 1880 and only $342,491,707 in 1889. I have no time to dwell upon the subject, but a hurried glance at the tariff system as it affects agriculture and commerce may prove instructive.

HOW PROTECTION PROTECTS WHEAT-GROWING.

States.	Price per bushel in—		
	1877.	1883.	1889.
Ohio	$1.24	$0.99	$0.76
Michigan	1.22	.96	.74
Indiana	1.13	.95	.71
Illinois	1.04	.92	.70
Wisconsin	.93	.88	.70
Minnesota	.91	.80	.71
Iowa	.87	.80	.63
Missouri	1.00	.88	.64
Kansas	.82	.78	.55
Nebraska	.83	.70	.62
Dakota	.....	.72	.60

This table shows how beautifully the prices of the great staple agricultural product of the Northwest tapers down under the protective policy. In 1884 wheat sold in Kansas for 45 cents per bushel, in Nebraska for 42 cents, and in Dakota for 46 cents.

HOW PROTECTION PROTECTS CORN-GROWING.

Years.	Corn crop.	Price.
	Bushels.	*Cents.*
1880	1,717,434,543	39.6
1881	1,194,916,000	63.6
1882	1,617,025,100	48.4
1883	1,551,066,895	42.4
1884	1,795,528,000	35.7
1885	1,936,176,000	32.8
1886	1,665,441,000	36.6
1887	1,456,161,000	44.4
1888	1,987,790,000	34.1
1889	2,112,892,000	28.3

These are the market prices which the grain merchants paid. But in the country where the corn was grown the prices were much lower. The farm prices were as follows in good years when the crops were large. In years of scarcity prices were higher. From 1876 to 1889 there were only two years when the prices rose to 60 cents per bushel. In Missouri in 1881 the price of corn went up to 65 cents per bushel, but during the same year it sold for 39 cents in Nebraska:

States.	Price per bushel in—		
	1878.	1885.	1889.
	Cents.	*Cents.*	*Cents.*
Ohio	33	32	31
Indiana	27	29	27
Illinois	25	28	24
Iowa	16	24	19
Missouri	26	25	23
Kansas	19	24	18
Nebraska	16	19	17

If we had liberal trade with all the world these low prices could never prevail. But foreigners can not afford to buy of us unless we allow their goods to come into our country free of duty or at moderate rates of taxation. They can not afford to pay cash for everything.

The above prices are by no means the lowest. Corn sometimes goes down to 10 or 12 cents per bushel in the rich prairie lands of the West; and when that is the case it costs more to send it to market than the farm price. The farmers therefore find it cheaper to burn their corn for fuel than to buy coal brought hundreds of miles by railroad.

PROTECTION BREAKS DOWN COMMERCE.

The following tables show the effects of a revenue tariff and of a protective tariff, respectively, upon commerce and the fisheries.

Tonnage of the sailing and steam vessels of the merchant marine of the United States engaged in commerce and the fisheries under a revenue tariff.

Years.	Foreign.	Coastwise.	Whale fisheries.	Cod and mackerel fisheries.
	Tons.	*Tons.*	*Tons.*	*Tons.*
1854	2,151,918	2,321,114	181,901	146,909
1855	2,348,358	2,543,255	186,848	133,540
1856	2,302,190	2,247,663	180,461	132,339
1857	2,268,196	2,336,609	195,842	130,196
1858	2,301,148	2,401,220	198,594	148,846
1859	2,321,678	2,488,929	185,728	156,707
1860	2,379,396	2,644,867	166,841	162,764

So much for commerce and the fisheries under the Democratic tariffs for revenue. Now look at this picture:

Tonnage of sailing and steam vessels of the merchant marine of the United States under the high protective tariff.

Years.	Foreign.	Coastwise.	Whale fisheries.	Cod and mackerel fisheries.
	Tons.	*Tons.*	*Tons.*	*Tons.*
1883	1,269,681	3,538,354	32,414	95,038
1884	1,276,972	2,884,068	27,249	82,940
1885	1,262,814	2,896,371	25,184	82,565
1886	1,088,041	2,939,252	23,138	80,705
1887	989,412	2,929,217	26,151	79,548
1888	919,302	3,172,120	24,482	76,012
1889	999,619	3,211,416	21,976	74,464

The increase in the coastwise commerce was inevitable, as the laws practically exclude foreign competition, but the falling off in the foreign commerce and the fisheries, in view of the fact that our population has doubled between the two periods, is simply disgraceful. The purpose of the high protective policy has been to protect and encourage ship-building and the iron interest at the same time. To this end

merchants are not allowed to buy foreign ships and the ship-builders are not allowed to import foreign iron to work upon. The result of this stupidly selfish policy is further shown by the following tables:

DESTROYS SHIP-BUILDING.

Ship-building in the United States before and since the war.

Years.	Number of vessels.	Tons.	Years.	Number of vessels.	Tons.
1854	1,777	536,046	1883	1,268	265,429
1855	2,027	533,450	1884	1,190	225,514
1856	1,714	469,293	1885	920	150,056
1857	1,443	378,804	1886	715	95,453
1858	1,241	244,712	1887	844	150,459
1859	875	156,602	1888	1,014	218,086
1860	1,082	214,797	1889	1,077	231,134
Total	10,159	2,583,704	Total	7,028	1,336,122

These tables show that under a revenue tariff the amount of tonnage built was double the amount under a high protective tariff, and that, too, when the population was only half what it was during the latter period.

A HOUSE DIVIDED AGAINST ITSELF.

These facts show, what may be seen in reference to others, that the tariff policy is a house divided against itself. If the protectionists undertake to protect shipbuilding they find themselves making war upon commerce, and at the same time they can not aid shipbuilding consistently with the high tariff they place upon iron. In like manner they find that the wool-grower can not be "protected" without inflicting an unbearable tax upon the wool manufacturer; when one goes up the other must go down. And so with the iron-miner and the iron-manufacturer. To "protect" the former by high duties is to tax the latter and to protect the latter is to put the products of the former on the free-list. In many instances a high protective tariff is as unjust to the manufacturer as it is to the consumer. An unjust and selfish system of taxation mercilessly oppresses the whole people, the farmer, the laborer, the merchant, and the manufacturer.

MORE PROMISES BROKEN.

Now, let us examine the RECORD a little. On December 16, 1887, at the very beginning of the first session of the Fiftieth Congress, the gentleman from Maine [Mr. REED], now the Speaker of this House, then the leader of the Republican party on the floor of the House of Representatives, speaking for himself and for his party, said:

Many changes are proposed in the rules of the House—we have adopted none—and it is proposed here to adjourn until after the holidays and commence where it had been the custom heretofore to begin at the opening of the session. If there were no public matters of deep interest before the country awaiting legislation such a course might awaken only a passing comment. But to-day we are pressed upon by a serious public duty, which is a reduction of a surplus which is coming into the Treasury in a manner calculated, under the management of the Treasury Department, to become a serious embarrassment to the business affairs of the country. We are all agreed, at least upon this side of the House, that the surplus should be reduced, and we stand ready now, before the holidays, to make one reduction in which the other side of the House are agreed, and that is in relation to the tobacco tax, and I hope that an opportunity will be given us before we separate, by the powers that be and are to be, to vote thereon and show to the country some disposition proper and suitable in this matter.

If the other side of the House find it somewhat difficult to range themselves alongside the recent message which has been sent them, we can well understand it, because it was a summons from, I hope to some of the Democracy, a very great way off; and it requires that they should traverse a very great distance before they get alongside of their pioneer brother at the other end of the Avenue. If time is wanted for that purpose I hope the gentleman from Missouri will frankly say so. If there is a proposition, if the gentlemen on the other side of the House have grave doubts how they shall comply with the suggestions of the message, if after they have made up their minds in the interest of moderation and reform, that the more advanced of them will be contented with the destruction of a few of our industries, and they need time to select them which they see fit to destroy, that would be ground, of course, for this motion; and I hope the gentleman from Missouri, with the frankness which always characterizes him, will tell us if that is the reason underlying this resolution.

About five months afterwards, on May 18, 1888, the gentleman from Ohio [Mr. MCKINLEY], at that time second only in authority to the gentleman from Maine himself, as a leader on the Republican side of the House, made a speech on this floor, in which he said:

Our country is in an anomalous situation. There is nothing resembling it anywhere in the world. While we are seeking to find objects to relieve from taxation, in order that we may relieve an overflowing Treasury, the nations are engaged in exploring the field of human production to find new objects of taxation to supply their insufficient revenues. In considering the situation that thus confronts us and the bill that is presented here as intended to relieve it, it is well that we should understand at the beginning the things upon which all are agreed. They are, first, that we are collecting more money than is required for the current needs of the Government and, second, that the excess, whatever it may be, beyond the wants of the Government should be left with the people. Our contention, therefore, is upon the manner of the reduction, and not upon the reduction itself; not that no reduction shall or ought to be made, but how and upon what principle can it be best accomplished. We agree further that the tax upon tobacco shall be removed and thus leave with the people $30,000,000, which they annually pay upon this domestic product. Were we men of business governed by the principles which guide practical men of affairs, this burden would have been and could have been removed any time within the past two years, and if removed two years ago, no surplus would now vex the Administration or alarm the business of the country.

In passing, it is suitable that I should say that within the period named no hinderance from this side of the House would have been interposed to the abolition of the tax. It is suitable that I should say that gentlemen on this side and gentlemen on the other side of the House repeatedly made efforts during the last Congress to secure recognition for the purpose of offering a bill to abolish this tax, which request was refused by the presiding officer of the House, and refused, too, Mr. Chairman, when every intelligent Representative on this floor knew that, if an opportunity was given to vote upon a bill for the abolition of that tax, it would have received, not simply a majority, but the vote of fully two-thirds of the House. I repeat that if that had been done, if the House as then organized had given to the Representatives of the people an opportunity to vote upon a simple proposition to reduce taxation, no immediate surplus would be now in the Treasury to interrupt and disturb the business of the country. But this tax was not abolished; and, if done now, it still leaves about $40,000,000 of revenue collected in excess of the public necessity. How can this amount be remitted with the least disturbance to the business and employments of the people?

On February 16, 1889, at the second session of the Fiftieth Congress, the Committee on Appropriations made a favorable report on the bill (H. R. 12131) to amend the internal-revenue laws. The bill proposed a total repeal of the tax on tobacco and the amelioration of the hardships of the internal-revenue system. The reduction to be made in the revenues was about $31,000,000 per annum, "a result" stated by the committee, "whether viewed from the standpoint of an excessive revenue or as a relief from unnecessary taxation upon the people, most desirable." The report also stated that—

The internal taxes levied because of the necessities of war have heretofore all been removed from capital and from all manufactured articles, leaving the products of agriculture to bear all the burdens of the internal-tax system which remains. The taxes proposed to be repealed by the bill reported are particularly oppressive on the farmer, both in the amount of tax levied against his product as well as in the vexatious manner of its collection. There is no longer, in the opinion of your committee, any justification for the continuance of these taxes. There are no bonds which are due and payable at par at the option of the Government. Under existing conditions bonds will have to be purchased at a high premium in the market with the surplus revenue, or else the accumulation of money in the Treasury will result detrimentally to the commercial interests of the country.

This report was made by Mr. Randall, of Pennsylvania, but was concurred in by all the Republican members of the committee, to wit: Messrs. CANNON of Illinois, Ryan of Kansas, BUTTERWORTH of Ohio, Long of Massachusetts, MCCOMAS of Maryland, and HENDERSON of Iowa. Messrs. CANNON, BUTTERWORTH, MCCOMAS, and HENDERSON of Iowa are all distinguished members of the present House. Not one of these gentlemen will vote now as they talked and acted in the Fiftieth Congress on this question. Political consistency among these latter-day Republicans is indeed a jewel. A change has come over the spirit of their dream.

This is not all, President Harrison, in his message to the Fifty-first Congress, at the beginning of this session, in recommending the "necessary reduction in our public revenues," said:

The removal of the internal tax upon tobacco would relieve an important agricultural product from a burden which was imposed only because our revenue from customs duties was insufficient for the public needs.

And Mr. Harrison's Secretary of the Treasury, Mr. Windom, in his annual report for the year 1889, dated December 2, 1889, recommended the repeal of the entire tobacco tax. He said:

The tax collected on tobacco (during the last fiscal year) was as follows:

From cigars, cigarettes, and cheroots	$12,677,987.60
From snuff	645,089.67
From manufacturers of tobacco	17,026,899.94
From special taxes	1,466,883.31
Total	31,866,860.42

Whatever may be said of the moral or physical effects of tobacco, it has come to be regarded as a necessity by the poor as well as the rich. It is now the only product of agriculture that is directly taxed by the Government. The repeal of this tax would reduce the surplus about $32,000,000.

Notwithstanding this record of his party and in spite of its sacred pledges the gentleman from Ohio [Mr. MCKINLEY], the distinguished chairman of the Committee on Ways and Means of this House and the reputed author of the declaration for the repeal of the internal taxes in the Republican national platform, now announces that his party will not keep the pledges which have been so solemnly made and in consequence of which the people intrusted it with power. No good or sufficient reason can be given in justification for the present change of programme. In my opinion the new policy now being pursued by the majority of this House is entirely without excuse. I ask the people of the United States to read what the gentleman from Ohio said on May 18, 1888, and compare it with the Republican platform of that year, and then read what he says now in explanation of the failure of the Republican party to repeal the tobacco tax. If these several declarations shall be arranged in parallel columns and read together it will be observed that the McKinley bill, notwithstanding the statement made by the gentleman from Ohio [Mr. MCKINLEY], has not complied with the promise contained in the Republican platform to repeal the taxes upon tobacco. If this is the way the Republican party keeps its promises—and I admit this to be the usual style with that party—it is high time the American people should rise up and exclaim, in the language of Macbeth:

> And be these juggling fiends no more believed,
> That palter with us in a double sense;
> That keep the word of promise to our ear,
> And break it to our hope. I'll not fight with thee.

When the truth-loving citizens of this Republic shall find out who these "juggling" fellows are and how constantly "they say and do not," every one may well wish that there was a "lodging place" to

which to "go from them, for they be all * * * an assembly of treacherous men. * * * And they will not speak the truth; they have taught their tongue to speak lies, and * * * themselves to commit iniquity. * * * One speaketh peaceably to his neighbor with his mouth, but in heart he lieth in wait."

WHAT MR. BECK SAID.

It is not surprising, however, that a Republican Congress, in spite of the many pledges of the Republican party and its leaders to the contrary, now refuses to repeal the tobacco tax. The Republican party is naturally returning to its first love. In this connection I will quote what the late Senator Beck said in October, 1888, in the minority report written by him in opposition to the Senate substitute for the Mills tariff bill. Mr. Beck said:

And notwithstanding the demand now so earnestly made for free tobacco in every form, when the Democrats of the Senate in 1883 were insisting upon a reduction of the tobacco tax to 8 cents per pound, the Republican party were almost a unit in opposition to it, their candidate for the Presidency, Mr. Harrison, saying, among other things:

"I believe that we can not enter into the general subject of tariff reduction, and we ought not perhaps to reduce much now the taxes on those three articles, which I believe the common current consent and common sense of all the people agree should be the last subjects of internal revenue—I mean, whisky, beer, and tobacco. * * * I come then to saying that in supporting this measure from our Finance Committee we are reducing our internal-revenue taxes to those three articles which by common consent should remain, at least till the indefinite future, upon our list of products upon which excise taxes are to be levied." (CONGRESSIONAL RECORD, page 6250, part 6, volume 13, Forty-seventh Congress, first session.)

And the distinguished Senator from Ohio [Mr. SHERMAN] opposed the same proposition in language as strong as he knows how to employ, saying, among other things:

"Senators on the other side may think from the vote—I can almost refer to it as a party vote—that they can make political capital by reducing the tax on tobacco. I do not believe it. I believe the plain people of this country, as Mr. Lincoln called them, see through it. They are willing to pay the tax on tobacco, on whisky, and on beer. They are the only internal taxes that they are willing to pay, and I am willing to let these three taxes stand as they are until we can gradually reduce them, as the condition of our revenue may allow. Strip your internal revenue of all other classes, even if to do so does benefit some of the banks, even if it does repeal taxes that might be kept on a little while longer with no very great injury; yet it confines the system to these three articles, which in every country are the subjects of taxation. Then spread the balance of your reduction over the external taxes and do what little good you can until the Tariff Commission enables us to reduce the whole system of external taxes."

Again he said:

"But do not give away of our surplus revenue more than half of it on an article which is the proper source of revenue, the legitimate subject of taxation, on which the tax is more cheerfully paid and more easily collected than on any other in the whole range or gamut of taxes."

And when, on my motion, the right was demanded to allow the producer of tobacco to sell $100 of his own product it raised a storm of indignation among all the Republican Senators, who are now so clamorous for the protection of the producers of tobacco that a person who either listened to the debate, or reads it now, would suppose that the country would have been ruined by even allowing them the slight privilege which was given them by the votes mainly of the Democratic party.

In my opinion, Mr. Chairman, the change of front on this question by the Republican majority of this House can not be defended by any sort of reasoning.

THE MILLS BILL.

A reduction of the tax on manufactured tobacco from 8 cents to 4 cents per pound will satisfy no one, and is not made, so far as I know, in response to any public demand. The changes proposed in the existing law upon this subject by the McKinley bill are in the right direction, but the provisions of the Democratic tariff bill of 1888 were far preferable. That bill—commonly called the "Mills bill"—provided for the repeal of all restrictions upon the sale of tobacco by the producer and for the repeal of all internal taxes on tobacco, except on cigars, cigarettes, and cheroots, and of all privilege and license taxes, except those for manufacturing and selling cigars, cigarettes, and cheroots. The repeal of special and privilege taxes was also recommended, and the bill contained provisions greatly modifying and ameliorating the harsh and vexatious features of the internal-revenue system.

The total estimated reduction of internal revenue by the Mills bill amounted to $24,455,607. The McKinley bill proposes reductions to the amount of $10,412,916.27. The Mills bill proposed the entire repeal of the tax on smoking and manufactured tobacco. This bill reduces the tax thereon from 8 cents to 4 cents per pound, and it retains in force all the harsh and cruel provisions of the internal-revenue laws. If the Mills bill had become a law, the occupation of the odious, inquisitorial, and unpopular internal-revenue officer would have been gone. Tens of thousands of tax-payers would have been relieved of taxation and multitudes of internal-revenue officials would have been abolished. The McKinley bill does not propose to dispense with the services of any one of the numerous army of internal-revenue officials—no, not one. Every revenue agent, every deputy collector, every storekeeper and gauger, every raider, every deputy marshal, and every spy or informer, now doing work that is mean, and cruel, and perfectly hateful, will be retained. These men know no law, and if they commit crime are not judged by any law. If a revenue officer murders a citizen the United States judges assume jurisdiction of the case and adjudge that the killing was done by the officer under color of his office. The State courts are deprived of jurisdiction in every such case, and no revenue officer who violates the law while claiming to perform the duties of his office is ever punished.

Unless some law is passed by Congress to punish such offenders, it will not be surprising if the citizen retaliates by sometimes resisting to the death the internal-revenue officer who makes an unjust and illegal assault upon him. The person of an internal-revenue officer who commits crime is no more sacred than the person of any other American citizen who may violate the law. I appeal to Congress to intervene and come to the relief of the citizen against the unjust aggressions and lawless conduct of the internal-revenue officers. The American people are obedient doers of the law; and if they sin against the law they expect to be judged by the law. They think that the same law which "judges" them ought to be good enough for a Federal office-holder to be judged by.

If the tobacco-planters of the United States are to derive any benefit from the clauses in this bill intended for their relief, a separate bill containing them should have been reported to the House by the Committee on Ways and Means. Such a bill, when called up for consideration, would be certain to pass the House with scarcely any opposition. This was the plan advocated in the Fiftieth Congress by the Republican leaders; and this plan, if it had been adopted by the Democrats in that Congress, would have enabled the Democratic party to elect a majority of the present House. The hypocrisy of Republican pretensions is past finding out. Republicans in the Forty-ninth Congress who voted against any repeal of the tobacco tax professed to be for its entire repeal in the Fiftieth Congress, and expressed themselves again and again in favor of the passage of an independent bill to that effect. The very same Republicans now say it will never do to permit the consideration of a separate bill for that purpose. And, while all the Republicans in Congress now say the tax must not be repealed altogether, some of the very men who were loudest in their demands for the entire repeal of the tobacco tax in the last Congress are at this time opposed, not only to the repeal of such tax, but to any reduction whatever. It remains to be seen whether the Republican majority in the Senate will consent to any part of the reduction proposed.

A SCRAP OF HISTORY.

If the House will indulge me, I will here tell a short history. On the 3d day of April the following note was addressed to the Speaker of the House:

HON. THOMAS B. REED, *Speaker of the House of Representatives:*

The undersigned, members of the House of Representatives of the Fifty-first Congress, respectfully ask that one of their number, or some other member of the House of Representatives, be recognized, on the first Monday of April, 1890 (that being suspension day, under Rule XXVIII, for individual members), for the purpose of moving a suspension of the rules to put upon its passage a bill to repeal the internal-revenue tax on tobacco.

PAUL C. EDMUNDS.
CHARLES T. O'FERRALL.
JOHN A. BUCHANAN.
T. G. SKINNER.
GEORGE D. WISE.
H. ST. GEORGE TUCKER.
EDWARD C. VENABLE.
P. G. LESTER.
JOHN S. HENDERSON.
B. H. BUNN.
W. H. F. LEE.
WILLIAM H. H. COWLES.
ALFRED ROWLAND.

This paper is signed by every Democratic Representative from North Carolina and Virginia except Mr. MCCLAMMY, who is in hearty accord with the movement for the repeal of the tobacco tax. Mr. TUCKER, of Virginia, who circulated the paper, inadvertently failed to present the same to Mr. MCCLAMMY for his signature, and this accounts for the omission of the latter's name from the paper.

The Speaker of this House has never taken any notice whatever of the above request. He evidently entertains a very different view of the duty of a Speaker from that held by him in the Fiftieth Congress. He now declines to give recognition to any man whose views of public policy do not accord with his own. I wish the people of the United States everywhere to understand that the Speaker of this House has taken the responsibility upon himself to refuse consideration to any bill for the repeal of the tobacco tax, and in taking this responsibility he is supported by the entire Republican party in the House. Not one Republican on this floor has dared to raise his voice against this action of the Speaker and of his party. The truth is, the Speaker of this House rules the Republican party with a rod of iron and that party under him is as clay in the potter's hand. The individual members seem to be incapable of resistance and utterly devoid of all powers of thought and reasoning. Their consciences appear to be stifled and their convictions of duty suppressed. The party machine is well oiled so that it runs smoothly and without any friction or difficulty.

A great hue and cry was raised by the Republicans in the Forty-ninth Congress because a Democratic Speaker, Mr. CARLISLE, refused to give me or any other member recognition to make a motion to repeal the tax on tobacco. As I took the initiative in that movement, I will here give a brief statement of what occurred. The following correspondence will explain itself. The first letter and the last were written by me and then presented to Mr. Wise and Mr. Randall for their signatures.

HOUSE OF REPRESENTATIVES, *Washington, February* 5, 1887.

DEAR SIR: At the instance of many Democratic members of the House, we appeal to you most earnestly to recognize, on Monday next, some Democrat

who will move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue taxes on tobacco. Many Republican members, we have reason to believe, are anxious to make such a motion. We believe the country is ready for the repeal of these taxes and that a large majority of the House will so vote when an opportunity occurs. For a Republican to make the motion would give the Republican party all the credit accruing therefrom, and would almost certainly cause the loss to the Democracy of not less than two Southern States at the general election in the year 1888. This is an isolated proposition, and we believe will command more votes than any other measure pending before the House looking towards a reduction in taxation; and favorable action on this proposition will not interfere with other efforts that are being made to reduce the burdens of the people.

Yours, respectfully,

GEORGE D. WISE.
JOHN S. HENDERSON.
SAMUEL J. RANDALL.

Hon. JOHN G. CARLISLE,
Speaker of the House of Representatives.

[Mr. CARLISLE's reply.]

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, February 7, 1887.

GENTLEMEN: Your favor of the 5th instant, requesting me to recognize some Democrat "who will move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue tax on tobacco," was duly received and has been carefully considered.

A week ago, in compliance with the request made by you and other gentlemen, I consulted fully with the Democratic members of the Committee on Ways and Means for the purpose of endeavoring to formulate some measure for the reduction of taxation which would meet the approval of our political friends, and enable us to accomplish something practical in that direction during the present session of Congress. The bill which you then submitted for their consideration proposed legislation upon both branches of our revenue laws, and on the 3d instant it was returned to you with such modifications and changes as were necessary in order to make it acceptable to the gentlemen to whom it had been submitted.

In order, however, that our efforts to secure reduction of taxation might not fail on account of our inability to agree upon a measure in advance, we at the same time submitted certain alternative propositions, some one or more of which we hoped might be acceptable to you. Among other things, we proposed to submit the entire subject to a caucus of our political friends with the understanding that all parties would abide by the results of its action; and in case that course was not satisfactory to you we informed you that we would at any time, upon a reasonable notice, support a motion to go into Committee of the Whole on the state of the Union for the purpose of considering House bill 9702, introduced by Mr. Randall at the last session. The bill relates to internal-revenue as well as tariff taxes, and proposes to repeal the entire internal-revenue tax on manufactured tobacco, snuff, and cigars. We have received no response to that communication, and I consider that it would not be proper, under the circumstances, for me to agree to a course of action which would present for the consideration of the House a simple proposition for the repeal of the internal-revenue tax on tobacco, snuff, and cigars, to the exclusion of all other measures for the reduction of taxation.

Sincerely hoping that some plan may yet be devised which will enable the House to consider the whole subject of revenue reduction,

I am, very truly, yours,

J. G. CARLISLE.

Hon. GEORGE D. WISE, Hon. JOHN S. HENDERSON, Hon. SAMUEL J. RANDALL.

WASHINGTON, *February 8, 1887.*

DEAR SIR: We regret exceedingly that you could not see your way clear to give recognition on yesterday to some Democrat to enable him "to move to suspend the rules for the purpose of giving the House an opportunity of considering the question of the total repeal of the internal-revenue tax on tobacco." Your refusal to give this recognition, together with your letter of the 7th instant, deserves more than a passing notice. If two-thirds or more of the House are in favor of such repeal, it was a grave responsibility for you to oppose such a large majority of the Representatives of the people. Assuming, however, for the sake of the argument, that the friends of the proposition constitute a less number than two-thirds, their strength is certainly such that they ought to have been permitted to test the sense of the House upon the question, especially since the country is watching with intense interest the action of the House in respect thereto, and the constituents of a large number of the members of the House have been urging them to obtain, if possible, a consideration of this subject.

We do not wish to be misunderstood. We earnestly desire from a party standpoint that recognition should have been given to a Democrat to make the motion, but we would vote cheerfully for the proposition whether made by a Democrat or a Republican.

You assume in your letter to us that we ignored your communication of the 2d instant, and had deliberately failed to make a response thereto. Our friends did not have an opportunity of considering that communication until Friday evening, the 4th instant. It was of such a character as to require more than a formal reply. We called at your hotel the next day, Saturday, but, through no fault of yours or ours, we did not succeed in obtaining an interview until the day after.

We believed that the friends of the repeal of the tobacco tax were so strong in the House that we should save to the oppressed tax-payers of this country an annual reduction of taxation to the extent of $28,000,000 if the motion for repeal could be made in the House on Monday of this week, the latest day when such a motion, to be effective under the rules, would be in order during the Forty-ninth Congress. The motion, if made during the last six days of the session, would almost certainly be too late to secure favorable consideration for the question in the Senate.

We did not anticipate refusal of recognition for the purpose intended. We understood you to say to us verbally that if you gave to any one of our friends the desired recognition fair play all round would require you to give other Democrats an opportunity to make a like motion to pass some distinct proposition having relation to a reduction of the tariff duties. To this we assented. You instanced as one such proposition the putting of salt on the free-list. We think that a revision of the tariff and of the internal-revenue laws can be attained from time to time by reforming the obvious and greater grievances of the two systems, and that we should not refuse to make such reforms because sweeping changes have not been practicable.

The country is expecting to obtain from this Congress relief from the grievous burdens of taxation. If some of us can not get all we want we should take what we can get. Our single proposition for the repeal of the tax on tobacco was not intended and can not fairly be construed as intending to exclude from the consideration of the House "all other measures for the reduction of taxation." We wished to obtain consideration for that proposition, but we were not pressing for the reduction of the internal-revenue taxes to the exclusion of other measures for the revision and the reduction of the tariff.

A Democratic caucus can not successfully deal with "the whole subject of revenue reduction" at this late stage of the session. That suggestion comes too late. If the caucus could have controlled the legislation of the Forty-ninth Congress from the beginning the country might have been much better off. If the House was considered competent to deal with the silver question with the pension question, and with the oleomargarine question free from the dictation of a Democratic caucus, we think it ought to be competent to deal with the question of a reduction of taxation. The caucus ought not now to be invoked to justify a policy of delay and non-action on this subject.

We sincerely hope "some plan may yet be devised which will enable the House to consider the whole subject of revenue reduction" and revision "in a spirit of fairness to all interests" and in accordance with the letter and spirit of the platform of the national Democratic party adopted at the convention held at Chicago in 1884; and we assure you that we are ready to meet any of our Democratic associates who are prepared to treat with us on such basis.

JOHN S. HENDERSON.
GEORGE D. WISE.
SAM. J. RANDALL.

Hon. JOHN G. CARLISLE,
Speaker of the House of Representatives.

Note the difference between the courtesy shown by Speaker CARLISLE and the lack of courtesy shown by Speaker REED. In the one case Mr. CARLISLE replied promptly and with marked courtesy and politeness. In the other case Mr. REED would not condescend to notice the request for recognition signed by the entire Democratic delegations from North Carolina and Virginia in the present House.

Speaker CARLISLE could refuse to give recognition to a member, but he could not silence him. Speaker REED not only refuses recognition to a member of the House, but he so dominates his own party that no Republican dares to say a word against anything the Speaker does. Any number of Republicans in the Forty-ninth Congress could denounce Speaker CARLISLE for his action on this question. The gentleman from New York [Mr. PAYNE] warmed up with eloquent indignation and raised his hands in holy horror against a Speaker who would refuse recognition to a member who might wish to bring before the House an important public measure. In a speech made on March 1, 1887, on this floor, Mr. PAYNE exclaimed:

> Do you say the Speaker was arrogant? I grant it. Contemptuous of your rights? I grant it; and that which he proposed is without parallel in American politics or legislation.

I regret that no Republican in this House can now be found to vindicate the rights and privileges of the representatives of the people against the "arrogance" and tyranny of a Speaker whose usurpations and "contemptuous" treatment of the rights of the minority are without a parallel, so far as I know, in the history of parliamentary government anywhere, in ancient or modern times. If this state of affairs is permitted to continue, civil liberty in this Republic will be destroyed. Thank God, the people are still free; they have not yet been deprived of the right to deposit their ballots for the Representatives of their choice. This Congress is considering a Federal election law, and it is said that the decree has gone forth that such a law must be passed at this session to save the Republican party from defeat at the fall elections and to enable that party to obtain a majority of the members of the next House. I wish to sound a note of warning. If the Republican party attempts to control the election of members of this House by means of Federal election returning-board methods and machinery, the people will rise up in their wrath and will hurl that party from power and to everlasting destruction. No such law will be efficacious enough to answer the purpose of its framers, unless it is corruptly administered. The very object of proposing such a law is to have a false registration, false counting, and false returns at every precinct where the law is administered.

THE FORCE BILL.

The force bill introduced by Mr. LODGE, of Massachusetts, is a revolutionary, sectional, hateful, and infamous measure. It proposes to take away from the States all power over the election of Representatives in Congress. The meaning of it is that Federal officers are to control the registration of voters. Federal poll-holders and supervisors will receive the votes and count them, and make the returns of election. There will be a Federal board of canvassers to canvass the returns and issue certificates to the Members-elect. The commission of the governor will be disregarded. There is not a shadow of authority in the Constitution for this high-handed measure. "Congress may at any time make or alter" the regulations made by the State Legislatures, but they are to be enforced by State authority. No scheme so fatal to the rights of the States, so destructive of free constitutional government and civil liberty, has ever been devised or attempted before by any party or any faction in this country.

The motive for attempting to force through Congress a monstrous bill of this sort is the hope expressed by the Republican leaders that it will enable the Republican party to capture a majority of the Representatives in the next House. Our liberties, our society, and our civilization itself are all imperiled by this measure. If this Republican Congress shall enact a Federal election law, the horrors of a new reconstruction will be brought home to every community where the law shall be enforced, and we may all soon expect to see Federal troops at the polls, with bayonets in their hands, to drive free American citizens away from the ballot-box. This proposal of the Republican party to keep itself in power by surrounding the ballot-box with troops, supervisors, and deputy marshals is an insult to the people of the United States, and if persisted in it will destroy our Government itself.

RECOGNITION BY SPEAKER CARLISLE.

But to proceed with my argument. I call special attention to the fact that on March 3, 1887, Speaker CARLISLE recognized me to move to suspend the rules for the purpose of putting upon its passage "A bill to modify the internal-revenue system of legislation, and for other purposes." Two-thirds being required to suspend the rules, the bill failed to pass. But on a yea-and-nay vote there were 139 votes in favor of the motion and 112 against it. Of those voting for the bill 130 were Democrats and 9 Republicans and of those voting against the bill there were 106 Republicans and 6 Democrats. (See CONGRESSIONAL RECORD, volume 86, page 2681, Forty-ninth Congress, second session.)

This bill proposed to remove all restrictions upon the sale of leaf-tobacco and to relieve the people from the persecutions, annoyances, and odious and offensive espionage of the internal-revenue system. If the bill had become a law the services of the whole army of internal-revenue officials would not have been needed any longer to execute the internal-revenue laws. The spy, the informer, the revenue agent, and the midnight raider would have been compelled to seek other employment. After this vote no Republican can deceive the people in regard to the position of the Republican party in regard to the internal-revenue law. That party is opposed to the repeal of the law and is opposed to any modification of any of its obnoxious provisions. And this has always been the case.

SECRET OF REPUBLICAN OPPOSITION TO REPEAL OF INTERNAL TAXES.

The Republican leaders in this Congress are opposed to the repeal of the internal taxes because they are conscious that their infamous prohibitory system of tariff duties, embodied in the McKinley bill, will not yield sufficient revenue to meet the requirements of their equally infamous system of lavish and profligate expenditures.

In the last Republican national platform, as we have seen, is the following pledge:

If there shall still remain a larger revenue than is requisite for the wants of the Government we favor the entire repeal of the internal taxes rather than the surrender of any part of our protective system.

This was the Republican programme at the time the platform was adopted. There is great virtue in an "if." The platform commits the Republican party against any reduction of tariff duties and it declares for so many extravagant schemes of expenditure as to absorb any possible surplus, thereby preventing a decrease either of revenues or taxation. In other words, the Republicans have declared themselves to be in favor of high taxes and for extravagant appropriations in order to perpetuate high taxes.

EXCISE LAWS ALWAYS ODIOUS.

Internal-revenue (or excise) taxes have never been popular in any free country. No system of taxation is submitted to by the people with more impatience or is attended with as much hardship, vexation, and annoyance. One reason why the present law has been permitted to remain upon the statute-book for so many years is that the territory covered by the practical operations of the system is limited in extent. There are not more than ten or twelve Congressional districts in the United States where the burdens and the exactions of the internal-revenue law are brought home to the masses of the people. In North Carolina there is unanimity of sentiment in favor of the total repeal of the law. On this subject the sentiment of that State has remained unchanged for one hundred years. North Carolinians have always loved liberty and hated tyranny, and they have ever been opposed, on principle, to any tax law which requires an army of informers, spies, and hated officials for its enforcement. In December, 1790, the Legislature of North Carolina unanimously

Resolved, That they strenuously oppose every excise and direct taxation law, should any be attempted in Congress.

In the first Congress under the Constitution, the Representative from the same district which I now represent, Mr. John Steele, of Salisbury, made a speech in the House of Representatives, on January 6, 1791, against the passage of the first excise law. Considered in the light of the past and of our present experience, the speech is one which is calculated to arrest the attention of the thoughtful student of our political history. North Carolina ratified the Constitution and became a member of the Union on November 21, 1789. I quote from the Annals of Congress, volume 2, page 1895, without comment:

Mr. Steele stated his objections at large to an excise; he adverted to the particular situation of affairs of some of the Southern States, especially North Carolina. The assembly of that State had rejected the proposal of taking an oath to support the Constitution of the United States with scorn; they had also refused to admit Continental prisoners into their gaols; and another circumstance more hostile to the General Government than either of the foregoing had taken place, which he forbore to mention. He said such was the present state of public mind in various parts of the Union that he should dread taking any measures which might serve to increase the fermentation which the people are in. An excise he considered of this nature; it would in its operation produce the worst consequences. A more exceptionable mode of taxation could not be devised. A direct or poll tax would not be so odious, and, though for his own part he should prefer an excise to either of the former taxes, yet such was the aversion of the people to it that he should prefer almost any other alternative. He thought other objects might be found from which the necessary revenue could be raised. He instanced duties on inland navigation, land proceedings, legal conveyances, etc. He then adverted to the adoption of an excise, especially in the State of North Carolina, and said that the consumption of ardent spirits was so great that the duty would amount perhaps to ten times as much as in the State of Connecticut. On the whole, if the section is not struck out he hoped that the excise would be reduced.

And Mr. Timothy Bloodworth, of Wilmington, addressed the House in opposition to the bill. He said:

That if prejudices do exist, whether well founded or not, they produce all the mischiefs of a well founded opposition, until they are removed. He said a universal opposition to excises exists in North Carolina, and he dreaded the consequences of this measure being urged. North Carolina has been well disposed to the Government. What is the reason this is not at present the case? It is owing, sir, to the measures which have been pursued by the Government.

The bill on which the above remarks were made was passed and went into operation July 1, 1791. The Second Congress met in the following October, when a new bill was introduced, and on Monday, April 30, 1792, Mr. Steele again addressed the House on the subject. On which occasion—

Mr. Steele begged the House to recollect that this is the first attempt to introduce a system of excise into the United States; that it is, too, the first attempt to tax any article of American growth or manufacture; that the law requires a surrender of at least one-fourth of the value of the thing excised, and that not only the justice of the measure is denied, but its policy is doubted. * * * The opposition to this law has not proceeded from a restless and disorderly spirit among the people, but from an aversion which freemen in all countries have ever had, and perhaps ever will have, to this mode of taxation.

May 17, 1794, it being the Third Congress, Mr. William Smith, of South Carolina, from the committee to whom the subject was referred, reported a bill laying duties on manufactured tobacco and refined sugar.

Mr. McDowell (of North Carolina) hoped that the section would be struck out. He objected to the principle of the bill. He considered it as highly impolitic to tax the infant manufactures of America. * * * He could not help remarking upon some observations that fell from his friend (Mr. Baldwin, of Georgia) when this subject was before the committee some days ago. It had been objected that the bill was not well founded, as it established a new principle, and the member (Mr. Baldwin) replied that it was not new, as there was already an excise fixed on ardent spirits. He (Mr. Baldwin) opposed that law, but, since it was passed, he could not object to the present bill. Had the gentleman reflected, he would have seen that there was equal reason for resisting this bill, because it fixed that obnoxious principle more strongly, by giving a further sanction to an American excise. Mr. McDowell also considered the tax as unnecessary. The tax was contemplated on the prospect of a war which has now become less likely, the British having since the orders of the 8th of January released their depredations. Further, the tax was unnecessary, because it was asserted by several well informed merchants that the amount of the import this year would exceed that of the last.

In spite of all opposition, the First Congress passed the excise law, and it took effect July 1, 1791, as I have stated. Fearful results, however, followed in its train. The law was necessarily odious everywhere, and its enforcement produced riot and disorder in a number of the States. In Pennsylvania the people rose up in arms against the General Government. The feeling was so bitter that some of the greatest men of that day despaired of the preservation of the Union. In proof of this assertion, I quote from a letter of Thomas Jefferson to James Madison, dated Monticello, December 28, 1794:

The excise law is an infernal one. The first error was to admit it by the Constitution; the second, to act on that admission; the third and last will be, to make it the instrument of dismembering the Union and setting us all afloat to choose what part of it we will adhere to. The information of our militia, returned from the westward, is uniform that though the people there let them pass quietly they were objects of their laughter, not of their fear; that one thousand men could have cut off their whole force in a thousand places of the Allegheny; that their detestation of the excise law is universal, and has now associated to it a detestation of the Government, and that a separation which was perhaps a very distant and problematical event is now near and certain and determined in the mind of every man.

The first excise law was a partisan measure of the Federalists, and was entirely abolished by the democratic republicans shortly after they obtained control of Congress and elected their candidate for the Presidency. Mr. Jefferson, at the beginning of his second term, was able to congratulate his party and the country upon the abrogation of the odious law. I quote from his second inaugural, of March 4, 1805:

At home, fellow-citizens, you best know whether we have done well or ill. The suppression of unnecessary offices, of useless establishments and expenses, enabled us to discontinue our internal taxes. These, covering the land with offices, and opening our doors to their intrusions, had already begun that domiciliary vexation which, once entered upon, is scarcely to be restrained from reaching successively every article of produce and property. If among these taxes some minor ones fell which had not been inconvenient, it was because their amount would not have paid the officers who collected them, and because if they had any merit the State authorities might tax them instead of others less approved.

The second excise law was passed during the war of 1812-1815 and was repealed in the year 1817.

The present law was passed as a war measure in the year 1863. It was never intended that such a complicated and burdensome statute should become a permanent addition to any system of Federal taxation. The cry of all parties until recently has been that the internal-revenue tax is a war tax which should be abolished as soon as the revenues accruing from it could possibly be dispensed with. The people of North Carolina, for at least sixteen years, have been told by the leaders of all political parties to "Cry aloud, spare not, lift up your voice like a trumpet" against this arbitrary, onerous, and vindictive law.

From the bottom of my heart I thoroughly sympathize with my constituents in their anxiety and longing for the entire abolition of the internal-revenue law. I have done what I could since I have been a Representative in Congress to effect its repeal, and my record on this question needs no apology. I have labored incessantly everywhere and at all times to carry out the wishes of my constituents and of the

people of North Carolina in regard to this system. The people whom I have the honor to represent have possessed their souls in patience, and have quietly and hopefully waited for the dawn of a better day. When we look back over the past years, it seems almost incredible that so little has been done towards repealing and reducing the internal taxes and relieving the people from the oppressive and annoying features of the system.

PRESIDENT ARTHUR FOR REPEAL.

President Arthur, in two of his annual messages, earnestly recommended to Congress the abolition of all internal taxes except those on distilled spirits. I do him the justice to say that I believe him to have been a real friend of the tax-payer. He earnestly desired that the tariff taxes and internal-revenue taxes should be reduced, in order that the people might be relieved from unjust and unnecessary taxation. In proof of this I will make a brief citation from his last annual message of December 1, 1884. This extract is one among many which I could cite to the same purpose:

In my annual message of 1882, I recommended the abolition of all excise taxes, except those relating to distilled spirits. This recommendation is now renewed. In case these taxes shall be abolished, the revenues that will still remain to the Government will, in my opinion, not only suffice to meet its reasonable expenditures, but will afford a surplus large enough to permit such tariff reduction as may seem to be advisable, when the results of recent revenue laws and commercial treaties shall have shown in what quarters those reductions can be most judiciously effected.

I am sorry to say that President Harrison and this Republican Congress are not in harmony with these views and recommendations of President Arthur.

REPUBLICANS RESPONSIBLE.

There is not one unjust and oppressive law on the statute-books for which the Republican party is not directly responsible. A tariff which would produce the greatest amount of revenue was necessary to the Government during and at the close of the war. But a "protective tariff"—in other words, a tariff which puts several dollars into the pockets of the protected monopolists for every one it puts into the Treasury—was never necessary. The Morrill tariff of 1861 began this game of robbery at a time when the spirit of patriotism would otherwise have been deaf to the clamor of the monopolists, whose incessant cry, whatever the public calamity may be, is still that of the daughters of the horse-leech, "Give, give."

The pretense at that time for the enactment of the law was the necessity for revenue to support the Government, and this necessity, as experience has demonstrated, could best have been met by moderate and uniform rates of duties on the ad valorem principle. The leading purpose of the Republican party is, not to raise the greatest amount of revenue for the Government by taxes on foreign goods imported, but to raise the taxes so high as to keep foreign goods out of the market. This is now the avowed policy of the Republican party, as I have shown in the extract from their national platform. And to carry out this policy in the most offensive and oppressive manner the tariff laws impose the taxes, not in proportion to the value of the several articles, but upon quantities, in weight or measure, without regard to value. The effect of this fraudulent system is to make poor men pay as much tax upon their plain clothing, bed-clothing, and upon most articles they buy as rich men pay for similar articles of the finest quality. Clothing is taxed at so much the pound, blankets at so much the yard, wines and liquors at so much the gallon, and so on with other articles, with little, if any, reference to their value.

The Democrats in Congress have struggled in vain for many years in opposition to these measures and for their repeal or modification. We have had at one time a majority of the House of Representatives and the President on our side, but the Republican Senate has stood as an impenetrable fortress thus far in support of monopoly. The same thing is true in regard to internal-revenue taxes.

EXCISE ALWAYS A WAR MEASURE.

Three times in the history of the country it has become necessary to impose internal taxes.

The first occasion for them was during Washington's Administration, to pay off the Revolutionary debt, and, when the immediate necessity for them had passed away, they were repealed, although they were not one-fourth as burdensome as the present system.

The second occasion which called for the imposition of excise taxes was the war of 1812. The effect of the war was to check importations, and thus to cut off the revenue from the tariff. But soon after the peace, when commerce revived, it was found practicable to lay aside a system of taxation which has always been peculiarly odious to freemen in England and America, by the unnecessary and searching inquisition it authorizes into the business affairs of the people.

The third occasion for the imposition of an excise tax was the late civil war. And it is admitted that, with a tariff honestly laid for revenue and with an economical administration of the Government, this vexatious form of taxation might be altogether dispensed with. Republican monopolists themselves, indeed, have been among the foremost of those who through the press and in party platforms have demanded the repeal of the internal taxes, not because they are odious and oppressive to the people, but because the revenue derived from them would, as they supposed, render unnecessary a continuance of a high rate of tariff duties. But, as I have pointed out, the McKinley bill proposes to carry the rate of duties so high, in compliance with their national platform, as to exclude foreign goods from our country, and thus to cut off the revenue from that source. Hence the necessity alleged by the Republicans in this Congress for retaining the excise.

It is true that the internal-revenue tax has been greatly modified and curtailed since it was first put in operation as a war measure. All taxes upon banks, bankers, corporations, and manufactures of every kind, except those relative to articles and products in which the Southern people are mainly interested, have been swept away. The income tax has been repealed because it was a tax on the millionaires and wealthy classes in which the great cities and wealthy communities abound. But there is no "let up" for the tobacco-farmers and the fruit-distillers of North Carolina. Their noses are to be held to the grindstone in order that prohibitory tariffs, which produce no revenue, may be imposed and enforced and that the owners of millions—many a one of them worth more than the whole people of any county in North Carolina—may be relieved from taxation.

This is part and parcel of the declared policy of the modern Republican party. That policy is to make the rich richer and the poor poorer. Like the old Federalists, the modern Republicans have apostatized and utterly abandoned their original principles. But, unlike the old Federalists, these modern Republicans have not preserved their honor. On the contrary, they act as if they had lost all sense of honor and principle, and their great end and aim is to hold power in order to grow rich by robbing the people under the forms of law. This is the policy of the leaders, not of the masses, of course, who are honest, and who will one day find out that they have unconsciously been made the very instruments by which their liberties are being taken from them.

THEIR FINANCIAL POLICY.

All the great measures of the Republican party have the same end in view. There is a common purpose running through them all. They blend and co-operate like the various parts of a complicated piece of machinery. Not content with their wrongful measures of taxation, which discriminate in favor of the rich and against the poor and in favor of one section and against another section, the Republicans have proceeded to increase the burdens of the people by diminishing the amount of currency in circulation.

Among the war measures which became necessary was the issue of hundreds of millions of United States notes, commonly called "greenbacks" from their color. They were declared to be a legal tender for all debts, public and private, except in the payment of custom-house revenue by the importers, and the payment of interest by the Government on the United States bonds, which were issued in exchange for the greenbacks. The object of this arrangement, by which the tendency to depreciation in the greenback would in some degree be arrested, may have been wise and necessary. But these bills did depreciate, nevertheless, until they touched the point of about 38 cents in the dollar, in comparison with coin.

There were then some four hundred millions of greenbacks in circulation, while the national banks had also begun to issue their notes. Money was plenty. Railroads were built. All sorts of private enterprises were embarked in, and lands were mortgaged and debts incurred in a greatly depreciated currency to carry them into execution.

A return to specie payments under such circumstances would be a very difficult matter and needed to be brought about slowly, gradually, and with the utmost care to avoid oppressing the great body of the people, including the entire debtor class, nearly all farmers. But it was just at this time that the Republican leaders proceeded, clandestinely, to double the weight of all public and private debts by enacting legislation which deprived silver of its character as money.

Such an outrage upon the rights of the people could not at the time be perpetrated openly. It was equivalent to interpolating words into a will after the death of the testator or into a deed after it had gone to probate; for, if we concede that the original contract between the Government and the bond-buyer may have contemplated the redemption of the bonds in coin—and this can possibly be inferable from the fact that the act of 1862 authorizing the issue of the bonds provided a sinking-fund for their redemption in coin—and if we admit the fairness of the declaratory act of 1869, guarantying their redemption in coin, the knavery is still flagrant in the act of 1873 and in the Revised Statutes of 1875, by which the coinage of the legal-tender silver dollar was prohibited, and the silver dollars in circulation were declared to be no longer legal-tender money with which debts exceeding $5 could be paid. My own opinion is that the act of 1869 was "a new contract for the benefit of the bondholders," without any consideration whatever, and utterly unjustifiable.

The demonetization act of 1873 was carried through the Senate by Mr. JOHN SHERMAN, of Ohio. The bill purported to be an act for the regulation of the coinage; it was not known to be a demonetization scheme, but was supposed by everybody in the Senate to relate only to the details of the business of coinage.

The bill was engineered through the House of Representatives in like manner under the management of the grave and venerable Samuel Hooper, of Massachusetts—the very impersonation of the ideal

"solid man of Boston,"—whom no one would have suspected of being a crafty and skillful parliamentary veteran. Mr. Kelley, of Pennsylvania, afterwards stated on the floor of the House that he believed Mr. Hooper to be ignorant of what was in the bill.

Under such auspices, however, the bill went through both Houses and became a law, and it was nearly or quite two years before the people became aware of the outrage which had been perpetrated upon them by the act. But when the nature of the fraud was discovered and made known the popular indignation, especially in the South and West, was too strong to be withstood by its perpetrators, and in both Houses of Congress there was a general confession made by those who had voted for the act that they had not a remote idea of what the bill contained and that it was far from their thoughts that they were voting to demonetize silver. Among those who made this confession were Senators Thurman of Ohio, Conkling of New York, ALLISON of Iowa, Bogy of Missouri, Beck of Kentucky, VOORHEES of Indiana, Hereford of Nebraska, Howe of Wisconsin; and Mr. Blaine, who was Speaker of the House when the bill was passed by that body, acknowledged in the Senate in 1878 that he was utterly ignorant of the true character of the bill.

In the House such men as Garfield, Kelley, CANNON, HOLMAN, Burchard, and others pleaded ignorance as an excuse for not opposing the bill; while President Grant, who signed the act, showed his profound ignorance of what he had done when eight months later, in a letter to Mr. Cowdrey, dated October 6, 1873, he expressed his surprise that silver was not coming into the market to supply the demand for circulation.

But the crime committed by the authors of this act is by no means limited to the clandestine manner in which it was smuggled through Congress and imposed upon the President. Congress had no right to pass such an act with its eyes wide open, for to do so would be to perpetrate a gross fraud upon the people, who pay the taxes. Mr. HOLMAN, of Indiana, when it was discovered that the demonetizing bill had passed, denounced the measure as "a colossal swindle."

The bonds were all payable in coin—not in gold only—but in gold and silver. They were issued in pursuance of the acts of July 14, 1870, and January 20, 1871, and bore 4 and 4½ per cent. interest. The declaratory act of 1869, guarantying coin redemption, enabled the Government to borrow at these rates and take up the old 6 per cent. bonds. The principal and interest were payable in coin, gold and silver. Congress therefore could not, without a breach of faith with the people, change the conditions and compel them to pay gold only. It was just as gross a breach of faith as would be an act now to make the new bondholders, who paid full value for coin-bearing bonds, take irredeemable and depreciated paper currency for principal and interest.

How flagrant the knavery, then, of the swindling act of 1873, by which silver was demonetized! The Republicans in this Congress propose to complete the conspiracy which was begun in 1873 by repealing the Bland coinage act of 1878, stopping the coinage of silver altogether and thereby making the gold dollar the exclusive standard of value.

And if anything could add to the shamelessness of the original transaction, it is the fact that its author was himself a Greenbacker a few years before he become a monometallist. He had declared that the Government had a right to pay off the national debt in greenbacks at a time when they were far below par. But he visited Europe soon afterward, and there his eyes seem to have been opened to the peculiar and exclusive value of a gold currency.

THE RECKLESS PENSION SYSTEM.

It was natural to expect that the Government would provide pensions for the soldiers and sailors who were disabled in the service during the late civil war and for the widows and orphans of such as lost their lives in that service. The Democratic Representatives of the South, although the interests of their constituents have been directly opposed to the passage of such laws, have never thrown obstacles in the way of pension legislation when it has been conceived in a spirit of honesty and fairness. But that limit was passed more than twelve years ago, and now the Republican party, in order to secure the attachment of all who can put in the shadow of a claim to having been in the military service, has been ready to vote them pensions, with arrearages running back to the close of the war. In their desperate straits, with the yawning gulf of utter defeat and banishment from power before them in the November elections, they scruple at nothing, and are ready to bankrupt the Government rather than lose their hold upon it.

The war terminated in 1865. It was to be expected that all who were suffering from wounds and from disease contracted in the service would proceed to file their claims for pensions as soon as practicable, as they were invited to do by the Government, and that all legitimate claims would be put in at most within fourteen years after the close of the war. Accordingly, up to and including the year 1878 there had been filed 566,722 applications for pensions by soldiers and sailors and their widows; and of these 366,827 claims had been allowed. The claimants amounted to nearly one-third and to certainly more than a fourth of all who were mustered into the service during the war, and to quite one-third of those who rendered any essential service, while the claims allowed up to that date amounted to not far from a fourth of all who smelt gunpowder during that struggle.

But the war upon the Treasury at the end of fourteen years after the fighting in the field was over had but just begun. Of the 366,827 soldiers and sailors and their widows to whom pensions had been granted up to and including the year 1878, only 242,755 remained alive. These were not enough to deplete the Treasury at the rate demanded by the Republican high-tariff policy. The disbursements were rapidly running down. The case required heroic treatment; and accordingly, on January 25, 1879, an act was passed which authorized the payment to all whose names had been placed on the rolls, and to all who in future should be pensioned, arrears running back to the date of the death or discharge of the soldier; and by the act of March 3 of the same year the arrears pension was to begin on the date when the wound or disability was incurred. Every pensioner under the act received back-pay for fifteen to eighteen years.

The effect of these acts was to reinvigorate the flow of the public money out of the Treasury. In the fiscal year 1878 the disbursements for pensions were only $26,844,455, but in 1879 they rose to $33,780,526 and in 1880 leaped up to $57,240,540.

The tariff monopolists were delighted, and saw in the vista of the future a long career of prosperity for them based on the unjust taxation of the people. The Southern people pay their share, which is at least one-third of all the taxes collected by the General Government, and receive no part of the expenditures either for pensions or on account of the public debt. This drain upon the resources of the South will keep her people poor for years to come. While the act of March 3, 1879, required that applications for pensions involving the payment of arrearages should be filed prior to July 1, 1880, this restriction was removed in behalf of widows and orphans by the act of August 7, 1882, so that to this day the arrearage principle applies to them. And this will account for the fact that the disbursements for pensions have continued to increase from that time forward. At the end of the fiscal year 1889, as the last published report shows, there were 489,725 pensioners on the rolls, to whom $89,131,968 had been paid for that year.

But this was not enough to satisfy the cormorants, and at the present session a bill is to be passed which will pension every man who was in the service during the war, if for but three months, who has become too feeble to support himself by physical labor or who will swear that such is his condition. This is to be called the dependent pension act. It need not be shown whether applicants have a competency or not or what their financial condition is; but it is sufficient to show that they are suffering from either mental or physical disability which disqualifies them to perform manual labor; that they enlisted for three months and were ready to serve, although they were never called into the field.

These "dependent pensioners," although they may be worth their thousands, are to be allowed $12 per month at most, but not less than $6.

It is safe to predict that the act will be liberally construed, and that it will be only the poorest, most dependent, and least important members of the Grand Army of the Republic who will be put off with $6. And the new army of dependent pensioners will sing anew the old war song, "We are coming, Father Abraham, five hundred thousand more."

Indirect taxation is of all forms of taxation the most burdensome to the people. The payment of the tax is indirectly added to the cost of articles of consumption used by the people. The $450,000,000 of revenues collected by the General Government represent, it is said, twenty-two and a half days' work done by the people; every farmer and laboring man and every person who works for a living contributes his or her share of the taxes. The average tax on what the farmer buys and consumes is said to be 70 per cent. in addition to the real cost. In other words, if a farmer buys $17 worth of merchandise, $10 is cost and $7 is tax. If he buys $1 worth, 59 cents is cost and 41 cents is tax. If he buys $5 worth, $2.95 is cost and $2.05 is tax.

The Southern people paid last year for pensions and for the interest on the public debt not less than $50,000,000, and the amount will largely increase every year in the future. This money leaves the South never to return. And while the burden is not so heavy upon the Northern people, because the same money that is paid into the Treasury for these purposes is paid out again to others living in the same section, the injustice and hardship to individuals are very great. In the one case a whole section is taxed for the benefit of another. In the other case one man is taxed for the benefit of another. In either case the system operates unequally and unfairly. The Detroit Free Press thinks that—

> If the people could realize this fully there would be a halt called in the matter of extravagant appropriations. If the people saw clearly, as Mr. Wells points out, that the pension laws called for the labor of the people for twelve days in each year, there would be a good deal more careful consideration of the proposition to increase the tax on that account. If the workingman understood that he is contributing one-twenty-fifth of his wages to pay pensions he would certainly be heard from in respect to the proposition to take another twenty-fifth for the same purpose. He would understand it if an agent of the Government stood by when he receives his weekly wages and demanded a dollar out of every twenty-five. Why should he not understand it when that is just what is done indirectly?

The American laborer instead of being benefited is the greatest sufferer by an unjust system of tariff taxation. The passage of the McKinley bill, instead of opening up new fields of employment for the laborer, will deprive him of advantages which he now possesses, besides greatly increasing the cost of his living.

An English wit fifty years ago characterized the policy of one of the parties of the day as a scheme for "giving everybody everything," and it is on this principle that the Republicans now propose the enactment of a pension law which will pension every man who was at any moment of time in the service, although he may not have left home, or put on a uniform, or even harbored an evil thought against the enemy. They will not scan his record closely. They will not ask whether he was a hired susbtitute or the hirer, nor whether he was a "bounty jumper," nor how many times he jumped the bounty. What they want are leeches to bleed the Treasury in order that there may be a necessity for high tariffs and high taxes.

It is a curious fact and worthy of particular mention that the disbursements of pensions have increased in a twofold ratio to the number of pensioners. In other words, recent pensioners are paid twice as much as those who first applied. I will illustrate.

For instance: In 1862 there were 8,159 pensioners on the roll, to whom were paid $790,384.76. This was at the rate of $96.87 per capita. In other words, they received $8 per month and the 87 cents per capita were paid the officers who disbursed the money.

In the year 1863 there were 14,791 pensioners, who received $1,025,-130.91, which was at the rate of $69.30 per capita—average, of course—and the result of the division shows that many of the men were allowed less than $8 per month.

In 1864 the number of pensioners had increased to 51,135, and their pay was $4,504,616.92, which was at the rate of $88.09 per capita. But the 285,697 pensioners who were on the roll in 1882 received $54,296,-280.54, which was at the rate of $190.08 per capita per annum.

The next year 303,658 soldiers, sailors, and widows received $60,431,-972.85, and so on with the following years, in the last of which, 1889, 489,725 men and widows received $89,131,968.44.

It will be said that these large annual disbursements were paid in great measure for arrearages. But does that help the case? If these latter-day applicants for pensions are so very deserving, why did they not apply sooner? If they felt that they were not in need of pensions until fifteen or twenty years after they were mustered out of the service, why force arrearages upon them?

This system of paying arrearages of pensions—in other words, of giving back-pay to recent applicants for pensions—had no precedent prior to this last war. It is simply a Republican device for depleting, that is to say, robbing, the Treasury, for the twofold, dishonest purpose of securing votes and of making higher taxes necessary. The soldiers of the Revolution, of the war of 1812, and of the Mexican war received no arrearages.

At the close of the war the public debt amounted to nearly $3,000,-000,000; and the annual interest, which was then 6 per cent., amounted to $153,000,000. But the great resources of the country, under the pressure of heavy taxation, rapidly reduced the principal, while the refunding process in 1870 reduced the rate of interest to 4 and 4½ per cent. The result was that a large surplus of revenue, from year to year, could be applied to paying off the principal; and at the end of twenty-five years the interest-bearing debt is reduced to one-third of its original amount, while the annual interest is now less than one-fifth of what it was at the close of the war. The public debt has been reduced to $921,000,000, and the interest is now only $29,417,603.15. There has been a reduction of about $1,000,000,000 in ten years.

These facts give unalloyed pleasure to every honest mind when made acquainted with them. But not so with the Republican monopolists. They would keep the public debt at the highest figure and the interest at the highest rate in order that sectional and class legislation and the continuance of high tariffs may seem necessary. But their hope now is in the growing volume of the pension burden. And it is a singular fact that that burden has been increased in proportion as the interest on the public debt has been diminished in amount. I present the case in tabular form, as follows:

Years.	Pensions paid.	Interest paid.
1867	$18,619,956	$138,892,451
1869	28,422,884	125,523,998
1870	33,077,383	111,959,330
1880	57,240,540	79,633,981
1885	65,693,706	47,014,133
1889	89,131,968	33,752,354
1890 (about)	109,500,000	29,500,000

It is noticeable that, like Castor and Pollux, the pension disbursement rises as the interest disbursement goes down, and this is not an accidental coincidence. It is the result of the far-seeing policy of the Republican plutocrats for keeping up the necessity for a high tariff and high taxes. The pension expenditures next year will probably exceed $175,000,000.

In this connection I will quote from an editorial in The American, of Philadelphia, of April 12, 1890, one of the ablest Republican journals in the United States, to show that even the most partisan Republicans have come to the conclusion that the existing pension system is radically wrong and unjust. After showing that "service" in the army "was a patriotic duty, not a mercenary engagement," and after declaring that "no true American defended the Union for hire * * * and no true American would desire to have the heroic record of 1861–1865 buried beneath a mercenary system of extravagant and unjustified pensions, the greed for the 'almighty dollar' besmirching the very colors of the flag," the editorial concludes:

One of the most mischievous of ideas is that the revenues of the country are so great that extravagant pensions may be justified. The fact is that those revenues, which are not themselves wrongly derived, are not a dollar in excess of the country's—we mean the whole people, not simply their Federal system—actual needs. Cries against taxation are heard in many quarters, in some with reason, and this when there are not enough schools, and hardly any good roads, when upon every hand the necessities of our local governments outrun their resources. If, under these circumstances, the Treasury shall be drained for any unjustified purpose, it would be a crime against the Republic, wounding it not only now, but for all future time. To deplete the Treasury is to cripple the proper functions of the Government; to pension citizens for "service" simply is to entail a burden and establish a precedent, which may make impossible the future defense of the country in a time of peril. When the Republic makes the protection of its integrity a commercial transaction, we shall not be far from the hour of its downfall.

WHO COMPLAINS.

Before closing it is proper to state that it is not the tobacco-manufacturers now engaged in the business who complain of the internal taxes, but the complaint comes from the farmers and the class of small manufacturers—themselves generally farmers—who were engaged in cultivating or manufacturing tobacco before the internal-revenue system was adopted. The restrictions imposed on the cultivation of tobacco are unprecedented in this or any other country.

No English-speaking people engaged in the cultivation of the soil were ever before, under heavy pains and penalties, denied the privilege of selling their crops. What would be thought of an act of Congress which should impose similar restrictions upon the sale of Indian corn, wheat, rye, oats, and other grains?

And yet such an act would be defensible upon the same grounds and by the same arguments which are employed in support of the tax on the sale of leaf-tobacco. The cotton tax is now conceded to have been unjust, if not unconstitutional. Then how can the restrictions and tax on tobacco be defended?

AGGREGATE INTERNAL REVENUE.

The aggregate internal revenue paid by the people of all the States during the fiscal years ending June 30, 1863, to 1889, inclusive, was $3,597,346,871.34, of which North Carolina paid $42,734,549.73; and during the fiscal year 1889 North Carolina paid $2,467,150.27.

Of this last sum, distilled spirits, and sales of, produced	$594,007.44
Manufacturing and sales of tobacco	1,865,173.63
Fermented liquors	1,248.34
Other small items	6,720.86
Total	2,467,150.27

The annual receipts are largely on the increase, being for all the States for the year 1889 $130,894,434.20, and for the year 1890 about $142,595,000. During the current year the amount of internal taxes paid by North Carolina will be about $2,760,000. The total collections on tobacco, in all the States, for the years 1866–1889, inclusive, amount to $787,419,613. For the year 1889 the amount collected was $31,866,-860.42, and for the current year about $34,959,000.

In North Carolina, in the year 1889, the tobacco tax paid $1,865,-173.63. For the current year the amount will be about $2,016,000. Tobacco culture is not on the increase in North Carolina. In 1884 the acreage was 69,600, the product 34,858,000 pounds, of the value of $4,008,670. In 1888 the acreage was 57,107, the product 25,755,000 pounds, of the value of $1,931,644. Take away the tax and we hope to see a vast change for the better in this great industry.

The tax on fruit brandy is one of the most unjust laws on the statute-book. The farmer can not afford to convert his fruit into brandy. The tax is too high and the requirements of the law are too stringent. The result is that there is a great waste of the raw material. There is no market for apples and peaches in many sections and the fruit rots upon the ground in the orchards. If this tax was repealed the farmer could save all his fruit. What he could not utilize in one way he could in another.

The tax collected on fruit brandy varies immensely from year to year. The greatest amount collected in North Carolina in any one year was, in 1871, $194,802,27. The very next year the tax collected was only $26,218.19. In 1876 the tax yielded only $19,845.61. In 1888 the amount collected was $35,845.32, and in 1889 the amount was $43,323,-07. The collections for the United States vary with much the same irregularity, collections for the years named being as follows: 1865, $12,-005.33; 1866, $283,499.84; 1871, $1,236,005.67; 1873, $2,014,645.60; 1874, $356,681.41; 1888, $799,296.19; 1890, $1,165,371.91. The total collections in the United States up to date amount to about $25,450,-000, of which North Carolina paid not less than $1,877,000.

AMENDMENTS OFFERED.

The following is a brief explanation of the amendments I have offered to the internal-revenue provisions of this bill:

Section 1 abolishes what are known as minimum punishments and gives a discretion to the courts to impose any punishment, not exceed-

ing the maximum limit, authorized by the statute, whether such punishment be less or greater than the minimum punishment mentioned in the law. This section is intended to discourage frivolous and petty prosecutions. There are many cases where the judge might properly impose a less punishment than the minimum required by the statute if he possessed the power.

The minimum punishments range from a fine of $100 and thirty days' imprisonment to a fine of $1,000 and one year's imprisonment. There are many technical and frivolous cases where the minimum punishments should not be imposed. The Federal judges seem to be a unit in favor of this section.

Section 2 directs that no warrant shall be issued, in internal-revenue cases, upon an affidavit making charges upon information and belief, unless made by certain official persons. In every other case a sworn complaint is required alleging the facts to be within the personal knowledge of affiant.

The section is intended also to limit the liability of the United States in the matter of the fees of marshals, clerks, commissioners, and other officers. Attorney-General Miller, in his report to the present Congress, makes the following suggestions:

> From a number of judges, as well as from other sources, comes the information that very great abuses arise out of the action of commissioners of the circuit courts in the amount of fees they make and charge for themselves, as well as those which they assist the marshals, and, in some cases, district attorneys, in making. Whether it is practicable to eliminate entirely the excessive charges in the enormous bills of expense in proceedings had before these commissioners is perhaps doubtful; but certainly Congress, by enacting a clear and definite fee-bill for such proceedings, and by providing that no prosecutions shall be commenced except in an emergency shown in an affidavit, until the district attorney shall have approved of the commencement of such proceedings, and by prescribing severe punishment for any violations of the laws so enacted, can do much to repress these abuses and relieve the Treasury from illegal exactions.

The section as formulated does not go quite as far as the Attorney-General recommends.

Section 3 requires a warrant issued by a commissioner or other United States judicial officer to be returnable before some such judicial officer residing in the county of arrest, or, if there be no such officer in that county, before some such United States judicial officer residing in another county nearest to the place of arrest. This is a reform that has long been needed. The late Attorney-General Garland, in his last two annual reports, earnestly recommended legislation upon the subject. He said:

> Commissioners of circuit courts generally issue warrants that are returnable to themselves alone, regardless of the distance and cost consequent upon the order. They have the right to do this, yet experience shows that the right is open to reform. The right to issue a warrant might be left unrestricted in all respects, leaving the commissioner discretion to act upon reasonable grounds of suspicion and belief and on a charge made upon reasonable cause of the commission of a felony, but the commissioner before whom the warrant should be returned might be another, and perhaps ought to be another, if the offense is committed without the county of his residence. * * * The Department can not direct the commissioner how to act, as that officer is subject to the court alone. It is therefore a proper subject for legislation to remedy the abuse.

Section 4 gives full authority to the circuit courts and to the district courts exercising circuit-court powers, with the approval of the Attorney-General, to appoint as many commissioners as may be needed in the different localities of each judicial district, and also authorizes the Attorney-General to remove any of said commissioners *ad libitum* and summarily. It is the practice of some of the judges to revoke, without notice, the commissions of these officers when the public interest requires it. Other judges doubt their authority to do this summarily and without trial. The purpose of this section is to give the Attorney-General a veto upon the appointment of such officials as he thinks undeserving and to confer upon him the power to remove them summarily. Under the present law the circuit courts have the sole power of appointing United States commissioners, and some of the judges hold that these commissioners, being judicial officers, can only be removed by impeachment.

A letter from the First Auditor of the Treasury, dated March 10, 1890, informs me that "numerous cases can be cited where the discovery of fraudulent practices on the part of a United States commissioner has had no more serious result than the suspension of so much of his account as appeared, upon the face of the papers, to be manifestly wrong, when such discovery should and would have been followed by prompt dismissal had the Attorney-General been given the power to so act." In a letter dated April 3, 1890, the Attorney-General himself also says:

> Section 4 is right. I can not help thinking, however, it would be an improvement if the commissioners could in some way be made amenable and brought under the control of the Attorney-General. Many of the worst abuses existing in the administration of justice under Federal laws originate with and are fostered by the commissioners. They are only removable by the circuit courts, and judges of these courts naturally give but little attention to such matters, and the result is the commissioners are practically without responsibility.

Section 5 confers upon the Commissioner of Internal Revenue authority to discontinue any civil or criminal case any time before final judgment. It is believed that the Commissioner of Internal Revenue may already possess such power. Attorney-General Evarts so held in a letter to Hon. Hugh McCulloch, Secretary of the Treasury, dated February 6, 1869 (12 A. G. Op., 552); but it seems that the power is no longer exercised. The purpose of the section is to make the law plain that the Commissioner may exercise the power intended to be conferred in conformity to said opinion of Mr. Evarts.

Section 6 proposes to put a stop to the destruction or mutilation of stills and other distilling apparatus. Section 3332 of the Revised Statutes, as amended by the act of March 1, 1879, provides that in case of seizure of a still, or other distilling apparatus, of less than $500 value, and where it shall be impracticable to remove the same to a place of safe storage from the place where seized, the seizing officer is authorized to destroy the same only so far as to prevent the use thereof, or any part thereof, for the purpose of distilling. And it was also directed that such destruction should be in the presence of at least one credible witness, and that such witness should unite with said officer in a duly sworn report of such seizure and destruction to be made to the Commissioner of Internal Revenue, in which report they shall set forth the grounds of the claims of forfeiture, the reasons for such seizure and destruction, their estimate of the fair cash value of the apparatus destroyed and also of the materials remaining after such destruction, and a statement that from facts within their own knowledge they have no doubt that said distilling apparatus was set up for use and not registered or had been used in the unlawful distillation of spirits, and that it was impracticable to remove the same to a place of safe storage.

The act of March 1, 1879, was intended to discourage the destruction or mutilation of stills and to prevent the same except in rare instances. The provisions of this act, however, remain a dead letter upon the statute-book. My information is that, in almost every instance, whenever a still is seized by the internal-revenue officers it is immediately cut up and destroyed, whether it be practicable to remove the same to a place of safe storage or not. The destruction of stills is one of the most irritating and vexatious features of the internal-revenue system and is no longer necessary. The law can be enforced just as rigorously, and the revenue just as certainly and efficiently collected, without this harsh feature as with it.

The enactment of section 7 is demanded out of humane considerations. Under it the judges of the United States courts will be authorized to make proper provision for the comfort of any prisoner whose life or health is endangered by the close confinement of the prison. The judges of the State courts in many of the States have some such power. It is believed a discretion of power of this sort can be safely confided to the United States judges.

Section 8 provides for the repeal of all special license taxes upon manufacturers of stills, retail dealers in spirituous liquors, and retail dealers in malt liquors. The amount of revenue annually derived from these sources is about $4,860,000. The release of these special taxes by the Federal Government would restore to the several States a fruitful source of revenue and enable each State to regulate the liquor traffic in its own way.

On December 5, 1888, on motion of Mr. VANCE, the substance of the above-mentioned amendments was offered to the Senate substitute for the Mills bill, but the amendment in every instance rejected by the Republican majority of the Senate, with the exception of section 7, which was adopted. These amendments had been incorporated in the Mills bill at my request, and may be found in my bill of March 3, 1887. The first five amendments were also included in my bill "to amend the internal-revenue laws," which passed the House on my motion February 7, 1888, but was not allowed to be considered in the Republican Senate.

The Wool Industry.

SPEECH
OF
HON. HENRY C. HANSBROUGH,
OF NORTH DAKOTA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 8, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports and for other purposes.

Mr. HANSBROUGH said:

Mr. CHAIRMAN: A decrease of nearly eight million head of sheep in four years and a falling off of $23,000,000 in the domestic output of wool in three years naturally call forth the inquiry What is wrong with the sheep industry in this country? When we examine the statistics to ascertain the cause of this remarkable shrinkage we find that in 1885 the production of wool in the United States amounted to $77,000,000; three years later the value of the domestic product was $54,000,000. This great falling off is directly chargeable to the reduction of the tariff, which resulted in largely increased importations and at the same time discouraged the domestic sheep-raiser.

In 1883, the year that the duty upon imported wools and worsteds was reduced, we had in this country in the neighborhood of 51,000,000 head of sheep. In 1888, three years later, the number of sheep in the United States had decreased about 8,000,000 head. Meantime, in-

portations of wool from foreign countries to the United States increased from 70,596,170 pounds in 1884 to 113,558,753 in 1888, and yet the prices of wool showed but slight changes. The figures pertaining to this part of the wool question are worth tabulating:

Year.	Sheep in the United States.	Domestic production of wool.	Imports of wool.	Average price of raw wool in New York.
	Number.	*Pounds.*	*Pounds.*	*Cents.*
1884	50,626,626	300,000,000	78,350,651	38
1885	50,360,243	308,000,000	70,596,170	32
1886	48,322,331	302,000,000	129,084,958	35
1887	44,759,314	285,000,000	114,038,030	35
1888	43,544,755	269,000,000	113,558,753	33
1889	42,599,079	265,000,000	126,487,729	35

Here it is distinctly shown that as a result of the lowering of the wool duties in 1883 our sheep flocks have been greatly reduced in number, a reduction in exact figures of 8,037,547 head, worth, at the reasonable value of $2.30 per head on the farm, $18,485,358.10. In other words, owing to the failure of the United States Congress of 1883 to properly protect the wool industry, instead of reducing the duties, as it did, over $18,000,000 worth of the farmers' capital was driven to the slaughter-pen. What would have been the increase upon these 8,000,000 head of sheep under a wise protective policy? Figures almost fail us in making the computation.

Has there been any compensation to our people for this loss in their flocks? None whatever.

We of the Northwest are deeply interested in sheep-raising and the production of wool. Our farmers are studying the question from the standpoint of self-interest. The failure of late years to raise large and profitable crops of wheat in the Dakotas, in Minnesota, Wisconsin, and other grain-producing States has forced the agriculturist to adopt the policy of diversification. In my State sheep-raising is proving itself to be the most profitable industry that the farmer can engage in, the surest of returns. The great Red River Valley will always produce big yields of wheat, but in the highlands the result is not so certain. These highlands are peculiarly adapted to the wool industry, and within the past two years the number of sheep in the State has been increased 300 per cent. The climate is admirable and the diseases that prove so destructive to flocks in some other countries are unknown in North Dakota and other Northwestern States.

The farmers of the United States now produce about 40 per cent. of the wool that our people need for all purposes. The other 60 per cent. is produced in foreign countries, and we are compelled to buy it to keep from freezing to death. It is a strange situation. Here we have the very best advantages for producing wool, and yet we are dependent upon the foreign sheep-raiser for more than half we use. It should not be so. We ought to produce every pound of wool we use. If we can produce 40 per cent., why not 100 per cent.? "Ah!" the free-trader answers, "we must have certain kinds of wool we can not produce to mix with that we do produce." For many years this proposition was supposed to be well founded, but of late it has been completely exploded. We can and do produce third-grade wools in great abundance. The Southern States are peculiarly adapted to the production of this grade of wools, and this fact ought to take the question of wool protection in the United States out of politics. The State of Texas alone can furnish one-third of the wool needed in this country, but it will not do so while the people of that State continue to send men to Congress who are the bitter enemies of the American system of protection.

Nearly all of the third-class wools we use are grown in Russia, Asia, India, the Argentine Republic, Scotland, and China, the heaviest importations being from the countries in the order named. We have in this country every variety of climate to be found in the countries mentioned above, and there is no reason why, with proper protection to compensate for the difference in the price of labor, we should not produce all the wool we consume. It is the highest duty of the American people to become self-sustaining.

I find a most comprehensive statement of this whole question in the majority report of the House Ways and Means Committee of this Congress, and it is herewith submitted as a part of my remarks. The report says:

The production of wool is itself an important industry, and receives added importance through its influence upon other agricultural pursuits. In 1883 Hon. John L. Hayes, late secretary of the National Association of Woolen Manufacturers and president of the Tariff Commission of 1882, estimated the wool product of the United States for the year 1883 at 320,000,000 pounds, and stated in substance that there was no State in the Union, and scarcely a county in any State, where sheep husbandry was not pursued.

By the census of 1880 in every county in the United States except thirty-four, sheep were raised. In 1883 the number of sheep in the United States was over 50,000,000 and the number of persons owning flocks was in excess of a million. This large number of wool-growers was, to a considerable extent, withdrawn from the business of raising grain and other farm products, to which they must return if wool-growing can not be profitably pursued.

The enormous growth of this industry was stimulated by the wool tariff of 1867, and was in a prosperous condition prior to the act of 1883. Since then the industry has declined in alarming proportions, and the business has neither been satisfactory nor profitable. The committee have given to this industry, so universally distributed throughout the country, the most careful and painstaking consideration, and have recommended an advance of duties which it is believed will afford ample protection to the farmers of the country engaged in wool-growing.

By the proposed bill the duties on first and second class wools are made at 11 and 12 cents a pound, as against 10 and 12 under existing law. On third-class wool, costing 12 cents or less, the duty is raised from 2½ cents a pound to 3½ cents, and upon wools of the third class costing above 12 cents the duty recommended is an advance from 5 to 8 cents per pound.

The bill which passed the Senate in 1888–'89 made the dividing line on third-class wools at 12 cents with the same rates of duty upon all classes of wool except third class costing less than 12 cents, as herein recommended. The Senate fixed the duty upon this grade at 4 cents, while the committee recommend 3½ cents. It is believed, however, that with the restrictions, definitions, and classifications, and the addition of port charges to the foreign cost recommended in the proposed bill, this difference will be fully compensated.

The United States ought to produce all of the wool it consumes, and will with adequate encouragement and defensive legislation. The amount of wool consumed in all forms and for all purposes is nearly, if not quite, 600,000,000 pounds annually. In January, 1889, there were in the country 42,599,079 sheep, producing about 245,000,000 pounds of unwashed wool, while the imports for the last fiscal year in all forms, wool, clothing, and carpet, is estimated at about 350,000,000 pounds. There were imported of clothing wools 29,224,522 pounds; of combing wools 6,871,666 pounds, and of carpet wools, so called, 90,391,541 pounds; of waste 8,662,209 pounds—practically scoured wools; and the value of woolen and worsted goods imported was $52,564,942, representing about 160,000,000 pounds of wool. A considerable amount of wool was imported as carpet wool, paying a duty of only 2½ cents a pound, which was used in the manufacture of clothing and should have paid the clothing-wool duty.

There seems to be no doubt that with the protection afforded by the increased duties recommended in the bill the farmers of the United States will be able at an early day to supply substantially all of the home demand, and the great benefit such production will be to the agricultural interests of the country can not be estimated. The production of 600,000,000 pounds of wool would require about 100,000,000 sheep, or an addition of more than 100 per cent. to the present number.

The contention that wool-growing in this country has not been aided or encouraged by protective duties is sufficiently answered by the following statement of the annual production and production per capita from 1840 to 1884:

Amount of wool produced in the United States.

Year.	Production.	Per capita.	Year.	Production.	Per capita.
	Pounds.	*Pounds.*		*Pounds.*	*Pounds.*
1840	35,802,114	2.5	1879	232,500,000	4.3
1850	52,516,969	2.7	1880	240,000,000	4.6
1860	60,264,913	1.7	1882	290,000,000	5.1
1869	162,000,000	4.2	1884	308,000,000	5.4
1874	181,000,000	4.2			

It will be noticed that in 1860, after fourteen years of revenue tariff, the total production of domestic wool was 60,264,913 pounds, or 1.7 pounds per capita, while in 1884, after twenty-four years of protection, the total production had increased to 308,000,000 pounds, or 5.4 pounds per capita. This increase justifies the policy of affording this important agricultural product adequate protection.

The bill seeks to stop the frauds which have been so shamelessly practiced in the past in violation not only of the spirit, but the letter of the law. The preparation of wools under new names and forms, to avoid legal duties, has been very generally practiced.

Noils, ring waste, garnetted waste, slubbing waste, carbonated waste, roping, and roving have been imported into this country at the duty on unwashed wool, when they were in fact washed and scoured, partly manufactured, and ready to go into our looms. It is believed that if the provisions of this bill be adopted these violations will be prevented and this gross injustice to the wool-growers of our country remedied.

Another instructive document which I have had the pleasure of reading is the address of Hon. William Lawrence, of Ohio, before the Farmers' National Congress at Chicago, November 11, 1887. This address is so full of meat and covers the question so completely that I submit it herewith as a whole. No man who reads it will longer doubt the course that the people of this country ought to pursue. Mr. Lawrence said:

In obedience to a request of the secretary of this Congress, I will endeavor to address you on "The American wool interest." This "interest" consists of that industry which produces American wool and woolen and worsted goods and mutton. The wool industry is one of the great sources of a healthful article of food, and of an element in a chief form of clothing and other woolen and worsted goods. The history of its introduction and gradual growth in the United States is interesting and instructive.*a* But for practical purposes only that portion of it is material which illustrates the result of legislation and surrounding conditions so far as they may aid in ascertaining the effect of present and prospective legislation and conditions, and guide us in deciding what the future of this industry may require.

The wool interest is great in the number of persons to whom it gives employment and in the capital invested in it; it is great by way of contrast with other industries and in its utilities. There is no phase of it which encourages evil or brings misery to our race: its mission is to feed the hungry, to clothe the naked, to minister to real wants. In every age it has been regarded as honorable and has engaged the attention of the great, the wise, and the good. Kings and princes and Presidents have given it their favor and patronage, and the approving smiles of heaven have followed it through all the ages. Shepherds were the "witnesses of the wonder that accompanied the Savior's birth" when the star of Bethlehem shone upon the plains of Judea as the shepherds watched their flocks by night and an angel proclaimed to them "good tidings of great joy," and the listening winds ushered in the era of peace on earth and good-will toward men.

It is in behalf of this industry—essential to the well-being of mankind, to the independence, if not to the existence, of every nation in peace and war—that I am to speak to you now. And the necessity for speaking and for action, prompt, energetic, and effectual, grows out of the fact that this great industry is threatened, if not with total extinction, yet at least with such serious damage as to

a See Senate Ex. Doc. No. 25, third session, Forty-fifth Congress, January 14, 1879, Special Report of Chief of Bureau of Statistics, United States Treasury Department, on Wool, etc., 1887.

vastly reduce its present proportions, to arrest its growth and progress, and thereby to cripple every other industry of the country. It is in danger of being transferred, with all its benefits and blessings, to alien hands and foreign lands.

In performing the duty assigned me I will endeavor to show: I. The magnitude of the American wool interest. II. What this interest may, under proper fostering influences, become. III. What are the fostering influences requisite to enable American wool growers and manufacturers to supply all the wool and woolen and worsted goods we need, and enable our people in due time to become exporters of these fabrics. IV. Justice to American agriculturists and sound policy require legislation to give American wool growers and manufacturers the whole American market, so far and so fast as it is possible for them to supply it.

I. THE MAGNITUDE OF THE WOOL INTEREST.

It has not been possible to obtain reliable statistics for the current year as to all the details of this industry. I will, therefore, give such as are official for the years indicated.

The census of 1880 shows the number of male persons over twenty-one years of age in the United States to be 12,830,349, of whom 1,020,728 were flock-owners, in addition to which were a large number of owners of sheep ranches. It is safe to say one-twelfth of all the voters of the United States are owners of sheep and are engaged in the production of wool and mutton.

For the year 1884 official statistics show:

Number of sheep in the United States	50,626,626
Pounds of wool clip	308,000,000
Value	$91,168,000
Pounds of raw wool imported	87,703,931
Value	$13,593,299
Value of manufactures of wool imported	51,444,872
Official valuation of sheep	119,902,706

The statistics of 1880 as to domestic woolen manufactures show:

Number of establishments	2,689
Capital invested	$159,091,869
Hands employed	161,557
Wages paid	$47,389,087
Value of product	267,252,913
Cost of material used	164,371,551
Value of sheep	119,902,706

The president of the National Wool-Growers' Association, Hon. Columbus Delano, has estimated the value of lands, barns, sheds, and equipments employed in the sheep industry at $408,291,200. A prominent wool-dealer *a* has said of the imports of woolen and worsted goods for the last fiscal year that they "amounted in all to $44,000,000, at importers' valuation; but, as recent investigations show that goods have been imported as low as 32 per cent. of their valuation, on the whole, it is safe to say that the undervaluations amounted to at least one-half, and $30,000,000 would be nearer the amount imported. These goods would take at least 150,000,000 pounds of our domestic wool to make."

These statistics give with substantial accuracy the magnitude of The American wool industry in capital invested, the number of people employed therein, and the amount and value of the product. But even this is rendered more clear by way of contrast with other industries from statistics showing "the comparative value of some of the leading agricultural and mineral products of the United States for 1885," as follows:

Corn	$635,675,000
Hay	389,733,000
Wheat	275,320,000
Cotton	269,989,812
Oats	179,632,000
Coal	143,567,000
Gold and silver	83,401,000
Gold alone	31,801,000
Silver alone	51,600,000
Potatoes	78,154,000
Wool	77,000,000
Pig-iron	64,714,400
Tobacco	43,266,000

Thus the value of the wool product of 1885 was shown to have been greater than that of the mines of gold and silver combined; greater than that of pig-iron, about half as much as that of all our coal mines, nearly equal to our whole potato crop, and this does not include the value of the mutton food produced, which annually amounts to 10 000,000 sheep of the farm value of $30,000,000. The American wool includes not only the production of wool, but also the manufacture of woolen and worsted goods. Wool-growing and wool-manufacturing have prospered side by side under fostering legislation and by favorable conditions; they have suffered together by hostile legislation and adverse conditions. They are "one as the sea." The value of wool manufactures as contrasted with that of other principal manufacturing industries is shown by the census of 1880 as follows:

Flouring and grist mill products	$505,185,712
Slaughtering and meat packing *b*	303,562,413
Iron and steel	296,557,685
Lumber, sawed or planed	270,072,085
Wool manufactures *c*	267,252,913
Foundry and machine-shop products	214,387,468
Cotton goods	210,950,383
Clothing, men's	209,584,460
Boots and shoes *d*	196,920,841
Sugar and molasses, refined	155,484,915
Tobacco manufactures	116,772,631
Leather, tanned	113,384,336
Liquors, malt	101,058,385
Carpentering	94,152,139
Printing and publishing	90,789,341
Furniture	77,845,725
Leather, curried	71,351,297
Agricultural implements	68,040,486

The annual consumption of woolen manufactures in this country in 1880 amounted, at wholesale prices, to about $303,000,000, of which $267,000,000 were of domestic and $36,000,000 of foreign production. The average consumption per capita in 1880 was about $6, of which $5.30, or 88.3 per cent., consisted of domestic, and only 70 cents, or 11.7 per cent., of foreign production. *e*

The statistics of our exports show that substantially our people neither export wool nor manufactures thereof. Thus far we have either not been able or have not been placed in a condition by legislation to produce all we need for consumption.

Thus I have endeavored to show in part the magnitude of the American wool interest.

The American wool-grower and manufacturer of wool is more interested in the future than in the past; hence the second subject which requires our consideration is:

II. WHAT MAY THE AMERICAN WOOL INTEREST BECOME?

The answer is: It may be made in the not very far distant future to supply all the wool and woolen and worsted goods our people need. This I proceed to show:

I. The present supply of sheep is inadequate to American wants.

It has been said that "it can be safely predicted that, owing to the present overproduction of sheep caused by the high wool tariff, there may be little or no gain [of sheep in the United States], if not an actual loss, in the near future." *a*

"The present overproduction of sheep," indeed!

The 60,000,000 of people in the United States require for consumption annually about 10 pounds of unwashed wool per capita, or 600,000,000 pounds. We now have 44,759,314 sheep, producing about 260,000,000 pounds of wool in this year; for the fiscal year 1887 we imported raw wool, 114,038,080 pounds, and in woolen and worsted goods probably about 150,000,000. *b* Thus, while we are importing half the wool we use, are we to be informed that there is a "present overproduction?"

It is a grave error to assert that we have an "overproduction of sheep" for growing any kind of wool. We imported in the last fiscal year: clothing wool, 17,963,982 pounds; combing wool, 10,721,753 pounds, and so-called carpet wools, 85,352,295 pounds. We need 50,000,000 sheep more than we now have. There has been a recent reduction in the number, as there will be hereafter, because of the ruinous effect of the wool tariff of 1883.

The recent report of the Bureau of Statistics on wool, etc., says (page 41) Mr. Lynch "is a recognized authority upon wool statistics." The foregoing figures of imports are from statistics given by him. The domestic wool clip is perhaps overestimated. There is high authority for saying his estimates are sometimes erroneous; that "in 1880, for instance, they made more wool than was manufactured or handled." "The value of wools imported in the fiscal year 1887 was: Clothing wools, $3,431,567; combing wools, $2,528,568; carpet wool, $10,464,352; total, $16,424,479."

It is practicable, under proper fostering influences and within a few years at most, to raise all the sheep and so to produce substantially all the wool we need. We have the lands ready, awaiting occupation for this purpose. On almost every farm of 160 acres in the United States a flock of from forty to sixty sheep can be kept on pastures and with winter feed which would in a large measure go to waste. In many localities whole counties can be utilized by sheep husbandry that will otherwise remain desolate and uninhabited forests. The mountain sides of Virginia, West Virginia, Pennsylvania, California, and other States can be made to swarm with sheep, and thus add to the value of lands and relieve the burdens of taxation in those States. In many of the older States whole counties are made up of hilly lands, worn by cultivation and the washing of rains until they can no longer be cultivated, but which have been made and can be kept fertile by sheep husbandry, and if not used for this purpose must be turned out as waste. These lands can be devoted alternately to this industry and to cultivation, and thus permanently utilized.

So it has been said:

"From Mexico to the British Possessions, from the Missouri River to the Pacific Ocean, an area of more than a thousand million acres (not including Alaska), has been for ages the home of countless numbers of the buffalo, of the antelope, and on the higher elevations the Rocky Mountain sheep and the Rocky Mountain goat. Relatively few are the acres that do not supply some form of vegetation for herbivorous animals." *c*

Here are millions of acres which can be used for no other purposes, and will be idle, uninhabited wastes unless so utilized.

And it has been demonstrated, theoretically and practically, that sheep husbandry, under proper conditions, can be made profitable in the so-called Southern States. In a report to Congress from the Department of Agriculture in 1878 it is said:

"The sixteen States lying between Delaware and Missouri and between the Ohio River and the Gulf of Mexico had a population in 1870 of 13,877,615, and two-thirds of all engaged in occupations * * * were in some rural vocation. Nearly half this acreage, amounting to more than 200,000,000 acres, is in wild pasturage of more or less value for subsistence of farm stock, and much of the herbage is unutilized to-day. Sheep do well in these regions, which comprise all the climates and soils of the temperate zone." *d*

The same conditions in a large measure remain, but with a capacity for sheep husbandry increased by the clearing of lands and the cultivation of grasses.

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a Edward A. Greene, of Philadelphia, published letter April 30, 1887, to Hon. Columbus Delano. Most of the statistics given in this address are taken from the learned, able, and valuable special report on wool, etc., made by Hon. W. F. Switzler, Chief of the Bureau of Statistics, United States Treasury Department, 1887.

b Not including retail butchering establishments.

c All classes; includes carpets, other than rag, felt goods, hosiery, and knit goods, wool hats, woolen goods, and worsted goods.

d Including custom work and repairing.

e See Report No. 37, January and February, 1887, on Farm Animals, Department of Agriculture, by J. R. Dodge, Statistician, new series, page 24.

a Report Bureau of Statistics on wool, etc., 1887, page 43.

b The Chicago Wool-Grower, October 18, 1887, says: "The following table shows the total imports of all descriptions of wool for the last four years and the American clip, as reported by James Lynch:

PRODUCTION AND IMPORTS OF WOOL.

Imports.

Year.	Clothing.	Combing.	Carpet.	Total.	American clip.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
1884	21,175,226	4,414,252	82,761,170	78,350,651	337,500,000
1885	11,475,889	2,780,751	56,330,530	70,596,170	320,600,000
1886	40,968,537	7,198,534	80,917,887	129,084,958	322,300,000
1887	17,963,982	10,721,753	85,352,295	114,068,030	.....
Average	22,895,909	6,278,824	68,842,720	98,017,452	329,600,000

c Professor J. R. Dodge, 1879, in Senate Executive Document No. 15, third session Forty-fifth Congress. The hill lands in the older States, and much of the region here described, can be used for sheep, but not for cattle, because the water supply is limited and sheep do with less water than cattle.

d Senate Executive Document No. 25, third session, Forty-fifth Congress, January, 1879. The United States consul at Buenos Ayres, in his report, June, 1887, says wool can be raised in "the desert portions of Texas and New Mexico and Arizona, whose arid soil and the general scarcity of water are a great drawback to their proper development." And he says "sheep will fill an industrial gap in these regions, which otherwise we can scarcely hope to find a filling for, and this would give us a new source of national wealth." See Report on Wool, etc., Bureau of Statistics, 1887, page 39.

John Consalus, of Troy, N. Y., a prominent wool-dealer, says in the American Wool Reporter, September 1, 1887: "Texas can grow as large an amount of wool as is now clipped in all our States and Territories, and under proper protection it will be done."

The Southern States are now largely engaged in sheep husbandry.a

The Tariff Commission of 1882 in their report said that "the first phase of the industry of wool production that arrests the attention of the economist is its general distribution. Not a State in the Union, and in some of these not a county, but has some portion of its wealth invested in wool production." And it has been shown that sheep husbandry is so diversified in its character, the kinds of wool produced, and in the varieties of sheep that it can be successfully and profitably conducted, not only on cheap lands, but, in some forms, in the older States and on high-priced lands. Thus it has been said, "An important branch of this industry, and one that many have found quite profitable on lands worth $100 an acre, is the raising of early lambs. New Jersey, lying between the two largest markets in the country, which feed a population of 2,000,000, is famed for the high price of all feeding material; and yet this branch of sheep husbandry flourishes there as in no other State in the country."b

The vast prairies and plains of Texas, of the Territories, and some of the Western States, furnish grass on which mutton-sheep can be grazed for a time, but they do not furnish grains to fatten them for market. The time is not far distant when these plains and prairies, with their cheap pasturage, will supply the older States with cheap mutton-sheep, as they now do cattle, to be grazed on their tamer pastures and fattened on their grains and other food, thus blending the interests of different portions of the country and yielding profit to both. There is no conflict, but mutual harmony and concurrence of interest, between all portions of the country. Enough has been said to show that we have all the lands to produce all the sheep we need. We have the people ready for the work. With all our industries, there are too many willing hands that are unemployed. If they can find a market which will pay a reasonable price for all the wool we need, they stand ready to produce it.

If wool-growing be made as profitable as wheat-raising, a portion of the labor devoted to that branch of agricultural industry will be transferred to sheep husbandry. In the fiscal year of 1887, there was an overproduction of wheat of 101,971,940 bushels, which, for want of an adequate home market, we exported, thereby shipping abroad the fertility of our soil, never to be returned. Every bushel should have been consumed on American soil by persons engaged in manufacturing goods which we now import, fashioned from wool and cotton, and iron and steel, and wood, and crockery-clay, and glass-sand, and other materials.

Some objections have been urged to the protection of our wool industries, and to these I will give some attention.

OBJECTIONS CONSIDERED.

The Secretary of the Treasury in his annual report of December 6, 1886, in discussing the wool tariff of 1883, says: "The tax [tariff] prevents our manufacture and export of competing woolens that require the use or admixture of non-American wools, and so restricts the home demand, thus making the export of our domestic woolens impossible." In other words (1), we can not raise all the wool we need, but require foreign wools to mix with ours in the manufacture of domestic woolens, and (2) with free wool we could now export woolen goods. Here are two errors. He does not venture to say what kinds or how much foreign wool we need, or to inform us what classes of wool need the "admixture." The legislation of Congress commencing with the tariff act of March, 1867, makes three classes of wool: clothing, combing, and carpet wools; clothing wool for the manufacture of cloth, combing wool for the manufacture of worsted goods,c including delaines, etc., and carpet wool for the manufacture of carpets.d The clothing wools were generally varieties of merino, the combing wools the long wools, and the carpet wool of coarse, inferior qualities largely imported from Russia. Since 1867 machinery has been so improved that merino wool can be combed and manufactured into worsteds.e In 1867 carpet wools were used exclusively for the manufacture of carpets; now they are largely used—to the extent of, probably, 40,000,000 pounds annually—in making clothing goods.f Thus the tariff acts of 1867 and of 1883, and their classifications, are no longer applicable to existing conditions. But the fact remains that we need wool for the manufacture of cloth for worsted goods and for carpets. I believe it has never been suggested that we can not raise all the wool we need for the manufacture of woolen cloth. It is equally certain that we can raise all the combing wools we need. The only pretense of any actual necessity for the importation of foreign wool is that some of the Australian wool when manufactured into delaines will give a luster which can not be obtained from wool exclusively American. It is said that this luster is "now required by the dictates of fashion." But it is also said that "it is only fashion and not usefulness that requires" this luster, and further that "it would require a few years of breeding (in America) to get the same effect as some of the Australian wools."g With every variety of soil, climate, and environment, we can in a brief space of time raise wool to produce any luster which can be obtained from foreign wool. But if this were not so, in a contest between American interests and the dictates of fashion without any utility or necessity, the folly of fashion must be made to yield. If any there be who will shine in foreign luster, let them "pay dear, very dear, for their whistle," and soon the general fashion will outshine the foreign folly.

But can we raise all the carpet wools we need? I answer, yes; all we need; soon, very soon. In this I am fortified by abundant evidence. The Bureau of Statistics, in a recent elaborate, able, and instructive report on wool, etc., quotes from "Mr. James Lynch, of New York, a recognized authority upon wool statistics," this declaration: "It may be said that the coarse wools from any section may be used for carpets." The same report quotes with approval the statement of the profound and eminent statistician J. R. Dodge "that the carpet-wool product of the United States is almost exclusively the fleece of sheep of Mexican origin, which are raised chiefly in Texas, New Mexico, Arizona, and certain of the Territories of the mountain region of the country situated between the Mississippi Valley and the Pacific Slope." And Mr. Lynch furnishes the Bureau of Statistics the following statement of wool production in the United States for the year ended June 30, 1883:

Description.	Produced in United States.	Imported.
	Pounds.	*Pounds.*
Clothing wool	233,000,000	11,546,530
Combing wool	65,000,000	1,373,114
Carpet wool	22,000,000	a40,130,323
Total	320,000,000	

Now, if in the fiscal year 1883 we produced 22,000,000 pounds of carpet wool, why can we not in the near future produce three, or five, or even ten times as much? There are undoubtedly localities in the mountain regions of some of the Territories where merinos and long-wool sheep may not thrive, but where the hardier varieties of the native Mexican sheep, or those partly so, may still be produced sufficiently to give us wool as coarse and inferior in other respects as the meanest Donskoi. Such sheep may be made in due time to utilize a region available for nothing else. A well informed authority says: "Even for carpet purposes one of the largest manufacturers [of carpets] claims our wool to be the best [for carpets] and worth more intrinsically, but the demand for cheap carpets in price (not in wear) prevents him using it." He then proceeds to say that, even for the purpose of making the cheap and inferior carpets for such demand as there is for them, "five million pounds of this [inferior foreign carpet] wool (no more) may be a necessity; all the balance should be and can be raised here."b

But, if it be true, as has been claimed,c that the production of the cheapest classes of inferior carpet wools "would be unprofitable for the farmer," because "the American farmer can produce wool with the same amount of cost and attention, yielding twice as many pounds of wool for each sheep," and realizing larger returns, then I would say let the lowest grade of inferior wool be imported for the sole purpose of making the cheaper carpets, and if necessary let it come with a nominal duty, if by any legislation its use can be so limited that it shall not be employed in debasing other goods with which to defraud American citizens. But it is not true.

We can produce all the carpet wools we need. With a hundred million sheep which we should have, the belly, neck, and breech wool—all carpet stock—would supply all wool required for carpets. In view of all this it is safe to assert that we can soon produce all the clothing and combing wools we need; that no admixture of foreign wools is required to give success to wool-growing or wool manufacturing; that in all probability we can in a few years supply all the carpet wools we need; but in any event the importation of but a comparatively small amount will be required. It is by no means true that free foreign wool would enable our manufacturers to export woolen goods. The cheaper labor in other countries gives them such an advantage that we can not compete with them in the markets of the world, except under commercial treaties which can as well secure foreign markets for protected wool and woolen goods as for free wool. Wool is but a small part of the cost of manufactured goods, and any temporary increase in price by a tariff can not materially affect it. Probably 80 per cent. of the cost including the production of wool consists in the wages of labor, and it is this that affects prices.d It will require some years to enable our manufacturers to supply our own wants. When that period arrives we can consider the question of exporting.

3. American manufacturers can, under proper fostering influences and after a brief space of time, produce substantially all the woolen and worsted goods we require. The skill which fabricates our present product is capable of all necessary expansion, and in the not far distant future, with commercial treaties with other American Republics, Brazil, Japan, and some other nations, and with the much needed increase of the American mercantile marine, our manufacturers can become exporters of their fabrics, and take that high position in the commerce of the world for which American resources, enterprise, skill, and industry so eminently qualify them. If we are true to ourselves the day will soon dawn when we will no longer be dependents on foreign supplies.

Thus the question is answered, what may the American wool interest become?

III. WHAT ARE THE FOSTERING INFLUENCES REQUISITE TO ENABLE AMERICAN WOOL GROWERS AND MANUFACTURERS TO SUPPLY ALL THE WOOL AND WOOLEN AND WORSTED GOODS WE NEED, AND IN DUE TIME TO ENABLE OUR PEOPLE TO BECOME EXPORTERS OF THESE?

I answer unhesitatingly that chief among them is protective legislation which will exclude the foreign product so far and so fast as we can supply what we need. Our true policy is that Americans shall patronize and give employment to American rather than to foreign producers, and thereby secure employment for idle hands, give American wages for American services, enlarge our resources, and with them our own abundance, and no longer be dependent for the clothes we wear on foreign capital, labor, and skill. I will not discuss the general policy of a protective tariff. That is not involved in the question whether we should give to American farmers the privilege of supplying all the wool we need. Our lands are here and can not be removed; they must be rendered available in every possible form, or so far as they are not they are idle and unproductive. Our capital is already invested and our labor is here awaiting employment. The question is not whether we shall build up new industries generally or create new plans; it is now whether we shall utilize the plant we have in land, and, in order to do this, increase our plants of woolen and worsted manufactures.

And now I address myself to the question, why should we demand protective legislation? This is an inquiry to which there are several answers.

1. We can not supply American wants with American wool or woolen or worsted goods without protection. We will be driven from these industries by foreign competition. This may be proved by the opinions of those who have studied the subject and by the logic of facts.

The Chief of the Bureau of Statistics at Washington, in his recent report on

a The statistics of 1887 show sheep now in the States as follows: Texas, 4,761,-631; West Virginia, 563,606; North Carolina, 450,063; Missouri, 1,182,272; Virginia, 449,243; California, 6,009,698.

b See Senate Ex. Doc. No. 25, third session, Forty-fifth Congress, January, 1879, page 11, which explains how the industry is conducted.

c Worsted manufactures include "all-wool and cotton-warp delaines, challis, barèges, imitation barèges, all-wool and part-wool reps and worsted yarns for carpets and hosiery."—*Rep. Bureau Statis.*

d William H. B. Thornton, of Chicago, in the United States Economist and Dry Goods Reporter of August 13, 1887, refers to "wools of a strictly carpet nature, such as Donskoi, native Smyrna, Cordova, Valparaiso, native South American, and wools of the like nature coming from Turkey, Greece, Egypt, Syria, or elsewhere.

e See report Bureau of Statistics on wool, etc., 1887, pages 25 to 41.

f Mr. Bond, in an article published in the recent report of the Bureau of Statistics, on wool for 1887, page 64, says the imports of carpet wool for 1887 "amounted to 81,504,477 pounds, the extreme amount of which I estimate could be used for clothing purposes would be about 8,800,000."

Theodore Justice, of Philadelphia, in a letter May 5, 1886, says: "Out of the millions of pounds of carpet wool imported, it is on good authority admitted that 60 per cent. of them are used for clothing purposes, thereby taking the place of that much of the better-bred American wools."

Edward A. Greene, of Philadelphia, in a published letter of May 2, 1887, says: "The greatest wrong to our wool-growers, however, is the importation of carpet wools, of which 86,000,000 pounds were imported last year. Not over 30,000,000 pounds of these wools were used for carpets, the balance being used for clothing purpose."

And this is fully shown in a Congressional document report, House Committee on Ways and Means, Hearings on Wool Tariff, etc., January, 1890.

g Edward A. Greene, of Philadelphia, letter to William Lawrence, May 2, 1887.

a See Report No. 42 of Joseph Nimmo, jr., Chief Bureau of Statistics, September 10, 1884, page 544.

b Edward A. Greene, Philadelphia, April 30, 1887, letter to Columbus Delano, president National Wool-Growers' Association. At the hearing before the House Committee on Ways and Means, January, 1890, it was fully proved that with sufficient protection all needed carpet goods can be produced in this country. See Congressional report, page 206.

c Volume II, report Tariff Commission, 1882, page 2335.

d See volumes II and XX of the Tenth Census as to manufacture, cost of labor, etc.

wool, says: "It is idle to talk about raising sheep in Europe or in this country to compete with South Africa or the Plate country or Australia. Our sheep farming must eventually be confined to small flocks of improved breeds raised on farms where they require little or no extra labor. It has already come to this in Europe and in the Eastern and Middle States, where lands are valuable, and will finally prevail in the West, as the large ranches are divided up and settled. The conditions are entirely different in South Africa, Australia, and South America, where laborers are at least semibarbarians or peons and the immense plains of cheap lands and torrid climate seem better adapted to sheep-raising than other industries."*a* That is, without an adequate protective tariff wool-growing will not be remunerative, and so as an industry will perish. And in the same report he tells us that even under the present wool-tariff of 1883 "it can safely be predicted that * * * there may be little or no gain in numbers [of sheep], if not an actual loss in the near future." Another thoroughly well informed expert says: "In this country, where wages are high and the necessaries of life and social conditions so widely different from the Old World, it is evident that competition without protection is impossible. Italy has her sheep attended by shepherds at 2 cents per day, their only food black bread soaked in oil; India, Turkey, Persia, Russia, wages and modes of living on about the same scale; South America, Cape of Good Hope, and Australia, but one step higher. As the natives in most of these countries attend the flocks, they require but little clothing, and they get but a mere pittance, barely sufficient to sustain life."*b*

The logic of facts proves that without adequate protection we can not render wool-growing remunerative here. In Australia, South America, and other countries, "no provision is necessary for food and shelter in the winter season other than that provided by the bounty of nature."*c* They furnish an extent of territory practically unlimited with lands almost without cost; they have immense flocks of sheep, they can increase their number almost without limit, and supply the world with an abundance of every class and grade of wool.*d* They can furnish wool at prices so low that they can defy competition and annihilate every flock in the United States, unless we shall be saved by protection. The report of the Tariff Commission shows that in 1882 Buenos Ayres unwashed clothing—equal to Ohio and Pennsylvania X wool—was quoted 13.5 cents per pound, with cost of transportation to Boston 3.152 cents per pound.*e* The Chief of the Bureau of Statistics shows that under the tariff act of 1864 Buenos Ayres wools "could be bought at the Rio de la Plata under 12 cents per pound, and come in under the 3-cent duty."*f*

The reduction of our wool produce by the act of 1883 has increased the American demand for foreign wool, and, but for this, South American clothing wool could be produced for 10 cents per pound and laid down in Boston for less than 15 cents. Such wools can not profitably be produced in our older States unwashed for less than about 30 cents per pound. The history of our own wool tariff and wool production shows that without adequate protection annihilation awaits our wool industry. Prior to the act of March 2, 1867, Congress had failed, except for a brief period under the act of 1828, to provide adequate protection to the wool industry.*g* When the tariff bill of 1828 was under consideration in the Senate the illustrious and far-seeing statesman, Thomas H. Benton, proposed to insert a clause laying a protective duty of 10 per cent. per annum on wool until it should amount to 50 per cent. ad valorem, and 5 per cent. afterward, until it should amount to 70 per cent.; a higher average rate of duty than has ever yet been enacted by Congress, and that, too, at a time when the expense and delay of ocean transportation were so great as in themselves to give American wool-growers advantages and protection which no longer exist. His wisdom did not prevail. The result was that the wool industry languished for a long period. An accurate statistician has said: "In 1810, when the first census of products of industry was taken, the quantity of wool produced in the United States was returned at from thirteen to fourteen million pounds. In 1812, Mr. Tench Coxe, of Philadelphia—a trustworthy authority—computed it from twenty to twenty-two million pounds. During the last four (?) census years the number of sheep and production of wool were as follows:

Year.	Sheep.	Wool.
	Number.	*Pounds.*
1850	21,723,220	52,516,959
1860	22,471,275	60,264,913
1870	28,477,951	5100,102,387

It will be seen that the increase in the number of sheep in the decade from 1850 to 1860 was only 748,055, equivalent to 3½ per cent. Then came the first and only just, sufficient, and, for the time it was in force, effectual tariff act of March 2,1867. This act classifies wools into clothing, combing, and carpet wools. It imposed duties as follows:

"On clothing wools, unwashed, value 32 cents per pound or less, 10 cents per pound and 11 per cent. ad valorem. Value exceeding 32 cents per pound, 12 cents per pound and 10 per cent. ad valorem. Washed, double duty.

"On combing wools, value 32 cents or less per pound, 10 cents per pound and 11 per cent. ad valorem; value exceeding 32 cents per pound, 12 cents per pound and 10 per cent. ad valorem.

"On carpet wools, value 12 cents per pound or less, 3 cents per pound; value over 12 cents per pound, 6 cents per pound.

"On all classes scoured, treble duty."

Under the operation of this law the wool industry prospered. The increase in the number of sheep from 1860 to 1870 amounted to 6,006,316, or 27 per cent.; from 1870 to 1880 the increase in number was 12,287,949, or about 44 per cent.; *e* and in 1884 our sheep numbered 59,360,243. Our wool product increased faster than our sheep; that is, "the average weight of fleece rose from 2½ and 3½ pounds to 5 and 5½ pounds [of washed wool], according to location."*d* Thus the wool industry, for the first time in our history, grew rapidly, was prosperous and remunerative under the act of March 2, 1867, and up to act of March 3, 1883.*e*

a Report, page 46. This was under President Cleveland's free-wool Administration.

b John Consalus, Troy, N. Y., in the American Wool Reporter, September 1, 1887.

c Mr. O. M. Spencer, our consul-general at Melbourne, in a report made to the State Department, gives the number of sheep in the Australian provinces, and says:

"The above figures sufficiently indicate the enormous pastoral wealth of Australia, while its capabilities for the multiplication of live-stock is practically without limit. Such is the mildness of the climate and the adaptation of the country for grazing purposes that no provision is necessary for food and shelter during the winter season other than that provided by the bounty of nature. It is believed that Queensland alone 'could easily run' from thirty to forty million head of cattle without cultivating an acre of ground for fodder or spending a sixpence in the improvement of the natural pasturage."—*A Glance at Australia in* 1880.

d The recent Report on Wool, etc., by the Chief of the Bureau of Statistics, gives something of the history and extent of the wool product in India, African colonies, Australia, the Argentine Republic, Russia, etc. It says:

"The countries that yield the largest surplus of wool for export are Russia, the Argentine Republic, South Africa, and Australia. Their capacity for supplying the manufactures of the world seems to be ample. They have improved their sheep by crossing with the merinos, and their wools, especially those of Australia and the Plate country, are among the finest in the world.

"These two last-named countries are much alike in their peculiar fitness for sheep-raising, and, as yet, are not taxed to anything like their capacity. Australia alone is as large in area as the United States.

"In Australia the plains devoted to sheep-raising are in the hands of comparatively a few, who have perpetual leases of immense tracts of Government lands at low rates. Some of these tracts contain as much as 100,000 acres, so that the country bids fair to continue to be a sheep-raising section."—Page 46.

On pages 225 to 247 are tables giving the number of sheep and the product of wool in every country of the world.

e Report Tariff Commission of 1882, volume II, page 2432.

f Report on Wool, etc., 1887, page 60. In the same report, pages 228 to 231, are tables showing the prices of American wools from 1862 to 1886, and of foreign wools from 1867 to 1887.

The report of the Chief of the Bureau of Statistics of the Commerce and Navigation of the United States for 1886–'87, page 883, shows the price of domestic wool from 1877 to 1887, inclusive, and on page 878 the price of imported wools from 1878 to 1887, inclusive. The average price of imported clothing wool at our custom-houses was 16.2 cents per pound.

At a meeting of Ohio wool-growers, held January 12, 1886, an address to the Secretary of the Treasury was prepared by Columbus Delano, George L. Converse, J. D. TAYLOR, David Harpster, and W. W. Cowden, which quotes Joseph Walworth, the veteran wool-buyer of the Pacific Mills, as saying:

"A good deal of attention was given last year to the low price of wheat in England, about $1 a bushel, and that was the lowest price in London for a hundred years. But the price of wool was equally low. I bought combing wool in England the past season one-quarter to one-half penny cheaper than I ever bought it before. The price fell pretty low in 1878, but not so low as it did in 1885. It is up to a penny to a penny-halfpenny now above the lowest price. But some of the shrewdest men of England think the future is to bring us very cheap wool. A manufacturer who began his career on wages of £1 a week and is now worth over £3,000,000, told me that he expected to see wool eventually as cheap as cotton. In fact, you can buy Montevideo wool at 7*d.* in England today. Then, New Zealand is raising 60,000,000 pounds of splendid wool, and has introduced English mutton sheep and English grasses, and the improvement of steam communication has practically annexed that country to the mainland of England. The shipment of frozen mutton from New Zealand to London enables the sheep-owners to produce wool at a lower cost by furnishing them a market for the flesh as well as the fleece. Even at the low prices of last year sheep-farming has paid 90 per cent. in Australia and New Zealand, and as the market for mutton widens and competition increases there is no knowing how low the world may secure its wool in the future."

g The tariff rates under all acts of Congress are given in the Special Report of 1887 on Wool, etc., by the Chief of the Bureau of Statistics, pages 118–120.

a The act of May 19, 1828, levied a specific duty of 4 cents per pound and 45 per cent. ad valorem, and after June 30, 1829, 4 cents per pound and 50 per cent. ad valorem. This act was voted for by Benton, Van Buren, Richard M. Johnson, James Buchanan, Silas Wright, Louis McLane, and Samuel Houston, all Democrats.

b Edward Young, Ph. D., formerly Chief of the Bureau of Statistics, in the May, 1881, number of America, a New York tariff periodical. The same figures for 1850, 1860, and 1870 appear in the Report of 1887 on Wool, page 163, by the Chief of the Bureau of Statistics.

c The report of the Bureau of Statistics, made in 1887, on wool, etc., page 163, states the number of sheep on farms in 1880 at 35,192,074, but, on page 71, the total number at 40,765,900. A former chief of the bureau stated the number of sheep in 1880 at 42,192,074, of which on farms 35,192,074 and on ranches 7,000,000.

d The number of sheep and product of wool for the years specified were as follows:

Years.	Sheep.	Product.
	Number.	*Pounds.*
1850	21,723,220	52,516,959
1860	22,471,275	60,264,913
1870	28,477,951	100,102,387
1875	33,783,600	.....
1876	35,935,300	.....
1877	35,804,200	.....
1878	35,740,500	.....
1879	38,123,800	232,500,000
1880	40,765,900	240,000,000
1881	43,569,899	272,000,000
1882	45,016,224	290,000,000
1883	49,237,291	300,000,000
1884	50,626,626	308,000,000
1885	50,360,343	302,000,000
1886	48,322,331	286,000,000
1887	44,759,314	.....

See Wool Report, 1887, Bureau Statistics, pages 72, 73. Also Appendix, Table No. 3, page 16, and Table No. 20, page 174.

e The prices of wools from 1817 to 1885 are shown in Statement No. 17 of Quarterly Report No. 3, series 1885–'86, of the Bureau of Statistics. The Quarterly Report No. 4, 1886–'87, page 883, shows the price from 1877 to 1887. The New York prices for 1882, 1883, and 1884 are found more satisfactory in Statement No. 42 in regard to wool, etc.; in the special report of the Bureau of Statistics made by Joseph Nimmo, jr., Chief of Bureau, September 10, 1884, "on the operations of the tariff act of March 3, 1883, for the six months ending December 31, 1883, the average prices being as indicated below:

Year.	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*
1882	42	43	31
1883	40½	42	31
1884, January	40	39	32

The New York and Philadelphia prices for different classes of wool from 1824 to 1887 are shown in the Special Report of 1887 on Wool, etc., by the Bureau of Statistics, Table No. 12, pages 110–118, and Table No. 69, page 228.

Immediately after the act of 1867 the paper-money prices of wool declined, because of the increasing value of such money, because all previous war prices declined, because "large quantities of army clothing accumulated during the war were thrown upon the market at exceedingly low prices," and for other reasons shown in the Wool Report of 1887, pages 61, 62.

This act reduces the duties to a scale as follows:

"Clothing wools, value 30 cents per pound or less, 10 cents per pound; value over 30 cents, 12 cents per pound; washed wool, double duty.

"Combing wool, value 30 cents per pound or less, 10 cents per pound; value over 30 cents per pound, 12 cents per pound.

"Carpet wools, value 12 cents per pound or less, 2½ cents per pound; value over 12 cents per pound, 5 cents per pound.

"All classes scoured, treble duty."

In addition to this reduction, the repeal of sections 2907 and 2908 of the Revised Statutes, remitting charges, commissions, etc., made a further material reduction. *a*

But the reduction of duties on wool is not the only ruinous feature of the act of 1883.

"When that act was passed, the class of goods known as worsted was made of long-staple combing wool. The temptation to import goods under the low duty of the worsted clause has led to such improvements in machinery that any kind of wool can now be combed; so that many of the finest goods, made of short-staple clothing wool, after the same has been combed, are called worsteds, and we see fine worsted yarn supplied to this country at a lower duty than would be charged on the raw material of which these goods are made. There is surely no protection to the wool-grower in such a tariff as this. If the present irregular and unsatisfactory schedules on worsteds remain, there is little hope of higher prices for wool. The repeal of the worsted clause would then leave all worsteds to be classed under the woolen schedule, which is sufficiently protective and would increase the scoured value of American wool. By checking excessive importations, the surplus revenue would be decreased, and, what is better, manufactured goods, made by American mills out of American wool, would then supply our home market. So long as we manufacture only one-half of the goods we use, it is folly to talk about seeking the markets of the world. We are at present suffering from the flooding of this country with overproduction of woolen goods, which are brought in under the present ill arrangement of the tariff. American mills are shutting down, and American wools are neglected and declining in price, while foreign mills are running day and night to supply this country with goods." *b*

The effect of this act has been to make wool production unprofitable by reducing the price; to reduce the number of our sheep and of our wool products, thereby to encourage and increase the importation of foreign wools, and give American patronage to foreign producers instead of our own. *c* It has reduced our sheep 5,867,312 in number, when, on the basis of increase under the tariff of 1867, there should have been an increase of 6,000,000, making a loss equal to about 13,000,000 sheep and a loss in clip of wool of 48,000,000 pounds, worth $14,400,000. Thus the wool-growers have lost by decrease of flocks in reduced wool product $14,400,000 and in price of wool they produced in 1887 at least $26,000,000. And we are correctly told that under the tariff act of 1883 there is "in the near future" to be a continued and actual growing loss in number. *d* The imports of wool in 1882 were 67,861,744; in 1887 they were 114,038,030, *e* when they should have been reduced to 40,000,000, and under proper protection might have been less.

It has been suggested that the older wool-growing States have been suffering by competition in Texas and the Territories, and especially by ranch competition; that the industry is moving westward, and that this is the cause of the decline of the wool industry in the older States. But here again the logic of facts and of reason is against this theory. Since 1884 there has been a decrease in the number of sheep in almost every State and Territory of the United States. Take the seven groups into which the Bureau of Statistics has divided our vast domain and given the number of sheep for 1884 to 1887, inclusive, in each, and there is a decrease shown as follows: *f*

Recapitulation by groups.	1884.	1885.	1886.	1887.
New England States	1,384,888	1,283,809	1,249,328	1,237,085
Middle States	3,792,675	3,498,425	3,083,594	2,968,032
Southern States	12,950,761	12,468,301	11,534,652	9,241,449
Western States	15,636,760	15,244,052	15,131,912	14,332,538
Pacific Coast	9,616,092	9,370,617	9,745,058	9,892,652
Territories	7,245,450	8,495,039	7,577,787	7,087,558
Total United States	50,626,626	50,360,243	48,322,331	44,759,314

a See page 541, Nimmo's Report of September 10, 1884, before referred to in note.

b Justice, Bateman & Co., Philadelphia Wool-Dealers' Circular, November 1, 1887, Wool Report, 1887, Bureau of Statistics, 42.

c All this is shown by the report on wool, etc., 1887, by the Bureau of Statistics.

As to prices in Philadelphia:

Classes of wool.	1882.	1887.
Ohio, Pennsylvania, and West Virginia:	*Cts. per lb.*	*Cts. per lb.*
Fleece washed XX	42	34
Fleece washed X	41	31½
Half-blood	44	37½
Quarter-blood	37½	37
Common and cotted	30	30
Texas, fine northern and eastern	29	20½
Texas, medium northern and eastern	29	23
Texas, coarse northern and eastern	20	16½
Texas, improved western and southern	22½	18½
Texas, coarse	17½	14½

See report, pages 110-116.

THE NUMBER OF SHEEP AND WOOL PRODUCT.

Year.	No. of sheep.	Wool product.
		Pounds.
1884	50,626,626	308,000,000
1887	44,759,314	265,000,000

Report, pages 43-71.

d Wool report, 1887, Bureau of Statistics, page 43.

e Wool report, 1887, page 73.

f Wool report, 1887, Bureau of Statistics, page 165.

I have a table prepared by the eminent and accurate statistician of the Department of Agriculture, *a* showing the number of sheep in each State and Territory for the years 1850, 1860, 1870, 1884, and 1887, and it fully verifies the facts I have stated. Then, again, there is no competition between the older States and Territories and Texas, because the whole product of all is about one-half the wool we consume.

It may be that Texas and the Territories can produce certain kinds of sheep and certain kinds of wool cheaper than the older States. Our wants require precisely this variety. Vermont, Ohio, Pennsylvania, West Virginia, Michigan, and other Central States produce "for certain purposes the best wool in the world. It has no equal anywhere, and in the Territories it has no pretended competitor." *b* And the president of the National Wool-Growers' Association said to the House Committee of Ways and Means, at Washington, in 1884, that sheep from the older States, "when transferred to the Territories, yield a tender fiber, and although they [the sheep] are treated with the best care which intelligent husbandry can efford, yet it is impossible to bring their wool to such a standard that it will favorably compare with the fine wools of Ohio" and other States. And he said he was prepared with samples illustrating his statement. *c*

For many purposes wools from Texas and the Territories meet a demand which is not supplied by wool from the older States, and the wools from the older States fill a gap which Texas and the Territories can not supply. And then, again, an "admixture" of both is for many purposes essential. Thus the production of wools of each portion of the country creates a demand for and enables manufacturers to utilize all. So Texas and the Territories can raise cheaper sheep, as they do cattle, to be shipped to the older States, grazed, fattened, and put into market, supplying wool and mutton, with a perfect harmony of interests, mutually beneficial to each and to the whole country.

Under the tariff act of 1883 the "American wool interest" is doomed to decay. It is rapidly declining in the number of our sheep, the product of our wool, and in the manufacture of worsted goods. It is not possible now to give the extent in the decline in manufactured products, but they are readily accessible. And to add to the depressing influences at work we are threatened with the utter destruction of the wool industry by the total repeal of the wool tariff.

The Secretary of the Treasury, in his annual report of December 6, 1886, says: "I respectfully recommend to Congress * * * the immediate passage of an act simply and solely placing raw wool on the free-list." And he adds that this "should be followed by * * * a compensating adjustment [reduction] of the duties on manufactured woolens." This would complete the ruin alike of the wool-growing and wool-manufacturing industries.

I now proceed to show that:

IV. Justice to the American agriculturist and sound policy require such legislation as will give to them the exclusive privilege of supplying every product of the soil which the fostering aid of law will enable them to produce in sufficient abundance to supply the American demand.

And the same principle should be applied to manufactures.

Our legislation for many years has recognized this policy. The act of March 3, 1883, imposes duties as follows: "Animals, live, 20 per cent. ad valorem; beef and pork, 1 cent per pound; hams and bacon, 2 cents per pound; cheese, 4 cents per pound; butter, 4 cents per pound; lard, 2 cents per pound; wheat, 20 cents per bushel; oats, 10 cents per bushel; rice, cleaned, 2½ cents per pound; rice, uncleaned, 1¼ cents per pound; hay, $2 per ton; hops, 8 cents per pound."

So a duty is imposed on sugar, wool, etc. If wool must come free, why shall not rice and sugar come free? Why not admit wheat and hops and oats from Canada free? If we must buy our wool from foreign producers, why not admit all agricultural products of the pauper labor of other countries? Let us suppose a case:

A farmer has 640 acres of land. Of this, 40 acres can be utilized in grazing sheep, but for no other purpose. A small part can be used in producing rice, and nothing else; another small part, sugar, and nothing else. On one part of it is water-power, which can be utilized for propelling a woolen factory. The residue is adapted to the production of cotton, wheat, and corn, and hay and oats, and under one of its hills is coal to furnish heat for dwellings and run steam machinery. He has lands adapted for gardening, and sons and neighbors ready to make all these sources of wealth available. If he and other of his neighbors in like condition and in sufficient numbers utilize all these beneficent gifts of the Almighty, they recognize His wisdom in bestowing them and they become independent of all the world. They can supply all their wants in all that the earth can yield and in all that human skill can make. Their market is at their doors. The cost of carrying farm and garden and orchard to men in factories making cloth and clothing is so little that they realize the full results of their labor. Whatever may be the scale of prices adopted, whether higher or lower than in far distant places, they are so adjusted as to be fair and just to all. They can not produce coffee or tea or dyestuffs, but they can furnish cheese and butter and bacon, and farm implements, and other products, and send them abroad in exchange for the commodities I have named. Those who are engaged in cultivating lands and producing wool, and manufacturing cloth, and making gardens, and gathering fruit from orchards, give employment to carpenters in building houses, to butchers in preparing beef and mutton for use. All find employment; abundance and prosperity abound everywhere.

At this point some *doctrinaire* invades the busy scene of this prosperity and says to these people thus engaged in peaceful industries: "You can buy wool cheaper in Australia; let your 40 acres of sheep-grazing land go to waste. You can buy rice cheaper in some foreign clime; let your rice lands go to waste. You can buy woolen goods cheaper; burn your woolen factories, let your water-power run to waste, and cease to work your coal mines. God made a mistake when He gave you these gifts. The *doctrinaire* was not taken into His counsel, and so the Almighty erred." They take his advice. The inevitable results follow. The men engaged in mining coal are out of employment; they go to raising wheat and corn and oats. The men engaged in raising wool, and in making cloth, and in building houses are all out of employment; they go to raising wheat and corn and oats. The men engaged in gardening and raising fruits do the same. They are a community of farmers. They have abundance of wheat and corn and oats; but the abundance has caused a decline in the price, and it takes one bushel out of every three to carry their surplus 3,000 miles to a foreign market, so that one-third of their labor is wasted.

David Harpster, president of the Ohio Wool-Growers' Association, in an address, March, 1890, describes the present situation as follows:

"There has been no time in thirty years past when the farmers have suffered so much from low prices of farm products as now. The cause of this is plain. The crops of 1889 were as follows: Wheat, 490,500,000 bushels; corn, 2,112,892,000 bushels; oats, 751,515,000 bushels, besides rye, barley, buckwheat, hay, etc. There has been an overproduction of 100,000,000 bushels of wheat, for which there is no market, except in Europe, where it is met with wheat from the East Indies and Russia, raised with labor costing only from 6 to 20 cents per day; and hence the European price is low. There are substantially no foreign markets for corn or oats.

a Professor J. R. Dodge.

b Columbus Delano, president of the National Wool-Growers' Convention, before the Committee on Ways and Means of the national House of Representatives, February 20, 1884.

c He produced a letter from Justice, Bateman & Co., Philadelphia wool-dealers, to him, dated February 7, 1884, showing the same facts.

"The remedy for these conditions is plain. The people of this country consume annually the equivalent of 600,000,000 pounds of unwashed wool. If we should produce, as we can, and under a sufficiently protective tariff would, all this wool, we would have 100,000,000 sheep. But under the tariff reduction of 1883 our flocks have been reduced to 42,569,079, producing about 240,000,000 pounds, and we import in the form of wool and in woolen goods the equivalent of 360,000,000 pounds. When we import this wool we patronize foreigners, we practically import the corn, oats, and hay that fed the 60,000,000 foreign sheep whose wool we import and use and the wheat and meat that fed the men who cared for the flocks and fenced the land to graze them.

"If Congress will give us a sufficient wool tariff we will soon cease to import wool; we will add 60,000,000 to the number of our sheep, and these will make a demand and give us fair prices for all the surplus corn, oats, and hay we now produce and make a demand for still more. This would enable us to take 10,000,000 [acres] of the 38,000,000 we are annually devoting to wheat and keep it fertile by devoting it to sheep husbandry, and with this change we could raise less wheat, cease to export wheat, and our prices would then be on an American basis, fair as compared with prices of all other articles and no longer the prices of Europe. In fact, in a few years there will be no foreign market for American wheat. A sufficient wool tariff will restore prosperity to our farmers, and thus every farmer is interested in a sufficient wool tariff, whether he owns sheep or not."a

They no longer have a demand for the products of the garden, the dairy, nor for coal, and they cease to produce them because they can not ship them abroad. The little that is left of their product of wheat and corn and oats will not enable them to buy the foreign wool, or woolen goods, or rice. Their gardens are in ruins, their water-power and sheep and rice lands are in waste, their resources are diminished, and poverty and desolation are the rewards or rather punishments which have befallen them for their folly in adopting the advice of the *doctrinaire*, instead of utilizing the gifts that God gave them.

The whole American Republic, with its vast resources, its 60,000,000 of people, is one great agricultural and manufacturing community whose condition is illustrated in what I have described. Wheat is now chief among the exports of our cereals. Our policy is to devote a portion of our lands now employed in the overproduction of wheat in raising wool, and to make a home market for all we produce in wheat and wool. We can do so. When we ship wheat abroad it is used to feed men engaged in manufacturing products to return to us in payment. It is better to let the manufacturing be done here, let the manufacturers do their eating here, have their homes here, build houses here, give employment to carpenters, masons, butchers, grocers, and gardeners here.

Our total product of wheat was about 450,000,000 bushels in the fiscal year 1887, of which we exported 101,971,940 bushels, estimated at the New York custom-house of the value of $90,716,481. The price of this, as of the residue of the crop sold here, is fixed by the price in England. And the price there is fixed by the price at which wheat can be supplied from the British East Indies, where wheat is produced by men who labor and board themselves on wages of 10 cents a day. Thus the American price is fixed by foreign pauper-labor prices. It will not be ten years until the construction of railroads with English capital in the East Indies will bring wheat from the interior to the seaboard so cheaply and in such abundance that the American market for wheat in Europe will be forever gone. As the wheat produced in the British East Indies increases the price grows less; our wheat meets the competition and declines in price. The price of wheat in Chicago in the month of November was for several years as follows: 1880, $1.05 per bushel; 1881, $1.28; 1882, 94 cents; 1883, 95 cents; 1884, 72½ cents; 1886, 73½ cents; and in 1887, 72½ cents, and each succeeding year will witness the downward tendency.

We send our wheat abroad to feed people while they produce wool and woolen goods and iron and steel goods to ship back to us in exchange. The American farmer must pay the heavy cost of shipping his bulky wheat to Europe; out of three bushels he ships abroad, one bushel is consumed in shipping two more to market. Thus he loses one-third of his product. The cost of shipping woolen goods and other manufactured products from Europe here is comparatively small. The foreign producer sells his goods to us in a market with prices not based on pauper labor, but on American labor wages.

Here, then, is the result: In the fiscal year 1887 we exported wheat of the value of $90,716,481. We imported wool, custom-house value, $16,424,479; manufactures of wool, $44,902,718; manufactures of cotton, $28,940,353; total of these, $90,267,550.

Here is an overproduction of wheat which we ship to Europe in exchange for articles produced there, but which we can as well produce here. If five years ago a protective tariff had given American manufacturers the exclusive privilege of making the whole ninety millions and more of these articles, and had also secured to American wool-growers the privilege of producing all the wool we need, we would now have 100,000,000 of sheep, 60,000,000 more than we now have; they would have used the 8,000,000 acres of land on which we raised a hundred millions of overproduction in wheat; and for pasture in addition 40,000,000 acres of land left idle and unemployed, and for hay and grain to feed them 6,000,000 acres more; they would have yielded a return of over $100,000,000, instead of the $90,000,000 received for our wheat export; the fertility of our soil would have remained on our farms instead of being shipped abroad; the price of our wheat would not as now be based on the price of pauper-labor competition in the East Indies, but equalized American prices, and employment would have been given to 130,000 men who were in part idle and in part producing surplus wheat. These men thus employed would in turn have given employment to others, carpenters, masons, clothiers, butchers, bakers, printers, and last, but not least, school-teachers and ministers of the gospel.

This arrangement, which places wool-growers and manufacturers of wool and cotton on one side of the ocean and the producers of wheat on the other, is unwise and burdensome. The cost of shipping the products from each side to the other is so much labor lost to the world. Place them side by side, and this labor and the commissions and profits and robberies of middlemen, and losses in transportation, will all be saved. Then each producer will receive as nearly as possible the full value of his labor and products.

Our true policy is to give to American wool-growers the privilege of supplying all the wool we need. And why shall this not be so? The pretext for free wool is to "confer on the wage-earner of the United States the boon of untaxed clothing."b The way to confer this boon is to cease to import wool or clothing; produce here all we need, and then neither wool nor clothing will pay any tariff tax.

The whole history of our industries proves that the ultimate effect of protection is to secure cheaper products. Even as to wool, the Tariff Commission of 1882, referring to the wool tariff of 1867, in their report say:c "The wisdom which guided its promoters has found substantial vindication in the growth of sheep husbandry during the past fifteen years. * * * As a result of augumented production the price of wools has been reduced to the consumer, while at the same time the producer by improving his stock has been enabled to realize as much money from individual animals as he secured in former years."d

If we destroy our wool industry foreign nations, finding no competition here, will dictate prices, and very soon we "will pay dear, very dear" for our ruinous experiment. Even if this could not be so, yet all prices adjust themselves, each product to that of all others, and justice is secured for all, producer and consumer alike. And even if for a brief space of time "free wool" would give cheaper wool and cheaper clothing, the means of buying would be diminished for farmers and all consumers. The "boon" secured to them would be for a brief space of time lower prices, soon to be followed by higher prices, and through all the time reduced means of payment, and as to many—too many—no means at all.

It has been said that there has been a general decline in the price of wheat and other products, as well as in wool. Yes, wheat has declined because of overproduction and exports which fix the price on a foreign rather than an American basis. Wool has declined in price without sufficient protection, because of foreign competition. There has been a decline in manufactured goods by reason of improvements in machinery and in skill, thus securing large product, less price, but greater profits and better wages.

But there has been no universal decline in prices. The wages of labor have justly increased, the prices of lands have increased; the price of wool has declined until its production is unremunerative, and this is the test which proves protection necessary.

If the ultimate effect of protection is to be cheaper wool, the inquiry may be made, How, then, will protection benefit the wool-grower? The first effect of adequate protection of the wool industry will be to increase the price. This will stimulate the industry and increase the number of our sheep and wool product. Our breeds of sheep will be rapidly improved, so that a given number of sheep will produce largely more pounds of wool than ever before, and a reduced price per pound will hence yield a larger revenue and increased profits. In the near future sheep will, to a large extent, be made available both for wool production and mutton, and thus, even with reduced prices both of wool and mutton, they will yield a larger revenue and increased profits, thus growing cheaper wool, and cheaper food for all our people.

The American farmer can fully supply the American market with every product of our soil and climate. Wool is one of them. If we surrender the privilege of supplying this in full measure we concede a principle which will demand the surrender of the privilege of supplying other of our products.

Let us unite in the demand that the laws shall be so made that Americans shall have the American market for all that Americans can supply.

a This subject can be found more fully discussed in a speech of William Lawrence, of Ohio, before the Commercial Club, of Providence, R. I., February 15, 1890.

b Report Secretary of Treasury, December 6, 1886, page 57.

c Report, page 28.

d This is fully shown by prices of wool as given in the report, 1887, of the Bureau of Statistics on wool, etc. Table XII, pages 110-118, and Table LXIX, page 228.

Chickamauga Battle-Field National Park.

The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.—*Abraham Lincoln.*

SPEECH

OF

HON. CHARLES H. GROSVENOR,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 28, 1890.

The House having under consideration the bill (H. R. 6454) to establish a national military park at the battle-field of Chickamauga, the question being on the passage of the bill—

Mr. GROSVENOR said:

Mr. SPEAKER: On the 19th and 20th days of September, 1863, there was fought upon the hills and in the valleys and along the river in Walker County, Georgia, 10 miles south of the city of Chattanooga, Tenn., one of the greatest battles of modern times.

It is not my purpose in supporting this bill and explaining its provisions to enter at any considerable length into the history of the strategy which resulted in the shock of arms on the memorable occasion the bill commemorates. It was a battle between brothers. A contest between men of the same blood and nationality, men who had been reared under the same flag and protected by the same Constitution.

It is not my purpose on this occasion to discuss the causes which led to the great war in the first instance; it is enough for me to say that upon one hand the column which faced the south, at Chickamauga, and placed itself, like a giant, across the valley that led to the north, was made up of soldiers of the Union, and at the head of their column was carried the old flag of the Union. From across the river of blood, in great perpendicular columns, came the men of the South-land. At the head of their columns gleamed a new flag, the flag of a misguided constituency, intent upon the destruction of the old Union, the old Constitution, and the establishment of a new government, under new forms of law. The inspiration of the one was born of their misguided and unfortunate judgment that war was the legitimate and necessary remedy for imaginary evils, and that inspiration had become, to them, patriotism and love of country; for, however misguided men may be, that which is rebellion in the first instance and rebellion in the last instance to the majority of the people of the country is loyalty and patriotism to the men who thus took up arms.

So, on this occasion—with the remembrance of those days yet fresh upon me, and the strong love I had then and have now for an undivided country as the pole star of my political conviction—I will not discuss this question in a manner to reopen the wounds of those days and those years, which are healing all too slowly in the unfavorable atmosphere of political agitation. Fondly as I love the old Union, strongly as I condemn rebellion under any form that is

possible to be conceived, in a free government like this, I am here now to speak only in words of fraternal kindness of the men of the South. We have demonstrated what Abraham Lincoln in substance said, when the war began—

No matter how long the fight, no matter how long the war shall last, in the end we are all brothers.

And now, standing more than a quarter of a century from the final gun of Appomattox, the words of the immortal Lincoln come to us as the words of inspiration, "We are brothers still." Let us be brothers still. If there are waste places, let us build them up, always with an eye to the single and undying proposition that loyalty to country is as sacred to the people to-day as it ever was, and that unfaithfulness to country, whether it takes the form of antagonism to Constitution or flag, or whether it takes the form of disloyalty to the laws of the country, disobedience to the precepts of Government, or whether it takes the more obnoxious form of the overt act of disloyalty, treason, is odious. Loyalty is the glory of the American citizen. The men who joined in the war of the rebellion are as well able to testify to this to-day as we are. They tasted the bitterness of rebellion. The fair plains of the South were destroyed by the marching columns of their enemies—enemies for the time. The smoke of their burning cities ascended up to heaven. The deserted fields testified to the horrors of war. The death of their sons filled their homes with mourning. The Rachels of their households were weeping for their children, and they have never been comforted, because they are not. Commerce destroyed, prosperity annihilated, society unsettled, public and private debts unpaid, desolation, disaster, and despair everywhere.

If it may truly be said that no people anywhere ever sinned more flagrantly, it may with equal truth and justice be said that no people ever suffered in a greater degree for their errors than they. We of the North suffered. Our hearthstones were desolated. Our heroes bled. Our young men marched forth under the inspiration of patriotism and came not home. Our fathers and mothers sat in lonely homesteads and watched for the coming of the manly youths who fell upon the plains of the South. Their bones were left to whiten along the pathways we trod amid the silent pines, along the beautiful rivers, and upon the mountain-topsof their own country, held then by the hands of an enemy. They fell for their devotion to a principle they loved, and throughout their Northland their friends annually stand around marked and unmarked graves of the brave dead of the war; and on each recurring anniversary of their patriotism we shed tears of affection in memory of the brave men who suffered for us, and strew their last resting place with floral testimonials of our affection.

So both sides have suffered. The one, as we say, for the right; the other, as we say, for a grievous wrong; but we all suffered. It shall be left to history and the teachings of the future to characterize the error of the one and the fidelity of the other; but we are ready now in unison from both sides of the country to honor the heroism of the other and of all.

It is the duty of patriotism, preserving the line between loyalty and disloyalty, to co-operate in every direction to obliterate the wounds of the war. I would not forget it. I would not forget the brave young men who fought for the flag of my country, and you, my countrymen, on the other side, I would not forget you. I would not forget the heroism of the men who with you marched to the cannon's mouth in the defense and propagation of so fatal an error as the one which you supported. You may not celebrate victory, for yours was defeat; you may not commemorate success, for yours was failure; you may not exalt triumph, for yours was disaster; but you may treasure in your memories the devoted and heroic conduct of the men who stood with you in the dark hour of peril and death.

How shall we best build up and reunite the Union? How shall we best recement the ties that bound us together before the war? The field is a wide one, and time would fail me to discuss even in a small portion half the ground covered by so mighty a subject. But we can here suggest one plan of operation. We propose to preserve in the form of a national park, to be the property of the Government, to be controlled and governed by the officers of the War Department forever, a park unique in its conception and one that will commend itself to the patriotic people of the country. And in discussing this brauch of the question I shall treat the American people as a brotherhood.

We do not propose a beautiful park, with beautiful lanes and flowers and ornamental trees and shrubbery and ornamental walks and gate-ways. We do not propose that, but we do propose to acquire the title to over 7,000 acres of the land of Georgia upon which this blood was shed, and to acquire easements to the roads leading thereto, and to preserve the battle-field in as nearly the condition it was in at the close of the 20th of September, 1863, as it is possible to do. We will not change into beautiful drives and thoroughfares the roads over which the fierce columns of Bragg marched to the deadly encounter, nor the roads over which moved the columns of Rosecrans, but we would preserve them in the condition they are, and we would preserve the battle-field itself, with its wooded hill-tops, its fair bestudded plains, and all its particular and general appearance, as nearly as possible in the condition in which it was left at the close of the conflict. We would make it a spot that would remind the soldier of either army of the dread conflict that shook the hills and paled the sun-light on those memorable days. We would leave Kelley's farm, and the Widow Glenn's farm, and McFarland's Gap, out of which marched a large portion of the discouraged and depressed Union Army, and the tan-yard, and the peach-orchard, the territory around Lee and Gordon's mill, the famous crossing at Glass's mill, the Dry Valley road, and we would leave without a tree taken away or a shrub disturbed the famous Snodgrass Hill, where against the shock of Longstreet a handful of Union troops stood against such terrible odds so many hours on that bloody afternoon of September 20. We would preserve the peach-orchard where volleyed the thunder of Smith's Battery, and the sloping hill-side that ran with the blood of Harker's men, and we would not destroy one tree of the wooded slope up which went the magnificent column of James B. Steedman at the late hour of that afternoon when, with flying banners and sounding music, there passed to their death or fell with wounded bodies more than seventeen hundred in forty minutes. We would leave the points of the battle-field where the famous brigade of Van Derveer stood like a rock against the surging tide of the host of the South, and we would leave in an untouched condition the field of glory from which Reynolds and Turchin cut their way out of the environments of Confederate steel and marched to security at Chattanooga. And we want to preserve the road running to Rossville, that famous, grand, historic locality running away up to the Union left, where Sherman and his magnificent army formed and drove the Confederate troops to the right of the rebel position on the great day of Missionary Ridge.

We would leave all this intact and we would put monuments to mark the place where the troops of Thomas and the other troops to which were given the orders to capture the rifle-pits which cost them so much blood charged up to the crest of Missionary Ridge and drove Bragg and his gallant troops away off to the south. We would preserve that historical spot where Bragg for days and weeks established his headquarters on Missionary Ridge and looked with longing eyes down upon the hills and valleys filled and filling with Union troops, intent upon regaining what was almost lost at Chickamauga, and whence the misguided head of the so-called Southern Confederacy looked down and listened to the music of the Union bands who in the early morning played the tunes to the cadence of which, in his younger days, as a soldier of the United States Army, Jefferson Davis had marched. So, in plain and concise words, we want to preserve the woods of Chickamauga; we want to preserve the fringes of trees, bushes, and shrubs that nature has planted along the banks of the river of blood. We want to preserve the entire tract.

We have taken in as a part of the park the roads heretofore described, because we desired to have control and management of all these approaches. They are public roads, traveled by the citizens of the country, and will be continued in that way and for that purpose always. It is not the intention to make any change in the occupation of the farms, at present at least, while the ownership will be in the Government. The purpose is to permit the people living on the surface of the park to retain possession of their holdings, under such terms as will be favorable to them, and, at the same time, to secure their interest in the care and attention to be bestowed upon the park.

Mr. Speaker, as the people of the country move further away from Chickamauga and kindred events, or, in other words, as the tide of time carries further to the rear those stirring events, these battle-fields will become more and more important and more and more attractive to the people of the country. To Chickamauga, as to the Mecca of old, the patriotic people of America will journey, and they will draw patriotic inspiration from the surroundings of that memorable battle-field. The very surroundings of these historic spots are all sacred to the soldier of the war.

The pilgrim to this battle-field will take his position upon the top of Lookout Mountain, and from it he can study the whole strategy of Chickamauga, Missionary Ridge, and Lookout Mountain. Across the river at his feet and below him at his left are Moccasin Point, Cameron Hill, Brown's Ferry, and the blood-stained Wauhatchee, and immediately below him are still the traces of the rifle-pits by means of which Hooker dislodged the enemy from the foot of Lookout, and then casting his eye a little to the right he sees, at least in memory, the line of forts behind which Rosecrans sheltered his army from Chickamauga. There stands Orchard Knob, whence Grant, surrounded by his lieutenants, witnessed the great conflict of Missionary Ridge. Away off to the left as far as the eye can reach is Sherman Heights, memorable for the great struggle on our left and the Confederate right, where the waves of battle, hurled from the North on the South, struck each other and were shattered upon the crest of the hill, the crest being marked by the dead of many a regiment of gallant men. Then casting the eye along Missionary Ridge we see the entrance to the great battle-field at Rossville. To the right runs the road through McFarland's Gap, over which a large portion of Rosecrans's army retired on the bloody night of September 20; to the left, the Rossville road, over which the column of Crittenden moved before the battle.

But who can describe the memories and glories of Chickamauga? Who can put in print and in the cold language of memory the stirring events of those two terrible days? It was here that the flower of the Western army of the Union met the tried, trained veterans

of the South, re-enforced by the splendid column of Longstreet. Here it was that the tide of battle surged forward and backward. Here it was that the twenty-odd thousand American citizens fell, dead or wounded, upon this famous battle-field.

Now, Mr. Speaker, I desire to place in an enduring form a complete record of the organization which at this time has culminated in the presence in Congress of the bill which I had the honor to introduce. For some considerable time discussion has been going on among certain gentlemen who participated in the battle of Chickamauga looking to the organization of an association for the establishment of a national park, and in May, 1888, a number of those officers visited the battle-field of Chickamauga and spent several days in a careful examination of the lines of the two armies and a re-examination of the topographical surroundings. I will present here the history of the origin and development of this park project:

THE ORIGIN AND DEVELOPMENT OF THE PARK PROJECT.

A visit of a number of Union officers to the Chickamauga battle-field in June, 1888, led to the publication of a series of letters in the Cincinnati Commercial-Gazette, in which the suggestion was made that the field should be secured and preserved and all the lines of battle be permanently marked.

In September following, General Henry M. Cist, secretary of the Society of the Army of the Cumberland, offered the following resolution at the meeting of that society in Chicago:

"I move that a committee of five be appointed by the chair for the purpose of taking the necessary steps to inaugurate a movement for the purchase of the ground on which the battle of Chickamauga was fought; that monuments be placed thereon to mark the location of the troops that fought there, and that it may be preserved similar to the plan of the battle-field of Gettysburgh."

In presenting the resolution General Cist said:

"There is no battle of the late war so little understood as Chickamauga; none so important in all its bearings and in all its results as that of Chickamauga. I think it is due to the society and to the old Army of the Cumberland that some steps be taken to preserve the field of the greatest engagement fought by that army, if there is nothing that would make the movement an improper one, any intimation of which, of course, would come up before the committee and the committee could then investigate and report to the society. I, for one, would like to see a plan devised for the purchase, if it could be done, of this battle-field, so that it would be preserved for all time, and, if possible, that the several positions occupied by the different organizations in the battle should be marked upon the field."

The resolution was then adopted, and General Rosecrans appointed as members of this committee General Henry M. Cist, General C. F. Manderson, General Russell A. Alger, General Absalom Baird, General Henry V. Boynton.

General Cist called his committee to meet in Washington February 13, 1889. General Manderson presided. After a brief discussion it was agreed to ask for a conference with such Confederate veterans of Chickamauga as were in Washington, with a view to invite their co-operation in forming a joint memorial battle-field association.

This conference was held next day, in the room of the Senate Committee on Military Affairs. There were present Generals Rosecrans, Baird, Reynolds, Cist, Manderson, and Boynton and Colonel Kellogg, of the Union officers, and Generals Bate, of Tennessee; Colquitt, of Georgia; Walthall, of Mississippi; Wheeler, of Alabama; Wright, of Tennessee; and Colonels Bankhead, of Alabama, and Morgan, of Mississippi.

The plan of preserving and marking the field of Chickamauga, under the auspices of a joint memorial corporation representing all the States that had troops there, patterned in general after the Gettysburgh Association, was cordially approved.

Generals Cist and Colquitt were appointed a committee, with power to add four to their number, to prepare an act of incorporation and correspond with leading officers from each State whose troops fought at Chickamauga, with a view of securing a proper list of incorporators. A number of officers on each side, members of either the House or the Senate, who are greatly interested in this project, were detained from the meeting by debates in which they were engaged.

Generals Cist and Colquitt completed their subcommittee by adding Generals Baird, Walthall, Wheeler, Wright, Boynton, and Col. S. C. Kellogg. It was agreed that each side should name fifty of the leading veterans of that field and some civilians, North and South, who have prominently identified themselves with the project, as incorporators of a Joint Chickamauga Memorial Association, for preserving and marking the battle-field.

At a subsequent meeting a list of incorporators and the outlines of a charter were agreed upon, and Senator Colquitt was appointed to take the necessary steps to secure the incorporation. He placed the matter in the hands of Julius Brown, esq., of Atlanta, who gave the matter prompt attention and prepared and advertised a petition for a charter, which was granted at the December term of the superior court of Walker County, Georgia.

On the 19th of September, 1889, a joint meeting of Union and Confederate veterans was held at the tent in Chattanooga erected for the meetings of the Society of the Army of the Cumberland. The meeting was under the auspices of the following local committees:

On Chickamauga Memorial Association.—Adolph S. Ochs, chairman; A. G. Sharp, S. B. Moe, J. F. Shipp, W. J. Colburn, H. S. Chamberlain, C. W. Norwood, J. B. Nicklin.

On Chickamauga barbecue.—Gordon Lee, chairman; W. P. McClatchey, secretary.

THE FIRST MEETING IN CHATTANOOGA.

The big tent wore a pretty aspect when the immense throng of old soldiers assembled there for the purpose of organizing the Chickamauga Memorial Association.

There were the soldiers of the blue and the gray, the veterans of both sides, the brave men who fought beneath the Stars and Stripes and those who battled under the stars and bars. There they were, seated together side by side, all intent upon one great purpose, and the heart of each one swelling with love and good feeling for the other, all blessing the day that has bound together the North and the South and finally welded the hearts of the blue and the gray.

Every one was earnest and every heart seemed to be fully in the matter. It was truly a movement and an assemblage that would cry aloud—

"Blot out the lines that would divide
And desecrate our sod!"

The big tent was handsomely decorated. Upon the center-pole numbers of flags hung upon which were inscriptions of various sorts. From this pole wide bands of bunting were drooped in graceful festoons, and the side-poles were completely covered with the national colors.

From the dome on the west side of the tent swung an immense canvas sign, bearing the inscription:

"That government of the people, by the people, for the people, shall not perish from the earth."

On the east side of the tent was the large raised platform, handsomely decorated, indeed. Flags and streamers were hung gracefully from front to rear, and draped in pretty folds round the stand in the front center of the platform. In the exact center and on the right and left front corners were large pyramids of ferns, cactus, mosses, youpon, wistaria, smilax, etc.

The first to march into the tent were the Union veterans, headed by the Fort Payne band. The column was headed by General W. S. Rosecrans and General Cist. As they marched into the tent the crowd thronged upon the outside and cheered lustily.

Following this came the Confederate veterans, headed by the Fourth United States Artillery band, and as they marched under the vast canvas the band struck up "Dixie." In an instant a thousand men were on their feet waving their hats and cheering loud and long. Nor did those cheers come alone from those who revere the memory of a dead Confederacy as they would that of a dead mother, but from men upon whose breasts gleamed the badges of the Army of the Cumberland and who wore the blue with so much honor.

At 3 o'clock Mr. Adolph S. Ochs, on behalf of the local committee, called the meeting to order, and, on behalf of the people of Chattanooga, wishing a hearty God-speed to the grand movement and extending a hearty welcome both to the blue and the gray.

A beautiful prayer was then offered by Rev. Dr. Bachman.

Capt. J. F. Shipp, of N. B. Forrest Camp, No. 3, Confederate Veterans, put in nomination for chairman the name of General W. S. Rosecrans, prefacing the nomination with several complimentary allusions to the general and designating him as a man admired by both the blue and the gray.

This nomination was greeted with much enthusiasm, and General Rosecrans was elected to the chairmanship by acclamation.

Capt. J. F. Shipp, General John Glynn, jr., and General Ferd. Van Derveer were appointed a committee to escort General Rosecrans to the chair, which they did amid deafening applause.

After quiet had been restored General Rosecrans spoke as follows:

ADDRESS OF GENERAL W. S. ROSECRANS.

Ladies and Gentlemen and Comrades of the Blue and the Gray:

This occasion is one of which you will look through history in vain to find a second. To-day twenty-six years ago began the great bloody battle of Saturday, the 19th day of September, 1863, within 12 miles of this place, and the survivors of that battle, both blue and gray, and the people who to-day enjoy the fruits which grew out of that battle are assembled together to consider how they shall make it a national memorial ground, which people of all time shall come and visit with the interest due to the greatness of the events which occurred on that battle-ground. One of the most noble features to me of this occasion is this: it is very difficult to find in history an instance where contending parties in after-years meet together in perfect amity. It took great men to win that battle, but it takes greater men still, I will say morally greater, to wipe away all the ill feeling which naturally grows out of such a contest. [Applause.]

To me there is another feature of peculiar interest, and that is that there has been no time since the war when the noble sentiments of the survivors and respect felt by the people of the South for the men who fought and fell in their cause could systematically undertake to commemorate the deeds they performed and to keep alive their memories by the erection of monuments, without incurring the complaint of the newspaper press that they were keeping up the memories of the war and the feelings of hatred which ought to perish as peace returns.

On the soil of Georgia both the blue and the gray can unite in obtaining control over the grounds, laying out the roads and marking sites where the men entitled, in their opinion, to special respect and special veneration may have monuments erected to their memories, where the organizations who choose to do so can put up monuments to the heroism displayed on those fields, without criticism and with rather the feeling of comradeship. That to me is a very noble thing, and I believe that the spirit which brings you here on this occasion and the foundation upon which your views of that thing rests conspire to produce a result very wonderful indeed.

You will be told a great many things by those who will follow me to show how strong the foundation of our expectation is that we are commencing a national event at this meeting this afternoon.

As I am quite unfitted for public speaking and heartily detest the task, I think what I have said will be enough to show to you how thankful I am to be with you and to be called upon to preside over this meeting.

The first exercise in order will be some remarks from General H. V. Boynton, who deserves the thanks of everybody, and especially of the comrades of the Army of the Cumberland, for his work in studying up this subject and he will tell you a great deal more than I can about it.

I have the pleasure to present to you General H. V. Boynton.

It is eminently proper to here give this elegant, comprehensive, and indeed exhaustive address of General Boynton. No man could do it better, for no man knew more about it than he.

It is as follows:

ADDRESS OF GENERAL H. V. BOYNTON.

My Friends:

I have been asked to make a statement of the objects which those members of the Society of the Army of the Cumberland who conceived the idea of a Joint Chickamauga Memorial Association have in view, the motives which actuate them, and the methods by which they hope to attain the desired ends. These I will attempt to set forth in brief form.

Perhaps if I take a few moments in going over the path which led some of us to a deep interest in this project, it may suggest to you strong reasons in support of it.

A year ago last summer it was my privilege to revisit Chickamauga in company with my old commander, General Van Derveer. The ride was the more impressive because the day was Sunday. On reaching the Cloud House, on the northern boundary of the field, there came to us from a country church near by the voices of solemn song.

The last music which had fallen on our ears as we left that field a quarter of a century before was the screech, the rattle, and roar, and thunder of that hell of battle which had laden the air with horror through all that earlier and well remembered Sabbath.

In a moment, as with a flash, memory peopled those scenes for us with the actors of that other day. We gloried in Rosecrans and mourned that Thomas did not still live to enjoy his ever-increasing renown.

We saw Baird's, and Johnson's, and Palmer's, and Reynolds's immovable lines around the Kelley farm. We recalled Wood on the spurs of Snodgrass Hill, and Brannan and Grosvenor, and Steedman under Granger, on the Horseshoe.

There rolled back on the mind the unequaled fighting of that thin and contracted line of heroes and the magnificent Confederate assaults which swept in upon us time and again, and ceaselessly, as that service of all the gods of war went on throughout those holy hours.

Then—thinking of our Union lines alone—we said to each other: "This field should be a Western Gettysburgh, a Chickamauga memorial."

It was but a flash forward in thought to our present plan, and the proposition became "Ay, it should be more than Gettysburgh, with its monuments along one side alone; the lines of both armies should be equally marked."

We went over the ground where Forrest's and Walker's men had marched on

Saturday into the smoke of our rifles and the very flame of our batteries. Again we saw their ranks melt as snowflakes disappear over the heat of conflagration.

We stood on Baird's line, where Helm's brigade went to pieces, but not till three men out of every four—think of that!—not till three men out of every four were dead or wounded.

We saw the waves of Longstreet's men roll in on the difficult slopes of the Horseshoe, dash wildly and break there, and recede, only to sweep on again almost with the regularity of the ocean surges, and ever marking a higher tide.

We looked down again on those slopes, slippery with blood and strewn thick as with leaves with all the horrible wreck of battle, over which, and in spite of repeated failure, these assaulting columns still formed, and reformed, and came on.

And then, thinking of this as fighting alone—grand, awe-inspiring, magnificent fighting—the project of a Joint Chickamauga Battle-Field Association was born in the mind.

I stood silent and thought reverently of that unsurpassed Confederate fighting, and in my heart I thanked God that the men who were equal to such endeavors on the battle-field were Americans. Behold the essentials and the essence of our project!

Let all the lines be marked. Let the whole unbroken history of such a field be carefully preserved.

So thinking, on my return home I wrote of Chickamauga to the Cincinnati Commercial-Gazette, of August 17, thus publicly suggesting the scheme:

"The survivors of the Army of the Cumberland should awake to great pride in this notable field of Chickamauga. Why should it not, as well as Eastern fields, be marked by monuments and its lines be accurately preserved for history? There was no more magnificent fighting during the war than both armies did there. Both sides might well unite in preserving the field where both, in a military sense, won such renown."

The idea received much and only favorable comment in the North.

General Cist, the secretary of the Society of the Army of the Cumberland, was the first to take a practical step in the matter. On Chickamauga day, September 20, of last year, he introduced a resolution at the Chicago meeting for the appointment of a committee to consider the question of securing and preserving the field and marking all the lines upon it. Our meeting to-day, preparatory to formally organizing our association, is the direct outgrowth of General Cist's resolution.

Twenty-six years ago to-day the thunders of the deadliest battle of modern times were rolling over the low lands and re-echoing from the mountains which look down upon Chickamauga. Many great fights shook our continent and attracted the attention of the world as our war went on; but the splendid facts of the bitter, stubborn, and desperate contest along the unknown stream, in the thick forests which lined it, and on the ridges which dominated them, were, for years, almost as completely hidden from the public as were the armies which operated over this obscure and tangled field.

But as the publication of the official records of both armies has progressed, and made intelligent study of the strategy and the fighting of Chickamauga possible, the battle has been gradually unrolled before the public until it stands to-day where those of us who participated knew so well that it deserved to rank—for both armies—as the most stubbornly contested battle of the war. And not only this, but the percentages of its casualty lists are found to exceed those of Napoleon's most noted battles, as well as those of all the later fields of modern Europe. This conclusively appears from some facts which I have heretofore presented in print in regard to Chickamauga and which are pertinent here.

The marvel of German fighting in the great battle of Mars-la-Tour was performed by the Third Westphalian regiment. It suffered the heaviest loss in the German army during the Franco-Prussian war. It went into battle 3,000 strong, and its loss was 49.4 per cent. There was nothing in the campaigns of which this formed a part which exceeded these figures, and they became famous throughout the German army. And yet in our war there were over sixty regiments whose losses exceeded this. Seventeen of them lost above 60 per cent. and quite a number ranged from 70 to 80. There were over a score of regiments on each side at Chickamauga whose loss exceeded that of the Westphalian regiment.

The battle was desperate from the moment it opened till its close. For the most part the lines fought at close range, and, in the countless assaults, often hand to hand. On the first day there were no field-works of any kind. On the second, Thomas was protected on the Kelley farm by such rude log works as could be hastily thrown together. Brannan, after the break on Sunday, and Steedman were without a semblance of works. The battle, in the main, on both sides, was dogged, stand-up fighting far within the limits of point-blank range. For the second day, on the Confederate side, the contest was one continued series of brave and magnificent assaults.

A reference to the losses on each side will show that there has been no exaggeration in the description of the fighting. Rosecrans's loss was 16,179. This included 4,774 missing, of whom a large number were killed or wounded. Bragg's losses, as compiled and estimated at the war records office, were 17,804. Thus the total loss for each army was over 25 per cent. of the entire force of each, and it will be found to average about 33 per cent. on each side for the troops actually engaged.

Longstreet's wing of the Confederate army lost 44 per cent., nearly all of this on the second day and the largest part of that in an hour and a half on Sunday afternoon.

Steedman's and Brannan's divisions, which confronted a portion of Longstreet's assault, lost, the first, 49 per cent. in four hours, and all these were killed or wounded but one, and the second an average of 38 per cent., while one brigade—Van Derveer's, of Brannan—lost only a fraction less than 50 per cent.

For the entire Union Army the losses ranged from these maximum figures down to 33 per cent., a terrible minimum of one in three.

Bushrod Johnson's division lost 44 per cent., Patton Anderson's brigade, of Hindman's, 30 per cent., and most of this on Sunday afternoon. Bate's brigade of Stewart's division, lost 52 per cent. Preston's division, in an hour and a half before sunset on Sunday, lost 33 per cent., and Gracie's brigade nearly 35 per cent. in a single hour while assaulting Brannan's position on the Horseshoe. The brigade losses in Cheatnam's division ranged from 35 to 50 per cent. The aggregate loss in Breckinridge's division was 33 per cent., while Helm's Kentucky brigade lost 75 per cent. Cleburne's loss was 43 per cent.

These figures become the more significant when compared with the statement of losses of the world's noted battles. General Wheeler, the distinguished Confederate cavalry commander, thus vividly presented this question at the gathering of the Society of the Army of the Cumberland and Confederates at Chattanooga in 1881:

"Waterloo was one of the most desperate and bloody fields chronicled in European history, yet Wellington's casualties were less than 12 per cent., his losses being 1,432 killed and 9,528 wounded out of 90,000 men, while at Shiloh, the first great battle in which General Grant was engaged, one side lost in killed and wounded 9,740 out of 33,000, while their opponents reported their killed and wounded at 9,616, making the casualties about 30 per cent. At the great battle of Wagram, Napoleon lost but about 5 per cent. At Wurzburg, the French lost but 2½ per cent., and yet the army gave up the field and retreated to the Rhine. At Rocour, Marshal Saxe lost but 2½ per cent. At Zürich, Masséna lost but 8 per cent. At Liegnitz, Frederick lost but 6½ per cent. At Malplaquet, Marlborough lost but 10 per cent., and at Ramillies the same intrepid commander lost but 6 per cent. At Contras, Henry of Navarre was reported as cut to pieces, yet his loss was less than 10 per cent. At Lodi, Napoleon lost 1½ per cent. At Valmy, Frederick lost but 3 per cent., and at the great battles of Marengo and Austerlitz, sanguinary as they were, Napoleon lost an average of less than 14½ per cent. At Magenta and Solferino, in 1859, the average loss of both armies was less than 9 per cent. At Wörth, Specheran, Mars-la-Tour, Gravelotte, and Sedan, in 1870, the average loss was 12 per cent. At Linden, General Moreau lost but 4 per cent., and the Archduke John lost 7 per cent. in killed and wounded.

"Americans can scarcely call this a lively skirmish. At Perryville, Murfreesborough, Chickamauga, Atlanta, Gettysburgh, Missionary Ridge, the Wilderness, and the average of killed and wounded on one side or the other was over 30 per cent."

And when it is considered that this degree of bitter fighting was persistently maintained by both sides throughout two days, without any defensive works deserving of the name, and for the most part without any at all except as the natural features of the ground supplied them in part to the Union side, it is readily seen that there is no other field of the war which more fully illustrates the indomitable courage and all the varied fighting qualities of the American veteran. A large number of organizations on both sides in that battle came out of it with a loss of every other man who entered it, killed or wounded.

The assaults on the Confederate side were without parallel in the war. Pickett's charge at Gettysburgh was a single effort. But Longstreet's entire wing at Chickamauga assaulted time and again on more difficult ground than the slopes of Cemetery Hill. There were three general assaults which each deserved to rank with Pickett's charge, while the Union defense of the Horseshoe Ridge is without parallel in the war. So thin a line of heroes never before successfully withstood such tremendous assaults. Of the whole battle, from opening to close, there was never a truer thing written than General Hindman's words in regard to his conflict with Granger's troops: "I have never known Federal troops to fight so well. It is just to say also that I never saw Confederate soldiers fight better.' And Kershaw, of Longstreet's Virginia troops, who had seen all the fighting in the Army of Northern Virginia, said of one of the Confederate assaults which Brannan repulsed: "This was one of the heaviest attacks of the war on a single point."

Surely the ground of such fighting deserves to be preserved for pilgrimages and historic study. To illustrate the attainments of soldierly endeavor with which the veterans of each army distinguished themselves in our war there is no spot of fighting ground in which each can take a greater pride or where each can lay stronger claims to victory. While the Confederates secured and held the field, General Rosecrans gained his objective—Chattanooga.

Chickamauga is, then, beyond question, the most noted battle-field of modern times when measured by the stubborn and undaunted fighting done upon it—a standard whose fairness there will be none to dispute.

We meet here surviving veterans of that field, ranged once in confronting lines, fringed with all that made war horrible or gilded its horrors with glory. We, who fought as iron veterans fight, gather here to-day under one flag, citizens of one country, to celebrate and take measures to perpetuate the memory of the fighting which will cause Chickamauga to take first rank among the battles of the world.

So far as I understand it, this is in no sense a political move. Nor need it be regarded as non-partisan. Speaking for myself, I do not desire to be misunderstood. I yield to no man an iota of my convictions. They are as dear to me and as clear to my mind as when we fought for them. On the other hand, for the purposes which we seek here, I ask no one of the brave men who fought for their convictions under a different flag to yield them in any degree to me. These differences we do not discuss, nor do they properly enter into our project.

That contemplates mainly American fighting as fighting, the celebrating in enduring bronze and marble the achievements of American manhood as illustrated in the unsurpassed pluck and endurance, the stubborn, desperate, and magnificent fighting performed by each side on this field of Chickamauga.

We propose to take a very important, very necessary, and eminently practical step beyond the far-famed Gettysburgh Memorial Association, and ascertain and permanently designate all the lines of both armies, and set up tablets to mark the lines of advance and the extreme points reached by each squadron, battery, or regiment, be it Union or Confederate, and to state their strength and losses, to the end that the ordinary visitor and military student shall be able, one and all, to understand our great object-lesson of American prowess on the field of battle.

As to the ways and means of our project, we propose to go before Congress at its coming session and ask it to appropriate a sufficient sum to buy the entire field from Rossville Gap to Crawfish Springs, or so much thereof as the directors, when our organization is complete, may deem expedient to secure. This purchase, of course, must be contingent upon the State of Georgia ceding jurisdiction to the Government for the sole purpose of maintaining a national military park.

There is no intention of dispossessing the present owners and occupants of the field. It would be better that they should remain, upon conditions advantageous to themselves, to preserve its roads and its outlines of field and forest, and its farm-houses, as they were at the time of the fight. But these things belong to the details of the project, and it will doubtless be easy to arrange them all so as to give general satisfaction.

Eleven Northern and eleven Southern States had organizations in the battle, and Kentucky, Missouri, and Tennessee had troops on each side. The United States were represented by nine organizations. The General Government will without doubt appropriate liberally, as it has done for the Gettysburgh field, to mark the positions of the regular regiments and batteries. The purpose is to ask each State to erect monuments to mark the ground where its troops distinguished themselves. There must, therefore, be a joint management of the park by the Government and the States interested, the manner of which must be left to Congress and those charged with working out the details of the plan.

To our proposed park, ending at Rossville Gap, the city of Chattanooga and its immediate surroundings, Lookout, Orchard Knob, and Missionary Ridge, properly attach themselves and enlarge the dimensions of our scheme and make it unsurpassed and unsurpassable as a place for interesting pilgrimages or military study. Here the natural features, which for all time will clearly mark the lines of battle, are such that scarcely anything is needed except tablets to mark the position of forts and headquarters, to complete it as an addition to the project we are here considering. The roads now exist leading from Rossville to the extreme north point of Missionary Ridge, and from Chattanooga to all other points of chief interest in the noted fields about the city.

No words from me to you, who can, with vivid memory, repeople the fields and the surroundings of Chattanooga with the battle pageants which will make them illustrious for all time, are necessary to enforce our project or make it clear that when once established it must excite universal and continuing interest.

Among the Ohio soldiers who carried the flag of their country and that gallant State to high honor and imperishable distinction upon the battle-fields of the war, none was more faithfully patriotic, untiring, and self-sacrificing than was General H. V. Boynton. He fought in all the campaigns of the Army of the Cumberland, including Chickamauga.

His intelligence has contributed largely to the development of our plan. His study of the battle-fields and of the battles of the war has made him an authority of uncommon excellence as to all that pertains to Chickamauga, its campaign, its carnage, its fame, and its history. An association has been formed under the laws of Georgia,

and I present here the final proceedings leading up to the organization of the Chickamauga Association.

CHICKAMAUGA MEMORIAL ASSOCIATION.

[Official proceedings.]

CHURCH ON THE BATTLE-FIELD OF CHICKAMAUGA,
Crawfish Springs, Walker County, Georgia, September 20, 1889.

At a joint meeting of the Veterans' Associations of the Blue and the Gray, held this date as above designated, Mr. Adolph S. Ochs, chairman of the local committee on the Chickamauga Memorial Association, called the meeting to order and suggested the election of a chairman. So ordered.

General Henry M. Cist was unanimously elected, and General H. V. Boynton and Col. T. M. McConnell appointed to escort him to the chair.

On motion, Mr. Ed. T. Manning was unanimously elected secretary.

The chairman stated the object of meeting, and in connection therewith Mr. Adolph S. Ochs read the petition for charter, which would be shortly granted.

On motion of Mr. Ochs all members present were enrolled as members of the Chickamauga Memorial Association.

General Grosvenor spoke advocating the immediate election of officers.

General Fullerton coincided in such action.

General Grosvenor then placed in nomination for the first president of the Chickamauga Memorial Association General J. T. Wilder, of Tennessee.

Seconded by Capt. J. F. Shipp.

General Wilder was declared the unanimous choice of the associations present and represented.

General Wilder, being present, accepted the trust.

Captain Shipp placed in nomination for vice-president General Joseph Wheeler, of Alabama.

Seconded by General H. V. Boynton.

General Wheeler was declared unanimously elected.

Capt. George B. Guild nominated General Marcus J. Wright, of Washington, D. C., as secretary, who was unanimously elected.

General Grosvenor nominated General J. S. Fullerton, of St. Louis, Mo., who was unanimously elected treasurer.

Secretary Manning then read the list of directors submitted by the Ex-Confederate Veterans' Associations:

Alabama—General Joseph Wheeler.
Arkansas—Capt. C. R. Breckinridge.
Florida—General T. Finley.
North Carolina—General D. H. Hill.
South Carolina—General E. M. Law.
Tennessee—General Marcus J. Wright.
Texas—General Roger Q. Mills.
Virginia—Hon. George D. Wise.
Georgia—General Alfred H. Colquitt.
Georgia—General James Longstreet.
Kentucky—General Joseph H. Lewis.
Louisiana—General Randall L. Gibson.
Mississippi—Col. Charles E. Hooker.
Missouri—General F. M. Cockrell.

General Boynton then presented the following list of directors, submitted by the ex-Union officers:

Kentucky—Col. G. C. Kniffen.
Minnesota—General J. W. Bishop.
Ohio—General Henry M. Cist.
Ohio—General C. H. Grosvenor.
Ohio—General Ferd. Van Derveer.
Tennessee—General Gates P. Thurston.
Missouri—General J. S. Fullerton.
Indiana—General J. J. Reynolds.
Tennessee—General J. T. Wilder.
Illinois—General A. C. McClurg.
United States Army—General A. Baird.
United States Army—Col. S. C. Kellogg.
Washington, D. C.—General W. S. Rosecrans.
Washington, D. C.—General H. V. Boynton.

On motion of Mr. H. S. Chamberlain, seconded by Col. J. H. Duggan, the election of directors, twenty-eight in number, as herein named, was made unanimous.

On motion of General Thurston, the two officers present were authorized to call a meeting of the board of directors at such time as they think best and to take such other action as they may deem necessary.

General Wilder then stated that the superior court would soon issue the charter, and if authorized he would accept the same. He was duly empowered.

On motion, the associations of the blue and the gray then adjourned.

HENRY M. CIST, *Chairman.*
ED. T. MANNING, *Secretary.*

In making up the list of incorporators the selections from each State were made as nearly as practicable in proportion to the troops each had in the battle.

After the association has been incorporated there will be an opportunity for all who choose of the veterans of either army, or of those interested in the project, whether they served in either army or not, to become members upon the payment of a membership fee of $5, which is to be paid but once, no subsequent fees of any kind being contemplated. This will entitle the subscriber to a certificate of membership and to one vote at all meetings of the association, either in person or by proxy.

The Union Army had 195 separate organizations on the field, of which 36 were batteries. The Confederate army had 274 organizations, of which 50 were batteries and 6 belonged to the Confederate regulars. These were thus divided among the States:

Union.—Illinois, 36; Indiana, 42; Kansas, 2; Kentucky, 16; Michigan, 8; Minnesota, 2; Missouri, 3; Ohio, 56; Pennsylvania, 7; Wisconsin, 9; Tennessee, 2; United States Regulars, 9.

Confederate.—Alabama, 43; Arkansas, 17; Florida, 7; Georgia, 35; Kentucky, 7; Louisiana, 13; Mississippi, 21; Missouri, 2; North Carolina, 4; South Carolina, 18; Tennessee, 68; Texas, 16; Virginia, 7; Confederate regulars, 6.

Thus, eleven Union States and the regular Army were represented by troops in the battle, and all the Confederate States, with Kentucky and Missouri and the regular army of the Confederacy.

The association as finally formed is as follows:

CHICKAMAUGA MEMORIAL ASSOCIATION.

President: John T. Wilder, Johnson City, Tenn.
Vice-President: Joseph Wheeler, Wheeler's Station, Ala.
Secretary: Marcus J. Wright, Washington, D. C.
Treasurer: J. S. Fullerton, St. Louis, Mo.

Incorporators.

Alabama—William H. Forney, J. T. Holsclaw, W. C. Oates, Joseph Wheeler, and S. M. A. Wood.
Arkansas—James H. Berry, Clifton R. Breckinridge, Evander McNair, and L. H. Mangum.
Colorado—G. C. Symes.
District of Columbia.—Absalom Baird, H. V. Boynton, and W. S. Rosecrans.
Florida.—Wilkinson Call, Robert H. M. Davidson, and Jesse J. Finley.
Georgia.—Joseph M. Brown, Alfred H. Colquitt, J. B. Cummings, James Longstreet, Lafayette McLaws, and E. B. Tate.
Illinois.—S. D. Atkins, Lyman Bridges, A. C. McClurg, E. A. Otis, John M. Palmer, and P. S. Post.
Indiana.—Joseph B. Dodge, W. Q. Gresham, J. J. Reynolds, M. S. Robinson, G. W. Steele, and J. T. Wilder.
Iowa.—Frank Hatton and W. P. Hepburn.
Kansas.—John A. Martin.
Kentucky.—C. D. Bailey, J. C. S. Blackburn, R. M. Kelly, C. G. Kniffin, Joseph H. Lewis, Alfred Pirtle, and W. J. Stone.
Louisiana.—Randall L. Gibson and Felix Robertson.
Michigan.—H. M. Duffield and A. W. Wilber.
Minnesota.—J. W. Bishop and R. W. Johnson.
Mississippi.—Charles E. Hooker, J. Bright Morgan, Jacob M. Sharp, J. A. Smith, and Edward C. Walthall.
Missouri.—Joseph S. Fullerton, William Henry Hatch, Robert McCulloch, John S. Melton, and W. H. Wade.
New York.—C. A. Dana and A. G. McCook.
North Carolina.—William R. Cox, David H. Hill, Charles W. McClammy, and Matt W. Ransom.
Ohio.—H. M. Cist, W. Goodspeed, Charles H. Grosvenor, P. P. Lane, J. G. Mitchell, J. G. Taylor, and Ferd. Van Derveer.
Pennsylvania.—William J. Palmer, John Tweedale, and John G. Vale.
South Carolina.—Ellison Capers and E. M. Law.
Tennessee.—Frank C. Armstrong, William B. Bate, John C. Brown, S. B. Maxey, Adolph S. Ochs, Lucius E. Polk, Alexander P. Stewart, Gates P. Thruston, and Marcus J. Wright.
Texas.—C. B. Kilgore, Roger Q. Mills, and William B. Sayers.
Virginia.—R. A. Brock, I. M. French, and George D. Wise.
Wisconsin.—H. C. Hobart and John Mitchell.
United States Army.—J. M. Brannan, H. C. Cushings, S. C. Kellogg, Frank G. Smith, and Thomas J. Wood.

In this connection I present tabulated statements, as follows:

First. The rebel forces at Chickamauga.

CHICKAMAUGA.—BRAGG.

States.	Infantry.	Cavalry.	Artillery.	Total.
Alabama	23	5	15	43
Arkansas	12	1	3	16
Confederate	1	5	.....	6
Florida	5	.....	1	6
Georgia	17	5	7	29
Kentucky	5	2	2	9
Louisiana	4	3	5	12
Mississippi	17	1	7	25
Missouri	.....	.....	2	2
North Carolina	4	1	.....	5
South Carolina	7	.....	2	9
Tennessee	36	12	12	60
Texas	10	2	1	13
Virginia	2	.....	5	7
Total	143	37	62	242

Grand total of organizations, 242.

Second. Rosecrans at Chickamauga.

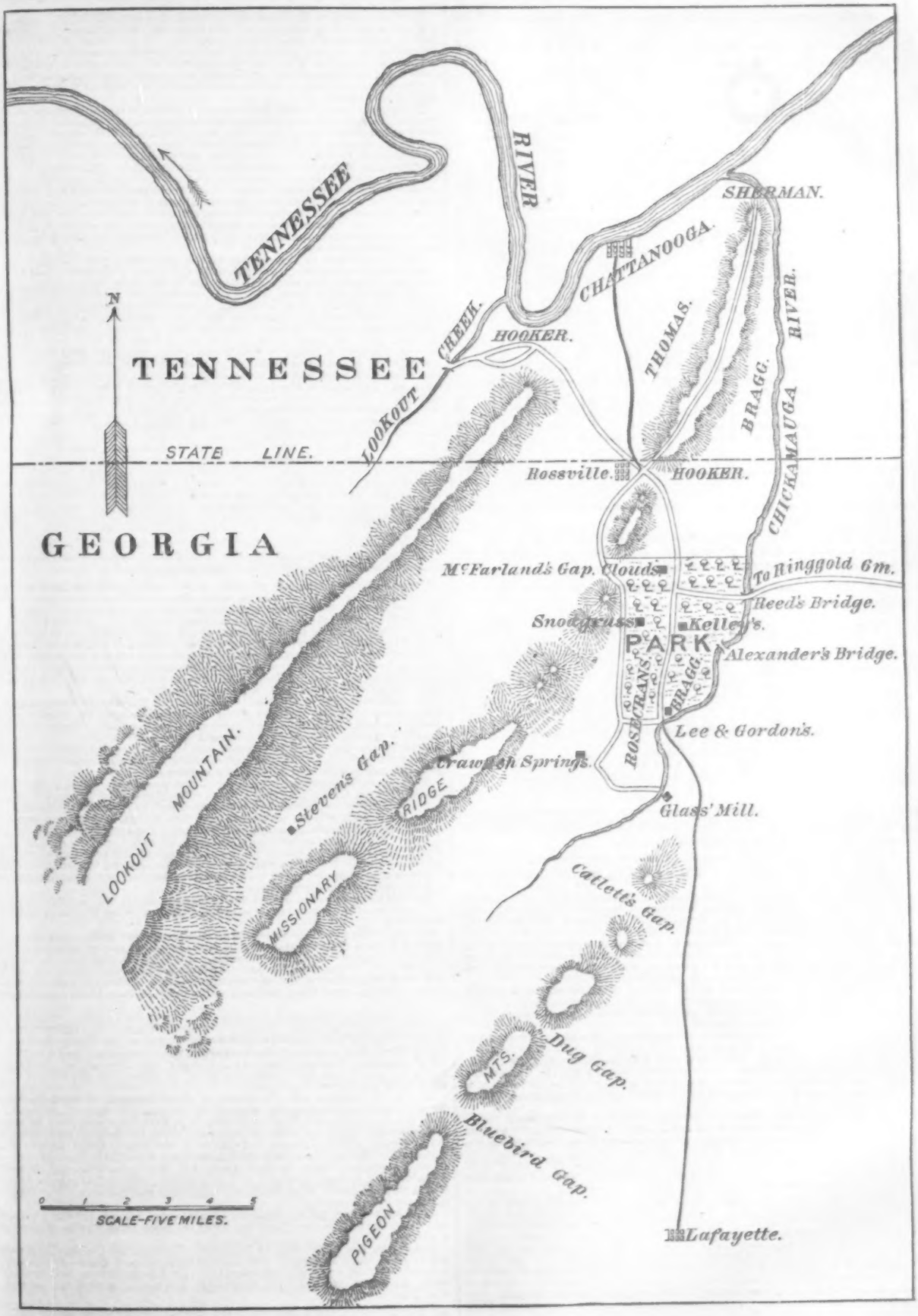
CHICKAMAUGA.—ROSECRANS.

States.	Infantry.	Cavalry.	Artillery.	Total.
Indiana	26	3	8	37
Illinois	28	.....	5	33
Kansas	1	.....	.....	1
Kentucky	13	4	.....	17
Michigan	4	2	2	8
Minnesota	1	.....	1	2
Ohio	41	3	10	54
Pennsylvania	3	2	1	6
Tennessee	.....	2	.....	2
United States	4	1	4	9
Wisconsin	5	1	3	9
Missouri	2	.....	1	3
Total	128	18	35	181

Grand total of organizations, 181.

Third. Bragg's army at Chattanooga.

States.	Infantry.	Cavalry.	Artillery.	Total.
Arkansas	10	3	2	15
Alabama	35	5	12	52
Florida	6	.....	1	7
Georgia	42	5	11	58
Kentucky	6	6	1	13
Louisiana	7	.....	2	9
Missouri	.....	.....	2	2
Mississippi	20	.....	4	24
North Carolina	4	1	.....	5
South Carolina	16	.....	2	18
Tennessee	51	13	7	71
Virginia	.....	1	5	6
Texas	8	2	1	11
Confederate	2	4	.....	6
Total	207	40	50	297


TENNESSEE RIVER
TENNESSEE
N
TENNESSEE
STATE LINE.
GEORGIA
LOOKOUT CREEK.
HOOKER.
CHATTANOOGA.
SHERMAN.
THOMAS.
BRAGG.
CHICKAMAUGA RIVER.
Rossville.
HOOKER.
McFarland's Gap.
Clouds
To Ringgold 6m.
Reed's Bridge.
Snodgrass
Keller's.
PARK
Alexander's Bridge.
ROSECRANS
BRAGG.
Lee & Gordon's.
Crawfish Springs.
Glass' Mill.
LOOKOUT MOUNTAIN.
Stevens Gap.
RIDGE
MISSIONARY
Catlett's Gap.
MTS.
Dug Gap.
Bluebird Gap.
PIGEON
Lafayette.
0 1 2 3 4 5
SCALE-FIVE MILES.

Longstreet's corps, two divisions detached after November 4 for East Tennessee.

Buckner's division detached after November 22 for East Tennessee.

Fourth. The Union forces at Chattanooga:

At Chattanooga.

States.	Thomas.			Sherman.		Hooker.		Total.		
	Infantry.	Artillery.	Cavalry.	Infantry.	Artillery.	Infantry.	Artillery.	Infantry.	Artillery.	Total.
Connecticut	...	2	...	...	...	2	...	2	...	2
Illinois	17	2	1	14	6	5	...	36	8	45
Indiana	21	7	1	7	...	3	1	31	8	40
Iowa	...	...	...	4	...	6	1	10	1	11
Kansas	1	...	...	...	...	...	...	1	...	1
Kentucky	10	...	1	...	...	1	...	11	...	12
Maine	...	...	...	...	...	1	...	1	...	1
Massachusetts	...	...	...	1	...	1	...	2	...	2
Maryland	...	...	...	...	...	3	...	3	...	3
Michigan	6	2	1	...	...	...	...	6	2	9
Minnesota	2	1	...	1	...	...	...	3	1	4
Missouri	2	1	...	5	1	7	1	14	3	17
New Jersey	...	...	...	1	...	1	...	2	...	2
New York	...	...	...	9	2	9	...	18	2	20
Ohio	33	10	4	13	1	9	1	55	12	71
Pennsylvania	2	1	...	3	...	6	1	11	2	13
Tennessee	2	...	...	...	...	...	...	2	...	2
Wisconsin	5	4	...	2	2	1	...	8	6	14
U. S. Regulars	4	4	...	1	...	...	1	5	5	10
West Virginia	...	...	...	4	...	...	...	4	...	5
Total	...	...	...	...	...	...	...	...	...	283

Slocum's division of the Twelfth Corps not in battle, but on line of railroad.

Nineteen States and United States regulars represented.

Fifth. I attach a table giving the organization by States at Chattanooga and Chickamauga combined:

Chattanooga and Chickamauga.

States.	Organizations.	States.	Organizations.
Connecticut	2	Minnesota	4
Illinois	45	Missouri	17
Indiana	40	New Jersey	2
Iowa	11	New York	20
Kansas	1	Ohio	71
Kentucky	13	Pennsylvania	13
Maine	1	Tennessee	2
Massachusetts	2	Wisconsin	14
Maryland	3	West Virginia	4
Michigan	9	U. S. Regulars	10

In this connection I desire to incorporate into my speech, and make part thereof, a report of the Committee on Military Affairs, of this House, in favor of the passage of this bill:

[House Report No. 643, Fifty-first Congress, first session.]

Mr. LANSING, from the Committee on Military Affairs, submitted the following report, to accompany bill H. R. 6454:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6454) to establish a national military park at the battle-field of Chickamauga, having had the same under consideration, respectfully report the same with an amendment, and recommend that the bill as amended do pass.

The bill under consideration establishes as a national military park the approaches which overlook and the ground upon which occurred some of the most remarkable tactical movements and the deadliest fighting of the war of the rebellion, namely, the fields of Chickamauga and Chattanooga.

The preservation for national study of the lines of decisive battles, especially when the tactical movements were unusual both in numbers and military ability, and when the fields embraced great natural difficulties, may properly be regarded as a matter of national importance.

This your committee understands to be the underlying idea of that noted organization of Union soldiers, the Society of the Army of the Cumberland, with whom the pending project originated. Interested with them and supporting them in the movement we find leading representatives of all the Eastern and of all the Western armies; and for this we find ready explanation in the fact that all the armies and nearly every State of the North and each State of the South had troops on one or both these fields.

The proposition to mark the lines of both sides is held to be absolutely necessary to a clear understanding of the fields and to the sufficient illustration of the persistent, stubborn, and deadly fighting of American soldiers, which made the field of Chickamauga for both sides, as the statistics show, one of the bloodiest, if not the bloodiest, battle-field for the numbers engaged and the time of their fighting of any of the great battles of the modern world from the days of the first Napoleon to the close of the war for the Union.

The corresponding field for eastern operations is Gettysburgh, where every State in the Union is interested, and the necessity of marking both lines to an intelligent study of the field has been recognized in a proposition before this Congress to provide for marking the Confederate lines upon that noted field.

The proposed Chickamauga and Chattanooga national park consists of two features, the approaches and the park proper. It is expected that title to the former will be obtained by the United States, without cost, through cession of jurisdiction by the States of Tennessee and Georgia, respectively, of the public roads now in existence, and which it is proposed to utilize as approaches to the park. No appropriation is therefore made for their purchase, and informal assurances have been given for their prompt cession to the United States.

The battle-field of Chickamauga proper forms the body of the park. As described in the bill, it embraces about 7,600 acres. It is proposed to obtain title to this by condemnation under the general act. In order that no resident on the tract may feel himself driven from home or from his possessions, it is provided that the Secretary of War may arrange with all who desire to remain to lease their lands at a nominal rent, the conditions on their side being that they will aid in the care of the grounds and in preserving all the natural features of the field as they now exist.

The approaches to the field form most important adjuncts of the proposed national park. The approach from Chattanooga begins at or near Sherman Heights, at the north end of Missionary Ridge. This is the battle field of the Army of the Tennessee, under General W. T. Sherman, during the operations about Chattanooga, November 23, 24, and 25, 1863. From this point this approach runs along the crest of Missionary Ridge to Rossville Gap. Throughout its whole length it overlooks the battle-field of General Hooker's troops from the Army of the Potomac on Lookout Mountain and terminates where these troops after the battle on the mountain reached and crossed Missionary Ridge. This approach also overlooks the ground of the first day's operations about Orchard Knob, and coincides throughout its length with the lines of General Bragg's army, and thus passes along the entire front of the famous assault of the Army of the Cumberland, under General Thomas upon Missionary Ridge.

The continuation or this first-described approach is the Lafayette or State road from Rossville, Ga., passing through the center of the battle-field of Chickamauga, and being the axis and the prize of the fight, to Lee & Gordon's mills on the Chickamauga River, which was opposite the center of the Confederate army at the opening of the battle, and thence to Crawfish Springs, the point from which the Union Army advanced to the battle, and thence to Glass' Mills, on the Chickamauga, the left of the Confederate line of battle. The third approach is the road from the junction of the first two at Rossville, Ga., along the northern foot of Missionary Ridge, to McFarland's Gap, being the road over which the Union Army advanced to Chattanooga after the battle, and forming the entrance to the northern portion of the proposed park. These are all roads which, for the most part, like those of the battle-field itself, have a stony or flinty foundation, and which require comparatively little care, and all of them are to be obtained without cost to the United States.

The following are the lengths of the approaches and roads thus to be ceded to the United States without cost:

	Miles.
Sherman Heights to Rossville	6
Rossville to Lee & Gordon's	7
Rossville to McFarland's Gap	2
McFarland's Gap to Crawfish Springs road	6
Lee & Gordon's mills to Crawfish Springs	2
Crawfish Springs to Glass's mills	2
Total	25

[This total does not include 14 miles of road added by Senate and House amendments and which are shown on the accompanying map.]

The purpose is to maintain the body of the park, which embraces the field of Chickamauga, as nearly as may be in its present condition as to roads, fields, forests, and houses. There have been scarcely any changes in those respects since the battle except in the growth of underbrush and timber. Almost the only work of any consequence in the restoration of the entire field to its condition at the time of the battle will be the cutting away of underbrush over a very limited area.

The roads as they now exist are the same as were used in the battle, and very little road construction will hereafter be necessary to give access to every point of interest on the field. When, therefore, once established the cost of the care of the park and its approaches will be very small.

The area which it is proposed to acquire for the park by condemnation contains, as nearly as may be, 7,600 acres. The land is largely forest and ridge land, though there is considerable good farming land in the tract. The average cost of the whole can not, with all improvements, exceed $20 an acre. The sum appropriated by the bill, which is $250,000, will be ample for the comple e establishment of the park, including preliminary surveys, fixing its boundaries, surfacing its roads, and ascertaining the military positions.

The purpose is to have each State which had troops engaged on the field provide the monuments for marking the positions of the troops, after the general plan heretofore pursued at Gettysburgh by the Gettysburgh Battle-Field Memorial Association. This work will be performed at Chickamauga and Chattanooga by the Chickamauga Memorial Association, acting under the supervision of the Secretary of War. This latter association is incorporated under the laws of Georgia. Its charter specially states that it will not issue stock, and that its objects are not pecuniary gain. Its incorporators number one hundred, half of them ex-Union veterans of prominence in the battle, and the other half ex-Confederate soldiers of equal prominence on their side.

The sole expense to the United States for monuments will be those for marking the positions of the regular regiments and batteries, being only 16 in number for both fields.

The approaches to the park which traverse Missionary Ridge can be cheaply and quickly reached from Chattanooga by four turnpikes, and by steam and electric railroads, upon which the fare is 5 cents. The Chickamauga field can be reached by railroad in fifteen minutes from Chattanooga, this road traversing the whole field from McFarland's Gap to Crawfish Springs. Two other railroads will add facilities for reaching other portions of the park as soon as its establishment is secured.

Your committee finds the interest in this project wide-spread. To such an extent is this true that it may properly be called national. The recent demands for the new maps of Chickamauga from every section of the Union illustrate this fact. The Union armies of the Tennessee, the Cumberland, and the Potomac, under Generals Sherman, Rosecrans, Thomas, and Hooker, all finally united under General Grant, are equally interested in preserving the lines of this extended and notable battle-ground.

On the Confederate side the armies of the Tennessee, of Northern Virginia through General Longstreet's corps, of the Mississippi through General Johnson's troops, and General Buckner's army from East Tennessee were all engaged.

The regular Army had nine regiments and seven batteries on these fields, while the following eighteen States had troops in the Union Army engaged in these movements: Maine, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Ohio, Indiana, Kentucky, Michigan, Wisconsin, Minnesota, Iowa, Illinois, Kansas, Missouri, and Tennessee. Every Confederate State had troops on these fields, while Kentucky, Missouri, and Tennessee contributed numerously to both armies.

As already stated, the figures show Chickamauga to rank for the numbers engaged and the time of their fighting among the most noted battles of the modern world.

Wellington lost 12 per cent. at Waterloo; Napoleon, 14¼ per cent. at Austerlitz and 14 per cent. at Marengo. The average losses of both armies at Magenta and Solferino, in 1859, was less than 9 per cent. At Königgrätz, in 1866, it was 6 per cent. At Wörth, Mars-la-Tour, Gravelotte, and Sedan, in 1870, the average loss was 12 per cent.

The marvel of German fighting in the Franco-Prussian war was by the Third Westphalian Infantry at Mars-la-Tour. It took 3,000 men into action and lost

49.4 per cent. Next to this record was that of the Garde-Schützen battalion, 1,000 strong, at Metz, which lost 46.1 per cent. There were several brigades on each side at Chickamauga and very many regiments whose loses exceeded these figures for Mars-la-Tour and Metz.

The average losses on each side for the troops which fought through the two days were fully 33 per cent., while for many portions of each line the losses reached 50 per cent., and for some even 75 per cent.

A field as renowned as this for the stubbornness and brilliancy of its fighting, not only in our own war, but when compared with all modern wars, has an importance to the nation as an object-lesson of what is possible in American fighting, and the national value of the preservation of such lines for historical and professional study must be apparent to all reflecting minds. The political questions which were involved in the contest do not enter into this view of the subject, nor do they belong to it. The proposition for establishing the park is in all its aspects a purely military project.

The Eastern armies have already the noted field of Gettysburgh upon which to mark and preserve the history of their movements and their renowned fighting. To this the Government has already made liberal appropriations to mark the positions of the regular forces there engaged and for other purposes.

It seems fitting that the Western armies should select a field and be assisted in preserving it by the General Government. It is easy to see from the facts presented that there is no other field upon which all the armies were as fully represented. There is probably no other in the world which presents more formidable natural obstacles to great military operations than the slopes of Lookout Mountain and Missionary Ridge, while, as shown, there is no field that surpasses Chickamauga in the deadliness and persistence of its fighting.

The tactical movements were numerous and brilliant on each field, and many of them remarkable. Indeed, both are as noted in this respect as in the character of the fighting.

There were present upon one or the other and in the case of most, upon both fields, Grant, Sherman, Thomas, Rosecrans, Hooker, Sheridan, and Granger, of the Union Army, and Bragg, Longstreet, Hood, Hardee, Buckner, Polk, D. H. Hill, Wheeler, Forrest, and Johnston, of the Confederate forces. The preservation of these fields will preserve to the nation for historical and military study the best efforts which these noted officers, commanding American veterans, were able to put forth.

The two together form one of the most valuable object-lessons in the art of war, and one which, looking solely to the interests of the public, may properly be preserved.

Your committee therefore recommend the passage of the bill with the amendment on page 6, which is inserted for the purpose of enabling the Secretary of War to take advantage of the whole of the coming season in expediting the establishment of the park, it having been made to appear to your committee that much preliminary work can be done while awaiting the process of condemning the land and the action of the State Legislatures in ceding jurisdiction. The accompanying map (p. 547) shows the outlines of the proposed park and the location of the approaches.

Thus, Mr. Speaker, I have presented a faithful, and I believe accurate, statement of the plan of the project and the purposes of its originators.

The plan originated with the officers of the Army of the Cumberland, and it was proper that that gallant army should take the initiative and perpetuate by this memorial its great achievements.

No matter what may be said of the general result of the battle, it conferred undying glory and imperishable honor upon the Army of the Cumberland. But the Army of the Cumberland could not forbear in its plans the taking in of the other battle-fields in the neighborhood, Lookout Mountain, Missionary Ridge, and Chattanooga, for they all form one grand historic pageant in the splendid march of American heroism.

The men who fought were from all over the country. They were from the fields made famous by the Army of the Potomac, by the Army of Tennessee, and they came from all the great fields of conflict to add undying honor and imperishable fame to their already brilliant records. Eighteen Northern States had troops there, including some from far away Maine and from Massachusetts and Connecticut.

All the Southern States had troops there. Kentucky, Tennessee, and Missouri had troops there on both sides. Surely, Mr. Speaker, this was an American battle-field.

The American name advanced in the history of heroism and martial prowess at Chickamauga.

I have already presented the enormous losses and comparative losses by reproducing the speech of General Boynton. He has made the figures both plain and startling. The losses were greater for the numbers involved and time of fighting than any battle of modern times. The campaign of Chickamauga was a campaign in the mountains. The Union troops crossed mountains and rivers, annihilated and set aside natural objects.

The Southern troops distinguished themselves as on no other battle-field. The assaults of Longstreet on Snodgrass Hill were more persistent and deadly than that of Pickett at Gettysburgh, and, without seeking to establish myself as a military critic, I feel justified and safe in saying they were much more intelligent and had greater possibilities of practical results.

Hooker's storming of Lookout Mountain is a prominent feature and will be preserved in song and story while pride in martial achievement is an element of human character. It is a field which more nearly perpetuates the prowess of Americans on both sides than any other field of the war. It is an enduring field. Physically its growth of forests and underbrush are not luxurious, but are hardy and will continue.

The field itself has changed but little, and its roads have remained substantially as we left them.

The States are to mark the positions of their troops, as at Gettysburgh, but the lines are to be ascertained by the Secretary of War, and the whole park and all that appertains thereto is to be under the control of the Government and be managed by the Secretary of War.

Mr. Speaker, the preservation of a battle-field with its grand monuments, its testimonials on every hand of the patriotic sacrifices made by the loyal people of the country in behalf of the preservation of its Union, its Constitution, and its laws, is an act worthy of the highest endeavor of American statesmanship. The memories of these battle-fields will be the incentive to patriotism in the generations to come. The heroic sacrifices made by the soldiers of the war will be criteria of patriotism for a thousand years.

The young men of America in the coming generations will emulate the deeds of their fathers. As the soldier of 1861 marched to the rescue of the flag of his country his mind went back to Lexington and Concord and Brandywine and Yorktown and Valley Forge.

As the young men of America in the coming generation march to the sound of patriotism at the call of their country their minds will revert to the heroic sacrifices of the men of 1861, and the standards of their emulation will be Gettysburgh and Franklin and Vicksburg and Stone River, the Wilderness and Antietam and Chickamauga and the other battles for the Union in which their fathers bore honorable part. And in the coming days of the Republic the young men of the South and of the North and of the East and of the West of this reunited country will emulate the deeds of their ancestors, of our war.

When civil war threatens, if it ever does, the memory of the days from 1861 to 1865 will warn the people of the country and show to them the desperate tenacity with which the men of the United States will stand in the future by the Union. The Union was the trophy of the war, the temple of liberty which has been rebuilded and rebeautified by the deeds and the results of the war, resting with immutable confidence upon the substructure of the Union. To the Union we owe the glories of to-day. To the Union we look with that hopefulness which inspires our confidence in the future, and these battle-fields will be testimonials of the strength of the Union.

The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

Let us then preserve these battle-fields, and from them "the mystic chords of memory" shall unite the hearts of the American people in bands of fraternity and patriotic fellowship and all the people of the United States will unite in songs of praise to Almighty God, who made us and preserved us a nation.

Personal Explanation.

SPEECH
OF
HON. WILKINSON CALL,
OF FLORIDA,
IN THE SENATE OF THE UNITED STATES,

Monday, June 2, 1890.

On a question of privilege in reply to certain charges against him contained in a pamphlet by W. D. Chipley sent to each Senator.

Mr. CALL said:

Mr. PRESIDENT: I rise to a question of privilege.

I have here a pamphlet, extracts from which have been printed in the public prints, and which has been sent through the mails to every Senator, some of whom, as they have informed me, have read it and others consigned it to the waste basket, where it properly belongs. The pamphlet is entitled Review of Senator CALL's Record, by W. D. Chipley.

It charges upon me false swearing, The appropriation of other people's property——

Mr. SPOONER. I suppose the Senator from Florida would like to be heard, and we should like to hear him on this side of the Chamber, but it is impossible.

Mr. CALL. I shall endeavor to speak louder.

The PRESIDING OFFICER. The Senate will please be in order.

Mr. CALL. This pamphlet contains charges upon me of every species of crime, false swearing, disgraceful transactions with a Norfolk bank involving numerous misstatements, duplicity concerning the Fort Brooke reservation, the use of Senatorial knowledge for a land-grant treachery in the Indian-war matter, boodle from Littlefield, disreputable lobbying, ignorance always, reflections upon every State Democratic administration, disrespect of decisions of the United States Supreme Court, bossism, the practice of misstating, the misuse of Senatorial position for personal ends, and also calls in question my efficiency.

Mr. President, I think it is due to the Senate and to the people of a State who send a Senator here that he should so conduct himself that, while he can not hush the voice of slander and malicious falsehood, he should be able to clear himself of any imputation which malice or interest may prompt to be made against him. I hold myself subject to that rule, and I think it due to the people who have so often honored me with their confidence that I should say that this pamphlet from

the first sentence in it to the last word in it is a falsehood; that it does not contain one syllable or one word of truth; that even its commas and periods and semicolons and quotation-marks speak a falsehood.

There is no part of my public life, no part of my private life, nor of any transaction in which I have ever been engaged, which I can not easily defend and vindicate to the satisfaction of every one.

The truth is, Mr. President, that this pamphlet is intended to protect a vast appropriation of the public lands of the State of Florida by individuals, and it is a conspiracy against legislation in behalf of the people. It has no politics in it, either Democratic or Republican, but it is a conspiracy by corrupt methods to prevent such action on the part of the Congress of the United States by traducing me among the people of the State and by producing an impression upon the Senate here derogatory to me and my character to prevent such action as is necessary for the protection of the people of the country.

Why, Mr. President, here is a domain greater than many States that has been appropriated under misconstruction of the laws by the executive department of the Government and passed to the private use and fortune of a few individuals. I speak not now of the land which the State might lawfully claim under the confirmatory act of 1857 and which has been patented to her, whether rightfully or wrongfully, under the terms of the act of 1850, but I speak of that vast amount of land which remains unpatented, and of all those cases where patents covering the homes of the people have been improvidently and unlawfully issued. Under this old railroad grant of the 17th of May, 1856, and under the swamp-land selections unapproved a vast quantity of land, being an interest of hundreds and thousands and millions of dollars to a few individuals, is involved in the action which I have taken, and that is the meaning of this pamphlet.

Mr. President, it is not my design to detain the Senate here by an investigation of each one of these charges against me. It is my purpose to ask of the Senate that I may be allowed to print as a part of these remarks for my own vindication such parts of the CONGRESSIONAL RECORD as are necessary and proper, in my judgment, to exhibit the falsehood of these charges, and the letters which I have here relating to them, and the statements which are proper for my vindication against the charges of this pamphlet. If there be no objection, I will ask to be allowed, without detaining the Senate, to print as a part of my remarks these several statements and the letters and the portions of the CONGRESSIONAL RECORD which relate to them.

The people of Florida have already vindicated me by the manner in which they have received this miserable and audacious libel.

The people of Fort Myers passed resolutions at the meeting when it was first made public, pledging me their continued support and confidence. To them and to the people of Florida I make acknowledgment of my gratitude for the expressions of confidence and support which they have sent me from all parts of the State. I am proud of them, of their intelligence, their virtue, their sense of justice and right.

The following is the account of the meeting and the resolutions:

[From the Times-Union, May 19.]

THEY ARE SOLID FOR CALL.

FORT MYERS, FLA., *May* 17, 1890.

The Hon. W. D. Chipley, accompanied by Judge White of Quincy, opened the campaign against Senator WILKINSON CALL at this place Tuesday night. They were courteously received by a committee of the Democratic party. The platform in front of Parker's store had been fitted up as a rostrum and quite a large crowd was present, amongst whom were many ladies.

The colonel reviewed the record of Senator CALL at length, charging him with many crimes of a most flagrant nature; most of the charges, however, were the same that were made against him previous to his last election.

At the close of Colonel Chipley's address the crowd called for Dr. J. V. Harris, who in a short but vigorous speech completely wiped the ground up with the colonel, but in such a pleasant manner, complimenting him all the while, that he will probably get over it in time.

At the close of the doctor's speech, during which he was continually cheered, he introduced the subjoined resolutions, which were enthusiastically passed, but one person dissenting, and he simply because he was full of rum and wished to be contrary.

As soon as the resolutions were passed, some of the boys let drop a tasteful banner from the balcony above, upon which was inscribed in large letters: "Senator CALL, first, last, and all the time." The effect was somewhat electrical, but acted as a wet blanket upon the spirits of the colonel, who did not appear to be near so "chipley" as when he arrived.

The crowd broke up in much good humor, declaring that they hadn't had so much fun since Christmas.

I send you the resolutions as passed for publication.

JAMES W. BAIN.

THE RESOLUTIONS.

Whereas certain parties have undertaken to review the record of Hon. WILKINSON CALL, one of our representatives in the Senate of the United States; and

Whereas whatever concerns our Senators affects the entire party in the State, therefore we, as Democrats of Lee County, deem it proper to take some action in the matter; and

Whereas many of us have been acquainted with the private as well as the public character of Senator CALL for a long time, some of us having known him for a period of forty years: Therefore,

Be it resolved, That from the election of Senator CALL to the United States Senate to the present time we have always found him to be an earnest and able advocate of the needs and rights of his constituents, a warm supporter of Democratic principles, an honest and upright man, a firm and true friend, and a most faithful servant of the people.

Resolved, That he is especially entitled to our thanks for his defense of the public domain against the encroachment of railroads and other corporations, which would appropriate thousands of acres of unearned lands which belong of right to the people; also, for his protection of the fund due the widows and orphans of the soldiers of the Seminole war against the absorption by improperly authorized and unscrupulous adventurers.

Resolved, That he is entitled to our love for the very "enemies he has made;" and that we will not support any one as a representative to the Legislature from this county, or as a senator from this district, who does not openly pledge himself to support Senator CALL to be his own successor in the Senate of the United States.

Resolved, That the Times-Union and local newspapers be furnished with copies of these resolutions, and that the press of the State be requested to copy

GRATEFUL TO PEOPLE OF FORT MYERS.

I am profoundly grateful to the people of Fort Myers especially, and to the people of every other county in the State, for these resolutions and for their defense of me against the foul libels of this pamphlet. Everywhere in the State assurances come to me of indignation at its calumnies.

NEEDS NO DEFENSE WITH PEOPLE OF FLORIDA.

I need no defense against them with the people of Florida, and this proof of their confidence and support is to me the proudest and dearest event of my public life. I have the assurance also that here with my associates in the Senate, where I have served for more than eleven years, I need no defense against these false accusations, the offspring of avarice, of unlawful greed, and the malice of personal malevolence.

I might well afford to allow Mr. Chipley and his statements to pass from that obscurity from which he has emerged, only as the publisher of these slanders, to that oblivion to which time speedily consigns the evanescent atoms of defamation. But I owe a duty to the people of Florida and to the Senate, here, from my place, to state that this pamphlet does not contain one word or syllable of truth from its opening to its closing sentence, and that its very commas, semicolons, periods, and quotation-marks are false and express and imply false statements.

RAID OF MESSRS. CHIPLEY, WAILES & CO. ON THE PEOPLE EXPOSED.

I owe a duty also to the people of Florida who have three times elected me to the United States Senate, who have nominated me at every election for Senator since my first election by great majorities, and to the people of the United States to expose the falsehood of the statements of this pamphlet, and in doing so to bring their attention to a conspiracy against the rights of the people, the just administration of the law, and the preservation of free government as dangerous as was that of Catiline to the liberties of Rome.

This is the effort of Mr. Chipley, Wailes, and associates, land-grant and corporation agents, in their raid on the people of Florida to extort millions of dollars out of them for themselves and their foreign associates, for their land which the laws have made free to them. Its prompt publication here in Washington and its distribution to each Senator is for the purpose of preventing the passage of bills forfeiting the land grant of May 17, 1856, and giving patents from the United States to all settlers, and to all who have purchased their land from the railroad company in limited quantities, and thus giving repose, peace, and security to every man and his family in his home and improvements.

Messrs. Chipley and Wailes and associates have long done me the honor of thinking that I am the friend of the people and can not be induced to share in their nefarious schemes of extorting money from the people by selling their own homes to them and in selling them to foreign money-lenders, and if they can only make the impression here and with you that I am unworthy of confidence and respect, and thus prevent the passage of such legislation at the present time and deprive me of the people's confidence and support, it means many hundreds of thousand dollars of the people's money in their pockets.

PEOPLE CAN NOT BE INFLUENCED BY DEFAMATION.

These persons, industrious in their pursuit of gain, in their business of selling the free homes of the people, presume to insult the intelligence, the religion, the sense of public right and public duty of the people of Florida and of the Senate, by assuming that the defamation of hired correspondents and pamphlets and paid newspapers and untrue statements are the instrumentalities by which the people of Florida can be controlled and induced to look with disfavor on public servants who are faithful to the people, and elevate into power the convenient and pliable instruments of fraud and corruption.

The people of Florida have great respect for the press, and the able and pure men who make it a great means of progress, enlightenment, the correction of public wrong, and the advancement of religion and morality, but they have a contempt and loathing for the human jackals who live upon fraud, falsehood, and calumny, and upon men who seek public preferment by the use of such means.

WILLING TO TRUST THE PEOPLE WITHOUT ANSWERING CHARGES.

I was not, I am not afraid to leave my cause and the people's cause to the verdict of the people of Fort Myers, or any other community in the State, although I was not present, and they had not heard from me in denial of the statements of the agent and vice-president of the Pensacola and Atlantic Railroad Company, with its land grant of 27,000 acres to the mile of the land largely the free homes of the people of Florida, and his aids, and in the interest of the unholy and cruel wrongs to the poor man who, with his family, has made a home on the land which the laws of the United States have given to him.

FALSEHOODS OF HIRED CORRESPONDENTS OF LAND-GRANT AGENTS.

My purpose in making this statement to the Senate and to the people of Florida is to ask attention to the public interests which are involved in this attack more upon them than upon me, and to a concerted effort in the interest of the great misappropriation of public lands of the United States to control the State to fill their pockets with the people's money, and to put a mortage upon them, their wives and children.

Mr. Chipley, in his speech and in the pamphlet he has published, has fallen below the point of a just resentment, and has reached that degradation in a just public opinion where contempt is lost in pity.

There is nothing whatever to warrant, excuse, or justify his statements in his speech and pamphlet. There is not one word or syllable of truth in it. These are the falsehoods which for eleven years the hireling correspondents of persons intercsted in this misappropriation of the public lands have been paid to insert in such newspapers as would allow their columns to be used for defamation in the interest of fraud. I feel honored by being made the object of attack.

A PUBLIC SERVANT CAN NOT PREVENT SLANDER, BUT SHOULD DISPROVE IT.

A public servant, filling an important public trust for the people, should so conduct himself, not only that he may be clear of stain and reproach, but that he may at all times be able to refute and disprove slanders. I hold myself subject to this rule.

FIRST CHARGE—FALSE SWEARING.

The first charge made against me by Mr. Chipley is perjury or "false swearing."

When ex-Governor Noble A. Hull, and afterwards Mr. Harry W. Clark, was presented for postmaster at Jacksonville, Governor Hull, and after him Mr. Clark, was opposed by Mr. Dougherty, Mr. A. S. Mann, and others. Mr. S. I. Wailes, as I have reason to believe, prompted Mr. Dougherty, then member of Congress, to make the objection that I was not a citizen of Jacksonville, and therefore had no right to any special influence in the nomination, because I had stated, as he alleged, in an application for a homestead that I resided in Putnam County. The records of the Post-Office Department will prove this statement, and I have a copy of them.

The oath required me to swear that it was then my intention to make a home on this piece of land if the homestead should be allowed. The oath certainly was not that I intended to make a home upon it if it was not allowed by the Government, nor did I make oath that it was my intention to make a home and reside on it if I did not get possession of it, nor did I swear that I would not change my intention and abandon the homestead. I did not get possession of it, and I did not make my home on it. I brought suit for it and have not yet been able to obtain possession of it. It was then, and is now, my intention to make a home upon it. I ask what evidence has Mr. Chipley, in this state of facts, to accuse me of false swearing, and by what name shall be described his statement that I was "guilty of false swearing."

I leave the people to say what is the character of the man who bears false witness against another.

"TRIED TO STEAL A POOR NEGRO'S HOMESTEAD."

The second charge is that I "tried to steal a poor negro's homestead."

Let us examine this statement. If true it was most infamous, and the man who would steal another man's homestead deserves your condemnation, but not so much as the man who, without authority of law, takes many thousands of the homesteads of poor people and puts them into his pocket. The facts in this matter are of record, known to many persons and easily proved. My brother-in-law, Maj. E. C. Simkins, died, leaving his wife a Spanish grant in Putnam County, which before 1819 had been occupied. It fell to me to protect and represent her rights and interests. In my absence here on public duty a colored man named Swaim, a tenant on the place who had been allowed to live there by Major Simkins for charity, entered a three-year pre-emption on a part of this grant under an erroneous United States survey. This entry separated the place and injured it. I contested his pre-emption and it was set aside. I then applied under the law to the proper authorities to be allowed to homestead it. A contest occurred in which it was finally decided that I had a right to make the entry. I applied for possession and it was refused, and I brought suit and obtained judgment, and the case is still in contest on the point of the correctness of the United States survey. Mr. Chipley seeks by the plat which he prints to prove that I stated a falsehood in my former letter. It is only necessary for me to state that the bond for title under this grant to Major Simkins is for the land between Baldwin and Barringtons and Johnsons, and the Swaim entry is between these two descriptive points.

This charge first appeared in the anonymous correspondence of the newspapers here, known to be at the instigation of Mr. S. I. Wailes, whose clerk then (resident) in the United States land office at Gainesville was the promoter of Swaim's attempt to take Mrs. Simkins's property from her. It now appears under Mr. Chipley's personal statement of it as a truth. "It is the voice of Jacob, but the hand is the hand of Esau."

Mr. Chipley says that the entry did not cut the place in two parts. This, like all his statements, is entirely untrue. It is not in any way material except so far as it concerns my truthfulness. The plat which he shows does not prove the fact to be as he states it. It would be necessary to examine the bond for title and the plat of the Spanish survey as confirmed by the Supreme Court of the United States. The fact that this grant was always claimed to cover this land is found in the words of the bond for title, "the land between Baldwin's and Barrington's." The Swaim entry is between these two places.

The following is an extract from a letter from Inter Lachen, published in the Palatka Herald, the immediate neighborhood of the Simkins place, and states what is known to every one in that neighborhood. Referring to the Chipley pamphlet, the writer says:

Now, there are plenty of people who know about some of his charges, and some that he refers to very often in his speech, to wit, the negro Swaim's homestead. He dwells on Swaim's orange grove. Now, Swaim never planted an orange grove in his life; his wife planted ten or twelve little trees around the house, and he took them up and sold them. There was, however, a few sour trees growing on this land, and what few of them Swaim did not take up and sell are possibly standing there yet in the hammock.

As to CALL'S relatives not owning the land on each side; they do own down to the lake, north and south of Swaim's homestead. Swaim did live on the place seven years, but lived there in a cabin as a tenant on Simkins's plantation. He cultivated, or pretended to cultivate, lands in said plantation all these years, never raising enough, I do not think, any one year to pay the rent, and some years did not pay any rent at all.

This is all as to that false charge. I am thus particular about an immaterial matter to the end that I may show you the value of Mr. Chipley's statements and the persons with whom he is connected, and leave you to your own conclusions as to the objects of his pamphlet.

UNLAWFUL PATENTS OF SETTLERS' HOMES TO STATE LAND-GRANT AGENTS.

In this pamphlet, I observe on page 51, printed in parallel lines, two resolutions introduced by me, one in 1888 and the other in 1890, on the petition of many citizens of Florida; the former instructing the Committee on Public Lands to inquire whether it was essential or advisable for the protection of actual settlers on the public lands of the United States, in the State of Florida, which have been heretofore patented or certified to others than actual settlers, improvidently or without authority, to report a bill for the cancellation of such patents and referring to a former resolution which I had introduced instructing the committee to report such a bill to the Senate; also an extract from my speech in the Senate on the 14th of January, 1890, in reply to Mr. DOLPH, in which I said, "Nobody asks for any proceedings to set aside and cancel any patents." Mr. Chipley's pamphlet writer sees an inconsistency in these two statements, but there is none.

The speech in reply to Mr. DOLPH referred to the resolution then pending before the Senate, in the discussion of which Mr. Chipley and Mr. Wailes and the two railroad companies claiming these lands had been defended by Mr. PLUMB; and the language had no reference or meaning as to anything other than this or before that time. The resolution quoted speaks for itself. Anything that protects the actual settler and keeps the price of his home out of their pockets excites the anger of Messrs. Chipley & Co. and their newspapers.

Who can see anything but that which is right and commendable in canceling a patent for a settler's home unlawfully and improvidently issued? Surely these men have become insane to attack me openly on such grounds, and in a printed pamphlet boldly to claim the right to take the people's homes not only without law, but against law.

I did, I do now, and always will demand the cancellation of patents which Mr. Chipley and Mr. Wailes or any other persons have obtained unlawfully to a settler's home or improvements. The remainder is for the Legislature and the people to do or not do.

NEVER REFUSED TO MEET MR. CHIPLEY.

This libelous pamphlet commences with a falsehood and continues and ends with false statements.

I never refused to meet Mr. Chipley and any and all persons in the State opposed to me. I refused to go with him over the State and give him and his associates the concluding speech to abuse me. I attended a meeting in Pensacola where he was invited to meet me, but did not. Again, he was invited to meet me at De Leon Springs and failed to do so. Again, he was told, in my reply to him, that he would be allowed a fair hearing at all my meetings on terms fairly arranged for discussion.

Why should I be afraid to meet him? I stated in my letter that Mr. Chipley had received no mark of confidence and respect from the people of the State. Delegates to conventions and members of committees are not chosen by the people at large.

As to the hard work he has done, I deny it. I have canvassed the State at every election. I have never met him except in the last canvass when he went with us from Pensacola to Apalachicola and returned. His hard work consisted in sending out quantities of documents, chiefly his own proclamations of himself, interrupting the canvass and in his end causing a great many people unnecessary trouble. All through the canvass he was not west of the Apalachicola River, and in my opinion was only an embarrassment and obstacle to success.

SETTLERS AND PURCHASERS CAN GET TITLE ONLY THROUGH SENATOR CALL'S BILLS.

The first page of his pamphlet contains a letter purporting to be from me which contains an untruth; in this, that it is a private letter written to a person who claimed to be a friend of mine, and leaves out the context. The extract he prints from the letter is true. I repeat

it here. "Neither purchaser from the railroad company, nor settler, will ever get a title except through me," or my efforts, or the measures I advocate.

In all this statement Mr. Chipley does not state one word of truth. I never challenged Mr. Chipley to meet me. I challenged all the persons who opposed my views in reference to public land to attend my meetings and select their man, as they could not all speak at the same time, and Mr. Chipley, as one of them, was included in the challenge. The letter he prints, like all his carefully prepared statements, is so arranged as to convey an untruth.

NO ONE MAN CAN BE THE AUTHOR OF PUBLIC MEASURES.

Mr. Chipley says I am not the author of a single measure in State politics or national legislation. He says I have never been identified with any public or private enterprises within the limits of Florida with any credit to myself, the State, or people, and that my record is absolutely barren of any good.

No one person is or can be the author of a measure in State politics or legislation. No one public man in the State or out of it has been identified as a public servant with any public or private enterprise.

Is it in building railroads? If so, what part of it has the public servant been connected with? Has he furnished the money out of his own pocket or taken it out of the people's? If he has taken it out of the people's pocket, shall he build a railroad with it and give it to foreigners, and then lobby with judge and governor and Legislature to make the gift as severely oppressive and onerous to the people as possible?

I ask again, what measure of State legislation or politics is there or has there been for me or any other public man to be the author of? There is none and has been none. Mr. Chipley has not the first conception of the public policies of a State, nor of the meaning or nature of public as distinguished from private enterprises.

THE IDEA OF THE WRITER OF THE CHIPLEY PAMPHLET OF MEASURES IN STATE POLITICS AND NATIONAL LEGISLATION.

His idea seems to be that to be the author of a measure in State politics or legislation and to be identified with public or private enterprises is to obtain a charter from the Legislature as a free gift with an enormous land subsidy of 27,500 acres to the mile, and with a right to tax the people at discretion for the right to live on the land and with the further exclusive right to take all they make on the land in payment for transporting it to market and its return in the shape of goods, with a very occasional privilege of riding on the road themselves; and having obtained this free gift from the people to sell it to aliens and non-residents and put the money in the pockets of the persons obtaining the charter. This is a public enterprise and a measure in State politics and legislation, and what his writer terms the honor and glory of building a railroad.

SENATOR CALL NEVER USED PUBLIC LAND AND PEOPLE'S HOMES FOR PRIVATE ENTERPRISES.

I have not been identified with such a measure, and I never will be. Neither have I been identified with private enterprises, such as building houses for sale, merchandising, planting and cultivating groves and farms, owning mills and factories, building canals, not with my own money, but with the public land, the people's homes, and the people's taxes. Men are not elected to the Legislature nor sent to the Senate for this purpose. This is not our American idea of government.

SHOWS WHAT ARE PUBLIC ENTERPRISES.

Public enterprises, in the only sense in which this phrase can be used in connection with legislation or the duties of a legislator in our system of government, are the making of laws which establish public policies. These policies are not new, but they almost always concern subjects which have for many centuries been the concern of governments. They relate largely to taxation and its methods, to military and naval offense and defense, to the policies of war and peace, to the regulation of land tenures and titles, whether to be concentrated in the hands of a few persons or held by all the people and free to them in the first instance on condition of actual settlement and improvement; to the creation and regulation of corporations, to transportation, to the laws of health and hygiene, and local, national, and international quarantine; to coinage, to the laws regulating the relations of debtor and creditor, to the internal improvement which is committed by the Constitution and practice of our Government chiefly to the National Government, except as to the grant of charters by the States, and also to the relations of the races and to aids to education.

These are the subjects committed to a legislator, whether State or national. In them there is no room for new authorship.

The authorship of a new measure which changes the established policies of the Government is not the work of a day nor of one man, who has but one vote, but it is the consensus of opinion of all the people and their representatives, and the public servant can only give his voice and vote for that which he thinks best. I know of no important measure, either State or national, of which any one man, however great, has been the author. Thomas Jefferson had inscribed on his tomb as his claim to honor and remembrance by posterity:

Author of the Declaration of Independence and of the statutes of Virginia for religious freedom, and father of the University of Virginia.

But neither Mr. Chipley nor I am Thomas Jefferson, and it may truthfully be said that this great man and patriot and statesman only meant that he had been a most prominent advocate of these great ideas which had been formulated into laws.

SENATOR CALL SHOWS THAT HE HAS BEEN RIGHTFULLY CONNECTED WITH ALL PUBLIC ENTERPRISES.

In reply, then, to his statement that I have not been the author of any important measure of State or national policy, nor identified with any important public or private enterprise, I say that it is not true. I have been identified with every important measure of State or national policy both before the war and after from my early youth until now, while Messrs. Chipley, Wailes & Co. have been making money out of the free homes of the people and obstructing the path of legislation for cheap transportation by corrupt lobbies and by distributing free passes. My vote and voice in council and before the people have always been for the people's right for free education, for industrial education, for free homes on the public lands, for the correction of public wrongs, and the protection of the people against the rapacity and greed of lobbyists and corruptionists, for the reform of the national jurisprudence, for a system of revenue and taxation and finance that would take the heavy burden of unjust taxation from the farmers and orange-growers and agriculturists.

SENATOR CALL PROTECTED THE PEOPLE OF FLORIDA AGAINST UNLAWFUL TRIBUTE OF TWELVE MILLIONS OF DOLLARS.

For protecting them against the unlawful tribute of ten or eleven millions of dollars which Mr. Chipley and Mr. Wailes have caused to be levied on them and the future prosperity of the State.

FAST MAIL SUSTAINED BY SENATOR CALL CAUSED TAMPA'S PROSPERITY.

My vote and voice have also been given for the establishment of the fast mail line and the maintenance of other mail lines by liberal appropriations for the railroad mail service of the State.

My vote and voice have been for the just regulation of corporate power and right, according to them all just right and protection and restraining them to be the people's servant, and not the people's master; for all works of internal improvement and opening the channels of rivers and harbors, for erecting light-houses and life-saving stations to protect and encourage commerce.

These are the public enterprises which I have been commissioned by the people of the State to be concerned in and identified with, and I have obeyed them.

SENATOR CALL HAD NO INTEREST IN FORT BROOKE RESERVATION.

Mr. Chipley next states that I used my Senatorial knowledge for a land deal, and charges me with duplicity concerning the Fort Brooke reservation. This statement, like the others, I here pronounce to be absolutely false. It has been disproved by more than three respectable witnesses over their own signatures. These witnesses are Capt. John S. Tucker, of Virginia, a gallant one-armed Confederate soldier, who was the attorney of Hon. John T. Lesley and other citizens of Tampa who were then trying to obtain the reservation for the benefit of the people; Capt. H. B. Littlepage, an ex-Confederate naval officer of character, and by Hon. John T. Lesley, a distinguished citizen of Tampa. I had no interest in or connection with any land deal. I had no Senatorial knowledge about any land deal. I print the following letters which will prove Mr. Chipley's statement to be entirely untrue and without any foundation. The public record will also prove it to be untrue.

The letters of Hon. John T. Lesley and Capt. James McKay in reference to the Fort Brooke reservation were placed in my hands by Senator CALL in 1882-'83 to select a suitable attorney to represent these gentlemen, according to their request. I selected Mr. John S. Tucker.

The telegrams in question were sent by persons representing the Tampa gentlemen. Senator CALL's opposition to their entries were communicated by me to the attorney, and has always been well known to all parties claiming interests in this reservation. Senator CALL has had no connection with any of these parties, but has always opposed all entries, both theirs and all others. I was at that time employed as a clerk of Senator Johnson's committee, and for that reason was frequently in Senator CALL's company, and being well acquainted in this city was asked by him to select an attorney for Mr. Lesley and others.

The facts in this matter are well known to me and others, by whom they can easily be established.

H. B. LITTLEPAGE.

WASHINGTON, D. C., *July* 24, 1886.

Having seen an article in a Florida newspaper charging Senator CALL with double dealing and collusion with parties in Tampa in certain homestead and scrip locations made on the Fort Brooke reservation, I desire in justice to Senator CALL to make a statement of the facts within my knowledge in reference to this matter

Senator CALL, in 1883, through Capt. H. B. Littlepage, of this city, placed in my hands letters from Hon. John T. Lesley and Capt. James McKay, of Tampa, in which he was requested to obtain an entry of this reservation for the town of Tampa, and, if this could not be done, then for certain gentlemen, citizens of that town; and that if it was not in his power to give them his personal aid and support he would select a suitable attorney to represent them.

Senator CALL stated to me, through Captain Littlepage, and subsequently in person, that the writers of these letters were men of character and standing in their community, but that he was committed to the support of a bill for the donation of the land to the town of Tampa for educational and other purposes, and that he should oppose all private entries, as he had been doing, until otherwise instructed by the people of Tampa.

It is due to the Senator to say that he has always firmly and persistently maintained this position both in the Senate and before the General Land Office, and, so far from being in collusion with the parties seeking to obtain these en-

tries. I know that he has been their strongest opponent; but for him, I am of opinion that these entries would have been confirmed, or at least some of them

Very respectfully,

JNO. S. TUCKER, *Attorney at Law.*

UNITED STATES SENATE,
Washington, D. C., August 4, 1884.

I hereby state that I am a member of the Committee on Public Lands of the United States Senate, and that Senator CALL, of Florida, has repeatedly appeared before that committee during the past and previous sessions of Congress and urged the committee to report favorably a bill offered by him for the donation of the Fort Brooke reservation to the town of Tampa for public schools and parks and other purposes. Mr. CALL was quite urgent about this bill, but the committee could not find time in the press of other more important business to reach a satisfactory conclusion about it.

JOHN T. MORGAN, *United States Senate.*

UNITED STATES SENATE,
Washington, D. C., June 7, 1890.

DEAR SIR: In response to your inquiry I will state that I am a member of the Committee on Public Lands of the United States Senate, and that you have frequently, persistently, and at all times urged the sale of Fort Brooke reservation, and have insisted that the proceeds arising from such sale should be given to the public schools of the city of Tampa, Fla.; such has been your position since I came to the Senate in 1885.

Very truly,

J. H. BERRY.

Hon. WILKINSON CALL, *United States Senate.*

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
December 16, 1889.

I, Lewis A. Groff, Commissioner of the General Land Office, do hereby certify that the annexed papers, pages 1 to 4 inclusive, are true and literal exemplifications of a certain letter from Hon. W. CALL, dated Washington, D. C., July 10, 1883, now on file in this office. * * *

In testimony whereof, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

[SEAL.]

LEWIS A. GROFF.

UNITED STATES SENATE, *Washington, July 10, 1883.*

SIR: I beg leave to ask your consideration of a late order for the sale of the Fort Brooke reservation, in Florida, under the pre-emption laws.

I have repeatedly stated to you, and to the Secretary, my opposition to any sale or disposition of this land to any private individuals and asked that any disposition of the same should be suspended until the next Congress should have an opportunity to act on a petition presented by me from the people of Tampa, asking that the land be donated to the town of Tampa for educational and other purposes.

I again renew this protest and earnestly request that this land be withheld from sale or entry until Congress can act at its next session on the petition which I have presented.

The reasons which require this donation to be made to the town of Tampa are manifest and forcible.

The land is immediately adjacent to the town of Tampa. It is necessary to the health and comfort of the people as a park. It is the only land suitable for public buildings. It is, I believe, the general desire of the people of the town that it should be donated to them for public purposes.

It is no longer of any use to the Government as a fort or for a garrison.

I have repeatedly made these statements to you, and here renew them.

I have some reason to hope that Congress, at its next session, will act favorably on the petition, and make a donation of the reservation to the town of Tampa.

Yours,

WILKINSON CALL.

Hon. N. C. MCFARLAND,
Commissioner of Public Lands, Washington, D. C.

It will be seen from the subjoined statement that the town council of Tampa petitioned Congress for the confirmation of the entry and scrip location of Messrs. Lesley and Henderson. It will also be seen that, while I considered it my duty to present their petitions and give them so far as I had any power a full opportunity to assert any rights they might have, I also thought it right to adhere to the action which the people of Tampa had instructed, namely, the donation of the land to the free education of the children of Tampa.

THE PEOPLE ASKED FOR IT FOR FREE EDUCATION.

I had no doubt, and I have none now, that John Lesley might have been safely intrusted with this land, and that he would have used it liberally for the benefit of the people. I know him and knew his father, a true man, a faithful friend, a sincere christian, zealous for right; father and son men worthy of honor and respect. But the people of Tampa asked for it for the children, and so far as I had any power these letters show that my course has been the same from my first entrance into the Senate until now:

PROCEEDINGS OF THE TOWN COUNCIL OF TAMPA.

Members present, W. T. Haskins, president, G. B. Sparkman, S. A. Jones, H. L. Branch, W. B. Henderson, Dr. J. P. Wall, T. E. Jackson, and T. C. Taliaferro.

The following report from the committee was submitted:

MAJORITY REPORT.

To the president and members of the town council of Tampa:

Whereas we believe that Messrs. Henderson and Lesley have vested legal rights in the reservation, and that the subjoined proposition agreed upon between these gentlemen and ourselves as a committee is a fair, reasonable and liberal proposition for the town, and we recommend its adoption by the council.

We further recommend that Messrs. Henderson and Lesley enter into a written contract with the council conditioned to carry out the provisions of this agreement, and that the council pass a resolution requesting our Senators and Representatives in Congress to take such action as will enable Messrs. Henderson and Lesley to perfect their scrip location on said reservation.

G. B. SPARKMAN.
S. A. JONES.

A motion to lay the above report on the table was lost; Wall, Jackson, and Taliaferro voting in the affirmative; Sparkman, Jones, and Branch in the negative. The president decided in the negative.

Mr. Chipley also alleges that I did not protest against the entry of the Fort Brooke reservation.

I print also a certified copy of the protest, and the letters referred to. I leave it to the people to say what Mr. Chipley's word and his pamphlet are worth.

SENATOR CALL NOT TREACHEROUS TO STATE'S INDIAN WAR CLAIMS.

The next statement is "his [my] treachery in the Indian war claims."

This is another part of the business of the firm of Wailes & Co., on which depends, according to Governor Bloxham's letter to Senator Jones, a fee of $60,000 or more to Mr. S. I. Wailes and associates.

I print Governor Bloxham's letter.

I deny the statement that I have been treacherous in respect to the Indian war claims.

The facts are as follows: When I came to the Senate the claim of the State of Florida for reimbursement to the State of the money paid out by the State before the war for the suppression of Indian hostilities had been placed by the governor in the hands of my colleague, Mr. Jones. He had brought the subject before the Senate and had it pending before the Committee on Military Affairs, by which it was understood to be unfavorably considered. Senator HAMPTON, of South Carolina, at the request of Senator Jones, had taken charge of the bill, and had contended strongly for the payment of both the principal and interest of the claim. In the face of the adverse judgment of the committee he had succeeded, largely as a personal concession to him, in obtaining a compromise by which the committee agreed to pay the principal and to charge no interest on the debt due by the State on her bonds to the Indian trust fund. Senator HAMPTON thought he had been very fortunate in obtaining this report, and Senator Jones agreed with him in this opinion. I gave Senator Jones all the support in my power in obtaining payment of the whole claim, principal and interest, but had no right to interfere in a matter which had been placed in his hands. After the bill had thus been reported to the Senate, my colleague, Senator Jones, came to me with a telegram and afterwards with a letter from Governor Bloxham to him (which has been published), in which he stated that because of Mr. Wailes's contract for fees, which would amount to about sixty thousand, the amount allowed by the committee after deducting the amount of the State's bonds held by the Indian trust fund, about $250,000 or $300,000, principal and interest, would be so small that he did not feel authorized to accept the committee's report, and requested Senator Jones to have the bill postponed. Senator Jones so informed Senator HAMPTON, who had charge of it. I had nothing to do with it, and had neither the right nor the power to interfere. The subject continued in Senator Jones's charge by the action of the State authorities.

Some time afterwards Governor Perry came to Washington several times and used all his influence to overcome the adverse opinion which had been created by the rejection of the committee's report and Governor Bloxham's letter stating that about sixty-two thousand of the money paid by Congress to the State was to be the fee of Mr. Wailes. I gave him all the assistance in my power, always, however, protesting and advising that this Wailes fee would be, as it had been, a stumbling-block in the way of the passage of the bill, and would delay if not defeat it; and he did all in his power, but failed to accomplish success.

In the last year of his administration the Wailes's bill for interest was passed in the House. Mr. Dougherty and Governor Perry came on the floor of the Senate and personally requested me to have the House bill referred to the Committee on Claims instead of the Committee on Military Affairs, which had before had charge of it. This I did in the face of objection by a member of the Committee on Military Affairs.

Governor Perry and Mr. Dougherty then asked me to see the chairman of the committee and have the bill referred to Senator JONES, of Arkansas, as a subcommittee to report on the bill. This I did, and it was so referred. Governor Perry and Mr. Dougherty appeared before the committee, and Mr. Wailes also requested a hearing, as I was informed by the members of the committee. The governor and Mr. Dougherty and Mr. Wailes took entire charge of the subject. The result was that the bill was adversely reported, only one member of the committee reporting favorably. I am not responsible in any degree for this result. The CONGRESSIONAL RECORD shows that I tried to get the adverse report before the Senate for consideration and failed because of the earnest objections made to it.

To show how entirely malicious and inexcusable this pamphlet is, I print from the following letters and statements which have been before Congress and the people of the State for years.

In the Brooksville Register of March last [1885] an article was published against me in these words:

Senator CALL did all he could to prevent the payment of the Indian war claims, going so far as to characterize them as a fraud, and saying that it smelled badly.

I denounced this statement in the Senate on 3d April [1885] as a false and malicious calumny and the author as a false witness, and I published the letters of Senators Jones, HAMPTON, and Governor Bloxham, in which Senator Jones said:

Senator CALL had nothing to do with the defeat of the Senate resolution to pay the State of Florida $92,000 to reimburse Indian war expenses. The resolution had nothing to do with the payment of scrip or the Indian war soldiers.

Senator HAMPTON said:

Senator CALL did not defeat or prevent in any way the passage of this resolution, and the Register is utterly mistaken; the resolution was recommitted on the request of Senator Jones.

UNITED STATES SENATE, *Washington, D. C., April 27*, 1885.

DEAR SIR: In reply to your note of to-day, I reply that when the bill to indemnify the State of Florida was pending before the Military Committee of the Senate I asked your co-operation and support of said bill, and you assured me of it; that you spoke to Governor HAMPTON in favor of the bill, as I recollect. I told you that the settlement which I obtained from the Military Committee was the very best that I could obtain, and I remember that you said it was a very favorable one under all the circumstances.

Yours truly,

C. W. JONES.

Hon. W. CALL, *United States Senate.*

UNITED STATES SENATE, *Washington, D. C., April 14*, 1885.

Hon. WILKINSON CALL, *United States Senate:*

Having called my attention to the following testimony, I have no hesitation in saying that the language attributed to me with respect to yourself never was used by me, nor was any suggestion ever made by Mr. Wailes in reference to the calling of the yeas and nays.

C. W. JONES.

The following is Governor Bloxham's letter to Senator Jones:

Now, take $132,000 in bonds; interest on the same, $240,000; and $92,000 cash, making $464,000 upon which Mr. Wailes would claim 15 per cent., and you see at once that, after deducting his commission from the cash we receive, there would be but an insignificant sum to turn into the State treasury. The amount would be too small to be satisfactory. I think it had better go over than practically for all we receive to go in the shape of commissions.

W. D. BLOXHAM.

WASHINGTON, D. C., *April 11*, 1885.

DEAR SIR: In the Brooksville Register of March 21, 1885, in which is printed "Evidence on Indian War Claims," alleged to have been taken before a committee of the Legislature of Florida, Mr. S. I. Wailes, a witness, states as follows:

"When I was first made agent of the State I became aware of a letter which was very injurious to Governor Drew and his cabinet and the State generally, written by ex-Governor Reed to the Secretary of the Interior, Mr. Schurz. I obtained a copy of the letter and forwarded it to the governor. He requested that I should have a copy of the letter and give the same to Mr. CALL. I went to Representative DAVIDSON with a copy and he showed it to Senator CALL, and he asked me to make a copy for Mr. CALL's use."

In reference to the foregoing I have to say, that if ever I received a copy of the letter mentioned from Mr. Wailes and showed it to you and asked Mr. Wailes to make a copy for you, the matter has entirely escaped my mind, for I have not now the slightest remembrance of it. I do not believe the statement of Mr. Wailes to be true.

And I can further say that you did not prevent the passage of a bill providing for the payment of the Indian war claim, but on the contrary I am aware that you have always been zealous in endeavoring to have the matter settled in a manner beneficial to the people of the State. I never heard of you circulating any charge which stamped dishonesty on the high officials of the Democratic party of Florida.

Yours very truly,

R. H. M. DAVIDSON.

Hon. WILKINSON CALL.

SENATOR CALL, WITH SENATOR PASCO, PLACED IT ON APPROPRIATION BILL.

After Mr. PASCO'S election and his assignment to the Committee on Claims, and the Legislature having petitioned for the passage of the bill, it was favorably reported through Senator PASCO'S efforts from that committee. The following extract from the CONGRESSIONAL RECORD will show that, with Mr. PASCO'S aid, an amendment for its payment was put on the annual appropriation bill. It happened to fall to me to have the vote of the Senate, without yeas and nays, by which it was at first announced by the President to be defeated, reconsidered by a division, and an amendment for the payment of the claim put on the bill. This does not appear in the RECORD, the only entry being "The amendment was agreed to;" but it can be easily proved.

SENATOR CALL'S SPEECH IN FAVOR OF PAYING THE STATE INDIAN WAR EXPENSES.

On March 1, 1889, on page 2531, is the following speech made be me in support of an appropriation for the payment of the Indian war claim, principal and interest:

Mr. President, this claim on the part of the State of Florida has been adjudicated at various times, and a bill for its payment passed the House of Representatives of the former Congress, two years ago.

There is no doubt that the money was honestly expended by the State for the suppression of Indian hostilities.

The facts are undisputed. The necessities of the State at this time are very great, and this money will be expended, not only in the interests of the State of Florida, but of the whole country, in preventing the reappearance of the epidemic which prevailed in the State and its communication to other States.

In consequence of the great loss imposed on the State by the epidemic last year the State's finances have become very much reduced, and the State is in very great need of this money at this time for the purpose I have mentioned.

Inasmuch as there is no dispute whatever in regard to the fact of the money having been honestly expended by the State, and the debt has been recognized by a committee of this body and by a bill passing the other House, I think that the amendment ought to be allowed to go upon the bill.

When the vote was taken by the sound without yeas and nays the amendment was announced by the Chair to be defeated; upon my motion for a division, it was carried.

This amendment was afterwards stricken off in the conference committee, the House objecting to its payment then, and a clause substituted for a report from the Secretary of the Treasury of the amount necessary to pay the claim.

These are the facts proved by the CONGRESSIONAL RECORD. It appears from them that the first time the bill has ever come before the Senate favorably and even approached payment it has been through my efforts, my colleague having his due share of credit for the favorable report of the Committee on Claims and for the action of the Senate. It will also be observed that the allowance of interest on the war claims of the loyal States for expenditures during the war is now being favorably considered, and at the former time when the claim of our State was before Congress these claims had not been considered favorably. It is only just to Senators HAMPTON and JONES to make this statement.

Mr. Chipley in his pamphlet refers to a remark made by me in New York last summer to a "State official," Hon. Mr. (now Judge) Barnes, who was explaining to me the State's need of money, when I stated that I thought the State might have been wise to have taken the $92,000 offered by the Hampton bill and prosecuted their claim for interest.

This was only a chance remark, and not intended to be treasured up for a charge against me. It was, however, the opinion of Senators HAMPTON and JONES, who thought the State's claim for interest would not be prejudiced by it.

STATE'S CLAIM RESTS EITHER ON ACTUAL OR ASSUMED MUSTER INTO UNITED STATES SERVICE.

The pamphlet writer also refers to my ignorance, in introducing certain bills, of the fact that if the troops had been mustered into the United States service they would have been paid. It is only necessary to say that the pamphleteer does not understand what he seeks to write about. The foundation of the State's claim is that the troops were ordered to be mustered, but one of the bills referred to was for the soldiers who were not paid.

SENATOR CALL REQUIRED AMOUNT OF WAILES'S FEE TO BE PAID TO SOLDIERS AND THEIR WIDOWS.

The bill to reimburse the State the money paid out by the State had no reference to the unpaid soldiers and made no provision for them. The bill I introduced to reimburse the State provided in effect that the amount of the Wailes fee should be required to be paid to these soldiers, their widows and children, in payment of their services which have never been paid for. This seems to be the point which hurts. The bill as I introduced it, which Mr. Chipley thinks showed my ignorance, assumed that the unpaid soldiers who live in Florida and who fought in the war should have this money instead of Mr. Wailes.

Mr. Chipley may think this is ignorance and folly, but I still think so. I still think that the proper use of money paid to the State by the United States for the services of citizen soldiers in an Indian war is to pay the unpaid soldiers, their widows and orphan children, rather than a Washington lawyer and lobbyist. This is one of the charges against me, and all the others are equally foolish.

DISREPUTABLE LOBBYING UNTRUE.

Another charge made by Mr. Chipley is "his [my] disreputable lobbying" in the Florida Legislature in 1879, after my election in 1879. I read in the New York World to-day a statement, I have no doubt from one of Mr. Chipley's and Mr. Wailes's hired slanderers, that I had been threatened with expulsion from the State senate for disreputable lobbying. The statement is untrue. Judge Niblack was my warm personal and political friend. We agreed in our efforts in 1879 to try and save to the people of the State what was left of the public lands and of the railroads. The old Florida Railroad interest had then a few representatives in the Legislature, and one of them is doubtless the author of this statement. I had just been elected to the Senate by that body. I was giving my time to the protection of the people and their homes and rights, and I was stronger with the Senate and the people, as I am now, than the old Florida Railroad Company and Messrs. Chipley, Wailes & Co. The remark attributed to me is entirely untrue.

BOODLE FROM LITTLEFIELD FALSE.

The next statement upon which Mr. Chipley stakes his truth is in these words: "His boodle from Littlefield." This is only a false statement. The facts are as follows and are of record: In 1869 Judge James M. Baker, Silas L. Niblack, and myself agreed that we would try and save for the stockholders and the several counties that held stock the Pensacola and Georgia Railroad from Lake City to Quincy, then advertised to be sold by the trustees, as we thought without authority of law. We associated with us in a written agreement Mr. Dibble, of Jacksonville, of the house of Dibble, Worth & Co., of New York, then in good standing and of large credit and business, Mr. Requa, and Mr. A. Huling, men of wealth. These gentlemen brought into the association others—three Democrats and three Republicans, Mr. Dibble being a conservative man in sympathy with the Democrats.

JUDGE JAMES M. BAKER, SILAS NIBLACK, AND SENATOR CALL.

A written agreement was made, which can be produced, that the railroad should be bought at the sale and the original stockholders protected and the trusts of the internal improvement act continued and the road completed westward to Pensacola and the road from Lake City to Jacksonville united with it. It was further agreed that the title under the sale should be settled by the courts. Mr. Dibble agreed that Dibble, Worth & Co. should furnish the money necessary to pay the first payment or forfeit. Messrs. Swepson & Littlefield had agreed to buy the road and this organization was made to prevent such purchase. The road was sold and bought. Judge Baker, Niblack, and myself had

nothing to do with this part of the transaction. Subsequently Mr. Dibble and the other members, against the protest of Baker, Niblack, and myself, made an agreement with Messrs. Swepson & Littlefield, and Judge Baker and myself brought suit to break up this agreement and carry out the original agreement. The record of this suit is in the courts. It was carried to the supreme court of the State and decided against us.

We opposed the passage of the act for the issue of the four millions of bonds, and the fact is of record and can be proved and was involved in the suit.

Long after this decision against us, Mr. John P. Sanderson, the attorney of the new company, became satisfied that their title was doubtful without our assent to the sale, and Judge Baker, Niblack, and myself agreed to sell to Colonel Sanderson for the new company whatever rights we acquired under the purchase at the sale of 1869. We were very glad to do so. It was an honest, fair, and just transaction, and there was no boodle in it. We had acquired certain rights in law in the title under the sale in the prosecution of an honest public purpose, and we sold them to those who thought them valuable, after being defeated in a lawsuit to preserve the property to the original owners. We were never members of the company, and this was all the connection we ever had with it. Again I ask, what are the statements of Mr. Chipley against me or any one worth?

JUDGE JAMES M. BAKER'S NAME AGAINST MR. CHIPLEY'S STATEMENT.

I place the name of Judge James M. Baker, my associate in this transaction, a man pure and spotless in life, honorable and patriotic in purpose and action, a lawyer and a judge, as impartial and just as ever graced the court of State or nation, against Mr. Chipley and his statement, and therewith I rest content.

SENATORIAL KNOWLEDGE FOR PERSONAL ENDS—A FALSE STATEMENT.

"Senatorial knowledge for personal ends." This is untrue. I never used my Senatorial influence for my personal benefit for a single penny's worth.

If reference is had here to the Swaim homestead, I have shown that it is too silly for serious answer. Have I not a right which every citizen has to apply for a homestead? Is it a wrong to any one to appeal to the constituted authorities for a claim of right? Have I a right to protect a widowed sister's right by availing myself of privileges which the law gives to me?

If the Fort Brooke charge is meant, the letters I print prove its untruth. I never had the least personal interest in the claim on Fort Brooke reservation, or in anything connected with it, and John T. Lesley and his lawyers in Washington will so testify.

If the Norfolk bank transaction, the letter herewith printed will show that the transaction was honorable and in every way proper. If it is meant that I applied to the proper authorities to protect me against an unjust and unlawful lawsuit, which can only have the effect of promoting the interests, as I believe and as I think I shall in due time prove, of a conspiracy against me because I am an obstacle to the accomplishment of schemes of unlawful appropriation of the public lands and of personal advancement to office, I had a right to do so. I do not lose my rights as a citizen to the just protection of the laws because I am a public servant. This, like all the rest of this pamphlet, is only worthy of answer to show the author's purpose.

The following letters will dispose of this statement:

UNITED STATES SENATE, *Washington, D. C., May* 14, 1890.

MY DEAR SIR: In regard to the Post Combination Sewing-Machine, I beg to say I became a purchaser of its stock about the same time with yourself; that some of the best and most reputable men in Washington were its stockholders and directors, and the company was in all respects bona fide and respectable, and that its stock was depreciated by bad management. The stock was sold at one time at 45 cents on the dollar, and at one time I could have sold my thirty shares at that price. I have the stock yet.

Mr. Whitehead, of the National Exchange Bank, was at one time director, and your connection with the company was entirely honorable and above board, and my only regret is that the depreciation in the stock prevented all of us realizing handsomely on a legitimate business venture.

Very truly yours,

M. C. BUTLER.

Hon. WILKINSON CALL, *Washington, D. C.*

WASHINGTON, D. C., *June* 14, 1890.

DEAR SIR: Having learned that you have been charged with improper acts in connection with the Post Combination Sewing-Machine Company and the Exchange National Bank of Norfolk, Va., having been respectively treasurer and secretary of said sewing-machine company, in justice to yourself we take occasion to testify to the facts: That at the time you placed your stock with the said Exchange Bank it had a cash value of $30 per share; that it afterwards went up to $42 per share, and was in demand at that price; that after your stock had been placed with said bank all future assessments upon it were paid by the president of said bank, Hon. John B. Whitehead, with checks payable to the treasurer of said sewing-machine company; that said John B. Whitehead was a member of the board of directors of the said sewing-machine company, and that he attended the business meetings of said company and heard its matters fully discussed and seemed to have a high opinion of it as a business enterprise; that when said sewing-machine stock became fully paid up it was issued to the Exchange National Bank.

We further state that the Post Combination Sewing-Machine Company was organized by an agreement among the most reliable business men of Washington City to become an incorporated company, to buy the patents with the stock and to purchase the stock at 20 cents on the dollar, payable in installments; that you had in your hands a large amount of this stock for Senators M. C. BUTLER, James B. Beck, Col. J. R. Sneed, Judge MacArthur, Mr. CUMMINGS, and others; that all these persons paid at the proper time for their shares of the stock in your hands, and their portion of the stock when issued was delivered to them.

The entire remainder being unpaid was placed in the hands of Mr. Whitehead, president of the Exchange National Bank, and the whole amount of each share paid for by the bank and delivered to the bank.

You were not present and had nothing to do with it. Your conduct was honorable and correct in every respect.

The company was a strong one, and you had no connection with the causes of its failure. You neither claimed the stock nor paid for it nor received it, nor was it issued in your name.

No falsehood or slander can cast any blame on you in this transaction.

Respectfully yours,

THOS. J. LUTTRELL, *Treasurer.*
H. B. LITTLEPAGE, *Secretary.*

Hon. WILKINSON CALL,
United States Senate.

[Office of State agency, N. Tyler, secretary, room 34, Corcoran Building.]

WASHINGTON, D. C., *August* 19, 1889.

DEAR SIR: I desire to obtain from you some information as to the Post Combination Sewing-Machine Company, of which you were the secretary.

Please advise me by postal card to the above address when and where it will be convenient to you to have an interview.

The information I seek is for private use entirely.

Very respectfully yours, etc.,

NAT. TYLER.

Capt. HARDIN B. LITTLEPAGE,
2109 F street, City.

WASHINGTON, D. C., *June* 14, 1890.

DEAR SIR: On the 19th of last August I received a letter from Mr. Nat. Tyler, a lawyer of this city, requesting to see me in regard to the Post Combination Sewing-Machine Company, of which I was secretary. That the information sought was for private use entirely. I called at Mr. Tyler's office, and after asking several questions about the company's affairs he stated that he would be candid with me and tell me his object, as I might misunderstand his inquiries; that some Florida papers were making war upon you, and that he had been employed to write you up.

As your whole connection with the Post Sewing-Machine Company was of the utmost honesty and integrity and can be testified to by any number of our best citizens, I regard this attack upon you as malicious and unwarranted, and therefore advise you of it.

Respectfully yours,

H. B. LITTLEPAGE.

Hon. WILKINSON CALL, *United States Senate.*

Mr. John B. Whitehead, president of the Exchange National Bank of Norfolk, was then and is now a man of the highest character, and deserves the high reputation which he bore and still bears. The failure of the bank was in no way attributable to him. He was then and is now a business man of fine ability and of perfect integrity. He was a man of large fortune, all of which was surrendered to the creditors of the bank. The enterprise in which he engaged had the sanction of the best business men in Washington City, and for a considerable time the bank could have sold the stock for more than twice the amount paid for it.

JOHN E. HARTRIDGE'S COMBINATION.

The Chipley-Wailes libel charges me with defeating Mr. Hartridge's combination by blundering stupidity and disgusting Mr. Hartridge's Republican friends by doing what I had been requested not to do, and says this statement is obtained from Mr. Hartridge.

Everything I did was at the request of Mr. Hartridge, and proof can be furnished of the fact.

The following letters from Senators PUGH, of Alabama, and GEORGE, of Mississippi, Democrats of the Judiciary Committee, who had charge of this nomination, will show the entire want of truth in Mr. Chipley's statement. I have a similar letter from Senator M. S. QUAY, of Pennsylvania, who was one of the Republicans upon whose vote Mr. Hartridge relied.

Copies of this letter have been sent to Florida, and it is unnecessary to print it here. It will not be denied:

UNITED STATES SENATE, *Washington, D. C., June* 19, 1890.

MY DEAR SIR: I am a member of the Judiciary Committee, and that committee had under consideration the nomination of John W. Hartridge to be district judge of the northern district of Florida. You introduced Mr. Hartridge to me, and he had several consultations with me on the subject of his confirmation. You did everything that you could do to promote the confirmation of Mr. Hartridge, and it is doing you great injustice to say that anything you failed to do or anything you actually did contributed in the least to his defeat.

Yours truly,

JAMES L. PUGH.

Senator CALL.

SENATE CHAMBER, *Washington, June* 16, 1890.

DEAR SIR: I was a member of the Committee on the Judiciary when Mr. Hartridge was nominated for district judge of the United States for the northern district of Florida. I am satisfied now, as I was then, that it was impossible to have secured his confirmation. There was nothing done by you that in any way contributed to his defeat, and everything was done by you and all other Democrats which was possible to secure it.

If there had been enough Republicans who were willing to vote for his nomination to secure it with the vote of the Democrats they could and would easily have confirmed him. The fact that he was not confirmed is evidence that the statement is not correct.

Certainly no blame can be attached to you for the failure of his confirmation.

Very sincerely, your friend,

J. Z. GEORGE.

Hon. WILKINSON CALL, *United States Senate.*

TWO HUNDRED AND FIFTY-SEVEN BILLS INSTEAD OF FIFTEEN BECAME LAW OR PASSED CONGRESS.

The next charge of Mr. Chipley is that I am ignorant, stupid, incompetent, and do not know how to write a bill; that I have intro-

duced four hundred and fifty-seven bills in the Senate and passed practically none of them, and that I am generally of no use or value.

This statement is entirely untrue. Two hundred and thirty-eight bills introduced by me contain provisions which have become law or have passed the Senate and the House.

The idea of judging a Senator by the number of bills he has passed, and condemning him because he has not passed a certain number, or condemning or praising him because of the number of bills he has or has not introduced, could only have been conceived by a person entirely unaccustomed to legislation.

The bills referred to were many of them private bills for individuals, introduced by request from all parts of the United States. Every citizen has a right to be heard in Congress and to have a chance to have his right considered. This right of petition, whether by bill or otherwise, is his right. I have always given every man, however poor, the right to be heard through me in Congress. Many of these bills have been amendments to appropriation bills. Many others have become laws by being reported in the bills framed by the committees to which they were referred, and were passed with other provisions and other subjects, such, for instance, as the amendments to homestead laws, which have been quite numerous to river and harbor bills; such as amendments proposed to the tariff and revenue laws and amendments to pension laws.

PRINCIPLES OF REAGAN INTERSTATE-COMMERCE BILL BECAME LAW, BUT THE REAGAN BILL WAS NOT PASSED.

A notable instance will illustrate this legislative habit. Senator REAGAN, of Texas, was amongst the first to introduce bills regulating interstate commerce, which became known as the Reagan bill, yet the Reagan bill did not become a law, although the principles of the Reagan bill are now the law. The number of these bills is increased by the habit of reintroducing at the commencement of each session those which failed to pass or have consideration at the previous session.

SENATOR CALL ON COMMITTEE ON APPROPRIATIONS.

My services for some years have been on the Committee on Appropriations, which reports only the general appropriation bills for the Government.

The work of legislation is not the work of any one Senator or Representative. Measures are rarely if ever the result of any one bill introduced by one man. Legislation is divided into that which is general and special—to that which relates to new policies or to the correction of existing law.

The subjects of legislation which concern the State of Florida are the appropriations for rivers and harbors, public buildings, Indian war expenses, Indian war services unpaid, Indian war pensions, free homes for the people on the public lands, tariff, and internal revenue.

MONEY FOR FLORIDA.

Since I have been here the appropriations have been greater than in all the previous history of the State. I have had my full share of influence in this respect.

Appropriations for public buildings since I have been here have been greater than in all the past history of the State. I have had my full share of influence in this respect.

BILLS OF SENATOR CALL WHICH BECAME LAW IN PART OR ALTOGETHER.

I have twice put an amendment on the pension bills granting pensions to the survivors and widows of the soldiers of the Florida Seminole Indian wars. I, with my colleagues, have twice prevented a reduction of the duty on oranges and have increased the duty on some Florida products which had a right to consideration. I have had my full share and influence in adjusting the former duties with fairness to the cigar-manufacturing interest and to the tobacco growers.

I introduced a bill to give patents to the settlers and bona fide purchasers on the old railroad land grant of May 17, 1856, subject to the action of Congress. The principles of this bill are contained in the bill for adjustment of railroad land grants and are now the law. I have twice passed through the Senate bills asserting the right of Congress over the railroad land grant of May 17, 1856, and for the protection of the free homes of settlers against Mr. Chipley and his associates and giving patents to the persons whose money has been taken for worthless claims to land.

I aided in passing a bill through the Senate requiring the courts to take jurisdiction of this grant and settle titles. I passed through the Senate an amendment to the forfeiture bill giving title to all actual settlers. Subsequently all the provisions of the bill which I introduced giving title to purchasers in good faith became a law in the general bill for adjustment of railroad land grants, although they were not applicable as they should have been to the land grant under the act of May 17, 1856.

I introduced a resolution for intervention by the United States between Peru and Chili, and for an alliance and international congress of the American peoples. The substantial provisions of this resolution were afterwards adopted and realized in the Pan-American Congress lately held in this city.

I made a speech for free coinage of silver, the ideas of which are now about to be realized. Certainly this idea is not my peculiar property, but I think I may claim that I have contributed my share to its adoption.

FAST MAIL AND TAMPA AND KEY WEST.

I have introduced and supported steadfastly and earnestly appropriations for the establishment and support of the fast-mail line from Boston to Tampa and from Tampa to Havana via Key West, with a special appropriation for it. It is this line and this service that have enabled and induced Mr. Plant to make his great expenditures for the development of Tampa, and I may justly claim that to my services in the Senate more than any and all other causes is due through this action the growth and present and future prosperity of Tampa, and the corresponding development of Key West. I have no doubt that Mr. Plant and Col. H. S. Haines, one of the most able and competent railroad men in the United States, and Mr. Imgraham, the able president of the South Florida Railroad Company, will readily confirm my statements.

OTHER BILLS AND SPEECHES OF SENATOR CALL.

I have introduced bills for the establishment of a national university of natural research and education in the District of Columbia, and for industrial education, and made speeches on it. I am pleased to think that these ideas will some day be carried out.

I have made speeches on the tariff, on banks, on the Treasury surplus, on free education, on coinage and the precious metals, on railroad receivers, and reform in the practice of the United States courts, on executive power, on land-grant forfeiture, and on all the subjects of national policy which have been before Congress, and on religious freedom. I wish these speeches were much better than they are, but my colleagues kindly assure me that they were not unbecoming to the Senate and not without usefulness. I am very sure that they have not fallen to the level of the miserable ribaldry of Mr. Chipley's lawyer's written libel on me, either in matter, style, false statement, or any other respect.

This is my record in the Senate. I am not ashamed of it, nor are my friends.

MR. CHIPLEY'S RECORD.

Now let us examine Mr. Chipley's record. It is a small subject, and but for the fact of his connection with the land-grant wrongs and the raid on the free homes of the people, his natural audacity and perversity in wrong-doing which make him the cat's-paw of the claimants and the lobbyists who have better minds to conceive and better judgment to execute, it would not be of sufficient importance to occupy either your or my time and attention.

MR. CHIPLEY AND THE LAND GRANT OF 27,000 ACRES TO THE MILE.

I know nothing of Mr. Chipley's record before he came to Florida. I am informed that he was brought to the State by a merchant of Pensacola, Mr. Sullivan, as a railroad agent for his business in operating the road from Pensacola to the Alabama line, and continued in that capacity and in the employment of the Louisville and Nashville corporation, of Louisville, Ky., until the State Legislature passed the act of 1881, agreeing to give Judge Stanley and his associates 23,600 acres to the mile of swamp and overflowed land thereby rendered unfit for cultivation, and in addition agreed to give them all the right, title, and privilege which the State then had, under the act of Congress of May 17, 1856, to the land lying alongside the road which should be actually built from Pensacola to Chattahoochee, making, if this latter grant was valid and carried anything, 27,200 acres to the mile, or a principality of 4,080,000 acres for a railroad from Pensacola to Chattahoochee, about 150 miles.

Mr. Chipley says that the railroad company has received only 8,550 acres to the mile. I do not know anything as to this. My statement was that this company had received a grant of 23,600 acres to the mile. The granting act shows this to be true. Whether they have actually received it at this time or are to receive it in the future is immaterial. The act which created the company gave it to them, and as the Commissioner states that the selections amount to 23,000,000 acres, and 16,000,000 have actually been certified to the State, it makes no difference whether they have yet received it.

Having received this vast donation of land all over the State, much of it I am informed situated many miles away from the railroad and where the people will never either see or transport freight upon or ride on the railroad, Mr. Chipley, I am informed and there is no doubt as to the fact, sold or disposed of the charter in some way to the Louisville and Nashville Railroad corporation, or to persons connected with it by whom the money was furnished to build the road, Mr. Chipley himself, it is stated and believed, making a large sum of money out of the sale of this free gift of the people of Florida, which cost him nothing. Mr. Chipley claims "the honor and glory" of building the railroad—that is, of selling the charter to some person who could use the credit of the Louisville and Nashville corporation, making a fortune out of the sale and having them build the road.

BLIND, DEAF, AND DUMB MEN COULD BUILD A RAILROAD WITH THIS GRANT.

All that I have to say about this is that a blind, deaf, and dumb man, with a card hung around his neck stating that 4,080,000 acres of land, with the right of transporting everything made by the people and bringing back anything for which it was exchanged, might be

turned loose in any money center of the United States and of Europe, and the offer would be gladly accepted by thousands of people and a large sum of money paid for the privilege of doing it.

FORFEITURE OF LAND GRANT TO STATE OF MAY 17, 1856.

About the year 1883–'84, I think, the Hon. John T. Lesly, a distinguished citizen of Tampa and South Florida, often honored with a seat in the Legislature and with the confidence of the people of Hillsborough County and South Florida, addressed me a letter calling my attention to the public duty of forfeiting the land grant of the act of May 17, 1856, from Waldo to Tampa. I placed this letter before the Senate and referred it to the Committee on Public Lands, and printed it for the benefit of the people. This letter was followed by petitions from 847 other citizens of South Florida. Among them is the name of A. S. Mann, and Mr. Milton Mabry, ex-lieutenant-governor, has informed me within the last few days that he was among the petitioners.

The three petitions were followed from time to time by a great many others. Thus instructed by the people I investigated the subject and ascertained that the grant had no existence and that it had never taken effect; that the Legislature had never disposed of it, and that the old Florida Railroad Company had never had any even plausible pretense of a claim; that the claim of the Florida Railway and Navigation Company was purely an unlawful appropriation of the public domain and that the reservations had been made in plain and palpable violation of law. I immediately commenced the necessary measures to bring the status of law and fact to the attention of the proper authorities, to the Secretary of the Interior, and to the Senate.

The proper resolutions of inquiry and bills were introduced and urged by me. The CONGRESSIONAL RECORDS and my speeches will show how earnestly I labored to obey the people's will and to protect their homes. It was not long before the land agent of the Pensacola and Atlantic Railroad Company, Mr. Chipley, began to show his teeth with the same audacity, ignorance, and selfish perversity as characterizes this pamphlet.

The propositions of law and fact were clear and indisputable, and twice has the Senate sustained them against all the opposition that has been made to them. The extracts from the RECORD contained in Mr. Chipley's pamphlet carry an untruth in every respect, as does every other word and syllable in this pamphlet.

The bill to which Senator MORGAN refers was a bill brought in late in the session, when it could not have passed the Senate, and it confirmed the railroad's claims of title under pretense of forfeiting it—a subterfuge not unknown to land-grant agents and claimants.

Mr. Chipley and Wailes & Co. have been assiduous in their efforts as lobbyists with the Senators and the Committee on Public Lands and in every possible method of detraction and abuse of me from that day to the present.

MR. CHIPLEY AS A LAND-GRANT AGENT, AND THE FREE HOMES OF THE PEOPLE.

Mr. Chipley as a land-grant agent of a claim from the State of 27,000 acres to the mile, or 4,080,000 acres.

In West Florida there is an old reservation, made on May 17, 1856, under the land grant of May 17, 1856, on the promise of Hon. David L. Yulee that the Legislature would thereafter dispose of it to the Pensacola and Georgia Railroad Company, and that by anticipatory action the Legislature had already done so. The Legislature did not dispose of it, and the Pensacola and Georgia Railroad corporation did not build the road, but died without a successor, and the Legislature forbade it from building the road. Mr. Chipley, vice-president of the Pensacola and Georgia Railroad Company and land-grant agent, as I am informed, seized upon this old reservation which had stood unnoticed and unclaimed by the State from 1856 to 1882. In 1883, the time when he and Mr. Wailes claimed the grant as still subsisting, about eight years after Secretary Chandler decided that the grant had no existence, I resisted in the name of the people that entirely unlawful appropriation of their homes. Mr. Chipley prints a certificate of Mr. Stockslager, Commissioner of Public Lands, given under the act to adjust railroad land grants unlawfully, a deed from the Pensacola and Atlantic Company of some five thousand acres of land.

Mr. Stockslager assumed that the Pensacola and Atlantic Railroad Company had received that land lawfully. He was doubtless not advised of the fact that the old Pensacola and Georgia reservation was absolutely void, and is so declared in express terms by the laws of the United States.

Senator GEORGE, of Mississippi, for some time chief-justice of that State, and now amongst the ablest, and perhaps most able lawyer in the Senate, has made this so plain that no lawyer, not interested in the case, even pretends to deny it.

I place the speech and opinion of Chief-Justice and Senator GEORGE against Mr. Chipley, vice-president of the Pensacola and Atlantic Railroad Company, and land-grant agent, and leave you to decide which is right, and whether I am to be blamed for agreeing with Senator GEORGE that the people's homes in this grant belong to them and not to Mr. Chipley and Mr. Wailes.

Let us look a little while at what Mr. Chipley claims, as against the people, under this old, fraudulent, and absolutely void and unlawful reservation.

These are the quantities in each of the above counties as given to me in a letter from the Acting Commissioner of Public Lands, Governor Stone, of late date. The amount claimed from Pensacola to Chattahoochee and from Waldo to Tampa, as appears in Governor Stone's letter of May 24, which I will print, is as follows:

LAND FROM PENSACOLA TO LAKE CITY, FLA.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., April 28, 1890.

SIR: In compliance with your request of the 26th instant, relative to lands listed or approved to the State of Florida on account of the grant made by the act of May 17, 1856 (11 Stat., 15), for the Pensacola and Georgia Railroad Company, I submit herewith a statement, by counties, showing approximately the amounts so listed.

Very respectfully,

W. M. STONE,
Assistant Commissioner.

Hon. WILKINSON CALL,
United States Senate, Washington, D. C.

Lands listed, or approved, to the State of Florida on account of the act of May 17, 1856, for the Pensacola and Georgia Railroad Company.

Name of county.	Acres.	Name of county.	Acres.
Calhoun	55,665.80	Liberty	11,056.35
Columbia	29,077.39	Madison	72,113.36
Gadsden	24,149.32	Santa Rosa	214,502.02
Hamilton	46,707.59	Suwannee	122,128.45
Holmes	74,245.69	Taylor	1,717.53
Jackson	117,776.02	Walton	316,068.17
Jefferson	9,902.43	Washington	166,960.24
La Fayette	5,814.28		
Leon	14,006.35	Total	1,273,890.99

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., May 24, 1890.

SIR: Refering to your request of this day relative to the quantity of land reserved in certain counties under the act of May 17, 1856, making a grant of lands to the State of Florida to aid in the construction of a railroad from Amelia Island (Fernandina) on the Atlantic to the waters of Tampa Bay, with a branch to Cedar Keys, on the Gulf of Mexico, you are advised that an approximate estimate shows as follows:

	Primary limits.	Indemnity limits.
	Acres.	*Acres.*
Marion County	138,240	207,360
Hernando County	46,080	120,960
Sumter County	138,240	157,440
Polk County	39,360	84,480
Hillsborough County	99,240	104,800
Alachua County	37,440	126,720

These figures represent in the aggregate the actual quantities covered by the withdrawal made for the benefit of said grant within the counties mentioned, without deducting therefrom the lands excepted or in any wise lost to the grant.

Respectfully,

W. M. STONE, *Assistant Commissioner.*

Hon. WILKINSON CALL,
United States Senate.

MAY 27, 1890.

SIR: The area of the selections made by the State of Florida prior to the confirmatory act of March 3, 1857, is 11,630,271.61 acres.

Total swamp selections up to this date is 23,222,439.60 acres.

Total swamp land patented up to this date is 16,114,669 acres.

ACTING COMMISSIONER GENERAL LAND OFFICE.

(For Senator CALL.)

REDDICK'S HOME AND IMPROVEMENTS SOLD BY MR. CHIPLEY.

The following was sent me by the people of Escambia County:

STATE OF FLORIDA, *Escambia County:*

Before the subscriber this day personally came Henry W. Reddick, who, being duly sworn, says: That he is a citizen of the State of Florida and a resident of Washington County, in said State, and has resided in said Washington County for the past nineteen years; that for the past sixteen years he has resided at a place known as Four-Mile Point, on the south shore of Choctawhatchee Bay, in said county, and during said time has had inclosed and under cultivation about 30 acres of land, more or less; that he is a married man and the head of a family, and during the said past sixteen years has lived with his wife and family in a dwelling built by him on said premises; that on or about the 28th of December, 1882, affiant, for the purpose of availing himself of the benefits of chapter 3324, Laws of Florida, entitled "An act to enable settlers on State lands to obtain titles thereto," approved March 7, 1881, made application to P. W. White, at Tallahassee, for entry by affiant of said 30 acres and an additional 30 acres contiguous thereto, and all lying and being in lot 1, township 2, lot 15, township 2 south, range 21 west, and paid over to the said P. W. White the sum of $18, the same being the first installment of one-third of the purchase-money of said 60 acres, to wit, one-third of $54, the purchase price of said land, being 90 cents per acre; that after the payment of said money affiant was informed by C. L. Mitchell, who was successor in office to the said P. W. White, said information being by letter, which said letter is hereto attached, that said land had been transferred to the Pensacola and Atlantic Railroad Company; that affiant then applied to the said Mitchell for repayment to affiant of the said sum of $18, but said repayment was never made to affiant; that affiant has never paid anything more on said land, but is still living on it, and was informed about a year since that said raiload company had sold said land to one Mrs. Clara Rushbridge.

Affiant further says that the buildings, fencing, and other improvements made by him on said land are of the value of $500.

H. W. REDDICK.

Sworn to and subscribed before me this 5th day of March, 1889.
[SEAL.] E. C. MAXWELL, *N. P.*

STATE OF FLORIDA, *Escambia County:*

Before the subscriber this day personally came Thomas Hannah, who, being duly sworn, says: That he is acquainted with Henry W. Reddick, and has known him for the past ten years; that during the said time of his said acquaintance with the said Reddick he (the said Reddick) has been living with his wife and family in his dwelling-house at Four-Mile Point, on the south shore of Choctawhatchee Bay; that said Reddick has inclosed and otherwise improved about 30 acres of the land about and around his dwelling, and, in the judgment of affiant, the value of said improvements is about $500.

THOS. HANNAH.

Sworn to and subscribed before me this 5th day of March, 1889.
[SEAL.] E. C. MAXWELL, *N. P.*

STATE OF FLORIDA, *Counties of Washington and Walton:*

To the senators and members of the house of representatives of the Legislature of Florida:

The petition of the undersigned, citizens of Washington and Walton Counties, Florida, in behalf of the relief of Henry W. Reddick, of said Washington County, respectfully represents:

That petitioners have read the affidavit of said Henry W. Reddick, which is annexed hereto, and are acquainted with most of the facts therein set forth; that the things therein stated which they do not know of their own knowledge to be true they believe to be true on information which they deem reliable and worthy of belief; that said Henry W. Reddick made an honest and earnest effort to secure, by virtue of a beneficent law of the State, an indefeasible title to the home at which he has lived for some nine or ten years, and failed therein through no fault of his; that in the judgment of petitioners the said Henry W. Reddick is deserving of the State's consideration in the premises, and your petitioners therefore respectfully pray that your honorable bodies will give his case your most careful consideration, and reimburse him the value of the home from which he will, in all probability, very soon be obliged to exile himself.

H. H. Burlison, George W. Arras, hotel-keeper; J. M. Langley, N. C. Shackelford, William Turpell, John D. Gray, Herman Hamberg, C. K. O'Neil, Charles H. Hemberg, J. E. Sierra, W. W. Mann, A. F. Warren, A. L. Anderson, A. G. Martin, J. S. Johnson, H. Jernigan, B. F. Calvin, H. Crawford, William L. Davis, William F. Davis, S. M. Stanley, E. S. Drake, A. Bozman, John W. Flowers, Webb Conner, J. W. Brown, J. K. Henderson, J. N. McLane, Columbus Cohran, R. T. Forbes, Amons Little, John E. Bugg, J. H. Davis, W. H. Wesley, W. E. Wise, Buford Calvin, Isaac Lewis, Dickson Jones, W. H. Philips, O. Johnson, Jno. Taylor, Jno. Mayo, J. E. Evans, F. M. Douglas, James D. Morris, Frank Adams, A. B. Houseman, John Wesley, S. A. Wesley, J. M. McKinnon, Jackson Waldrope, Chas. Bauler, Robert Aden, Geo. W. Reddick, James Reddick, H. L. Berry, L. P. Lewin, George Fewin, Charles Everett, J. C. Prescott, A. G. Hutchinson, L. J. Laird, P. T. Leight, W. L. Campbell, J. Laird, Wm. Land, J. B. McElvain, J. C. Scott, E. Gerow, T. J. Walden, Perry L. Biddle, C. A. Landrune, J. W. Smith, W. A. McCallum, James Little, David Waldrop, sr., Jas. L. Russ; H. Hutcher, ex-State Senator; J. Goodwin, James McKinney, Lovel Moore; S. P. Darby, county judge; Michael King, merchant; D. G. McLeod, attorney; J. C. Douglass, ex-collector; J. M. Garrett; G. W. Bowers, tax-collector; J. T. McKinnon, farmer; James M. Holmes, L. P. Campbell; Thomas M. King, merchant; J. A McLean, clerk circuit court; J. J. Adams, farmer; F. M. Hughes; John Russ, farmer; J. L. Kennedy, farmer; J. C. Cabell; T. J. Shapley, mechanic; D. H. King, merchant; A. J. Watkins, lawyer; John Chrisholm, merchant; F. C. Eaton, merchant; Daniel McLeod, hotel clerk; J. P. Alfred, M. D.; Hugh Jones; Will. C. Shugart, editor Critic; J. J. McCaskin, timber-mover; Sam T. White, tobacco-grower; Dawsey White, farmer; Fred W. Stalker, signed; W. C. Eddy; L. F. Cochran, jeweler; H. Wolf, J. A. Holman, W. C. McLean, attorney; F. G. McKellar, James W. Bowers; S. H. Johnson, farmer; Calvin Cyers, farmer; D. L. Campbell, M. D.; G. W. Mellish; Q. F. Tuwin, lawyer; Dan Burk, M. D.; H. Carton, Geo. McCaskill, Wess McKinnon; H. Taylor, D. D.; C. C. McIver; J. B. Craft, machinist; W. R. Hightom, mason and plasterer; W. H. Dixon, planing-mill; S. H. Cook, Rev. R. P. Ambler, J. W. Douglass, J. W. McRae, H. T. Prescott; W. J. Cawthon, farmer; J. J. Fell, mechanic; W. L. Cawthon, merchant; Joe Hutchison, John C. Garrett, C. L. Leus, W. C. Black, Isaac Bracken; M. T. W. Cawthon, stock; M. Manning, C. L. McKinnon, J. L. McKinnon, A. D. McKinnon; John C. McSween, ex-sheriff; John McLeod, sheriff; Fred Houseman, Geo. Houseman.

This statement tells its own sad story of wrong and suffering and of public indignation. It is only one of many hundreds, perhaps thousands, of families sacrificed to unlawful gain.

MR. CHIPLEY'S GREAT INTEREST IN THIS LAND GRANT.

You will perceive then how great the interest Mr. Chipley has for himself and his foreign clients, and for Mr. Wailes, in his animosity towards me.

This vast principality of land represents now and in the future the homes of more than two hundred thousand men, women, and children, each of whom is to pay tribute of toil and endurance and hardship and sacrifice to Mr. Chipley and his foreign clients, and to Mr. Wailes.

I have no interest in the subject but to do my duty. It is not a penny's advantage to me; my election does not depend on it. A hundred Mr. Chipleys and Mr. Wailes and associates can not deprive me of the people's confidence and appreciation of my disinterested efforts to serve and protect them in their rights to their homes. The next chapter in Mr. Chipley's record is his opposition to the passage of a resolution by the two houses of the Legislature of Florida, and to the passage of a bill by the Congress of the United States, giving a patent to the people to whom he had unlawfully sold their own homes and the public lands of the United States, without even the pretense of authority, either from the State or the United States, which would have given repose and security to their title. Mr. Chipley says that the matter is settled, and that he "scorns and defies" my efforts to protect the people's homes. I am confident that the people will get patents from the United States, and Messrs. Chipley, Wailes & Co. be held accountable for the wrongs done to them.

I will not bandy words or names with him. In my opinion Mr. Chipley's action in all these respects is a great and inexcusable injury to the people, to the justice and dignity of the State, and to the cause of public morals.

MR. CHIPLEY AS A RAILROAD AND LAND-GRANT LOBBYIST.

Mr. Chipley as a legislative lobbyist and a convention manipulator. I print the following letters:

I am not at liberty to give the names of the writers, but they will acknowledge them if desired. They are facts from men of high standing, whose statements will be accepted anywhere. Five years ago the Hon. Stephen R. Mallory obtained the passage of an act of the Legislature making the use of railroad passes or tickets for the purpose of influencing conventions or political officers a crime and punishable. This law was called forth by alleged use of the corporate power and privilege of the Pensacola and Atlantic Railroad Company by Mr. Chipley.

The letters are as follows:

MESSRS. CHIPLEY, WAILES AND CO. PROPOSE TO ELECT UNITED STATES SENATORS AGAINST THE PEOPLE'S WILL.

Mr. CALL. If joint resolutions are in order, I offer a joint resolution and ask for its present consideration.

The PRESIDENT *pro tempore.* The first reading will be at length, if there be no objection.

The joint resolution was read the first time, as follows:

"*Resolved, etc.*, That the Interstate Commerce Commission be, and it is hereby, empowered and instructed to make investigations as to all cases of interference or control or attempted interference with or control of future elections of United States Senators or members of the House which shall be reported to them by railroad corporations engaged in interstate commerce either by the distribution of passes or tickets to influence the election of members of the Legislature with such intent or by the employment of agents for this purpose, or by any other means: *Provided*, That such investigation is not intended to include or in any way affect giving passes for courtesy or charity. The Commission is hereby authorized to compel the attendance of witnesses and to use and exercise all the powers conferred upon it in the act creating the Interstate Commerce Commission, and report the same to Congress, with the evidence taken by them."

Mr. CALL. I introduce that resolution by request. It is accompanied to me with the following letter from a person of very high character, whose statements, while I withhold his name, I wish to say will be confirmed by him before the committee upon examination whenever he shall be required to testify. The letter is addressed to me:

"MAY 4, 1890.

* * * * * * *

"I heard a conversation in which you are interested, and the people of Florida and the United States much more than you.

"A Dr. McKhaun, agent of the bureau of immigration, is traveling all over the State with his pockets full of railroad passes. He was just from Pensacola, and had dined with Mr. Chipley, vice-president of the Pensacola and Atlantic Railroad Company. He told me much of what he heard Mr. Chipley say to Mr. J. B. Johnson, of Pasco County, as to when and where and how they would proceed against you. Johnson is still in Pensacola, Mr. Chipley's guest.

"The clerk of the court in Calhoun County showed free passes to ride over Chipley's road, and said that every county official had a free pass. They will leave nothing untried to accomplish their object.

"This is manifestly an effort to use the power of this railroad corporation to choose United States Senators and members of the House by improper means. It is due to the Farmers' Alliance in the State and the stand they have taken that you should bring it to the notice of the Senate and Congress and the country."

Here is another letter of the same kind:

"DEAR SIR: I drop you these few lines for the purpose of informing you of one of the tricks, and I might add dirty tricks, now being indulged in by your opponents here in Florida. I am reliably informed by one who knows whereof he speaks, and is on the 'inside track,' that there are detectives employed to note your every movement in both your public and private life.

"I do not give you this information for the purpose of putting you on your guard at all, but for the purpose of letting you know of the base methods to which your opponents are resorting in order to accomplish your defeat before the next Legislature. If you ever should have occasion to make use of this, I wish you to keep quiet as to your informer, for the reason that I was told confidentially of it. * * * You may now count me as among your supporters. I do not care to be found among men who would resort to such methods as these to accomplish any man's defeat.

"My opposition to you heretofore was based on your position on the railroad lands of Florida, and while I can not yet see the wisdom of your taking such a position in regard to these lands I think that in every other respect you have made us an able and faithful Senator."

Mr. CULLOM. Is the Senator willing to allow the letter to go with the resolution to the committee?

Mr. CALL. I am not at liberty to give the name of the gentleman who writes me, but I vouch for his being a person of character.

Comment is unnecessary. In these letters you can find proof of the motives and of the malice and the untruths of Mr. Chipley's book.

His success as an author is equal to his success as a political manager and a railroad builder. He works with other people's means and ruins the people first and then those who employ him. I consider his enmity an honor, his dispraise a proof of virtue, his friendship a reproach.

I have no fear of him or of his book or of his statements. Mr. Chipley's last exhibition is to elect United States Senators to be the servants of land-grant agents. The manner by which he proposes to do this is to assail the character and the ability of the public servants whom the people trust, and by the liberal distribution of tickets and passes to elect men to the Legislature whom he can influence.

AS AN AUTHOR AND ORATOR.

Mr. Chipley as a writer and an orator.

Mr. Chipley charges me with incoherent speech and with being stupid

in my speech at Pensacola as reported and as quoted by him in his interesting book on my record.

It was very imperfectly reported. I tried to make something out of it before leaving Pensacola, but I gave it up in despair; but if Mr. Chipley had staid there to hear me, perhaps he would at least have understood it; and the burden of it was that the land was the people's, and the law was and is that it is for free homes for the people, and that without law neither Mr. Chipley, nor Mr. Wailes, nor any governor, or trustees, or Commissioner of Public Lands, or Secretary can take it away from them; and that there was a most foul conspiracy in the interest of a vast spoliation of the public domain to override the people, to control their Legislature, and to rule the State by the use of corrupt means.

THE LOBBY IN THE LAST LEGISLATURE.

I now ask the attention of the Senate and my fellow-citizens to the lobby that gathered, like ill-omened birds of prey, at their last Legislature with free wines, liquors, and cigars, with railroad passes and tickets free.

Hon. Mr. Vaughn, of Escambia County, a member of the Legislature, an honest man, a true friend of the people, a useful legislator, stated in writing at a public meeting in my presence, and authorized me to use his name, "that he was told by the chief of the lobby in Tallahassee that if he would let a certain bill go through money should not stand in the way," or words to that effect, indicating that money was offered to him for his vote.

This pamphlet and Mr. Chipley's canvass, in my opinion, is a part of this prearranged scheme for the people's oppression, for the mortgage of their homes, for the appropriation of their labor, by the conversion of the vast domain bought from Spain into the private property of Mr. Wailes and Mr. Chipley, and those whom they represent.

SENATOR CALL NEVER RECEIVED MONEY FOR A POLITICAL SPEECH IN MADISON OR ELSEWHERE.

One of the libels of this pamphlet is that in the "dark days" I was invited to make a speech in Madison and refused to go unless $50 was paid to me. The statement is untrue. No such thing ever occurred. I never received a penny in my life for making a political speech. I have always canvassed the State at my own expense, and frequently paid the expenses of others. This is known to a great many persons. I never met Mr. Chipley on these occasions, and have never seen him amongst the canvassers.

All these charges against me are mere pretenses; are idle absurdities. My life has been passed from my earliest youth in Florida. It has been my habit and that of those from whom I came to give rather than take from others. I have lived but in two places in my life—at Tallahassee and at Jacksonville; in both places those who know me well know that my heart and my home and my means, however small, have always been open to all who were in need. I can therefore well afford to smile at the libels of this pamphlet.

HON. STEPHEN R. MALLORY OBTAINED THE CHARTER FOR THE PENSACOLA AND ATLANTIC RAILROAD COMPANY, NOT MR. CHIPLEY.

The Hon. Stephen R. Mallory, known in the State as a man of ability and promise, being a member of the Legislature in 1881-'82, obtained for Judge Stanly and others a charter to build the Pensacola and Atlantic Railroad from Pensacola to Chattahoochee, which agreed to give the company about 3,600,000 acres of the swamp and overflowed land, selections to be taken anywhere in the State for the construction of this road, about 150 miles in length; also, to give them such rights as the State had in the grant of May 17, 1856, lying along the road which they should build, thus making a grant of about 4,080,000 acres.

LANDS SUBJECT TO BE APPLIED TO FREE SCHOOLS.

The Chipley-Wailes pamphlet alludes to a remark in one of my speeches that the school lands of the State had been lost in the troubles of the war, and now rested in the bonded indebtedness of the State as a burden on the tax-paying people, and that the sinking fund for the railroads, which represented in part the sale of this land, had been sold by an order of Justice Woods for the indebtedness of the Florida Railroad Company in the Vose suit. The Chipley-Wailes pamphlet says this is not true, and raises an idle quibble that the whole of the Vose decree was not for the Florida Railroad indebtedness, and that the proceeds of the Disston land sale of $1,000,000 did not go to pay this debt, which I have often asserted and proved was for the personal debts of Mr. E. N. Dickerson. I again assert this to be substantially true in all its parts.

The reports of the trustees of the internal-improvement fund show a very large part of the Vose decree to have been for the Vose debt, which Mr. Dickerson is proved to have assumed. The portion of the bonds of the Pensacola and Georgia Railroad which were included in that decree does not in any way affect the truth of the statement. If Mr. Dickerson had paid the Vose debt against the Florida Railroad Company, as he agreed to do, the Pensacola and Georgia Railroad having been sold for $1,400,000, $900,000 of which was paid in bonds of that company and the remainder secured by a first lien, it is easy to see there would have been no substantial charge on account of bonds against the internal-improvement lands. The remainder of the lands were subject by the internal-improvement law to be applied to the "support of schools," and the 4,000,000 acres sold to Disston were in like manner subject to be applied to the education of the children of the State.

The trouble is not in my statement, but in the fact that Chipley, Wailes, and associates can not understand how it should be right to appropriate public funds to public purposes.

PICTURE OF THREE HOUSES IN WASHINGTON AS MINE.

The Chipley-Wailes pamphlet contains a photograph of a house in Washington which it says I live in and which it says is a "palatial residence." It is intended to show how "this poor man endures in Washington his humble residence to serve the people." The photograph shows the picture of three houses taken together as if one house. I do not own either of the three, nor any other house or lot in Washington.

For the four years before the current year I lived in one of them while in Washington; and if any one is interested to know, the house is covered by a mortgage, the interest on which is equal to the rent of a good house; and all that I get out of it is the privilege of living in it and paying rent in the shape of interest. It is open to every citizen of Florida who is not a land robber and an enemy to the people of the State, and has furnished shelter and entertainment to them and their children and will continue to do so whenever they will accept its hospitalities. It is not built with the proceeds of any man's home on the public lands; there are no Reddicks sacrificed to build it.

THE HILL LETTER.

The Chipley-Wailes pamphlet and speech alludes to a Mr. E. N. Hill's letter read by me at the Pensacola meeting and prints a letter from Mr. C. E. Merrill, which expressly states that I had authority to use the letter, and if it had not I would have had the authority and right to do so.

I had never seen Mr. Hill nor heard of him until a short time before the letter was written. Mr. J. M. Hines, a newspaper man of respectable character who had frequently informed me, as had others, that Mr. Wailes and associates had paid newspaper men to defame me in the press, brought Mr. Hill to see me, and he made the statement to me in the presence of others, without solicitation or promise, that he had been employed and paid by Chipley, Wailes & Co. for that purpose. At my request he put his statement in writing and I subsequently requested him to address the letter to Mr. C. E. Merrill, then the editor of the Times-Union.

Subsequently I was informed of the existence of Mr. Hill's letter of the 19th of February, 1886, to Mr. Wailes, printed in the Chipley-Wailes pamphlet, offering for a thousand dollars to furnish information that would disgrace me and send me to the penitentiary. I need not say that Mr. Hill had no such information and none existed, but that he had been employed at that time, as he subsequently stated, by the Chipley-Wailes combine is clear from his making such a proposition, which he certainly would not have done to any one except persons in collusion with him.

There was no reason why I should seek to induce Mr. Hill to write a letter about Mr. Chipley. I had a very slight acquaintance with Mr. Chipley. I had never heard of him in any capacity except as an agent of a railroad company. I had spent a night, while canvassing West Florida, during a storm on a railroad car which was under his control, and I consented, much to my regret, to be taken to his house in Pensacola at a late hour of the night on my return from the country in the last State canvass, and that was the extent of my acquaintance with and knowledge of him.

I have no reason to doubt that Mr. Hill wrote both the letters, and that he was employed by Chipley, Wailes and Co. to defame me in the newspapers, and prevent, if possible, my efforts to keep the public lands of the United States out of their control.

The writer of the pamphlet seems to be very intimate with Mr. Hill. He says: "Let the Senator tell what he said when Mr. Hill's messenger called at the Senator's house for his pay." No messenger ever called at my house for pay. No pay was ever asked for. No money was ever paid to Mr. Hill.

I have never had anything to do with Mr. Hill, and when his letter was received there was a witness present by whom all these statements can be proved. On the other hand, I have no doubt that the proof of this conspiracy against the people of Florida and against me, as their servant, can be and will be obtained outside of Mr. Hill, and of a conclusive character, both circumstantial and direct. The fact of his employment by the Chipley-Wailes associates is rendered certain by the statements of the letter which I publish in another place relative to the employment of detectives to find out or make something which might be used to my injury or discredit. The name of the writer is withheld at present, but he is a man of character whose statements are reliable.

MY NEPHEW, RHYDON M. CALL, AS MY PRIVATE SECRETARY.

On page 32 of Mr. Chipley's pamphlet is a statement that I kept my nephew, R. M. Call, on the rolls of the Senate, and had him sign the pay-rolls several times after he left here. Suppose I had done so and had chosen to pay the clerks who did my work myself. I would have had a perfect right to do so; but the statement is entirely false and untrue, like everything else in his pamphlet.

My nephew spent some time with me. I was glad to be able to assist

him and to give him the privileges of the floor of the Senate, and I could only do so by appointing him my secretary.

When he left I employed Mr. J. G. Walker for a short time, and after him my present secretary, Mr. L. J. Eliot, and Mr. Call's name being on the rolls for the first month or two the rolls had to be signed by him in order to draw the money, because of a neglect to enter his successor's name on the rolls of the Senate.

Mr. Wailes and Mr. Chipley, who do me the honor to employ spies to try to find something either in my private or public life that may be the foundation of some charge, thought they had discovered a ground of censure. I did what was right, what any man of proper feeling would have done, and I would be very willing to do so again. Mr. R. M. Call signed the rolls because the appointment had to run from the first day of the month, and in March he did the same thing because, partly through my negligence, the first part of the month passed without filing his successor's appointment. But, suppose Mr. Walker, and after him, Mr. Eliot, had chosen to do the work all the time, and allow Mr. R. M. Call to receive the money, where was the wrong of it, and where the "boodle" in it? Who would have been hurt? Has not a man the right to work for nothing if he chooses, just as much as Mr. Chipley has to work for a railroad company claiming a great part of the United States land in the State.

Mr. Eliot's letter is here printed:

WASHINGTON, D. C., *June* 2, 1890.

I have read the statement in Mr. Chipley's pamphlet against Senator CALL relating to Mr. R. M. Call's acting as private secretary to Senator CALL in December, 1885, and early in 1886. I have been with Senator CALL since February, 1886, as secretary and stenographer. Senator CALL's nephew during the time he was here was on the Senate rolls, and for a short time after he left. I did the work from the time stated, and Mr. R. M. Call's name having been inadvertently allowed to remain on the rolls vouchers were sent to him to sign but the money was paid to Mr. J. G. Walker and myself. Mr. CALL often requires the services of several persons. His correspondence is large, and he requires prompt attention to every letter. Mr. Walker was employed by Mr. CALL for several months both before and after I began to work for him. There was nothing improper in the matter, as Mr. R. M. Call did not receive the pay after he left here.

Respectfully,

L. J. ELIOT.

TWO HUNDRED AND THIRTY-SEVEN PROVISIONS WHICH HAVE BECOME LAWS OR PARTS OF LAWS.

This audacious libel says:

I have prepared a list of four hundred and seventy bills, and I will give $25 to any one who will find a bill introduced by Senator CALL which I have omitted which became a law.

The list is taken from the published lists contained in an executive document. Mr. Chipley did not prepare it. That is the first incorrect statement. The second is that a great many bills in this list became laws in some form or other which he has not stated. To show the value of Mr. Chipley's statements about me, or any one, or anything else which stands in the way of his schemes, I will go over this list.

In the Forty-sixth Congress bills Nos. 568, 569, 570, 651, 653, 654 became law in whole or in part.

The bill changing the limit of the appropriation of the Jacksonville public building has become a law.

Bill changing the limit of appropriation at Key West has been twice recommended by the Secretary of the Treasury and an additional appropriation made, and another one will be made.

Bill to continue improvement of Pensacola Harbor has been placed in the river and harbor bill, for which it was intended ——— to continue the work on the St. John's River; and also bill ———, for further improvement of St. John's River have both passed in river and harbor bill, where they were intended to be placed.

Provision for the improvement of the Caloosahatchee River, passed in the river and harbor bill.

Bill for forfeiture of railroad land grants passed the Senate in bill submitting the question to the courts, and in amendment to general bill on the subject.

FIFTIETH CONGRESS.

S. 236. Five-ton exemption bill; became a law in another form.
S. 237. Suwannee River bill; passed in river and harbor bill.
S. 238. Bill for Amelia Island harbor; became law in river and harbor bill.
S. 239. Passed the Senate and agreed to in conference, but failed of final consideration.
S. 241. Passed in river and harbor bill.
S. 242. Passed the Senate in Mr. SHERMAN'S bill reported from Finance Committee.
S. 245. Became a law in another form, I think.
S. 246. Passed in river and harbor bill.
S. 248. Passed the Senate at another session, and, I think, the House.
S. 249. Passed both Houses and approved.
S. 250. Passed in army bill.
S. 254. Passed.
S. 735. Passed and approved.
S. 1076. Passed and approved.
S. 1431. Passed and approved.
S. 1721. Passed and approved.
S. 2629. Passed and approved.
S. 2672. Passed in Indian appropriation bill.
S. 2723. Law by allowance of pension by Department.
S. 2917. Passed subsequently by joint resolution.
S. 3312. Passed in appropriation bill.
S. 3568. The substantial provisions of this bill reported in a bill from the committee, and passed.
S. 3391. Became a law.
S. 3465. Became a law in other bills.
S. 3568. Bureaus established in Havana and at the Dry Tortugas.
S. 3853. Passed in other bills.
S. 3555. Passed.
S. 3678. Passed in another resolution.
S. 102. Passed.
S. 153. Passed in river and harbor bill.

Here are thirty-eight bills in the Fiftieth Congress, introduced by me, which became laws in one form or another. It is quite immaterial whether it was through the general appropriation bills, by incorporation with other bills or by original bill from the committee. The question is whether the ideas of the bill were useful to the public service and were approved by Congress. Mr. Chipley is just as far from the truth in every other statement he has made.

The proportion of the bills at other sessions of Congress which became laws is equally great.

FORTY-SIXTH CONGRESS.

S. 658. Experimental stations; has since become a law in other bills; witness Lake City College.
S. 569. Has since become law.
S. 679. Has since become law.
S. 816. Has since become law.
S. 1107. Became a law since.
S. 1155. Became a law in river and harbor bill.
S. 1219. Became a law in river and harbor bill.
S. 1402. Became a law in other bill.
S. 1452. Became a law.
S. 1495. Became a law in other bill in part.
S. 1506. Became a law in other bill.
S. 1546. Became a law in general bill.
S. 1641. Became a law in other bill.
S. 1642. Became a law.
S. 1653. Became a law in river and harbor bill.
S. 1753. Became a law in general bill.
S. 1822. Became a law in other bill.
S. 1462. Became a law subsequently.
S. 2081. Passed in general bill authorizing Postmaster-General to establish routes.
S. 2086. Became a law subsequently.
S. 2060. Became a law subsequently.
S. 2101. Became a law in river and harbor bill.
S. 2188. Became a law in part by annual appropriations of $6,000 for the purpose in general bill.

FORTY-SEVENTH CONGRESS.

S. 223. Anclote Light; became a law subsequently.
S. 228. Pension for P. B. Perry; became a law subsequently.
S. 294. Became a law in general bill.
S. 1145. Experimental farms; became a law in general bill.
S. 1512. Became a law subsequently in general bill.
S. 226. Became a law subsequently in general bill.
S. 1761. Became a law in general bill.
S. 2004. Became a law in general bill.
S. 1527. Relief of A. Hopkins; became a law subsequently.
S. 1174. Became a law subsequently.
S. 1609. Became a law in general bill.
S. 1800. Became a law.
S. 220. Became a law.
S. 1680. I think this bill became a law subsequently.
S. 230. Became a law.
S. 249. Became a law.
S. 839. Became a law.
S. 855. Became a law in general bill.
S. 1803. Became a law.
S. 1173. Became a law in other bill.
S. 1140. Became a law in other bill.
S. 57. Became a law in river and harbor bill.
S. 1685. Became law by action of Treasury Department.
S. 1381. Became law.
S. 514. Became law in other bill.
S. 236. Became law.
S. 2472. Became law in general bill.
S. 2429. Became law.
S. 2349. Became law by settlement in the Treasury Department by compromise pending action on the bill.

FORTY-EIGHTH CONGRESS.

S. 2103. Became law.
S. 1879. Passed the Senate in another bill.
S. 137. Became law.
S. 890. Became law in part in river and harbor bill.

S. 894. Became law in part in river and harbor bill.
S. 2064. Became law in appropriation bill.
S. 1901. Became law in another bill.
S. 1228. Hartridge & Christopher; pending bill settled.
S. 1575. Became law.
S. 2034. Became law.
S. 1405. Became law.
S. 891. Became law.
S. 225. Became law.
S. 1321. Became law.
S. 1723. Became law.
S. 666. Became law in Mexican war pension bill.
S. 1093. Became law. No proof of loyalty required in Mexican war pensions.
S. 892. Became law in part.
S. 893. Became law in part.
S. 136. Became law.
S. 138. Became law.
S. 985. Became law.
S. 1989. Became law in part by annual appropriations for this purpose.
S. 2047. Became law in part in river and harbor bill.
S. 889. Became law in part in river and harbor bill.
S. 1281. Became law.
S. 1408. Became law in river and harbor bill.
S. 888. Became law by settlement by compromise pending action on bill.
S. 128 and 129. Became law in bills reported from Committee on Printing.
S. 102. Became law in other bill.
S. 2623. Became law.
S. R. 103. Became law in general bill.

The Chipley-Wailes pamphlet says that of all these bills and joint resolutions only one, S. 2623, became law. Comment is unnecessary.

FORTY-NINTH CONGRESS, FIRST SESSION.

S. 1464. Passed Senate in bill reported by Mr. COCKRELL from Committee on Military Affairs.
S. 169. Became law in general appropriation bill.
S. 420. Became law in part in other bills reported from Committee on District of Columbia.
S. 458. Became law.
S. 441 and 451. Became law in part in river and harbor bill.
S. 440. Passed the Senate and agreed to in part in conference report.
S. 457. Became a law in general bill.
S. 449. Passed the Senate twice in bill reported from Committee on Finance.
S. 433. Became law.
S. 453. Became law.
S. 469. I think this bill became law in other bills.
S. 443. Pensacola Harbor, became law in river and harbor bill.
S. 455. Became law in general bill.
S. 445. Became law in Mexican war pension bill.
S. 447. Became law subsequently.
S. 432. Became law in part subsequently.
S. 168. Became law in general bill.
S. 167. Became law in general bill.
S. 463. Became law in part subsequently.
S. 442. Became law in general bill.
S. 452 and 463. Became law in general bill.
S. R. 10. Became law.
S. 446. Became law in other bills.
S. 166. Became law by compromise in Treasury Department on basis of bill, in part. Motion for committee of investigation. Subcommittee of Committee on Public Lands was appointed.
S. 874. Telegraph line to Jupiter Inlet; became law and line established.
S. 1030. Same as above.
S. 1293. Passed the Senate and put in the appropriation bill.
S. 1313. Passed the Senate in other bills.
S. R. 1. Resolution exempting soldiers and sailors from civil-service examination; became law in part.
S. 1613. Became law in part in other bills.
S. 2151. Became law subsequently.

FORTY-NINTH CONGRESS, SECOND SESSION.

S. 3051. To pension B. Thebaut; passed the Senate repeatedly and is now a law.
S. 3153. Became law in general bill.
S. 3324. Became law in other bills.
S. 3065. Became law in other bills.
S. 3232 and 3233. Became law.
S. 102. Quarantine station near Key West; became law.
S. 2991. Pensacola Harbor; became law in general bill.
S. 2918. St. John's River; became law in general bill.
S. 2992. Tampa a port of entry; became law in general bill.
S. R. 86. Became law in effect and the information was furnished.
S. 2915. Became law in general bill.
S. 254. Articles of war relative to deserters; passed the Senate.
S. 1431. I think this became law on report from Light-House Board.
S. 233. Became law in general bill.
S. 3568. Became law in part.
S. 3312. Became law in part in other bills.
S. 249. Became law.
S. 735. Became law.
S. 228 and 241. Became law in general bills.
S. R. 70. Became law.
S. 2916. Became law in other bills.
S. 250. Became law in other bills.
S. 242. Passed the Senate; SHERMAN'S report from Committee on Finance.
S. Res. 102. Became law.
S. 217. Became law in other laws.
S. Res. 35. Jacksonville subtropical; passed the Senate.
S. Res. 218. Passed Senate and House in part, and appropriation made.
S. 1076. Passed Senate and House.
S. 219. Pensacola Harbor; became law in part in general river and harbor bill.
S. 339. Became law in other bills.
S. 234. Became law in other bills.
S. 228. Became law in other bills.
S. 2603. Passed Senate in other bill.
S. 222. Became law in other bill.
S. 221. Became law in other bill.
S. 2773. Became law by action of Secretary of the Treasury.
S. 237. Became law in general bill.
S. 1721. Became law in other bills.
S. 2629. Became law in other bills.
S. 3308. Became law in part in appropriation bill
S. Res. 111. Became law in bill establishing stations at Dry Tortugas and in Havana, Cuba.

Two hundred and thirty-four bills and joint resolutions introduced by me, of the numbers and titles cited in the Chipley-Wailes pamphlet, have become laws or parts of laws, or passed both Houses of Congress in some form. Nearly all of this number having become laws, I need not exhaust time, patience, and paper by enumerating them. A brief classification of them will convince every one that the writer of the Chipley-Wailes pamphlet does not know as much about the laws or Congress as he does about selling the people's homes and about the duties of a railway freight and traffic agent and the imposition and collection of ruinous freight and passenger rates from the people.

FURTHER MENTION OF IMPORTANT BILLS WHICH BECAME LAW.

Mexican war soldiers are pensioned; Pensacola and St. John's Bar and River have annual appropriations; Fernandina and Amelia Island, and Cumberland Sound, also have annual appropriations; Volusia Bar and St. John's River improvements became laws; St. Augustine, Caloosahatchee River light-house at Anclote; public buildings at Jacksonville and Key West, Apalachicola River harbor improvements, writs of error in criminal cases, homestead law amendments, compensation of inspectors of hulls and boilers, Suwanee River improvements, bill giving patents to settlers, passed both Houses and agreed to in conference in the Fiftieth Congress; no oath of loyalty required in Mexican war pensions, park donated to St. Augustine, lot purchased for the barracks at St. Augustine, bill to establish a bureau of silk culture, became a law in an appropriation practically effecting that purpose; experimental farm college or station became a law in effect by the establishment of a station at Lake City; St. John's River lights, Dog Island light-house, Mosquito Inlet light-house, relief of certain purchasers of public lands are the subject-matter of some of the bills which the Chipley-Wailes pamphlet states failed to become law, but which in fact did become laws in some form or other.

SENATOR CALL'S RECORD OF BILLS COMPARED WITH THAT OF OTHER SENATORS BY THE RECORDS.

It will be seen from the official record that the bills introduced by Senator CALL which became law bear a fair comparison with those introduced by any other Senator.

WHAT SHALL BE SAID OF THE WRITER OF THE CHIPLEY-WAILES PAMPHLET?

What shall we say of the poor, miserable writer of the Chipley-Wailes pamphlet, who can not make a better libel than this which the public laws themselves expose? Yet this is the means by which it is sought to take away from the people their free homes on the vast domain of public land, equal in size to many States of the Union, and put the proceeds of its sales in the pockets of Chipley, Wailes & Co. and their foreign employers.

DEGRADING SPECTACLE.

No spectacle more degrading has ever been presented to the Senate and the people than this audacious attempt to prevent legislation by invading the precincts of the Senate with a libel so foul and so false, and yet so weak, upon a Senator only because he has done his duty to the people in trying to protect them against the unlawful appropriation of their homes and their labor.

LAW OF THE UNITED STATES.

There is a statute of the United States which may properly be applied to such a case. It reads as follows:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than $1,000 and not more than $10,000, and to imprisonment not more than two years.—*Section 5440, Revised Statutes.*

AMOUNT OF MONEY OBTAINED FOR FLORIDA WHILE SENATOR CALL HAS BEEN IN THE SENATE.

The following letters show the amount of money expended in Florida since I have been in the Senate:

TREASURY DEPARTMENT, *May 28, 1890*

SIR: In reply to your telegram of the 21st instant, asking to be furnished with a statement showing the appropriations made from 1880 to 1890, inclusive, on account of rivers and harbors, public buildings, light-houses, life-saving service, and quarantine establishment for the State of Florida, I have the honor to transmit herewith statements giving the desired information.

Respectfully yours,

W. WINDOM, *Secretary.*

Hon. WILKINSON CALL, *United States Senate.*

Statement of appropriations for river and harbor improvements in the State of Florida for the fiscal years 1880 to 1890, inclusive.

1880	$39,500	1887	$306,750
1881	249,000	1888*	
1882	222,000	1889	375,000
1883	374,000	1890*	
1884*			
1885	276,000	Total	1,840,250
1886*			

* No appropriations.

Amount appropriated for river and harbor improvements in Florida before 1879, $505,483.

Legislation in regard to public buildings in Florida between March 4, 1879 (Forty-sixth Congress), to the close of the Forty-ninth Congress, March 3, 1889.

Jacksonville—Post-office, custom-house, etc.:	
1886, July 29. Limits cost to $150,000; appropriates	
1887, Mar. 3. Appropriates	$70,000
1887, Oct. 2. Appropriates	80,000
Key West—Court-house, post-office, etc.:	
1885, Feb. 25. Limits cost to $100,0000; appropriates	100,000
1887, Mar. 3. For foundation appropriates	8,000
1889, Mar. 2. For protecting site	3,000
Key West—Marine hospital:	
1880, June 16. Repairs sea-wall	1,000
1883, Aug. 7. Completion sea-wall	4,000
1884, July 7. Completion sea-wall	1,000
Pensacola—Post-office and court-house:	
1882, June 10. Limits cost to $200,000	200,000
1886, Aug. 4. Appropriates for approaches	5,000
1888, Mar. 30. Completion in excess limit	2,000
Tallahassee:	
1888, June 7. Limits cost to $75,000 and appropriates	75,000
Total	549,000

OFFICE SUPERVISING ARCHITECT TREASURY, *May 22, 1890.*

Statement showing amounts expended for the establishment of new life-saving stations and houses of refuge on the coast of Florida, the places at which they are located, and the cost at each place. (The statement includes all the expenditures for such purposes on the coast named between 1880 and 1890.)

Jupiter Inlet, a life-saving station	$7,708.75
Santa Rosa Island, a life-saving station	7,034.97
Smith's Creek, a house of refuge	3,068.93
Mosquito Lagoon, a house of refuge	3,055.51
Chester Shoal, a house of refuge	3,057.50
Cape Malabar, a house of refuge	2,976.98
Indian River Inlet, a house of refuge	3,260.75
Total	30,163.39

The above expenditures were made by fiscal years as follows:

Fiscal year ended June 30, 1885	$644.70
Fiscal year ended June 30, 1886	29,374.13
Fiscal year ended June 30, 1887	144.56
Total	30,163.39

Statement of amounts expended in Florida from August 1, 1882, to May 12, 1890, from the appropriations for "preventing the spread of epidemic diseases," "in aid of yellow-fever sufferers," "quarantine station, Key West, 1889," and "quarantine service, 1890."

Previous to 1882 the expenditures were under the control of the National Board of Health.

Epidemic diseases.

From August 1, 1882, to June 30, 1883	$5,381.93
From July 1, 1883, to June 30, 1884	14,627.33
From July 1, 1884, to June 30, 1885	2,080.75
From July 1, 1885, to June 30, 1886	
From July 1, 1886, to June 30, 1887	
From July 1, 1887, to June 30, 1888	13,159.86
From July 1, 1888, to June 30, 1889	227,829.90
From July 1, 1889, to May 12, 1890	4,130.00
Total	268,209.77

Appropriation in aid of yellow-fever sufferers.

From September, 1888, to June 30, 1889	64,563.80

Appropriation to perfect the quarantine service of the United States.

From August 1, 1888, to June 30, 1889	3,069.19
From July 1, 1889, to May 12, 1890	2,534.43
	5,603.62
Unexpended balance to be expended during the year	82,396.38

Appropriation for quarantine service, 1890.

From July 1, 1889, to May 12, 1890	$6,022.64

RECAPITULATION.

Epidemic diseases	268,209.77
In aid of yellow-fever sufferers	64,563.80
To perfect the quarantine service, Key West	5,603.62
Maintenance, etc., quarantine service, 1890	6,022.64
Total to May 12, 1890	344,399.83
Unexpended balance to be expended during the year from the appropriation to perfect the quarantine service of the United States. Also, what may be expended from the appropriation for "preventing the spread of epidemic diseases," "quarantine service," etc.	82,396.38

LIGHT-HOUSES, ETC.

Appropriations for works in Florida.

Act approved—	
June 16, 1880	$10,000.00
March 3, 1881	20,000.00
August 5, 1882	4.00
August 7, 1882	50,000.00
August 7, 1882	30,000.00
March 3, 1883	30,000.00
March 3, 1883	35,000.00
July 7, 1884	10,000.00
July 7, 1884	20,000.00
March 3, 1885	40,000.00
March 3, 1885	200.00
March 3, 1885	17,500.00
March 3, 1885	600.00
August 4, 1886	50,000.00
August 4, 1886	17,500.00
March 3, 1887	20,000.00
March 3, 1887	17,250.00
July 31, 1888	40,000.00
October 2, 1888	35,000.00
March 2, 1889	1,750.00
Total, 1880 to 1889	424,804.00

RECAPITULATION.

Life-saving stations	$30,163.39
Public buildings	549,000.00
Add new appropriation for tax bills	100,000.00
Light-houses	424,804.00
Rivers and harbors	1,840,250.00
Preventing epidemic diseases	426,399.77
To this date	3,502,417.25

The total amount expended for rivers and harbors in the whole history of the State before I came to the Senate was a little more than $500,000.

Three million five hundred and two thousand four hundred and seventeen dollars and twenty-five cents have been appropriated for Florida since I have been in the Senate. This amount will reach with the appropriations of 1890 over $4,000,000.

The Chipley-Wailes statement, therefore, contains as many false statements as there are dollars in the above enumeration.

SENATOR CALL'S SERVICES HAVE BEEN FOR THE PEOPLE'S GOOD.

There is another difference; this great sum of money was honestly obtained under the law for public purposes. It came to the people of the State to enrich them with blessings of permanent utility. It contains no proceeds of the sale of the free homes of the people; there are no Reddick families sacrificed and turned out on the highways. It is no part or share of lobby fees. It does not levy tribute to the extent of ten or twelve millions of dollars on the labor, the comfort of the people of Florida of this and future generations. It deprives no poor men's children of an education or of future success in life, as does the Chipley-Wailes misappropriation of the public lands to their own benefit, and that of their employers, to be spent in other States and in foreign lands.

Federal Election Law.

SPEECH

OF

HON. THOMAS R. STOCKDALE,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 28, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. STOCKDALE said:

Mr. CHAIRMAN: The proposition to enact into law this bill now under consideration has occasioned a debate here which in my judgment is entirely foreign to the real issue that is pending before the House and wide of the real objects and designs of this bill, and which its supporters dare not discuss on this floor. For if the real designs of this measure were unmasked the people would recoil from it as a wicked thing. Gentlemen on the other side have been making orations in favor of pure elections with as much muscular earnestness as though they meant that. And this is the amusing part of the play.

Some gentlemen, the uninitiated, may be in earnest. There are always members of the troupe who honestly believe to the end that they are playing tragedy. Their seriousness makes the farce better. Some of the really intellectual supporters of this bill may be sincere. "God, I thank thee that I am not as other men," was not peculiar to wealthy Pharisees. The parable might be taken from real life then, or now, or at any time. And the "other men" might well exclaim "Amen," and doubtless the fellow was in earnest. But the brainy leaders and managers who work behind this glamour of glittering pretenses about pure elections know that this bill was skillfully framed as a cover to their plans to change the result of honest elections by means of corrupt Federal officials supported by Federal bayonets. The only man of intelligence who has supported this bill openly and honestly is the Speaker of this House, when he said "we will do our own counting and make our own certification."

It is not the elections they will deal with under the protection of this bill, but the counting and certification are the potent factors in getting men into Congress. "Practical results are what they want, to do business" is the word, and Speaker REED has the courage to put it on its merits, and declines to join in this masquerade that deceives nobody. The gentleman who stands godfather to the bill [Mr. LODGE] consumed two hours of the time of the House trying to cover its nakedness, but while he wove elegant drapery it is too thin.

Born of greed and love of power, nurtured upon usurpations and injustice, it can not be made to assume the form of innocence.

They have introduced into this debate no evidence, but have burdened the RECORD with bold and bald assertions, defaming the South; then with solemn upturned faces say, "We—who are not as other men—will send our disciples down there to purify their elections."

They have provided a system of machinery that they have the cheek to present to the country on that proposition. We have had an example of a free ballot and a fair count with such machinery as this; and they forget or they shut their eyes to the fact that as it was then it will now be composed of the very basest of men, and it is intended by some, not all, I know, to produce corruption in the elections in the South.

But I find this peculiarity about this measure, Mr. Speaker: Every man who has spoken on that side on this question has not intimated that it will ever apply in his own State. The inference is that it will always be applied somewhere else. It is something like the people—if I may quote Lorenzo Dow—who believe in the doctrine of election, and they believe that of necessity a large part of the human race is going to be damned, but you can not find any one of them who will acknowledge that he is to be the damned fellow. [Laughter.]

Neither will these men when they speak in favor of this law admit that they are the parties who are going to be affected by it or that their sections will reap its fruits. It is always somebody else. It is the South that is going to be damned.

I will excuse the gentleman from Ohio [Mr. WILLIAMS] for his sentiments. I have no feeling against him, for I have this consolation; he says that his wife was born in Texas and that his children were born in Tennessee. Now, if his wife was born of the noble blood of the Lone Star State, and his children first breathed the air of heaven on the hills of Tennessee, those boys will never learn at the knee of that noble woman to support a system of refined cruelty, as this bill proposes, and inflict it upon a brave and chivalrous people. It will be the last of the race that will ever support such a bill. [Applause.]

I want, Mr. Speaker, in the time I have to speak, not to waste time on the constitutional questions involved in this bill—able gentlemen have been heard on those propositions—but to say that there is no occasion for the legislation proposed, that it is un-American, that it means usurpation, that it is without reason, and the proposition must have something sinister behind it. And I greatly fear there is much of revenge in it. So far as Pennsylvania and New York and the other Northern States that have been criticised on this floor are concerned, gentlemen who represent those States are amply able to take care of themselves, and I have nothing to say. The gentleman from Massachusetts [Mr. LODGE] remarked that it was cowardly in the nation to give the ballot into the hands of men and not protect them in the use of it. Admit it, but does that justify the Republican party in using the National Legislature in framing laws to protect the men whose votes they want, and in performing that pretended duty with corrupt and cruel machinery that will crush out their own race? Is that not equally cowardly, I might say dastardly?

But ah, the next gentleman from Massachusetts [Mr. GREENHALGE] says that the dominant race will not be dominated; that the race accustomed to rule will not be controlled by a race unaccustomed to rule. I say, too, that there is no danger of negro domination in the South, if they were let alone and allowed to exercise their own will. It is not negro domination but New England and negro domination mixed we fear—a domination of avarice using the colored men as tools to force the South to pay tribute to New England and the North, and that, too, by creating enmity between the races that did not exist before. I say that the problem that was solved after the war in the Southern States is without parallel in the history of this or any other nation, civilized or otherwise. No such problem was ever presented to any people, and none but the superbest manhood could have solved that most complex problem so promptly and so well, and I do solemnly believe that there is not on the earth to-day, if there ever has been, another people with the inborn greatness to accomplish such a feat with all the surroundings. And I can not be charged with egotism for such utterances. I am not a native of the South, but was born and raised and educated in the North.

In my early manhood, proud of my native State whose borders I had seldom crossed, I left my home to see something of the mighty, surging, Anglo-Saxon American race. Every mile I traveled I became prouder of being an American. I wandered southward, and there saw in the descendants of the matchless cavalier the highest type of civilization. Then peace reigned over the broad expanse from the Lakes to the Gulf, and from Plymouth to the Golden Gate, and the nation had one great heart. When the untoward years precipitated that stupendous conflict, history was compelled to say that such warriors had not lived before. At the end of those four frightful years the transformation was appalling. The North was made more prosperous by the war, and shouts of victory went through all the land. The South was left standing amid a desolation gloomy as the shadows of death. While the North reveled in luxurious homes, listening to the songs of triumph, the hollow voice of despair smote upon the ears of the South among the blackened chimneys where their homes had been. I watched their actions with nervous anxiety. When they went forth to battle they left their happy homes in a land beautiful and prosperous as the fabled valleys of the Orient. They left behind them magnificent estates, teeming wealth, and a glorious womanhood, unsurpassed in all the world. When they returned, the few that did return, the tramp of destruction had left desolation. The court of death had held sway in the once fair land, and the fair daughters were clad in mourning and want stared in their faces.

Amid these appalling surroundings a new and startling social problem sprang into view. Here was a race in great numbers, who had been slaves for three centuries, suddenly invested with citizenship. They had no history, no antecedents; no one knew what would be the result. The government of master and slave was gone—indeed all government was gone—and new relations must be assumed at once. They had no time to meet and consult. They had no means to assemble if they had had the time. I wondered anxiously what will those marvelous people do in this crisis demanding an incredible degree of magnanimity and noble manhood? Is the vaulting spirit of the cavalier crushed out forever, and shall the proud race end here? Who will have the heart to write the history? Then came to the front that superb womanhood of whom that unexampled soldiery was born, and with her sublime faith encouraged the scarred and crippled veterans to enlist anew in the great battle of life and to march bravely into the future, gloomy and foreboding as it was.

With the justice and magnanimity that spring from noble natures, they rose to the occasion; each man acting for himself, as with one impulse, they did at once and without ostentation what the most enlightened civilization would have done after deliberation and consultation. They at once extended a friendly hand to the race they had owned, and in cordial grasp they went to work to reclaim their native land from a dismal devastation. Within thirty days the whole problem was solved, so far as the races were concerned, and the two races, once masters and slaves, now citizens all (the disfranchised masters and enfranchised slaves), were working peacefully together in mutual confidence and perfect good-will. The crops had been planted and partly advanced.

All the freedmen asked was the word of their former masters that they would divide fairly in the fall, which was promptly and freely given and strictly observed. That unexampled revolution in society that was expected to cause upheaval and anarchy was by the master minds and great hearts of a people who could rise amid poignant suffering and terrible disaster to the full stature of the noblest manhood and womanhood adjusted in a day. These people just emerged from the most terrible war of modern times, wrung with the pangs of crushing defeat, weighed down by the sorrows of beholding ruined homes and the graves of brave comrades and kindred, showed themselves greater than even this unprecedented emergency. They yielded promptly to the inevitable, recognized the changed relations of society, and recognized and respected the full and complete rights of their emancipated slaves.

We have been told by half the Republican speakers in this debate, so far, that the slaves were loyal to their masters during the war, and Southern men should have no enmity against them now.

That the slaves were loyal to the Southern people during the war as a rule is eminently true. There were some who proved treacherous and went out and joined the enemy and piloted troops back to their old homes to plunder and rob and burn, but they were not numerous enough to disgrace the race. As you say, they staid on the plantations and took care of the families while the masters were in the war, and they were intrusted to hide such things as would be stolen when the enemy approached. And the most marvelous feature of it was that during the whole of the war it was not thought necessary to bar a door against them, nor for two or three years afterwards, until the

Republican party sent among them a set of emissaries profane in sentiment, of debauched habits, bold and cunning, but below the Hessians in morals.

They did not seem to regard the relation of master and slave, but were as friends, and passed from that status into freedom without a jar, and moved on peacefully until the Philistines came. You could not realize that. You expected anarchy, and kept the war on for a year; and had the great mine-owners and manufacturers of the North been their former owners there probably would have been; but the friendships of generations were deeper and higher than slavery, and in the new relation there was no more fear of the freed negro than a man would fear his son the day he became of age. The next morning after it was announced to them that they were free as their masters, and could go where and do as they pleased, the house servants and attendants outside went singing through the house and about the premises attending to their work as usual, and the field-hands went to the field in the same squads.

All this is highly creditable to the colored race, and will be held in grateful remembrance by the white people of the South, and bears its fruits still, and no ex-slave has ever been turned away by his old master if he had the means to aid him. It also tells another story, a chapter of unwritten history, that will irritate you to hear: That never could have occurred where hard task-masters and cruel treatment produces continuously strikes and riots. It speaks in terms more eloquent and forcible than pen or tongue of noble qualities in the white race which you seek to destroy. It shows that even in the position of masters they were noble enough, and humane enough, and great enough, and so acted as to bind to them in bands of everlasting friendship the race they owned as slaves; a friendship that survived slavery; a friendship that the cunning machinations of wickedness have failed to destroy, and is living evidence of nobleness of character in the master race, as well as faithfulness in the colored race.

The old masters and the old slaves are friends to-day, defying all the vicious schemes put in motion to alienate them. The young men of the two races have grown up alienated, it is true, and "pity 't is 't is true." That condition is the result of causes which the white people of the South had no part in producing and are not responsible for. The people whom the Republicans sent to prey upon and reconstruct the South desired to rob the people there. They needed power to accomplish that end. The decent negroes would not follow them. The negroes pointed with pride to the fact that they were free and citizens, and their former masters were their friends, to whom they could go for assistance; that they sat upon juries together, and were addressed as gentlemen of the jury, former masters and slaves alike.

I speak from personal knowledge when I say there was no enmity in either race towards the other until it was imported there by Northern Republicans, and the poison carefully and industriously and insidiously instilled into the unsuspecting and naturally superstitious mind of the negroes. They destroyed the happiness the negroes felt, and it was great, at being free by creating within their untutored mind the false apprehension that they would be returned into slavery. By that means they succeeded in controlling the negroes so far as to get in power.

The men, or whatever they were, that held the offices, and their minions, and many of the teachers under Republican rule there engaged in that avocation to accomplish their purpose. For that diabolical act I have no comment. The crime of wholesale robbery of the white people they were enabled to perform by means of the negro vote thus obtained, and even their brutal tyranny, may be forgiven by the great, magnanimous people who suffered by it if it be not repeated. Who shall forgive that crime against the negro race I know not.

When the very decency of civilization demanded the unfettering of the Southern people, they, by their dauntless spirit and unexampled courage and energy, brought prosperity up out of desolation. Both races shared it, and harmony was being restored. The matchless recuperative energies of the South not only excelling anything known to history, but, as my eloquent friend from New York [Mr. COVERT] said, "surpassing the wildest conceptions of romance," appeared to the astonished gaze of the world, and the sympathy and magnanimity of all good people rejoiced at the superb heroism of her people, and civilization viewed with conscious pride the magnificent manhood and womanhood and the marvelous achievements of that renowned race.

But the Republican party, lynx-eyed and wary, soon descried in the rebounding prosperity, in the returning harmony of the races, peacefully at work in that marvelous country, a menace to their long-cherished hope and fixed determination to divest the people of power and place it where the associations of aggregated wealth and great combinations and corporations could have unrestrained sway in shaping the legislation of the country in their own interests. That their methods might destroy the property, the prosperity, the peace, and the lives of both races in the South was of minor importance to their own money-getting.

> What are a thousand (lives) like thine
> To piles of gold like mine!

After a successful and peaceful Democratic Administration had dissipated the last fears of the colored race as to their liberties and rights, it was apparent to the Republican party that something must be done to rekindle enmity so rapidly dying out between the races, and the old methods were revived with some additions. If a difficulty occurred anywhere in which a negro and a white man were involved it was taken up and the negroes throughout the land were informed that a general massacre of their race was going on, and Congress, particularly the Senate, was made a sort of kneading machine to fix each one into a mass, leavened with a few packages of the best brand of slanderous misrepresentations to make it rise and swell into huge and ugly proportions.

It was a wonder why the Senate periodically stopped the legislation of the country to investigate some alley fight, and printed at Government expense volumes of falsehoods against the South, and then subsided without any action. Now it appears they were flyblowing public opinion in the interests of this bill. This being the popular branch and members fresher from the people, some have uttered their slanders impromptu; others wrote them down and read them. But the Senate has them stored away. And about the time the dog days are on they will bring out the packages molded and sour, and with what glee will they snuff the fetid aroma and hold it under the noses of the new Senators and waft it to the country, that every man who delights in human suffering and enjoys the prospect of black heels on white necks may say, Ah, ha, and ah, ha!

Mr. Speaker, I will not express doubts here of gentlemen's sincerity when they say this bill does not mean negro domination. I simply submit that the sincerity and intelligence of the supporters of the bill can not both be maintained on that theory.

Gentlemen who talk that here, have failed to comprehend or appreciate the cunning and ability of Mr. Davenport, its author, and owe him an apology if they talk sincerely.

I know it is sought to hide its deformity by surplus rhetoric, and the learning of Massachusetts has been invoked for that purpose. But, Mr. Speaker, clothe it as you will its ears are too long to be concealed except to willful blindness, and the voice of the beast is not disguised.

To argue that the provisions authorizing partisans—probably corrupt—clothed in the authority of the Government to impress the ignorant, to make a "from house to house canvass," followed by armed ruffians as deputy marshals—I say to argue that such provisions are not intended to afford opportunity for bitter and unscrupulous partisan canvassers to inflame anew the negro mind against the white people and to intimidate negroes who want to vote the Democratic ticket, and to corrupt the elections, is inconsistent with the history and practices of the Republican party in the South heretofore; and, as I have said, the proposition only raises a question between the sincerity and intelligence of the advocates of the bill. I presume Mr. Davenport, its author, will not pretend that it means anything else. I will not be discourteous enough to express an opinion as to which side has it. It might be propounded as a parliamentary inquiry.

A celebrated citizen of the Bay State, said to be sound on silver in all its shapes, is reported as intimating that he was indifferent as to what was said of him if he was not called a fool.

The gentleman from Massachusetts who stands sponsor to this bill [Mr. LODGE] said, and many have repeated after him, that honest men who do not commit election frauds need have no fear of this bill. Why, Mr. Speaker, the gentleman from Massachusetts is historian enough to know that the Inquisition was established and maintained upon precisely that theory. That argument is not new at all. The victims there always had a trial such as is provided in this bill.

And the kind embrace these religious gentlemen propose to extend to the liberties and prosperity of the South is strikingly like the embrace of the virgin extended to disbelievers in that institution. And I might say here that it is plain enough for the wayfarer to see that this inquisition is to be erected to punish unbelief.

If the South would but say Abba Father to Republican arrogance and have no other God before protection, and bind themselves and their children to contribute to the insatiate greed of monopolies, why, instead of meeting a volley of barbed epithets on entering here, they would enter under a canopy of smiles and be greeted with shouts—behold the Lord's anointed. No inquiry would be made as to previous character or by what devious ways they made the journey to Mecca.

But, it is said, this bill provides for putting the machinery into the hands of the Federal judges, in whom the people have confidence. Yes, and in that consists the chief infamy of the scheme. It is not only a cunningly devised plan to destroy the South and thereby weaken opposition to their usurpations of power, and to be used as a decoy to distract the attention of the honest people of the country from their real designs, but to debauch the courts and use them as instruments in partisan injustice and fraud.

The great plan of this Government, the wisdom of which has invoked a century of encomium on the fathers, was that the three branches were created co-ordinate, but each equal to and entirely independent of either of the others—three supreme powers in one accord, to express the sovereignty of a great people. It was, indeed, a grand conception. With that conception lodged in your minds, look at this bill and contemplate that branch of the Government in which the people have heretofore had most confidence, and to which they

have looked as a grand and dignified safeguard to their liberties, getting down in the mire to the depths of the requirements of this bill.

The circuit judge of the United States court is not to take notice of the law and administer it at the terms of his court, but whenever he shall be informed by a chief supervisor of elections that it is necessary that the court should be opened. No petition asking the judge to open court and showing cause for it, and letting him decide, but he is to be informed by a supervisor, and he must bounce as a lackey and open the court. This supervisor, who will be *prima facie* corrupt, simply informs the judge, to use the language of the bill, "that he has business to present to such court in respect to the next ensuing election." The judge must open the circuit court (not a district court) within ten days, no matter that he may be holding court somewhere in his circuit, and all the district judges may be doing the same, where great cases, civil and criminal, are being tried. He must bounce like a dependent minion, that this bill makes him, and open his court within ten days. Where? At some court-house or where some court is usually held? Oh, no. "At the most convenient place for transacting the business of registration or election matters," says the bill.

Every district in the circuit may make their demand at the same time, and the bill provides that "the court when so opened shall be always open until the second day after the election." That will require all the district judges at the same time to be absent from their courts, probably for two months, so that the supervisor can absolutely dominate the judges by keeping them tramping around the country with the court in a carpet-bag for months unless they consent to do what he wants.

I wonder if one of these supreme judges, who pose with so much dignity in this Capitol, will have to perform that duty when he goes out as circuit judge; and if so, how he will look going through the country, wearing that black gown on a mustang pony, with the court in his saddle-bags, hunting the most convenient place to meet 50 or 100 rascals, who have, through the supervisors, ordered him out.

But the judge, whoever he may be, will have the consoling reflection that he can stop at any cross-roads and sit astride that pony and exercise a power that no other man in this or any other civilized country can exercise, neither president nor king. He can determine who shall hold the office of Representative in the American Parliament—a thing that heretofore only the sovereign people could do, and who only can do it now in England, or France, or Germany. In the French Republic a plurality will not elect a member to the Chamber of Deputies, but a new election must be had. They could save time and trouble by adopting the Reed-Davenport plan of doing their own counting and certifying, backed by dominated courts and armed marshals and the Army and Navy. It beats the alleged Mississippi plan entirely. It makes the Government pay for it. Men who commit frauds in his interest know they will be tried before him, and by a jury selected and packed by a commissioner of his own creation and of his own party.

My friend from Tennessee [Mr. McMILLIN] has suggested, "and that, too, when the United States judges are all, with the unanimity of a combination, pressing Congress with might and main to increase their salaries." I had not thought of that, and his words sounded like the ring of the curfew on the ears of the belated Briton.

When you put it in the power of a judge to determine by manipulation of machinery in his hands whether his political friend or political enemy shall go to Congress, you place before him a temptation that he should not see. And when the further circumstance occurs that by acting fairly he sends to Congress a member who will vote against additions to his salary, and by acting unfairly he sends to Congress a member who will vote to give two or three thousand dollars annually for the balance of his life—if he be weak in moral sense he will yield; if he be strong in integrity, and justly decides in favor of his friend, he will be suspicioned; and in any event the court is degraded, and you commit a crime to hold out the temptation and debase the courts.

Mr. Speaker, is it because the dominant party is in such straits and love power so much that this reckless expedient must be resorted to? Or is it because great success in oppressing portions of the people by which they acquired great wealth has inspired such contempt for pure government that they can look with complacency on the subordination of the courts to party interests, and this is simply a disciplining process to bring the courts under the domination of party power, so as to have them well in hand when greater schemes of usurpation are to be inaugurated. I will not criticise the present judges, for I do not know who will fall in presence of this temptation. While England's greatest judge, it is said, was susceptible to the touch of gold, Jeffreys withstood it, but ambition for a better place and partisan hate made him do worse. To honest men who think that no such thing can occur in America I refer you to days when worse men than they were on the American bench. It would be discreditable to either name to associate with it the name of the besotted bestial debauchee whom the Government sent as United States judge to dispense justice to the people of Louisiana a few years ago. A committee of the Senate said they knew no language strong enough to express the abhorrence of him.

After he and the United States officers of the United States courts had made a very cesspool of the court for years, and appropriated to their own use every estate of importance that came into the bankrupt court, he was, you will say, impeached at once; no, he was kindly advised to resign. The President and Congress did not want to injure his character as these things were only done in the South. There are certificates in that court now, over official signatures, with the seal of the court affixed, and perjury in every line, that robbed the people out of millions of money. They will, perhaps, be shipped back South to certify members into Congress under this law. They know how "to do business," and are in favor of "practical results." And men who can count 3 per cent. of a bankrupt fund to the estate, and 97 into their own pockets, would be fair counters in this game soon to be played with the ballots of the people. There should be written after every section of this bill, wherein United States judges are mentioned, the words of the gentleman from Tennessee: "And that, too, when all the judges, with the unanimity of a combination, are pressing Congress to raise their salaries."

It is impossible to have an independent and pure judiciary and humiliate the judges; and this bill will, if it becomes a law, make them walk under the yoke and do, if not disreputable, at least contemptible and humiliating political work.

The people have lost confidence to some extent in the purity and uprightness of the legislative and executive departments. The press of the country laughs at both when they talk of non-partisan action. Now it is proposed to besmirch the national ermine, if temptation will do it, and humiliate the judges by putting men of low degree over them and require them to submit to corrupt masters. Gentlemen, let me ask you to pause before you do it. Is not this great country entitled to have one of its departments above suspicion? The reputation of the judiciary should be as sacred to a nation as that of a wife to her husband, and no man worthy that name would place her where her purity could be questioned, however great the gain might be to him.

Can not you devise some other means to accomplish this great wrong? Can not you think of some other agency to oppress and push back the South and get rid of a rival without debasing the courts?

Why not come out boldly, like the Speaker, and acknowledge what you really mean by this bill, simply to do your own counting and your own certifying, and boldly, as the gentleman from Illinois, give notice that if there is any interference with that operation bullets will be ready? That is what you all mean when you put supreme power in the hands of the supervisors, with pay for as many armed ruffians as he may want as marshals. Why not come out like men and support your leaders?

If the Republican party really wanted fair elections, and thought force were necessary, it would be far less expensive, far more humane and much more patriotic, and certainly more honest, to send the Army directly to watch the elections. But that would not suit your purpose. You could not control the army officers. They are not pressing Congress to raise their salaries. They are not ready to shoot and intimidate white voters and negro voters who want to vote the Democratic ticket, for a few days' pay as deputy marshals. They would not pack juries.

They would not produce any race conflict. They would not do their own counting and their own certifying, but would see that fair elections were held and certification made by State officers. But that is not what you want. One honest, fair election, and the result properly certified all over the United States, and the real voice of the whole people expressed, would annihilate the Republican party.

I presume the case has been well diagnosed by Dr. REED and the conclusion reached that nothing short of this abomination will save the patient, and nauseous as it is to the honest and conservative men of the party it must go down with the hope that the doctor and his attendants will be enabled by the use of the appliances to count and certify enough for the purpose, and if necessary the supervisors and armed deputies can incite race conflict for the benefit of doubtful districts in the North.

Members of the House so far have been more conservative than Senators and other prominent leaders. The members here have not expressed an intention of going further than to shoot the men, and not that if there is no interference with their own counting and certification. No member here has announced the desire to incite the negroes to massacre innocents and burn their homes as a means of having fair elections. Whether Senators will renew their suggestions to the negroes to use the dagger and the torch and prominent leaders and journals of the Republican party will urge the same thing in the interest of pure elections remains to be seen when the bill goes there. The Speaker of the House has said that there is no fear of negro domination in the United States. He is mistaken; it prevails in the United States now in an adulterated form, and not different from that which prevailed in the South during reconstruction.

The majority of the white people of the United States are Democrats and the Republican party is in power now by negro votes, and this is a revolutionary party measure to further stifle the voice and throttle the will of the Anglo-Saxon race in America. If the Republican party had let the negroes and white people alone there never would have been trouble between them. No negro would have complained of intimidation or that his vote was not counted as he

cast it. There never would have been any election riots or bloodshed. The interests of the races were and are the same. As I have said, their friendship was complete. The Republicans who flocked to the South found that state of affairs there, and seemed astonished at it. In Mississippi they framed constitutions containing clauses disfranchising the white people. They submitted the Mississippi constitution to the people for ratification. While a large portion of the leading white men were disfranchised, the white people who could vote and the negroes in perfect accord voted it down.

The ex-slaves said they did not want to disfranchise the old masters; that was in 1868. The next year the constitution was again submitted and the objectionable clauses voted down by separate vote, but elected a Republican Legislature. Then the insidious work of making the negroes enemies to the whites, in order to hold onto power in Mississippi, was commenced. And other States shared the same fate. Reconstruction lasted seven years. Its villainies are not half known, but enough is known to make it a stench in the nostrils of decency the world over. It could not stand the light. It slowly dawned on the honest negroes that they were victims, and they joined with the white people and voted the Vandals out of the country. Prosperity came back to the country, and peace and goodwill have prevailed ever since. Grand juries and petit juries are composed of both races. No breath of suspicion that the courts are not honestly conducted; no difference is made, except a negro is generally sentenced for a shorter term than a white man for the same offense. The white people educate them, build their school-houses, contribute largely to build their churches, and always assist the needy. I never saw a negro tramp in the South.

The negroes have 200 per cent. more property than they had in 1875. Yet these are the men you can not trust with the rights of the negro. I do not wonder at it.

The more the negro becomes educated, the better he sees, and the more prosperous he is, the keener he feels that he is the slave and has been made the victim of the great protected interests of the North and East. He begins to see that all he consumes he pays a bounty on to his fellow-citizens, and what he makes to sell is depressed in price by a vicious financial system. He sees that the intelligence of his section, to which he is indebted for his prosperity, voting against high tariff and monopolies and trusts, and as fast as he learns his interests is inclined to do the same.

The great aggregations of wealth, monopolies, trusts, pools, combines, gambling exchanges, alias the Republican party, saw all that also, and promptly determined their policy to meet the emergency. And our arrows will fall far short of the origin and source of this bit of legislation, that is but the initiatory step in a gigantic scheme, if they be aimed only at the Speaker and his followers here. He is doing what he was elected to do, and which if he failed to do or try to do he could not be either Speaker or member of this body.

His masters are not Shylocks standing on a bond, but American Republicans demanding a check signed in blank that they may fill out for everything in sight.

While I admit that he is the agent, the field marshal, and has done what no other member could have done, if THOMAS B. REED should die to-night this bill would be a corpse to-morrow, but the movement would only be postponed.

Whatever may be said of the morals of the men who manage the great combinations and trusts of this country, and hence the Republican party, they are not lacking in brain power, and their vision is never obscured or their judgments warped by any such meek sentiments as patriotism or magnanimity or justice. They bow only at the shrine of omnipotent gold.

For years after the reconstruction methods had been hissed from the presence of decency they supposed the South had been so despoiled that she never would recover, or, if at all, it would be long after they had consummated their plans to assume permanent control of the Government legislation in relation to finance and commerce. Gradually and stealthily they were loosening the hold of the people on the Government machinery and centralizing the power in the General Government. Once there they had no fears that they would be able to control it. They spent their leisure time and squandered ill-gotten millions in ostentatious visits to Europe. Many of them crawled to the feet of the nobility, begging with gold in hand for social recognition.

The market price for titled imbeciles for husbands went up into the millions. They put off American manners and eschewed American opinions and assumed European customs and ideas and sentiments. They studied with admiration the systems and workings of strong governments. I have heard advanced on this floor what seemed to the members, judging from their manner, should silence opposition and refute all argument, to wit, that England or Germany or some European Government had acted in a certain manner on that question. Those powerful men with colossal fortunes, sycophantic to royalty, imperious and austere at home, found plenty to do their bidding.

They formulated and issued instructions to politicians and said, obey these and we will furnish money to buy voters; refuse, and not a dollar.

They never deigned to visit the South, but rested on the reflection that people without money, afflicted with race antagonisms, can not be of importance.

They believed their retainers when they said that the South could be easily kept under by slander and misrepresentation, exaggerating altercations into race conflicts, and keeping the North solid against them; by putting enmity between the races, thereby continuing turmoil and strife, destroying their prosperity so that the white people will become discouraged and submit in despair to negro rule, we can control the negroes. So the Parnell and crimes advertisement plan was resorted to, except that the publications were read in the Senate and House, so as to get them in the RECORD and circulated at Government expense.

But they awoke in amazement to find that unprecedented people, supposed to have been crushed out for a century at least—perhaps to end in anarchy and conflict of races—already on the highest plane of civilization, with the kindly heavens showering down prosperity upon them like a benediction to their sublime faith and matchless courage.

The inquiry went round, "What manner of people are these, who can not be destroyed;" who spring into new life from the very womb of desolation, who, as with magic power, transform sere and horrid destruction into blooming prosperity within fifteen years; that, too, without aid or even a friendly greeting, but beating their way against the rebuffs and jeers and hisses of the Government whose duty it was to protect and aid them?

Germany seems to regret that she did not cripple France more in their late war, but has the magnanimity and honor to let her alone.

The present Administration, including the Congress here, seems to regret that the South was not stamped deeper into ruin, and is proceeding now to the work of destruction with a malevolence more dangerous than that which perpetrated the cruelties of reconstruction, for then the motives could be attributed to the revenges coming out of war. But now the hatred is against the Democratic party, which, being the party of the people, interposes the only barrier to the great Republican scheme of centralization and the complete subordination of the Government and its legislation to the great money powers that control the Republican party.

The Democratic party is magnanimous and can forgive and forget. It extended a friendly hand to the South in her woe, rejoiced in her returning prosperity and the greatness of her people, endeavored all the time and still desires to give the South an equal chance in the race of life by enacting fair and not discriminating legislation. Hence all parties in the South soon learned that they must look to the Democratic party for protection to their liberties and prosperity if they were ever again to have any. That augumented that party into a majority in the United States, which is still increasing, though its voice has often been stifled by corruption and frauds. This is the offense for which the South is doomed to suffer this fearful persecution.

The Republicans know that a law applying in terms to a part only of the States is unconstitutional. They know they dare not use force to intimidate voters and protect false counts and certifications in the North. They have, in their straits, invented this scheme to enable base men to use the power of the Federal Government in localities without restraint, believing, no doubt, that public passion in the North has been prepared by slanderous publications and speeches to sustain or condone any outrages that may be perpetrated on her people, so that minions selected for the purpose can go from house to house, followed by armed ruffians, to intimidate voters, and a subservient board can count in and certify as members of this House such persons as will do their bidding.

If these methods can make enemies of the races now living in peace and produce conflicts and turmoils, the purposes of this bill will be all the better served, for they will serve to close the ear of the North to the complaints of an outraged people. The destruction of the South will weaken the Democratic party and the great scheme of the Republican party can be consummated.

No matter that the prosperity of the negro must perish with that of the white race. Greed has no heart and avarice no conscience. So these sons of Cræsus, the Europe-going, Europe-admiring bosses of the Republican party, imported this bastard English crimes act to make an Ireland of the South. They seek to create a tribunal modeled after the Parnell commission, which pursued the innocent long after it was known to the commission that purchased perjury was the basis of the prosecution. After giving them months of further time to rake the world for further slanders with which to destroy Ireland, the commission dismissed without rebuke these suborners of perjury who had labored with skill and millions of money to fasten, for a century to come, upon a brave people the fetters that have chafed into their flesh for centuries past. It was only Ireland that suffered and was to be outraged.

That the party in power dominated that commission, using the influence of the Government until its rulings became so shamelessly partisan that the greatest lawyers of the realm retired from its presence in disgust, every intelligent man knows and every good man deplores. But it is fortunate that the Government used a special commission, which ceased to exist when its disgraceful service was done, and not the courts, whose records have thereby escaped the pollution of suborned testimony used by the connivance of the Government to destroy the prosperity of a part of its own subjects.

It is unfortunate for the ermine of America that the framers of this

bill did not follow to the end the Parnell commission bill, and if they must use the judges for this degrading partisan work, at least separate them from the courts and form a commission, so that the records of those tribunals may not be disgraced before the eyes of the world and future generations. That the party in power in America will dominate this machine, all expect; that all its parts will work together is not doubted. Whatever methods the people who will be selected to count in and certify their friends to membership in this body may adopt, they will have no fears. The "jury fixers" will see that the criminals go hence without day. It is only the South that is to be destroyed, and no one will heed her complaints.

The courts of America are not above suspicion of partisan influence now, as is evidenced by harsh criticism and not infrequent denunciation of their decisions by members of both Houses of Congress. When this pressure shall be put upon them the temptation will be greater to study and comply with the views of the party which created the law. The independence which is expected of judges on account of life tenure will be removed in this instance, as they will be called upon to elect a Congress before which they will apply for increase of salary.

He would be a judge very dull of comprehension who would read this debate and see the spirit manifested by the majority, which will be duplicated in the Senate; read the denunciations of the white people of the South and the eulogies upon the negroes, then study the bill with the machinery provided for its execution; partisan supervisors with power to make the judges run like valets at their bidding; armed marshals *ad libitum* with Army and Navy waiting, and "jury fixers" furnished—I say they would be dull judges who would not see that negro domination is the object of this bill. They will never suppose that this armament is to be used on negroes who have been eulogized here, but to intimidate and, if necessary, kill white people who have been denounced here to the extent of the vocabulary of invective.

It is not an unfair version of this bill to say that this part of it is intended to take the courts down from their high and independent position and bring them under the surveillance of the legislative department, so that they may be used in the great scheme of centralization. If the judges endure this humiliation they may be expected to "pity and then embrace" all future similar vices.

I do not believe the judiciary of any State of the Union would submit to such degradation. I do not charge on the majority of the House as a body the design of debasing the courts. I believe every lawyer on both sides and in the Senate, who loves his profession as a great and noble science and as the stronghold of constitutional liberty, despises that part of this bill. I refer to the great moneyed combinations who dictate nominations and furnish the money to elect the candidates, who may be denominated a "board of control" to the Republican party, sitting in New York and other cities, by whom the independence and the rights of the people and the integrity of the Republic are all considered as secondary in importance to the protection and increase of their already colossal fortunes. They are a power in the Republican party that few will dare disobey. The warning finger of the Speaker can take the bone out of any of your backs.

In short, the contest in America between aggregated wealth, strong government, and centralized power on the one hand and the masses of the people, liberal government, and liberty on the other hand is assuming more definite form daily. This is a bold advance stride by the usurpers, some of whom are ready to put off the mask while others prefer still to remain under cover.

The gentleman from Massachusetts [Mr. LODGE], for instance, talks of honesty and fairness in reference to this bill with a facial earnestness that is comical in the extreme, in view of the surroundings. Some of Mark Twain's best hits consist in saying absurd things with a sort of droll earnestness, but I do not think he would say as stolid a thing, in joke, as that this bill is intended for a good purpose. Nothing is more comical than the gentleman's seeming belief that he has been clever enough to convince other people that he is in earnest in the assertion that this infamy is not planned for the success of the Republican party, even by the destruction of prosperity and peace and life, if need be, in the South.

The other gentleman from Massachusetts [Mr. GREENHALGE] would probably have the same manner at a funeral or a dance. He seems to enjoy, in anticipation, the cruelties of this measure.

The Speaker does not descend to disguises, but announces boldly that all this circumlocution means simply that the Republicans, surrounded by armed marshals, will count in and certify whom they want. That is honest, at least.

The gentleman from Iowa [Mr. HENDERSON], with rage suppressed to the danger line, vehemently announces the balance of the policy, that killing bullets will be used if there is any interference with the schedule. That again is honest, and not surprising.

It was expected that was the use to which some thousands of armed ruffians would be put. The gentleman also informs us that the North has been waiting twenty-five years for changes in the South and are becoming impatient. What changes, may I ask? I can readily conceive what a part of the Northern people have been waiting for. Those who are actuated by generous and Christian impulses, those who are magnanimous enough to help wounded fellow-citizens to their feet, and to allow them to reclaim their devastated homes—they have been doubtless waiting impatiently for the time when the South can be let alone and slanders cease.

But what changes were the gentleman and his party waiting for the first ten of that twenty-five years, when they held the South, exhausted and bleeding as she was, in the grasp of a brutal and savage tyranny that rendered any change but slow death impossible? And what for the last fifteen years? Certainly not for prosperity to come to that people nor harmony between the races, for both exist there and have all the time. And this bill bears upon its face evidences that it was framed to destroy both. With the attitude of the present Administration towards the South, with no officer in the national Cabinet to lift a voice in her behalf, but an indignity thrown in her face by the chief officer in his management of the Pan-American Congress; with the unpleasantly vivid memory of how the Government complimented the worst of the carpet-bag crew for their work of destruction and oppression by giving them offices of emolument and trust, we may expect like men to seek employment under such a law and to do like work with the expectation of similar rewards.

These supervisors and their armed crew, believing, as they will believe, this measure intended to push the South back by means of race conflicts and turmoil and to break the spirit of the people, will be inspired to their work as the carpet-baggers did, and get their reward, and therefore I say the tendencies of the bill are extremely vicious, for I believe that to put enmity between two races who are now living in peace and who must live together in the future, and to produce race conflicts, with their dire results, for party ends, is to commit the blackest crime of the age.

I do not pretend to charge such motives on all who supported the bill or who will support it. The large majority who will vote for it would shudder at such motives. That those who with study, deliberation, and skill framed its provisions had such designs, if it became necessary to the desired result, is evidenced by the bill itself. Any intelligent, patriotic man who will carefully consider its provisions in the light of the past, if he believes that such are its designs, will conclude that it has in it more of the spirit of assassination than any statute of America.

With these surroundings I admit in sorrow that the future never gave out such hollow and ominous forebodings to the South. With such skies over them it will require stout hearts to go forward undismayed.

No doubt you think this rack sufficiently cruel to crush out forever the proud spirit of the white race in the South, whom you seem to hate so bitterly for the reason they are advocates of the party of free government and interfere with your plans of making money, and therefore must be destroyed. But, gentlemen, let me say in truth and soberness you will perpetrate these crimes and inflict your cruelties in vain. Temporary success may indeed reward you for this crime against humanity, but liberty and justice will rise again as surely as truth will rise. You will not even then have tried the depths of the powers of endurance nor have broken the spirit of that grandest of the races of men.

There are races of people who never bow to a master, but may, of course, be exterminated. From what magnificent people the red races of America descended is not known; but centuries of savage life, though bringing many degrading traits to them, have not weakened the spirit that never begs mercy. For three centuries they and their native forests have melted away before the ax and scimiter of civilization. They have suffered where there were none but the heavens to weep and none but the towering sentinels of the wilderness to bow over them, but they have bent the knee only to the Great Spirit. They are marching to extinction before a mistaken and cruel policy of the American people, with sinewy step and erect form and head. The requiem of the last tribe will soon float over the "Golden Gate" as the weird music over Biloxi Bay, on the beautiful shore of the State I am proud to serve; but not a mound nor hillock nor riverside between the oceans or lakes and Gulf will mark a spot where a red man cowered under persecution.

I know many races have been reduced to vassalage by long continued cruelty and oppression of conquerors, but Caledonians, Celts, Huguenots, and Cavaliers have never served and know no master but death. No tortures you can inflict will bring to your eyes the feast of beholding black heels on white necks.

If the sentiments of the gentleman from Iowa are to be the policy of the party in the enforcement of this measure, if it becomes a law, and a killing bullet is to accompany every ballot, this bill is well designed for the purpose. As the gentleman's remarks were all directed against the South and the law is not intended to apply to the North, we know what it means. Hordes of armed men under partisan supervisors, responsible to nobody, with these same sentiments, will perhaps be willing to attempt to carry out the spirit of the law. If this Government, denominated by the gentleman as the kindest in the world, thinks that course courageous, to murder citizens in the interests of pure elections, the machinery is here in this bill.

But I desire to say for the colored race I have no complaint or charge to make; I have always been friendly to them and know them well; that, except a few unscrupulous leaders who want positions at any cost to either race, they do not seek the position that this measure is intended to force them into. The history of the race shows that they

are not ambitious to rule other races; they want peace and easy prosperity, which they now have, and the men who drive them into the undertaking to control the Anglo-Saxon race are enemies of both races, and criminals. We had experience of negro rule, led by white men from the North, for seven years, and do not propose to return to it; it was disastrous to both races. The interest of both races demands that intelligence should rule. The white people have the intelligence and the property, have charge of the educational system and institutions of learning; they have brought peace and prosperity to both races, and education to the colored race, and it is their duty to control the domestic policy of the States, and they neither ask nor want advice from fanatical Northern Republicans, who, for selfish ends, would destroy them all. All the enmity that has ever existed between the races was caused by that class of people.

While this scheme is of fearful importance to the South and of great magnitude and skill, worthy of intellectual, bold, bad men, there is at least one feature of its management that sinks to the contemptible, and that is, the feeble attempts of some of its advocates to convince the country that they are sincere in the assertion that this is a national measure and intended to be just and fair, and not born of sectional revenge and aimed at destruction of the South. Why, the amendment offered by the honorable gentleman from New Jersey [Mr. LEHLBACH], making it national, was throttled by the Republicans with the promptness with which a band of robbers would throttle a detective. They know they dare not make it apply to the North, but they feel confident that they have so poisoned the public mind against the South that no one will care what injustice is perpetrated there.

The rights of an American citizen under Republican rule depend largely on where he lives and how he votes. The Government has had an army killing Indians for twenty-five years because the white people of the Northwest wanted their lands. The Chinese were pronounced undesirable citizens by the Northwest, and the Government broke its solemn treaty at their command. An empire of land was granted and millions of money paid to give the Northwest railroads. Great irrigation schemes are now being forwarded in the Northwest, and the seal fishermen of that region are engaging the country in controversy with England. The fishermen of the Northeast complained, and the Government promptly went to their assistance. And that sturdy American, Grover Cleveland, would have bridled the English lion and restrained his incursions but for the cringing of Republican Senators. The country is taxed that Northern industries may prosper, and protection removed that Southern industries may languish.

If a negro complains, or any one for him, the Government pauses to hear it. But let Southern white men raise their voices in behalf of their homes and people and vote for their own interests, and bitter denunciation from a hundred trained throats is poured upon them; and none so vituperative as the West. A leading Western journal suggested to the negroes that the Indians situated as the negroes are would make the rivers of the South run red with blood. In the North American Review, over the signature of the leading ex-Union soldier in the Republican party, appeared the following paragraph:

> The negro must be allowed to vote, and his vote must be counted, otherwise, so sure as there is a God in Heaven, you will have another war more cruel than the last, where the torch and dagger will take the place of the muskets of well-ordered battalions. Should the negroes strike that blow, in seeming justice, there will be millions to assist them.

Similar sentiments were uttered by the leading Republican Senator in his place in the United States Senate in the Fiftieth Congress. So far as I know, none of these utterances (which seemed to be too nearly simultaneous to be accidental) have been rebuked by any Republican journal or speaker; and taking into consideration that the Northern people have been persistent in the assertion that the South is responsible for acts of individuals because her journals did not denounce them, this fact becomes of grave importance, for by the same logic they are indorsed and encouraged by the North. While those publications were circulated among the negroes and indorsed by the worst element of them, they did not adopt the suggestions. The negroes have no taste for an enterprise of that sort; they are better people than those who entertain such sentiments. Had they pursued that course and destroyed the prosperity of the South this bill would probably not have been framed.

Grave inquiries come out of these surroundings and force themselves upon our attention. Is this bill the outcome and embodiment of such sentiments instigated by that class of statesmen? Are these armed deputies to be appointed *ad libitum* to serve as the millions mentioned by that great Republican leader of thought and threateningly repeated in the Senate? Is this the degradation to which this Government and this nation and this race are to come in the hands of the Republican party?

I make no such charges against members of this House. I would not do that as a Representative of the people on this floor. I do not believe there are half a dozen members who would not shudder at such consequences. I do not believe the instigators of the worst features of this bill are in the House.

I say these inquiries come out of the surroundings in view of what has transpired heretofore. No man who lived through that period and reads this bill will doubt that its provisions and plan were suggested by the practices of reconstruction, and that like results are expected.

I have no desire to rehearse the scenes of those times. No language can describe the facts as they actually occurred. I will content myself with quoting here some comments made upon them by a member of this House while they were being perpetrated, Hon. D. W. VOORHEES. Speaking of the Southern States, he said:

> They emerged from the desolating conflict fit objects for the wisdom and care of a benevolent statesmanship rather than as the proper prey of hungry jackals, who wrangle and feed upon the wounded after the battle. Their fate, however, in many respects surpasses in infamy and in misery the worst that ever befell a conquered people. * * *
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> Sir, I challenge the darkest annals of the human race for a parallel to the robberies which have been perpetrated on eleven American States. Ireland has been made to enrich many a lawless lord lieutenant sent over by England to govern that beautiful but unhappy island. The stories of her wrongs and pillage have been said and sung in every hamlet in the civilized world; yet her contributions to the cause of a wicked government have been mere pittances compared to what the South has been compelled to make. * * * The basest Roman consul, whose name is preserved on the pages of the historian, becomes respectable by the side of a Southern governor under the present policy of this Government.
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> Had you sown the seeds of kindness and good-will, they would long ere this have blossomed into prosperity and peace. Had you sown the seeds of honor, you would have reaped a golden harvest of contentment and obedience. Had you extended your charities and your justice to a distressed people you would have awakened a grateful affection in return; but as you have planted in hate and nurtured in corruption, so have been the fruits you have gathered.

J. S. Black, the great commoner of Pennsylvania, said in his open letter to Mr. Garfield (in illustration of the rule that "might makes right"):

> "Mohammed asserted it when he forced his religion on the subjugated East. On the same principle Poland was partitioned and Ireland plundered a dozen times. The King of Dahomey acted upon it when he sold his captives, and the men of Massachusetts indorsed it when they took them in exchange for captives of their own."
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> You and your confrères adopted it as a part of your political creed when, after the Southern people were thoroughly subdued, you denied them all the rights of freemen, tore up their society, abrogated all laws which could protect them in person or property, broke their local governments in pieces, and put them under the domination of notorious thieves, whom you forced them to accept as their absolute masters.

I will only say that these great masters of the English language have not overdrawn, but fallen short of the facts. It ought to be added that all these persecutions were heaped upon a people already crushed by war, and amid a desolation that told of terrible and unnecessary cruelties. I have never heard a word of regret or apology for these barbarities by any Republican on this floor. I do not suppose any were ever spoken. On the contrary, when that work was done, the boldest, wickedest, basest perpetrators were rewarded by the Government by signal manifestations of its favor. It trusted its honor to their keeping.

This bill, deliberately and skillfully framed, provides elaborately the machinery and the means to accomplish the same results. The chief topic of Republican orators and journals in the last campaign was abuse of the South. The President joined in it. As soon as he was seated he suggested this measure. The only arguments in support of it are invectives as bitter as they were in reconstruction times; and the utterances I have quoted from leading Republicans have never been rebuked by any Republican journal, and are therefore acquiesced in and encouraged. No word of sympathy or encouragement is ever spoken or written by Republicans to the South in her great struggle with adversity and with the race problem, but every possible impediment and obstruction is thrown in her way. Not a word of commendation for her efforts in educating the negroes, but every act is denied or distorted.

The Republican press has for years been ablaze with denunciations against the solid South. Solid how? In her vote. That vote added to the Democratic party of the North makes that party formidable. That party is the only barrier to the entire domination of the Government by the monopolies and trusts and great moneyed combinations of the North, using the Republican party as a means, and therein lies the great offense for which we must suffer.

This bill contains the machinery to destroy the South. Will they do it rather than abandon their scheme? The history of the last twenty-five years forces every unbiased, intelligent mind to the reluctant and horrible conclusion that they will if they can. I know the good men of the Republican party will not believe it, and the bad ones assume not to believe. But it is easy to see that this bill is framed with that view. It puts this great power in the hands of irresponsible men who will perpetrate the crimes. They know you will not go South, and that you will not listen to any one who speaks good of her people, but will applaud him who brings evil tidings. When the work shall have been done and the party profited by it you will say again you did not know, but wrong will be as cruel as though you had known. I, too, was a disbeliever until now when evidences gather around like specters.

I addressed a reunion of Confederate soldiers in my own State soon after those utterances from leading Republicans which I have quoted were published, and concluded my comments upon them by saying:

> The United States soldiers would loathe a proposition to incite the African race to massacre the white people and to help them do it, as they would loathe dishonor, shame, and cowardice. They would no more engage in such diabolism than embrace a leper, and tens of thousands of christian women of the North would hold up their white hands and with flashing eyes demand, "Where is the

boasted civilization of the nineteenth century?" Is the dawn of the twentieth century, now almost up to the horizon, to be painted out by this "deep damnation?"

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No, no; the Stars and Stripes will never look down upon that scene while a soldier is the Executive and commands the Army and Navy. Brave men will not turn fiends. Satan has not been unchained for his thousand years' revel. Civilization is not a blasphemous mockery, but a living inspiration from on high.

I have been asked what I have to say now of the Executive in whom I expressed confidence. I have replied that I can not answer until I see his signature to this bill, enacted into law by this Congress. Then any honest man will be compelled to say that the great seal of the United States or of any civilized country never appeared in any place indicating so base a purpose.

Even the anarchists could appeal to the courts and were protected against the Chicago police upon the ground that they were American citizens and had the right to hold their meetings and talk as they pleased. But for the South there must be special tribunals where partisan supervisors control the judges.

This will be the first instance in England or America where the judges are required to act in their official capacity without first exercising their own judgment. Even the writ of habeas corpus can only be obtained from the judges by petition showing sufficient grounds. But this bill puts the judges under the absolute control of partisan and probably corrupt supervisors. The supervisor is made an autocrat over the United States judges. All he is required to do is to write a note to a United States circuit judge and say, in the language of this bill, "I have business to present to the circuit court in reference to the next ensuing election; open your court." The judge may be trying cases elsewhere involving human life or millions of property. He can not even ask what is the business. The supervisor would not tolerate that in his subordinates. "Get up and go; do you hear?" And go he must, like a menial, within ten days, to the most convenient point for the hundred scoundrels who have made false representations against the people. When there his duties will be ministerial and subordinate to a politician of the most partisan type, and probably corrupt. I say it is degrading to a judge and humiliating in the extreme except to those who fail to appreciate the honor and dignity of their high positions and are willing to wear drabbled ermine for gain.

It was said during the war, by one of the great actors in it, "We are making history." That would be more applicable now. We are not repeating, but making history now. There is no precedent for this.

Mr. Speaker, in the progress of mankind on the face of the earth the great races of men have been few and wonderful. We know nothing of the origin and but little of the life of the Egyptian race. The pyramids that seem to rise up out of oblivion, beyond the horizon of history, testify of a magnificent race, and by the light of revealed history we see only glimpses of its departing glory.

Notwithstanding that the Israelitish and Greek and Latin as well as the Anglo-Saxon races were so similar (except as to time) in the circumstances of their origin as to astonish historians; yet each one evolved and left a halo of civilization with distinctive features as easily recognized as the planets in the sky.

Embalmed and laid away in languages that are not spoken, and therefore do not change, we find the sublime thoughts, exalted ambitions, and great race pride of the civilizations that have arisen upon the earth. The architecture of more than one age, of more than one race, of more than one civilization, is embodied in the construction of this Capitol. Genius lives while dynasties rise and fall and civilizations come and go. It is one of the inscrutible things of creation that so few have been permitted to walk in the blessed light of civilization while the unnumbered millions have groped their way from the birth couch to the tomb in darkness. Why the veil between mankind and the effulgence of civilization that seems so near has been withdrawn so seldom and partially is beyond finite comprehension.

But history discloses the fact that every great civilization was the result of a great race first created. Civilization does not create great races; if it did it would not decline. And the divine Power that breathed into those races the vitalism of great civilizations created each with race affinities, race affections, and race pride, by means of which a great nation was formed and held together by the mystic ties of race affinities and race pride, where every citizen was proud of every other great or good citizen; resulting in great intellectual forces trained by a common system of education, inspiring unity of thought and action, high patriotism, great ambitions and great successes, and hence great civilizations.

The Anglo-Saxon race assumes to lead the nations included in the present civilization, and America boastfully claims to bear the advance banners in the great march of progress; and yet the world pauses now to look for the first time upon a civilized people in full possession of their own Government deliberately giving over a division of their own country and a large proportion of their own people, of their own race, of their own tongue, kindred, and blood to the domination of another inferior and groveling race; so that the highest intellectual culture and refinement and virtue may be dragged down and ruled by ignorance and superstition and vice. The best colored men will not engage in it.

Of a truth we are making history, for no precedent for such an act has disgraced any civilization, and the first chapter is being written into the world's history to record the action of a great race writing the mark of Cain upon its own frontlet. And, as is usual with usurpation, these schemes are put forward under the guise of liberty and christianity and justice to the colored race, when it is palpable and the authors of this bill know that the prosperity and peace and happiness of both races will sink together under the influences of this measure, if it becomes a law, as in the simoom's breath.

A gentleman on the other side quoted the eloquent lines, "Oh, Liberty, Liberty, what crimes are committed in thy name!" and which I think are applicable here. And the same author might have added, "Oh, Justice, Justice, how many cruelties have been perpetrated in thy name!"

I can imagine how other races, who have no pride in ours, perhaps a tinge of envy, can regard this movement with complacency. But that the proud Anglo-Saxon race, with the glory of its achievements upon it, with its aspirations and hopes before it, can inflict this venomous wound upon itself is incomprehensible. Or is the world about to witness the spectacle of the vaulting ambition of the Puritan blood subsiding into servitude to an arrogant plutocracy, and its sublime aspirations withering into a sordid love of gain, then using its great power to compel the Cavaliers to bow under the same tyrannical scepter or submit to humiliation and ruin evoked by means of enmity, turmoil, and strife created for the purpose?

I had thought until now that the war was settled in good faith, and that the action of the Government in restoring the States would be kept in good faith. It is not usual to go back and rake the embers after a quarrel is settled, but this bill seems to have an affinity for strife and attracts to itself all the bitter things which I hoped were buried forever. But its provisions are so extreme and cruel that no argument can be adduced in its favor, and the bitter memories of the war have to be raked over to inflame the Northern mind so that they will tolerate it.

Half the Republican speakers in this debate either commenced or landed in the late war between the States, and therefore I speak of it. It had gone out to the world and into history that the Union States fought the seceding States not in the spirit of conquest, but with the honest patriotic purpose of restoring the Union as it was before hostilities commenced. That those of the Union soldiers who fought in the front of the battle were impelled by such motives we must believe. Men do not die in a cause in which they are not sincere. Mr. Garfield said "War without an idea is simple brutality."

It is to place those valiant soldiers below the plane of this civilization to say that to them saving the Union meant to bind and hand it over to the powerful combinations of wealth, with license to trample upon a portion of the people when it suited their interests, instead of returning it to its pristine glory for all the people; or to say that millions of soldiers were marshaled into great armies by a republic and made to wage a war so fierce and terrible that every battle made a cemetery, in the interests of wealth and not of the people; or to say that their motives were vengeance and not liberty, for that would be worse than war without an idea, a war with a base idea. I want to contemplate them as high above that plane as the stars are above the sands, as honor and patriotism and love of justice are above corruption and tyranny and this bill.

Let not the honor of the Union armies be tarnished nor their fame shadowed. As a Confederate soldier I am unwilling that history shall say the Confederate armies fought other than a glorious foe. As an American I am unwilling that a single laurel shall be dethroned from the brow of any American soldier of either army, for I expect them, as American soldiers, to form one great, invincible army, with the prestige of exalted valor like a halo upon every column.

The true soldier who fights for liberty and justice is the highest type of mankind. He who fights and kills for a price is not a soldier. Those whose aims were really for liberty and justice, and whose purposes were to restore the Union in good faith, contemplate with pride the result of their stupendous struggle. They have the satisfaction of beholding the flag of the Union floating peacefully and grandly over the eleven States that would have departed, returned cheerfully to their first allegiance—the eleven stars still in their places—the whole galaxy of equal brilliancy and magnitude; prosperity and peace spread out as a panacea to heal the terrible wounds of war; a loyal people, full of hope, with superhuman efforts pushing forward to the goal of future greatness and glory. It was indeed a great achievement.

But amid their supreme congratulations comes the hoarse voice of this bill. It is the command of the great combinations of wealth to the Government they essay to control, saying in effect, "But we recognize in the growing prosperity and strength of the South the marvelous increase of rival industries and the growing strength of the great party of the people, which is the only barrier to our great scheme of centralization. No matter that white and black go down together, they must be taught to vote for our interests against their own or the voices will be suppressed and their prosperity destroyed. The liberties of the people are subordinate to our interests; we are masters here."

I would be willing to leave it to the arbitrament of the veteran soldiery of the Union if they would take the trouble to understand this

measure. If the living soldiers were mustered once more—I mean the real soldiers who marched in front and camped on the battle-field—and the proposition laid before those scarred veterans who have looked into the cannon's blazing mouth and charged through fire and smoke and shot and shell bearing aloft the flag of the Union in the terrible carnage of battle on a hundred historic fields, "For what did you fight and for what did your comrades die? Did you mean by saving the Union the humiliation and final destruction of the brave soldiers you met in the awful acquaintance of battle, who surrendered with implicit faith in your honor, who drank from your canteens and ate of your rations at Appomattox? Did you mean that the wealthy and hence powerful should have leave to destroy at will the prosperity that cost those people years of privation and toil when it suited their interests to weaken opposition to their schemes of further aggrandizement and domination of the Government? Was it union with the colored race alone and hostility not to abate with the white race, as evidenced in this bill, for which you fought so gallantly, or the undoing of both races by creating strife between them?" Who would dare to stand before them thus?

Those bent with age would straighten up to the full stature of soldiers, and all with flashing eyes would respond in tones of command: "Get thee behind me, Satan! No, we meant no such blasphemy on civilization, no such infamy on our country. Had such been our objects, the fame that the world now concedes to us would hang as a mocking curse over our names and sit gibbering on the graves of our comrades, and if we believed this measure meant or would inflict such results we would sound the reveille from Boston Harbor to the Golden Gate, and drive it from the borders of the Union that we saved to and for all the people."

They would say, "Our vision rested upon a higher goal in that great struggle. A common ancestry, Americans all, erected in the New World this magnificent structure for the home of Liberty and a great nation, and when we saw the South departing with half the nation's glory we marshaled our hosts to bring her back to her place in the nation's temple and under the nation's flag.

"We did not intend that the South with her magnificence should depart from the Union and claim for herself alone all the glory of her ancestral line of warriors and statesmen that belonged to the whole country. We did not intend that the descendants of the Puritan and Cavalier should divide here on a misunderstanding, but should return and, with disputes settled and friendship restored, should remain one people with one government, in great strength and prosperity, secure against assaults from without, and we succeeded.

"The more we tried the mettle of our antagonists the more important it appeared that they should be brought back. We fought for a great purpose, we accomplished that purpose, and now rejoice with you to see prosperity returning, and hope it will remain and increase. The greater you become the greater will be our credit for restoring the Union.

"Why, we were never your enemies personally. We fought disunion, we staid our march for three months while the President held out to you an invitation to return. We point you to the closing scenes of the war for our vindication; we are the same men now as then."

It must be admitted that part of the history of the Union armies is a complete vindication of their patriotic intentions and purposes, and that the purposes of this bill, as we understand it, would not have been tolerated by them, for it tends to degrade the results of the war into means of illicit gain. The South contemplated the surrender of her armies with many forbodings of oppression and cruelty, and prolonged the war to the last hope. But the conduct of the Union soldiery largely dispelled those fears. They made no triumphal entry into the capital city. Their actions on that occasion spoke to the surviving Confederates in tones eloquent as the strains of the morning stars: "We do not want you as captives; we will not even deprive you of your liberty; we wanted you back into the Union under the flag; that we have brought you through seas of blood, not in revenge as we will show you, but that the ties of blood, and race, and nationality be not severed, and the national strength not broken. Ye great famished soldiers, drink from our canteens and eat our rations on this the last battle-field. We will clasp hands here, hostile soldiers no more, but citizens of a common country. We have tested your courage, and will trust your honor. We will part now and go to our respective homes, and live in peace and friendship."

The effect was marvelous. Peace and quiet reigned undisturbed throughout the whole land and would have remained until this day but for the machinations of politicians who were unwilling to see the great civil war end without their names appearing in connection with it. Could the horoscope have been cast then with prescient skill and the kindly stars had deigned to open the future and throw upon the skies a panorama of the coming years, I know not what would have been the effect. I do know that the years unfolded reconstruction to the astonished gaze of civilization. It came grinding across the face of the earth for seven dreary winters, for seven desolate summers, for seven blighted springs, and seven barren autumns, before it pulled its slimy length away.

The history of that period was not written; better for the credit of civilization that it was not; better for the South, perhaps, that it remains only in a seared black stripe across her memory, to live only in tradition. I had hoped that it was inclosed for an eternal sleep in the great tomb of the past; that the waves of oblivion had closed over it forever with the deep "Amen!" of the people who suffered by it.

But those scorching memories burn fiercely again as the mind drags through this bill and comprehends the full scope of its provisions.

The diabolism of this measure, framed with deliberation a quarter of a century after the war ceased, is startling in the extreme. This, together with the fact that the measure was suggested by the Chief Executive, who has since shown eagerness to get at the South, with the spirit manifested in this debate here and heretofore in the Senate, and the methods of the Republican party as shown by the Speaker of this House, make it more alarming

But the soldiers did not invent reconstruction and are not responsible for it. There are men in the wake of armies sometimes, the lower class of camp followers, who prey upon disaster, are willing to see destruction come to people so their business may flourish, to rob the wounded and assault them for protesting, to push them back and curse them if they attempt to rise. To such men was the South given over after the war. The politicians, who felt they did not have the time to go to the front and take the risks of battle, but were hungry for the glory of victory after it came, whose patriotism smoldered while the armies were in the field, but burst forth into effulgence when the war had ceased, were unwilling that the great civil war should history pass into and the soldiers have all the glory. And therefore they blamed General Sherman for giving liberal terms, fell upon an unarmed and exhausted people, and took from them by force the pittances left from the ravages of war, pushed them back whenever they attempted to rise, opened the wounds that were healing, heaped upon an impoverished people debts that burden some of them until this day, and christened it reconstruction, and only ceased when public decency cried out "For shame!"

But, as I said, the real soldiers did not invent that scheme. And I believe, if they understood the full scope of this bill, so surely calculated to produce similar or worse results, they would trample it under foot, and say to the people of those States which they restored to the Union at such stupendous cost, "We will have no hand in the humiliation of our own race, nor the destruction of their prosperity. We restored the Union as it was; we brought back sovereign States, not conquered provinces. We never planted the Stars and Stripes anywhere as the emblem of subjugation, but bore them aloft as the glorious ensign of liberty to wave over all the people of the Union fully restored in strength as well as in form and beauty. You have performed your duties as good citizens by laboring with matchless courage and energy to reclaim your land from the devastations of the war, and by a cheerful obedience and loyalty to the Union, thus adding strength to the Government, strength to its wealth-producing power, to its tax-paying power, adding in a degree not to be computed to the prestige of its military greatness, and if need be will add to its military strength in the field those great soldierly qualities that will make its armies invincible. To humiliate or destroy such people and push them back into the desolation from which they have so heroically come is to commit a crime against the Government and against humanity."

It might be asked what should have been the course of enlightened statesmanship under the surroundings, to say nothing of Christianity, becoming this age and a great people? Would it not have been becoming to the great name of America and the leading race in this advanced civilization to have followed the lead of the soldiery, who could be magnanimous in peace as well as terrible in war? Any other Government in the world, and this one in the hands of another party, would have availed itself of the results of the war, and by a magnanimous policy shown to these people that they were mistaken in their apprehensions and ought not to have gone.

The spirit manifested in this bill, committing the Government to the policy of turning the back of the hand to these great citizens, to make them feel that the Government to which they have sworn honest allegiance and want to support and do support wants none of their loyalty and none of their friendship, and that punishment has not ended, shows that avarice is above patriotism in the minds of its supporters.

I ask here in what does the glory of the Union armies consist? You must answer that it consists in one great achievement—for that monuments and statues are raised and continue to be raised to the public gaze that the heroes of the war may not be forgotten; that one great achievement was the capturing and bringing back to this Union the greatest race of warriors and statesmen the world has ever produced. The soldiers were proud of the achievement and went to their homes satisfied with their laurels.

But that people have fallen into the hands of politicians controlled by the great money interests of the country, and party exigencies demand that this superb people, the grandeur of whose statesmen has embellished American history for generations—their trials and triumphs since the war mark them as unrivaled in courage and dauntless spirit; a people whom desolation can not dishearten, ruin and grinding tyranny can not discourage, and despair itself can not dismay; a people who in every department of life would add to the strength, prosperity, and grandeur of the nation and embellish the highest civiliza-

tion, and who would gladly bring all their great traits to the support of the Government—must be made to feel the sting of African domination after they have been made enemies to the white race, and led by men who have no kind word but only denunciation for the white people; their prosperity destroyed and they pushed back into the desolation of the past because there is money in it.

I know men assume the guise of honesty and talk with placid faces about this being not a revengeful measure, but I have more hope of justice finally from the man who acts in passion to injure than from him who smilingly tells you he is your friend, but that his interests demand that he cut your throat.

If there was any sincerity in the boastful attitude of this Government in its foreign relations, if the vigorous foreign policy, so grandly heralded to the world, meant anything but glittering diplomatic correspondence and final yielding of all valuable points, if the Government meant to assert itself as it talks, and there was any prospect of a trial of military strength with a great power stronger than Hayti, for instance, a different policy would prevail.

But history tells the story. Great aggregations of wealth contemn liberal government, despise elections as expensive and uncertain, and want centralized power that can be reached and controlled. They would rather destroy a part of their own country which impedes their way to further usurpations than to foster its strength for the national power and honor. While the Government was holding the Southern States for the carpet-baggers to go through their pockets, American citizens were being shot to death in Cuba without a trial, crying out, as the fatal bullets entered their breats, that they were American citizens and were guilty of no offense. Seven other vessels besides the Virginius had lowered the American flag by order of Spanish commanders. Mr. VOORHEES, then a member of this House, speaking of these and other outrages on the American flag, said:

> If there is any further mode not yet adopted by Spain for the expression of contempt for this country, for her honor, her flag, her commerce, the lives and the liberty of her citizens, it lies beyond the range of my imagination.

Some elegant and decorous diplomatic correspondence settled the matter amicably, however, but the plundering of the South went bravely on. There was no faltering there. It was so much easier to trample upon our own citizens than to face the Spanish fleet.

So it will be now, when the little diplomatic fusilade now in progress shall have resulted in England having her way. She will sneer at American pretensions, and continue to gather in the profits of our northeastern and northwestern shore fisheries. And the American Government will show its statesmanship and courage by destroying the prosperity of a large section of its own country and breeding discord among and tyrannizing over a part of her own citizens. Then our great men, millionaires by oppression and fraud, will sail to Europe in British ships and strut on the streets of London and Paris after some faded nobleman, seeking invitations to dinner and family alliances with a name attached to a vagabond, and say "You excelled us in diplomacy, but we passed the Lodge bill and put the negroes over the white people in the South."

Englishmen will reply mentally, if they do not speak it, "And then you talk to us about Ireland, and snivel over Russian cruelty to prisoners. Why, that is far beyond any Russian decree. The Czar would scorn to humiliate his own race. It is worse than any German legislation for Alsace-Lorraine—infinitely worse than the crimes act—worse than anything in a christian land. Is the proud spirit of the Anglo-Saxon and his race pride sinking under the corrosive influence of avarice and the influx of other races in America, except in the South?" No one doubts the courage of the great North. Courage without justice is always dangerous.

The spirit manifested in the measure to baffle and suppress half the civilization of the nation in the interest of wealth is ominous to the nation as well as cruel to the South. I am aware that they, in their abundance and strength, laugh to scorn the idea of danger. So did Rome. When her resistless power extended her empire to the ends of the earth the world trembled at the name of Rome; her glory dazzled the vision of her people as the blazing sun in the zenith; but the spirit that slew Cæsar in the name of patriotism started her on the sad descent. Philanthropists should remember that whatever celestial spirit brought civilization to mankind, the marvelous truth remains, that once lost it has never returned to the same land, nor to the same race, nor in the same language.

But I have an abiding faith that this measure, if it beomes a law, vicious as it is, comprehensive as it is, skillfully contrived as it is, and however remorselessly it may be executed, will still fail of its purpose. When the refined cruelties here provided shall have been applied, not to your satisfaction, of course, but until public opinion, in the name of justice and common decency will demand cessation of enormities, you will still have failed in the scheme of destruction. That partial success will be attained and the prosperity in the South, now so cheering, the result of a quarter of a century of hardships, privations, and toil will be partly destroyed, I will not deny. That the rights and liberties of our people will be periodically trampled upon, and coarse and brutal tyranny go unpunished and unrebuked—perhaps be rewarded as heretofore—I can not dispute. The colored race, now friendly, may be converted into enemies of the white people, and the Northern mind inflamed so as to close their ears to complaints of injustice. The maimed Confederate soldier, who has worked with the one arm left him longer hours as his form bent lower, telling his sons to trust in the honor of the Union soldiers, will be startled.

The white people, who have worked so herocially and took upon themselves even in their distress the burden of educating their freed slaves, who hailed with gladness expressions of leading Northern Republicans predicting prosperity for the new South, will look upon this Dead Sea fruit with a shudder and sigh as they exclaim, "And this is the new South to which we have been beckoned onward with treacherous smiles; this the triumph for which the Union armies fought; this the way they saved the Union, and for which the Government will pay annually $164,000,000 of pensions, of which the South pays without complaint far more than her proportion according to the wealth of the country."

I might step aside here to say to those of the Union soldiers who turn their backs on the Confederate soldiers, to whom you were once magnanimous, that when the war ended you went to your homes in a land groaning under a superabundance of production; a wealthy people and a rich, glad Government laid their abundance at your feet and strewed your pathways with flowers, and yet $164,000,000 is required to supply the wants of the needy. The Confederate soldiers went to where their homes had been amid a devastation before which Greek or Roman would have quailed. Men, maimed as those whom you pension, as helpless, are working in the fields and making a living for their families and paying a part of your pensions besides. To that extent you eat from their haversacks and drink from their canteens, and no word of complaint; but could you not spare them and the widows and orphans this destruction?

Whether it is done or not they will not despair before all this phalanx of evil forebodings, however much they regret to see the silver lining of the clouds turn black in mockery of their misfortunes. The spirit of our people will not be broken, and their hearts will not quail, but every throb will beat full and clear with deathless hope in the immortality of their race. They will march into the future, dark as it is, without shortening the stride, believing that beyond the shadow of this poisoned vaporous cloud there is a purer atmosphere and a brighter day. There are many Union soldiers whose magnanimity is greater than the love of gain and whose honor is above revenge, and who will will not support this great wrong.

The great party of the people of just government and of liberty have set their faces against oppression. There is upon the earth, thank God, a civilization greater than tyranny, grander than the glittering empire of gold, into whose system God has breathed the vitalism of Christianity and it will live. It has given to France a republic. It is about to disenthrall Ireland. It is leading England with rapid strides towards a people's government. All the German states, as well as the empire, are rapidly imbibing liberal principles. It has penetrated China and given it a constitution; established courts of justice in Russia, in Central and South American States, and in Mexico despotism is fleeing before it. Canada is virtually a republic. Only the United States is going backward in its system of government, and becoming more intolerant and speeding towards centralization. Doubtless these gentlemen believe that the American people may be led as the French were to vote a republic into an empire, but their haste to grasp the reins of arbitrary power is perhaps an element of safety to the people. Liberty may take alarm in time and loosen the grasp of the mailed hand from her throat, and still preside over a free people.

The South is as loyal to the Republic to-day as any part of its domain, and far truer to its principles than some other parts of it.

We are here neither to boast nor cringe, but as the accredited agents of a people who have no superior to join with the representatives of the nation in what is best for the whole people. It is our Government and it is yours. I do not assent that it belongs to the soldiers because they saved it. It belongs to the people, to all the people. I assert only that to which all will assent when I say that the representatives of forty-two States are here upon equal terms, with equal rights, and bound by the same obligations.

I but voice the sentiments of the sovereign masters whose agent I am, and, as I believe, of the whole South, by saying they desire neither to inflict nor endure injustice, but desire a national liberal government under which all may prosper in peace. They will be prompt to discharge every duty of good citizens in the fullest and broadest sense in peace or war. They do not intend to be driven from their loyalty to the Government because of temporary oppression, however cruel, but try to put the Government in better hands. We shall not be driven from our allegiance to our own Government and the maintenance of the Constitution.

If anything was lacking this bill concludes the proof that the only safety to person or property in the South from vandal legislation is in maintaining the Republic and the Constitution inviolate, and therefore the highest and strongest motives known to mankind bind us to the preservation of both.

People who can recover in a day from a shock that disrupted to its foundations their social system, men who can comprehend and grasp and control the startling problem of society to be reconstructed with a new element in it, on a new and different basis, with no law prevailing, not a civil officer in some States, as dispassionately and wisely as any other people could have done after years of study and anxiety, and then carry that newly organized society through seven years' rule of conscienceless brigandage, uncorrupted and unsullied and undismayed, will not likely turn back now from the Government to which they have sworn allegiance and upon the integrity of which their liberties depend. Nor will they be deterred from their purpose by the unmanly insinuations or threats of those whose aim and purpose is to suborn the Government into the hands of a syndicate of wealth, always more tyrannical than kings.

The brave men of the North, the brave soldiers of the North who honestly fought for Union, do not want the brave soldiers of the South deterred from their allegiance to the Union and the Government, but welcome them as stanch supporters and defenders of both. They want them to be men such as were met in the terrific battles of the war. We want them to carry the United States flag in the same way that they carried the flag that went down grandly, but went down forever, at Appomattox, and if the small war cloud that floats in the horizon shall gather force and spread over and darken the skies, notwithstanding you want to turn the back of the hand of the Government against the Southern people, the Southern soldier will rally to the defense of the Union, the Government of the United States—our Government—with as much firmness, with as much courage, and as promptly as your people will. Notwithstanding the enactment of your pension laws to encourage the patriotism of the soldiers and the fact that you would refuse us even the right to live in peace under its protection, notwithstanding you make the Government frown in our faces at every advance we make, we do not believe that such a policy represents the great American heart, and will fail in the end.

The big heart of the North pours out its thousands when physical distress comes to the South, which proves that the enormities that are crouched under cover of this bill have lodgment only in the great associations of wealth, who see in it a means of aggrandizement at what cost to others they care not.

This is the best Government there is, and we do not ask a better if it be not perverted, and we are most earnest in preserving it as it is.

In strange contrast with the cruel provisions of this bill the Union soldiers, with a few exceptions, utter no bitter sentences against the South on this floor, nor do they speak denunciations of our people in this House. They do not boast of their victories over their fellow-citizens, and yet an "ay" vote on this bill will be the bitterest word that could be spoken. I will hope they do not mean it as I understand it. I can not yet believe that the old soldiers, the real soldiers, will consent to the destruction of the South. I think they would rather rejoice at the indomitable energy that redeemed their native land from the devastations of war, and feel like taking them by the hand and saying, "Come with us, and we will join hands and build up this Government and this nation into a power that with our combined strength can defy invasion from abroad and preserve the liberties of all the people from usurpations at home."

I would say one word further, as I have spoken of the Union soldiers. I admire their courage; am proud of their fame as American soldiers. I prefer to believe that those who support this measure are the exceptions, and that the rank and file are still willing to deal justly by a brave foe, and if their hearts were sounded free from political prejudices they would say of those people what I once heard a Union soldier say, "We fought you and we conquered, but when the war was concluded our duty was performed; we want no more wounds inflicted and scorn the man who would humiliate so brave a people. If war clouds gather in the horizon we want you at our side, for if there is anything we do know it is that rebels will fight when they make up their mind to do it, and if war shall indeed come, which God forbid, the columns of blue and of gray will confront the invading armies, side by side, shoulder to shoulder, bearing the same flag in defense of their common country, and sweep from our shores every invading foe, and if you want to play 'Dixie' on your end of the line we will play the 'Star Spangled Banner' on ours as we march into action."

And I will say when the struggle becomes terrible the South will not stand back in retaliation for this great wrong; but when hostile guns shall thunder at the gates of your cities, and your wives and daughters, in consternation of the nearing battle, hurry with refreshments to the brave soldiers that are falling along the line, some fair Jessie Brown will exclaim with uplifted hand and bated breath as she catches the wild strains of "Dixie's Land," "It 's nae a dream; it 's the slogan of the South, Sanders, dinna ye hear it? The Confederates are comin," and if you let your Union commanding officer go along the line he will halt where the cannon roar loudest, where shells hiss fiercest, and men fall fastest, and where the tide of battle will turn he will speak of them not as rebels, but will say, "Lead your boys in gray in front of this enemy and tell them to give them the old rebel charge and the rebel yell if they want to." Gods, what valor; the victory is ours. [General applause.]

Federal Control of Elections.

SPEECH
OF
HON. I. H. GOODNIGHT,
OF KENTUCKY,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, June 28, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. GOODNIGHT said:

Mr. SPEAKER: The perpetuity of our Government rests upon the virtue of our people.

The entire fabric of this Republic is bottomed upon the idea that its citizens are capable of self-government.

To question this sentiment is either a threat against the freedom of our institutions or an admission that our system is a failure.

This bill, providing that agencies of the Government shall superintend and control elections in the States, is a distinct avowal that our people are either too ignorant or too corrupt to govern themselves. Such an avowal portends great evil to the Republic. In the formation of this Union one of the rights clearly reserved to the State was to elect and commission its own officers. No reservation was more sacred, and none so potent in perpetuating a free government.

When our elections are held, canvassed, and certified by officers elected by and answerable to the people, there is small probability of wrong. It has been many times demonstrated that the honest impulses of the voters of this country will tolerate not even the appearance of corruption in public officials. For verification of this truth I need not go further back than the recent election of governor in Ohio.

So universal is this principle that, whatever be his rank or popularity, every public man knows that an act of deliberate wrong is his undoing. So true is this, and so well is it understood, that, whatever may have been true of men before election, afterwards their official character and conduct have been, in this country, honorable to a degree unknown in the history of nations.

Men have succeeded to the Presidency after campaigns directed mainly against their private character; they have been thus promoted by the rankest fraud, after defeat by the sovereign will of the country; yet their accountability to the people, the last analysis of republican government, has uniformly obtained administrations free from vice and conserving the common good.

The people, constituting this Government, standing within, with the potent power of review, are centripetals impelling every official to the center of the sphere of right.

But all these principles of truth, these laws of action are disregarded and these effects for good are to be destroyed by this bill.

To take from the people the right to elect and commission members of this Congress and give the power to agencies of our own choosing is a long step toward the complete overthrow of our Government.

If, as provided by this bill, Congress can say that an election by the people may amount to nothing, that the governor's certificate is without potency, and that the certificate of an agency named by a Federal court is all-powerful and conclusive in making up this House and determining its organization, what then hinders us from naming the agents to give these certificates? If we can provide agencies to issue our certificates, independent of the State, why may we not at once declare our own succession? We may thus easily perpetuate our own power individually or as a party, but have we not at the same time destroyed the Republic?

Thus, in the trend of this bill may be seen how short and how easy are the steps to despotism.

By the methods here proposed the line dividing a republic from a centralized government is indeed a narrow pass, and that dividing centralization from the empire is still more narrow.

Sir, these are truths which may not be talked of lightly. The consideration of this measure deserves to rise far above sentimentality or party supremacy. To its discussion I bring neither prejudice nor passion as elements of debate. Too young to know of war, except as history; believing myself too loyal and full of love for the common country to see any part of it suffer from ignorance or caprice, cunning or hate, I contribute the little I can to hinder.

I do not regard this bill as a thrust at the South alone, as some interpret it. It is an open menace to this Union. Congress can pass no law putting a ban upon Kentucky that does not equally imperil Pennsylvania. The effect may not be so immediate, but the philosophy to each is the same, and will compass the ruin of both. To abridge the right of a single State is to abridge the right of all; to endanger the peace or cripple the business prosperity of one is to threaten the Republic.

This is a nation of States. It was born of and has its life and potency from the States. We have no more power to destroy the identity of a State than has a State to infringe the entirety of the Union.

In this discussion I have heard the doctrine of State rights denounced by gentlemen from Kansas and Iowa as an "abominable heresy." Sir, when these gentlemen come to discuss the original-package bill I am curious to know how they will dispose of this "despicable doctrine."

I predict now that they will be loudest and rankest in the clamor for the triumph of this abused and "abominable heresy." We shall probably agree with them then, and regret that consistency does not impel them to agree with us now.

The constitutional questions involved in this subject and the history relating thereto have been so well considered by other gentlemen that I have no desire to retrace the discussion.

I call attention, however, to one difficulty which, so far as I know, has been omitted.

From that clause of the Constitution empowering Congress to "make or alter" the regulations of the State, it seems to be universally conceded that Congress can, or was expected to, make such laws only in the event the State has failed.

All the States having made laws, there is no hiatus, and hence it is not claimed here that Congress is making the election laws or that it can make them. Having, therefore, no power to "make" such laws, the only power we can derive from the Constitution is contemplated by the provision authorizing Congress to "alter such regulations."

It will hardly be denied that the power to conduct and control elections must reside either in Congress or in the State. If there be those who hold that this power rests with both, they will at least agree that the power must be exercised by the one or the other. Two courts or sovereignties can not rightly exercise conflicting jurisdiction over the same subject-matter at the same time. This is as impractical as that two bodies should simultaneously occupy the same space. Even where the jurisdiction is concurrent, while one sovereignty or court is rightfully exercising such jurisdiction no other can interfere with or usurp such right.

The complaint here is not that the States fail to elect Congressmen, but that they do elect under imperfect "regulations." Then, what is the remedy? No plain or honest-minded man will hesitate a moment in saying the remedy is to "alter such regulations" and provide for proper elections by the State. This is the exact provision of the Constitution. It has taken a skillful and an ingenious mind to shun these breakers. To simply alter "such regulations" would still leave the matter in the hands and under the dominion of the States. It would not authorize the Government agencies. It would not empower a Republican canvassing board to make up its own Congress.

So the bill does not alter the State law. Its manager upon this floor, seeing the difficulty, openly avows that the State laws remain absolutely unchanged. The title of the bill also evidences the truth of this. Then, Mr. Speaker, what do you do? You do not "make" the law; you do not "alter" the regulations. Hence this act is without semblance of authority from the Constitution, your only right being to "make" or "alter." When you interfere otherwise, as by this bill, you lay unclean hands upon this ark of the people's covenant, and their divinity will curse the defilers.

You say the bill is a supplement to the present laws. The county officials still hold the election, admit votes, count and certify them, and the governor certifies them to Congress. None of this is "altered." But by your supplement it is all annulled. While the State officers hold the election, which you admit you can not prevent, your selected partisans stand by, inspect, and scrutinize, and certify as they please, or as they are directed by their chief, and thus disregard and overturn the real results of an election. This is without warrant in the Constitution. There is nothing that implies, or even seems to imply, such authority.

The bill is not only without warrant, but it begets the absurdity of two sovereignties exercising the same administrative act in conflict with each other, which can not be contemplated without bewilderment. The bill is so full of evil that it is difficult in any reasonable time to emphasize its greatest wrongs. That the law is not general subjects it to criticism. One hundred men in any district, or fifty in any part less than an entire district, are sufficient to procure the operation of the law. These need not be voters of the district, or citizens of the Union, if they are only content to claim to be such. How easy it is to claim is illustrated by the claim of honorable gentlemen here that this is a fair and reasonable measure, who turn white with anxiety or rage when it is insisted that the bill if passed must be enforced in their districts.

Can any conservative man seriously insist that fifty thousand honest, intelligent voters of a district shall be harassed by the hardships of this measure upon the petition of fifty or one hundred of the most worthless wretches who may live or be imported among them? It is needless to conceal that there are many who for no motive higher than the fees to be paid and the "little brief authority" to be exercised will ask the law's enforcement where no necessity exists. There is no provision in the bill against bad faith. Is this House willing to subject the two hundred thousand good people of my district to the mean device of fifty of its lowest and worst? Is this House prepared to make it possible that the people of this country, already tax-burdened, shall pay at every election $15,000,000 upon the corrupt pretense of a few of its most degraded? If so, then "Ephraim is joined to his idols; let him alone."

Among the most reprehensible provisions of the bill is the deliberate system of espionage to harass the foreign-born citizen and defraud him of his right to vote. If, as some are bold enough to say, the bill is solely to protect the negro's franchise, why this cunning device against naturalization?

The negro "we have with us always." He is a native, not an imported factor. This feature of the bill discovers its entire purpose. It is not in the interest of freedom; not to promote the public good; not for any section or class, but to establish party supremacy. The Republican party is to be perpetuated, and to this end the distinguished Speaker of this House has said it is necessary that you must register the voter, count the vote, and certify the result. You might fail in any one unless you assume control of all.

Judged by elections held in this House during the present session, unseating members supported by more than a dozen thousand majority, no one will doubt Republican triumph if the people can be dispensed with. Under this bill the courts are not only to be degraded by loss of confidence in their purity on account of their partisanship, but they are subordinated to the chief supervisors.

The court has no discretion in convening or appointing, but must obey the chief. The chief is properly named, because if this bill becomes a law his power will be supreme. He will rank even our distinguished Speaker, since he can only control the House, while the "chief" will elect the House. The chief will name the appointees without limit, except he is not allowed to appoint less than double the number needed. He may appoint fifty times as many as are necessary, but shall not appoint less than twice as many.

Ordinarily we limit against excessive exercise of discretion, but here the limit is against moderation.

No exercise of power by Federal "chiefs," appointed for partisan purposes, is thought to be excessive or immoderate, but fearing some may be timid you "boot and spur" them for the race.

He may transfer supervisors from one to another district, and thus remove them from the influence of, and responsibility to, their neighbors.

He can also assign them to any other duties authorized by the laws of the United States.

Here is unlimited authority in the chief to reward his subs when there is no registration or election on hand.

If so unlikely a thing should happen as that a Democrat should be appointed supervisor, the chief may remove him for unfaithfulness, the chief being the judge.

All supervisors appointed—and there may be six or six hundred in a precinct—are United States officers for two months after election. What does that mean if they are only to see that men are allowed to vote?

The ultimate end of this bunglesome, complex measure, as defined by the bill itself, is the enforcement of the election laws "subject to the instructions and directions of the chief supervisor."

If a subordinate should be inclined to heed so small a thing as conscience or listen to the dictates of right, it will be seen that the chief may instruct and direct him what to do, and he must obey, even though it be to certify without a vote upon which to base it.

There may be any number of deputy marshals paid according to their statement as to service. They may arrest citizens, intimidate voters, make canvass from house to house, at Government expense, for information to furnish election campaign workers. They and the supervisors shall travel from county to county, from one extreme of the State to another, upon the summons of the chief, or to attend a single registration. This item of expense has not been included in the many estimates of the enormous cost of enforcing this law.

The canvassers are to meet November 15, long enough after the election for all needful changes to have been made in the records, and receive $20 a day for certifying that a Republican has been elected. The Clerk of this House shall recognize that certificate under a penalty of $5,000 fine and one year's imprisonment, although the certificate be false on its face, and though it be shown to be untrue by the certificates of the governors of the States, answerable to their people, after counting and certifying as they have done for a hundred years.

These chiefs are to be hedged about with such divinity that the Secretary of the Treasury is directed by the bill to locate them in the Government buildings, though it be necessary to evict State pension agents, United States engineers, revenue collectors, or collectors of the ports.

Sir, the bill is so mammoth and complex that there is not a man upon this floor who could to-day hold a regular election under it; and yet there is scarcely a line and not a section of it that does not import a crime against both liberty and law.

Gentlemen mistake the necessity for it. Party emergency is the only demand. Many of you, most of you, support this bill as a remedy for fancied evils at the South who know nothing, and claim to know nothing, of such evils.

You rely upon belief based upon information at second-hand, and from most questionable sources. Why not act in this as in other mat-

ters, upon the ordinary rules of evidence? Why believe the slander of a maliciously evil or misinformed paper, rather than the evidence of a hundred reliable people with opportunity to know?

I fancy and congratulate myself in the belief that there is not a gentleman on the opposite side of this House who would not willingly believe any statement I might make upon a business matter, yet when I tell you that the colored men in my district cast their votes without hinderance or restraint you will not believe, but ignorantly contradict.

You make a mistake in supposing that all colored men vote the Republican ticket. Many of them do not. Some vote the Democratic ticket from choice, many on account of "environments" altogether agreeable to and anxiously coveted by them. The gentleman from Massachusetts complains that we are not supported by sufficient vote. There is a larger vote behind me than was received by eleven of the twelve members from Massachusetts.

My district cast more votes in 1888 than were given Tilden and Hayes both by the great States of Oregon, Rhode Island, Delaware, or New Hampshire. Yet these four States, with so diminutive a vote, have now in Congress eight Senators and five Representatives, who will, I suppose, support this bill based upon the smallness of the Southern vote. There are many reasons why people do not vote in the South so fully as in the North and West. Many colored people do not vote because they have found so little profit in it, and have been so often deceived and disappointed by professed friends. Since the war the whites have been engrossed in business. They are far from and have enjoyed but little of the patronage of the Government. They know little of office-holding; they do not study it; they do not hunt it, as those nearer the seat of Government, or having friends close to the Administrations.

Fifty years ago Mr. Clay declared that when the time came that our people should seek Government employment as a means of livelihood only, and not for love of country or its perfect service, the evidence of our decay would be manifest. I am sorry to think the evidence is upon us, but glad my people contribute so little to it.

Sir, the few years since the war have settled many and serious questions in the South. The colored question was largely one of labor and of education. We have given our money, with liberal hand, to school and qualify the colored people for citizenship. In that time I doubt if all the Northern States combined have contributed as much to colored education as has Kentucky alone.

As to the labor question, we challenge all sections upon its settlement. Our settlement was with the former slave, who felt, in a qualified sense, that the property was partly his. He was unlettered and full of suspicion, yet the adjustment is thorough and amicable. We have been cursed by none of the strikes or riots that have afflicted the North and West, destroying hundreds of lives and millions of property and even now constantly threatening wreck and ruin.

Sir, having settled these questions, as you have been unable to do, we crave time to adjust all others. We need no law other than we have. We need not your help, except the help of friendship. There is no quarrel between whites and blacks. It is simply a growth and needs to be left alone.

But gentlemen say if there is no trouble, the law will not hurt. They triumphantly ask why we oppose it if there is nothing wrong. I ask them in return why they oppose its execution in their districts where we are assured the millennium is already triumphant?

But, Mr. Speaker, it was not the insignificant tax on a pound of tea that excited our fathers to the revolution. It was the violation of principle. Then it was taxation without representation that brought contention. Here it is worse, for you propose taxation by a fraudulent representation, chosen by enemies to "impose burdens grievous to be borne." Sir, is there not in this Congress virtue sufficient to compass the defeat of this evil measure? Or will gentlemen, blinded by partisan zeal, or sectional bigotry or hate, persist in passing the wicked act? To this complexion has it come at last; if so, then surely justice has flown "to brutish beasts, and men have lost their reason." [Applause on Democratic side].

Monopoly—Land Grants to Railroad Corporations.

Great estates destroy the spirit of patriotism in those who have everything and those who have nothing.—*St.-Pierre.*

SPEECH
OF
WILLIAM S. HOLMAN,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, July 16, 1890.

The House being in Committee of the Whole and having under consideration the bill (S. 2781) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—

Mr. HOLMAN said:

Mr. CHAIRMAN: The Senate bill declares the forfeiture of all lands granted by the United States to States or corporations to aid in the construction of railroads lying opposite to the portions of such railroads not "now completed;" the amendment reported to the House by the chairman of the Committee on Public Lands [Mr. PAYSON], in the nature of a substitute, is, as to the extent of the forfeiture, exactly the same, and only differs from the Senate bill in minor details.

As the long controversy over these grants, covering, at intervals, the last twenty-nine years, will terminate with the passage of the pending bill, the passage of which seems now inevitable, I will ask the indulgence of the committee while I state briefly the facts in relation to this extraordinary policy, the results of which are even now seriously affecting every portion of our country, for it will be seen that the injurious effects of this policy extend far beyond the value of the public wealth given by Congress to the land-grant corporations.

Since I became a member of this House, more than thirty years ago, I have been controlled by the conviction that the true policy of this Government was to reserve its public domain, no matter how inexhaustible it might appear to be, for homes for its people; that all public lands adapted to agriculture should be reserved for actual settlers, free of charge, subject only to grants in aid of education, and in bounties to citizens who may have served in the Army or Navy in the national defense. The policy which I have named was unquestionably the policy of this Government from the beginning and down to the year 1862, when this system of grants of the public lands to corporations, which was destined to exhaust the public domain, began.

Three great parties have at different periods been closely identified with the public domain, the foundation of our greatness as a nation, the Democratic, Whig, and Republican parties. Each of them will answer to impartial history for the manner in which it has executed this, the greatest trust ever involved in the administration of the public affairs of any people. The public domain was acquired by those three great parties as follows:

ACQUISITION OF THE PUBLIC DOMAIN.

	Acres.
By the Democratic party:	
Louisiana, April 30, 1803 (President Jefferson)	756,961,280
Florida, February 29, 1819 (President Monroe)	37,931,520
From Mexico, by two treaties, February 2, 1848, and December 30, 1853 (Presidents Polk and Pierce)	363,535,920
	1,158,628,720
By the Whig party:	
By purchase from Texas, September 9, 1850 (President Fillmore)	61,892,480
By the Republican party:	
Alaska, March 30, 1867 (President Johnson)	369,529,600
	1,589,950,800

Florida and all of the great States and Territories between the Mississippi River and the Pacific Ocean have been carved out of the great country which the Democratic party added to the public domain, and the 61,892,480 acres acquired by the Whigs. The two parties which have added lands to our public possessions for homes for our people, Democrats and Whigs, as I shall show, husbanded these lands as our most valuable, indeed our priceless, possession. The distinctive glory of the Democratic party is that it added to our original possessions which were bounded, in the beginning, on the west by the Mississippi, an empire of fertile lands, and made our western boundary the Pacific Ocean. And it will be seen that the Republican party has surrendered immense portions of these fertile lands, which the old parties held sacred for homes for our people, to corporations and to an accursed monopoly.

LAND GRANTS TO STATES.

At an early period Congress made limited grants of land to States to aid in the construction of roads, canals, and other works of internal improvement, and between the years 1851 and 1856 Congress made certain limited grants to certain States in which public lands were located to aid in the construction of railroads. But the anxiety of the men intrusted by the people with authority to manage their national affairs, to husband the public lands and reserve them for actual settlers only, is illustrated by the fact that from the foundation of the Government down to 1861, the largest sale of lands ever made to one person even when the war debt of the Revolution was pressing on Congress, was the sale of 248,540 acres to John Cleves Symmes, in 1794, embracing the present city of Cincinnati, Ohio, at the price of $165,963.42, and 822,900 acres to the Ohio Company in 1787, at the price of two-thirds of a dollar an acre. The largest private grant was that made to the Marquis de Lafayette of 11,520 acres in Louisiana, and afterwards a township of land in Florida, and the largest grant made to a State was that made to the State of Illinois in 1852 of 2,595,053 acres to aid in the construction of the Illinois Railroad, under the control of the State. The moderation of these grants will appear by comparison with the grants made after 1861.

It may be said in excuse for the grant to Illinois that it was made to a State, that the measure was carefully guarded, and in addition to that, the grant being made to the State of Illinois, that State was able to make it beneficial to the whole people. This Illinois Railroad Company was to pay, forever, annually into the treasury of the State 7 per cent. of its gross earnings, thus greatly relieving the people of the State from the burden of taxation, while the grants to corporations reserved no such benefits to the people or the States.

At the convention of 1852 at Pittsburgh which nominated Hale and Julian for President and Vice-President, the first gathering of the elements of the great party which has since 1861 in the main

controlled our Government, a resolution was adopted entitled to high honor.

It sounds like one of the clauses in the Declaration of American Independence. It declared the purpose of the party to secure to all men a fair chance in the struggle for life. It is a noble utterance of the right of men to the ownership of the soil they make fruitful by their labor:

Resolved, That the public lands of the United States belong to the people, and should not be sold to individuals or granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.

In all the range of our history since the Declaration of Independence was pronounced and the Constitution of the United States was adopted there is no grander declaration to be found. But it is an astounding fact that within two years after the Republican party, whose illustrious leaders were able in the beginning to declare so grand a purpose, came into power, this extraordinary system of land grants to corporations was inaugurated, and within ten years reached a magnitude that startled the whole country. "Baronial estates" of millions of acres, instead of "American homesteads" of 160 acres, became the platform of that party in Congress, as expressed in its measures of legislation. The people with almost one voice demanded that a halt should be made, and at an early day gave to the Democratic party the control of the House of Representatives, and this fatal policy at once ceased.

LAND GRANTS TO CORPORATIONS.

When, in the Thirty-seventh Congress, the homestead bill was under consideration and I had the honor to offer an amendment providing that the soldiers of the Union Army (we were then in the midst of the late war) should be entitled to bounty in lands such as had been granted to the soldiers of the Republic in all former wars, the amendment was defeated upon the argument that the tendency would be to centralize the public lands into large estates through the purchase and location of the land-warrants which would be issued to the soldiers. I was not satisfied then that the reason for the defeat of that amendment had been frankly expressed. During that Congress the grant of public lands to corporations began, and within ten years a body of land, aggregating at the lowest estimate 181,393,960 of acres, was given away to corporations, and furnishing facilities to capitalists to monopolize hundreds of millions of acres more.

I take the figures from the reports of the Commissioner of the General Land Office, and when I consider the favoritism extended to these corporations in the adjustment of the grants and liberal interpretation of the laws in their favor, I entertain no doubt whatever that lands amounting in the aggregate to at least 181,393,960 acres will be awarded them on the grants made between 1861 and 1872, less the comparatively small portion in value in recent years declared forfeited by Congress.

The following statement of these grants is furnished by the General Land Office:

Railroad land grants made by Congress after March 4, 1861.

Names of corporations.	States.	Number of acres.
Leavenworth, Lawrence and Galveston	Kansas	800,000
Atchison, Topeka and Santa Fé	do	3,000,001
Union Pacific, Southern Branch	do	1,520,000
St. Joseph and Denver City	do	1,700,000
Portage, Winnebago and Lake Superior (Wisconsin Central)	Wisconsin	1,800,000
La Crosse and Milwaukee	do	624,843
St. Croix and Lake Superior	do	291,799
St. Croix and Bayfield Branch	do	144,399
Lake Superior and Mississippi	Minnesota	900,000
Sioux City and St. Paul	Iowa	524,800
McGregor Western	do	1,536,000
Grand Rapids and Indiana	Michigan	852,960
Southern Minnesota and Minnesota Valley	Minnesota	404,000
Marquette and Ontonagon (Marquette, Houghton and Ontonagon)	Michigan	221,066
Peninsula (Chicago and Northwestern)	do	240,000
Minnesota and Pacific	Minnesota	500,000
Do		499,455
Minneapolis and Cedar Valley (Minnesota Central)	Minnesota	257,361
Winona and St. Peter's	do	504,000
Southern Minnesota	do	735,000
Hastings, Minnesota and Red River of the North	do	555,000
Union Pacific		12,000,000
Denver Pacific		1,000,400
Kansas Pacific		6,000,000
Central Pacific and Western		9,000,000
Hannibal and St. Joseph (Union Pacific Central Branch)		781,944
Sioux City and Pacific		60,000
Burlington and Missouri River		2,441,000
Northern Pacific		47,000,000
California and Oregon (Central Pacific)		3,500,000
Oregon Central (Oregon and California)		3,500,000
Atlantic and Pacific		42,000,000
Southern Pacific		9,500,000
Oregon Central (Oregon and California)		1,200,000
Southern Pacific, Branch Line		3,550,000
New Orleans, Baton Rouge and Vicksburg		3,800,000
Texas Pacific		18,000,000
Stockton and Copperopolis		320,000
Total		181,393,960

I have rejoiced in the manly and eloquent denunciation of my friend from Illinois [Mr. PAYSON] in former years of the policy under which these profligate grants of public lands were made in derogation of the rights of the people and his earnest demand that these corporations should be held severely to their contracts.

But my friend attempts an Herculean task when he undertakes to relieve the Republican party from the responsibility and odium of these grants; grants made, too, to mercenary capitalists when the clash of arms could almost be heard in this hall and all patriotic men were only intent on the issues of the war. Here and there, of course, some Democrat may have voted for some of these grants, but during the period when these grants were made the Republican party controlled absolutely and without question every department of the Government. Will the gentleman undertake to shift from his political friends the responsibility of failing to declare these forfeitures when they had power to make that declaration?

Mr. PAYSON. Would the gentleman regard it as an interruption if I should make a suggestion at this point?

Mr. HOLMAN. Not at all.

Mr. PAYSON. The gentleman from Indiana will remember that whenever I have taken occasion to comment upon the situation to which he is now alluding I have always been careful to say, and have said with all the earnestness I was capable of using, that at the time these grants of land, improper as many of them have since turned out to be, were made, the question was not regarded as a party question, but men occupying positions in public life upon both sides of this Chamber were equally conspicuous in their support of the grants. On numerous occasions I have called attention to the names of gentlemen who were then taking a part in public life and who were active in support of these measures, and the gentleman from Indiana will do me the justice to say that that has been the line of suggestion that I have generally made.

Mr. HOLMAN. But, as a matter of fact, the legislation making these grants was strictly partisan, except in this, that one of the ablest and most valuable members that ever occupied a seat upon this floor, Elihu B. Washburne, opposed these measures from the beginning. His lips are forever silent; yet, if living, with what burning words would he demand the forfeiture of these grants to the last acre! On the one hand Elihu B. Washburne earnestly opposed these measures, as did every Democratic Member and Senator from the beginning with one or two exceptions. It is true a distinguished Senator from my own State voted for one of the grants. These are exceptions, such as appear in all our legislation. But these measures were essentially partisan.

I admit that small grants to States of the Union were made prior to the 4th of March, 1861, but the enormous land grants made later, when the Republican party came into power, to corporations amounting in the aggregate to at least 181,393,960 acres in ten years, a body of land exceeding in the aggregate the area of the States of Maine, Massachusetts, New Hampshire, Vermont, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Ohio, Virginia, West Virginia, and Indiana combined, rested upon a different principle. The small grants of the Democrats and Whigs to the States were for the benefit of the States and the people. The imperial grants of the Republican party to corporations were for the exclusive benefit of corporations. Any benefit the people might derive from the grants was merely incidental and subordinate to the gain and profits of the corporations, and notwithstanding the demand of my friend from Illinois [Mr. PAYSON] in former years for the annulment of these grants, and notwithstanding the efforts of his distinguished predecessor from Illinois [Mr. Washburne] to prevent these grants being made, the Republican party as a political organization must bear the odium of these grants to corporations, and the people will hold that party responsible for the irreparable injury that policy has inflicted on our country.

The effects of this unpatriotic, mercenary, and selfish policy will soon appear, and millions of homeless people will brand with imperishable dishonor the memory of the men, who, invested by the people for the time with the control of public affairs, have in less than a single generation basely surrendered to corporations the magnificent gift of Providence, this vast region of fertile lands which for generations to come should have furnished our people free homes and a fair chance in the race for life, surrendering to corporations and monopoly the wealth in lands of incalculable value, to the end that the wealth of the nation should be increased but increased inevitably in great private estates entailing in the early future poverty and wretchedness on millions of our people who with free access to those lands, this bountiful gift of nature to mankind, would have enjoyed prosperous and happy homes.

It is infinitely better, and such was the judgment of the founders of our Republic, that the wealth of the nation should be gradually increased and remain well diffused among our people, than that wealth should by artificial methods and class legislation be greatly increased and centralized into great private estates, leaving the great mass of our people in poverty. During the first three-quarters of a century of our Republic the policy of securing equal rights to all men and promoting the steady increase of wealth through natural agencies, which left that wealth well diffused, was firmly maintained, so that while there were no great private estates there was an equality in the material condition of our people unexampled in the history of the world, unless it was in the agrarianism of the Hebrews, where by a

law held to be of divine appointment it was declared that the lands should be divided among the people.

And ye shall divide the land by lot for an inheritance among your families; and to the more ye shall give the more inheritance, and to the fewer ye shall give the less inheritance. Every man's inheritance shall be in the place where his lot falleth; according to the tribes of your fathers ye shall inherit.

Whatever may be the opinion of men as to the divine origin of that law, its justice no one can dispute, and yet what a contrast between that equitable law which produced the most vigorous fragment of the human race and the policy of large grants of lands to the few on the fraudulent pretense of advantage to all!

THE FORTY SEVENTH CONGRESS AND THE LAND GRANTS.

But the real test of the attitude of parties on this subject is to be found later on, when the first opportunity for declaring the forfeiture of all these land grants arose, in the years 1881 and 1882; and in considering the question as to who is responsible for the present state of things, I desire to invite the especial attention of the committee to the facts. The grant to the Northern Pacific Railroad corporation finally expired on the 2d day of July, 1879, and the grant to the Texas and Pacific corporation on the 4th day of July, 1882. These were the last grants to expire.

When the Forty-seventh Congress was organized Mr. Keifer, of the State of Ohio, was on the 5th day of December, 1881, elected Speaker after a very extraordinary contest in which very unpleasant rumors floated through this Capitol touching on organized purpose to resist the forfeiture of these land grants. During that Congress the power of Congress for the first time to declare a general forfeiture of all these land grants, including the Texas and Pacific grant, was complete. The expiration of all the grants by limitation of law brought the whole subject within the control of that Congress.

Now, my friend from Illinois can not overlook what transpired during that Forty-seventh Congress without feeling that the great party with which he has always affiliated was fully exposed and dishonored in their refusing to declare these forfeitures when no obstacle stood in the way as to the lands then not earned by these corporations under the terms of the laws making the grants, amounting then in the aggregate to more than 55,000,000 acres on the basis of the pending Senate bill where no railroad had been thus constructed. I state the figures, I think, far below the facts. Now, what occurred? What did the gentleman from Illinois himself witness? A portion of the bills proposing a forfeiture of the land grants went to the Committee on Pacific Railroads, a portion of them to the Judiciary Committee, and a portion were referred to the Committee on Public Lands, the object being manifestly by this division of the bills to defeat any effective action.

As soon as that Congress met I introduced a bill to declare a forfeiture of all of these grants to the extent that the railroads had not been constructed within the time prescribed by law. Other gentlemen did the same thing. Of course these bills in general received no attention; one or two of them did, in the manner to which I shall refer.

During the whole of that Congress, with bills before the Committee on the Pacific Railroads, before the Committee on the Public Lands, and before the Judiciary Committee declaring these forfeitures where the right of Congress to declare the forfeiture was not in dispute, more than 55,000,000 acres of the land clearly subject to forfeiture, even on the theory of the pending Senate bill, and more than 105,000,000 on the principle I advocate, the House was not permitted, by the rulings of the Speaker and action of the majority, to even vote on any proposition whatever on the subject except on the reference of a minority report touching the Northern Pacific grant to the Calendar of the House.

I speak cautiously, and I understand my friend from Illinois [Mr. PAYSON] to assent to what I say. Now, in view of all this, who is to be held responsible for the present order of things? Now we are told by the majority that we can only forfeit the beggarly fragments that remain, fragments that the land-grant railroad corporations wish to get rid of, if thereby they can get their grants confirmed except as to those fragments:

Mr. HERMANN. Will the gentleman allow me to interrupt him a moment?

Mr. HOLMAN. Certainly.

Mr. HERMANN. The gentleman is now endeavoring to draw a line of distinction between the two political parties as to their attitude upon the question of land forfeitures?

Mr. HOLMAN. Yes, sir; I am drawing that line.

Mr. HERMANN. I ask the gentleman from Indiana how he can vindicate the course on this subject of one of the most illustrious Democrats who ever served in Congress—the late Vice-President, Thomas A. Hendricks——

Mr. HOLMAN. I have anticipated the remark of my friend from Oregon on this subject. I have stated that one or two Democrats favored these grants, or at least one of them. I am now discussing exclusively the attitude of the "two great political parties" with reference to land grants and their forfeiture. An individual vote is of no consequence.

The public domain, the great inheritance of our people, is substantially exhausted. It has in a great measure gone into the hands of private parties. What party is responsible for it?

In the Forty-seventh Congress the Republican party was in absolute control of the Government. How did it happen, then, if there had been a willingness on the part of the Republican majority of the House to declare the forfeiture of these unearned grants, that the House was never permitted during the whole of that Congress to vote on any bill declaring the forfeiture of a single acre of these lands? I submit that the rumors current in this Capitol, that the House was organized to prevent the declaration of these forfeitures or any of them, had at least some foundation. I think it can be safely asserted that the House of Representatives of the Forty-seventh Congress was organized with an express understanding of the Republican leaders that the forfeiture of these grants should not be permitted.

My friend, Judge PAYSON, was a member of the Committee on the Judiciary of the Forty-seventh Congress, and he is always an active member of a committee, fully informed of all that is transpiring. The majority of the committee, through Hon. THOMAS B. REED, its chairman, now Speaker of the House, had reported against the policy and against the power of Congress to declare the forfeiture of the Northern Pacific grant. I hold in my hand the report of the minority of the Committee on the Judiciary in relation to that land grant, including the report of my friend Judge PAYSON.

This minority report, made on the 21st day of July, 1882, is signed by J. Proctor Knott, a member of that committee from Kentucky, DAVID B. CULBERSON, of Texas, R. W. Townshend, of Illinois, Van H. Manning, of the State of Mississippi, all of whom signed the general minority report, which took the ground that Congress had power to declare the forfeiture, and that it was the imperative duty of Congress to exercise that power. Judge PAYSON signed the minority report, appending to it the following note:

I have not verified the figures above, but indorse the final conclusions and recommendations.

The resolution recommended, which concludes the report, is in the following words:

Resolved, etc., That all the lands granted to the Northern Pacific Railroad Company under an act of Congress entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast, by the northern route," approved July 2, 1864, which had not been patented to said company on the 1st day of July, 1882, be, and they are hereby, declared forfeited to the United States by reason of a breach of the conditions upon which said grant was made, and that said lands are hereby restored to the public domain and made subject to sale and settlement under existing laws.

That was a sweeping proposition, but, applied, of course, exclusively to the Northern Pacific Railroad corporation. I will show hereafter the small amount of that grant that had then been patented. That measure would have restored more than 29,765,152 acres of valuable land to the public domain from that one grant alone. It would have restored over 5,000,000 acres of your most valuable mineral lands in the single State of Montana. And yet the House of Representatives during that Congress, although that report was submitted on the 21st day of July, 1882, with ample time for action, the House of Representatives did not permit a vote on the measure so reported in any shape or form. I will call attention later to these mineral lands.

That was the Forty-seventh Congress, and I think that my friend from New Jersey [Mr. MCADOO] spoke truly and prudently when he said that the course pursued by the majority in the Forty-seventh Congress, on this and kindred subjects, had much to do with the coming into power of the Democratic party in the following Congress. So the Forty-seventh Congress passed by and not an acre of these lands was restored to the people.

What a contrast, Mr. Chairman, between the Forty-seventh and Forty-eighth Congresses in regard to these grants. I will ask the Clerk to read the following resolutions from the RECORD of the proceedings of that Forty-eighth Congress, Mr. Carlisle, Speaker, which was adopted as soon as the House was organized and was able to act upon the subject through a motion to suspend the rules. It was, indeed, the very first motion to suspend the rules that was made in the House in the Forty-eighth Congress.

The Clerk read as follows:

Resolved, That in the judgment of this House all the public lands heretofore granted to States and corporations to aid in the construction of railroads, so far as the same are now subject to forfeiture by reason of the non-fulfillment of the conditions on which the grants were made, ought to be declared forfeited to the United States and restored to the public domain.

Resolved, That it is of the highest public interest that the laws touching the public lands should be so framed and administered as to ultimately secure freehold therein to the greatest number of citizens; and to that end all laws facilitating speculation in the public lands or authorizing or permitting the entry or purchase thereof in large bodies ought to be repealed, and all of the public lands adapted to agriculture (subject to bounty grants and those in aid of education) ought to be reserved for the benefit of actual and *bona fide* settlers, and disposed of under the provisions of the homestead laws only.

Resolved, That the Committee on the Public Lands is hereby instructed to report to the House bills to carry into effect the views expressed in the foregoing resolutions; that said committee shall be authorized to report such bills at any time, subject only to revenue and appropriation bills, and the same shall in like order be entitled to consideration.

Mr. HOLMAN. I had the honor to submit these resolutions to the House. That last resolution was the foundation of the present rule of the House, which has existed ever since the Forty-eighth Congress, which gives to the Committee on the Public Lands an exclusive jurisdiction of these forfeitures and full opportunity for making its reports and having them considered by the House.

Mr. CUTCHEON. Will the gentleman yield for a question?

Mr. HOLMAN. Certainly.

Mr. CUTCHEON. Will the gentleman be pleased to state what was the vote of the House in the negative?

Mr. HOLMAN. Yes, sir; it was 17 on a yea-and nay vote.

After the adoption of these resolutions, and during the Forty-eighth, Forty-ninth, and Fiftieth Congresses, the House, under the control of the Democratic party, Senate Republican, Congress declared forfeited the following grants:

Congressional action on land-grant-forfeiture bills.

Name of railroad.	Congress.	Acres.
Oregon Central	Forty-eighth	810,880
Texas Pacific	do	18,500,000
Iron Mountain of Missouri	do	300,000
Atlantic and Pacific	Forty-ninth	23,871,360
Tuscaloosa and Mobile		7,000,000
Mobile and New Orleans		
Elyton and Beard's Bluff		
Memphis and Charleston		
Savannah and Albany		
New Orleans and State Line		
Iron Mountain of Arkansas		
Marquette, Houghton and Ontonagon	Fiftieth	294,400
Ontonagon and Brûlé River	do	211,200
Total		50,987,840

It must be admitted, however, that not one of these forfeitures was obtained where even a shadow of claim could be or was asserted by any corporation without humiliating concessions being made to the Senate by the House.

But, Mr. Chairman, I have mentioned that the grant to the Texas and Pacific Railroad Company expired on the 4th of July, 1882. It was a grant of 18,500,000 acres of land. When the grant expired there had not been a spadeful of earth thrown in the construction of the road. Of course there was no pretense but that it was subject to forfeiture. The majority of the Judiciary Committee of the Forty-seventh Congress consented by their report, submitted to the House by Hon. THOMAS B. REED, its chairman, to the forfeiture, simply because the time had expired and nothing had been done, and nothing was intended to be done for private enterprise without subsidy had constructed a railroad through that grant.

I desire now to call the attention of gentlemen to the report of the minority of that Judiciary Committee in relation to that forfeiture. I wish to say before it is read that that report is signed by every one of the minority of the committee (except Mr. Converse, of Ohio) and by Judge PAYSON. It is well known that an abler body of lawyers have never made a report to this House in our time than the gentlemen whose names are signed to that minority report. I ask that it may be read.

The Clerk read as follows:

VIEWS OF THE MINORITY.

While concurring in the recommendations, the undersigned are unwilling to be committed, even by the remotest implication, to the doctrine that the United States might be deprived of its right to enforce a forfeiture of the lands granted to this or any other railroad company for breach of the conditions upon which such grant was made, simply because Congress may have reserved the power "to adopt such measures as it may deem necessary and proper to secure the speedy completion of the road" in aid of which the lands were granted, and because the company, notwithstanding the breach, may be proceeding with its work.

The undersigned are aware that it is substantially so argued in the report of the committee in the case of the Northern Pacific Railroad, as they are unable to perceive any difference in the legal effect of the language upon which the conclusion was made to hinge in that instance and that employed in the seventeenth section of the act granting lands to the Texas Pacific Company; but they dissented from the doctrine then, and dissent from it now.

Nothing could be better settled or more universally conceded than that the grantor of an estate upon conditions subsequent may, unless his right be expressly waived or lost by his own laches, re-enter upon a breach of any condition upon which the estate may depend, and that upon such re-entry the estate of the grantor becomes void *ab initio*, the person who re-enters being seized of his original estate in the same manner as if he had never conveyed it away; and it is equally as well settled that laches are never to be imputed to the Government. Both of these principles were recently asserted by this committee with great clearness and force in the case of the Ontonagon and Brûlé land grant.

If, therefore, the Government, as grantor, has the right, without regard to the lapse of time to reinvest itself of such an estate for a breach of any of the conditions upon which it had previously granted it, it is impossible to see how it can be deprived of the power to do so simply because it has reserved to itself the right to do something in addition to the exercise of the mere right of forfeiture. A question as to the policy of insisting upon such forfeiture is one thing; the naked legal right to enforce it is quite another.

The undersigned, therefore, can not assent to any reasoning or intimation in the report tending to establish the proposition that the right of absolute forfeiture does not exist either in this grant or that to the Northern Pacific Railroad Company in case of a breach of any condition upon which such grant was made.

J. PROCTOR KNOTT.
L. E. PAYSON.
R. W. TOWNSEND.
VAN H. MANNING.
D. B. CULBERSON.
N. J. HAMMOND.

The report of the minority is a manly protest against the view of the majority as to the powers and duty of Congress. And yet the Forty-seventh Congress did not even forfeit that Texas and Pacific grant. That was done by the Forty-eighth Congress.

THE NORTHERN PACIFIC GRANT.

Now, Mr. Chairman, in regard to the Northern Pacific Railroad, I wish to read some extracts from the minority report, and see whether, assuming that the ground taken by these eminent lawyers was correct as to the power of Congress, it was policy upon the part of Congress to declare that forfeiture. In this report the following statement is made:

The entire road when completed, 2,700 miles, will have cost about $75,000,000, or at the rate of $28,000 per mile. (See report of the Secretary of the Interior, 1875, vol. 2, page 575.)

Further on, after discussing the various statements as to the cost, the report states as follows:

The undersigned suppose that all that could be asked of the Government in the exercise of the most prodigal generosity would be a sufficient amount of lands to enable the company to construct its road without costing it a single dollar of its own money, and as either of the foregoing hypotheses shows a surplus of many millions more than are necessary for that purpose, it has occurred to them that it might be to the interest of the people of the United States generally to look somewhat after that surplus, whatever it may be.

Now, what is the true state of facts in regard to that railroad? I discuss the subject from this standpoint, that it is the Northern Pacific that is especially urging this forfeiture to the extent proposed by the Senate bill and also by the substitute reported by the gentleman from Illinois from the House Committee on the Public Lands—that is, land "where no railroad has up to this time been constructed."

Now, let us see the transactions under this grant. I hold in my hand the report of the Commissioner of the land-grant railroads for 1882, and this statement is made in regard to the Northern Pacific land grant:

The company reports having sold lands up to June 30, 1882, for an amount aggregating $13,108,835.28, of which sales $1,426,461.87 were made during the year ending June 30, 1882. It is estimated that their land will aggregate 42,000,000 acres; 746,509.52 acres have been patented to date. The company claims to have earned up to June 30, 1882, 12,234,848 acres.

Twelve million two hundred and thirty-four thousand eight hundred and forty-eight acres earned up to June 30, 1882; thus was then the extent of the claim of that corporation as to lands then earned; so if the forfeiture had been made in that first session of the Forty-seventh Congress, and only to the extent of land "then unearned," there would have been restored to the people 29,765,152 acres with no possible ground of complaint on the part of this corporation, for the time for the completion of its railroad had expired more than two years before, and this, too, assuming that the grant of land to this corporation was only 42,000,000 acres.

But one step further. In the report made to Congress by the Commissioner of Railroads in 1883 the following statement is made:

The maximum price per acre (exclusive of town lots) has been $30 and the minimum $2.60.

Now, what is the report for the last year? I hold in my hand the report from the same office for the year 1889.

The average price per acre for all lands to date is $3.89, the maximum price being $15 and the minimum price $1.

Mr. PAYSON. That was for the sales of that year?

Mr. HOLMAN. No, sir; the average price for all sales.

Mr. PAYSON. But the maximum price.

Mr. HOLMAN. The average price for all sales made is $3.89; the maximum being $15, and the minimum price $1.

Mr. CLUNIE. And the other was $30.

Mr. HOLMAN. Yes; in 1883, the official report of the same office, having charge of these land-grant railroads, states that the maximum price was $30 and the minimum $2.60. From the last report we are informed that the maximum price was $15, and the minimum price $1. Can you be surprised, gentlemen, that such discrepancies should occur? Can your Government grant to a corporation such an enormous estate in lands as 42,000,000 acres, involving in values hundreds of millions of dollars, dependent for adjustment on your departments without that state of things occurring?

Read these reports, gentlemen. Most of you, I presume, have read them. You can not have failed to be impressed with the fact that while the Secretary of the Interior and Commissioner of your General Land Office are now and have been in the past honorable public officers, whose integrity no one would question, yet they must act through a multitude of subordinates in the adjustment of these enormous grants and they will be fortunate indeed if the influences of the officers of these corporations are not felt in their great divisions in the adjustment of these accounts. Above all, these gentlemen in high positions should see to it if they would hope for any degree of integrity in these great transactions that their subordinates stand aloof from the courtesies of these corporations.

I quote the entire paragraphs from the three reports. And first, as to the amount of land this Northern Pacific Railroad corporation claimed it had earned under the law up to June 30, 1882, more than two years after the time fixed by law for the completion of its railroad had expired.

[From the report of the Commissioner of Railroads for the year ending June 30, 1882, page 42.]

LANDS.

The company was chartered by act of Congress approved July 2, 1864, and received a grant of land of twenty sections to the mile within the States and forty sections per mile within the Territories.

It is estimated that this grant will aggregate 42,000,000 acres of land; 746,509.52

acres have been patented to date. The company claims to have earned to June 30, 1882, 12,234,848.24 acres. No patents have been issued by the United States to the company since November 4, 1875, except one, April 8, 1880, for 3,016 acres in Washington Territory.

The company reports having sold lands up to June 30, 1882, for an amount aggregating $13,108,835.28, of which sales $1,426,461.87 were made during the year ending June 30, 1882. During the past year, up to November 1, 1882, the President of the United States has appointed commissioners to examine for acceptance by the Government 625 miles of road, 300 miles on the western and 325 miles on the eastern divisions, reports of which have been returned to the Secretary of the Interior.

[From the report of the Commissioner of Railroads for the year ending June 30, 1883, page 49.]

The company has disposed of 4,539,743.11 acres to June 30, 1883, for the sum of $15,593,156.20. The maximum price per acre (exclusive of town lots) received has been $30, and the minimum $2.60. The maximum now asked is $20 and the minimum $2.60 per acre. The average price per acre received from all sales during the year ending June 30, 1883, was $4.02.

[From the report of the Commissioner of Railroads for the year 1889, page 56.]

The number of acres of land received by this company from the Government to June 30, 1889, was as follows: By patent, 1,031,031.78; by certificate, 20,196,262.16, making a total of 21,227,293.94 acres, of which 7,107,864.86 have been sold. From these sales the company has received $24,820,509.97, and there are outstanding on account of time sales $5,119,147.44.

The average price per acre for all sales to date is $3.89, the maximum price being $15 and the minimum price $1.

I have set forth the statements of these three reports of the United States Commissioner of Railroads as to this Northern Pacific land grant specifically, so that no doubt may exist as to the facts.

By the report for 1882 it is shown that up to June 30, 1882, this company claimed to have earned 12,234,848.24 acres.

By the report for 1883 it is shown that the maximum price per acre for which it sold its land (exclusive of town lots) had "been $30, and the minimum $2.60," and that the "maximum now asked is $20 and the minimum $2.60 per acre," the average price per acre during the year being "$4.02."

By the report for 1889 it is shown that "the average price per acre for all sales to date is $3.89," the maximum price being $15 and the minimum price $1. All these are official reports of an officer of the United States with ample salary.

Now, assuming that the grant to the Northern Pacific corporation was 42,000,000 acres (I will show later that the grant greatly exceeds that amount), and as it is shown by the official report I have quoted that "the company [the Northern Pacific Railway Company] claim to have earned to June 30, 1882, 12,234,848.24 acres," it clearly appears that on the 6th day of June, 1882, when Hon. THOMAS B. REED, then chairman of the Committee on the Judiciary, now Speaker of the House, reported against the forfeiture of the grant to that corporation on the ground that "the United States did not want back its lands," although the time expressly prescribed by law for the completion of the whole railway had expired more than two years before, if at that time, June 6, 1882, the forfeiture had been declared, as is now proposed to be done as to the now remaining fragment, 29,765,152 acres, a territory as large as Ohio and over 4,000,000 acres more would have been restored to the public domain. Now you propose, at the dictation of that corporation, to declare the forfeiture of the remnant of the grant which that corporation does not want and freely surrenders with the view to the actual confirmation of all the rest.

So it appears that "the United States did not want back its lands from the Northern Pacific," 29,765,152 acres which Congress clearly had the right to forfeit on the 6th day of June, 1882, but Congress is now eager to get back the 2,000,000 acres of land the corporation does not want. Is the corporation the absolute master?

Now, how do our accounts stand with this Northern Pacific Railway corporation? The Auditor of Railroad Accounts, through the Secretary of the Interior, reported to Congress on the 26th day of January, 1881, as follows:

Total road to be constructed, 1,865 miles, at an estimated average cost of $26,868 per mile, amounting to $50,110,000. The entire road when completed, 2,700 miles, will have cost about $75,000,000, or at the rate of $28,000 per mile. (Page 575, volume 10, Executive Documents, first session, Forty-seventh Congress.)

Now, it appears from the last report of the Commissioner of Rialroads, for the year 1889, which I have already quoted, that—

The number of acres of land received by this company from the Government to June 30, 1889, was as follows: By patent, 1,031,031.78; by certificate, 20,196,262.16; making a total of 21,227,293.94 acres, of which 7,107,864.86 have been sold. From these sales the company has received $24,820,509.97, and there are outstanding on account of time sales $5,119,147.44. The average price per acre for all sales to date is $3.89, the maximum price being $15 and the minimum price $1.

So the account stands as follows:

21,227,293 acres of land, at $3.89 per acre	$82,574,169.77
Cost of the 2,700 miles of railroad	75,000,000.00
Balance	7,574,169.77

So that the land already "patented and certified" to this corporation exceeds the cost of the railroad by the sum of $7,574,169.77. And yet you see, gentlemen, that the grant embraces 20,772,707 acres more, making the 42,000,000 acres.

So that the account would stand thus:

Value of lands already patented and certified in excess of the cost of the railroad	$7,574,169.77
20,772,707 acres remaining, at $3.89 per acre	80,805,830.23
Total	88,380,000.00

So, gentlemen, it is proposed by the pending Senate bill to confirm to this corporation public lands exceeding in value the cost of their railroad to the extent of the enormous sum of $88,380,000, getting back 2,000,000 acres. This 2,000,000 acres at the same price, $3.89 per acre, amounts to the sum of $7,780,000, leaving after you declare the forfeiture of this fragment which this corporation wishes to relinquish, as a railroad was long since constructed through it by private enterprise from Wallula to Portland, the excess in the value of land granted to this corporation over the cost of the railroad is $80,600,000. Eighty million six hundred thousand dollars! I should state that as a matter of fact this railroad is 2,450 miles long instead of 2,700. So it will at once appear that the value of this subsidy is greatly beyond the sum I have named.

But this statement does not fairly present the magnitude of the grant. I have assumed, as will be remembered, that it embraced 42,000,000 acres. The Auditor of Railroad Accounts, in the annual report of the Secretary of the Interior for the year ending June 30, 1882, states the grant at 57,920,000 acres, and further states as follows:

The latest estimate of land which the company may obtain is as follows (and setting forth a table of distances fixing the amount), 42,500,000. (Report of the Secretary of the Interior, page 574, volume 10, first session Forty-seventh Congress.)

I make this statement to show that I do not overestimate the enormous grant of land this corporation will ultimately receive if the pending measure shall become a law; yet, who shall say that it will not receive more than 42,500,000 acres under this grant of 57,920,000 acres, when under any administration of your land system its own agents will adjust its land grant?

The especial infamy of such a system of Government grants is that it creates a power that intrudes into your departments, legislative, executive, and judicial, and decides the contests in which it may be involved. Thousands upon thousands of families have already been driven from their homesteads on which they had expended years of labor, and thousands upon thousands more will be in the adjustment of this North Pacific land-grant corporation as well as all others of these land-grant corporations, families who had settled upon the lands years before the grants were made and families who had settled on them when all men understood that the lands had been forfeited will be driven from their homes.

The administration of these land grants in their adjustment has already been a shame and dishonor to our civilization. Old men, soldiers of the Union Army, who had secured homes in the West under your beneficent homestead law, or thought they had, have walked through the corridors of this Capitol for days and weeks with weary feet, some of them with patents issued under the great seal of the United States for their homesteads, seeking to catch the ear of some member of Congress to aid them in their hopeless struggle with some one of these powerful land-grant corporations, which had driven them from the lands they had made fruitful by their labor; but their appeal was vain. Only a forfeiture by Congress of these grants, in fact forfeited, could save their homes, and this Congress, or at least your Senate, has persistently denied—the bills passed by the House in the Forty-eighth, Forty-ninth, and Fiftieth Congresses, declaring these forfeitures, were imperiously rejected by the Senate. During these Congresses of course the House was Democratic, the Senate Republican.

These railroad land grants have involved this Government in measures of injustice to its own people of which a despotism would be ashamed. Think, gentlemen, of a citizen of the United States being evicted from his farm, held by him under a patent from the President of the United States, by a railroad corporation, because Congress would not declare, as it rightfully could, the forfeiture of the land! Why can we not declare these forfeitures of lands not earned in conformity with law, and protect from poverty and wretchedness multitudes of settlers, their wives and children, who in good faith have settled on these lands in pursuance of the universal belief that as the time for the completion of the railroad had expired and no railroad constructed, the lands were open to settlers under the homestead law?

But, gentlemen, I ask your attention especially to this fact: Your General Land Office took it for granted in former years that when the time for the completion of a land-grant railroad expired the lands where no railroad was constructed were restored to the public domain without any action of Congress, and hundreds of thousands of acres of such lands were entered under the homestead and pre-emption laws by actual settlers, as I have mentioned. Homestead and pre-emption entries were made of lands in the Gulf and Ship Island grant, the Mobile and Girard grant, the Des Moines River grant, and in a multitude of other instances, to the extent of hundreds of thousands of acres. Then the Supreme Court decided that, notwithstanding the fact that the corporations had failed to complete the railroads within the time prescribed by law, the title still remained in the corporation until Congress declared the grant forfeited. Your sense of justice has already compelled you to appropriate a large sum of money to pay $3.50 per acre to the settlers on the Denver and St. Jo grant to whom patents had been issued, their cultivated farms inuring to the benefit of that corporation as a free gift. Your sense of justice will compel you to pay millions of dollars to the men who entered lands under the homestead and pre-emption laws within the limits of these grants, unless you declare the forfeiture

which justice and common honesty demand. These settlers must, if you refuse to declare the forfeiture, either buy their lands from the corporation or be turned out of possession. And still you will never do justice to these settlers. You will perhaps allow them $5 per acre, yet there are hundreds of thousands of acres of these lands held under patents with the great seal of the nation affixed, highly improved, and worth from $25 to $50 per acre as has heretofore been shown to Congress. And such is the result of your land "subsidy" policy, high-handed and infamous injustice on the one hand, to the honest settler on your public lands and a plundering of the public Treasury on the other, and all this for the benefit of corporations whose wealth is mostly owned by the capitalists of Europe, and whose default for years in the fulfillment of their contracts more than justifies you in declaring their grants forfeited.

Gentlemen, consider the fact that our people have universally entertained the belief, a natural and reasonable belief, that when the time fixed by law for the completion of these railroads expired the lands became a part of the public domain and open for settlement, a belief universally entertained by members of Congress, Senate and House, until the extraordinary opinion was rendered by the Supreme Court that notwithstanding the default of the corporations to comply with their contracts the title to the lands remained in the corporations until Congress declared the forfeiture.

Will you, gentlemen, for the purpose of enlarging the enormous wealth you have already granted to these corporations, confirm their grants to the extent of railroads completed up to this time when you know that this act of yours, of palpable injustice, as I think, will turn out of their homes many thousand—twenty-five thousand would be a moderate estimate—of honest settlers, their wives and children, who have settled on these lands after the time when by law the railroad was required to be completed, and under the natural belief that the land was subject to settlement? Will you do this, gentlemen? The equity and right is with these settlers. Will you in the interest and for the benefit of the corporations turn them out of their homes?

You can not overlook the fact that time was made the very essence of all of these grants, infamous as they were; that was in fact the only redeeming feature; the only excuse for the grants was "the opening up of the country," yet the Northern Pacific corporation, and all of the rest affected by the present effort to forfeit their lands, did nothing until the advancing settlement and labor of multitudes of people enormously increased the value of the lands. The Northern Pacific grant made July 2, 1864, required the completion of the railroad on July 2, 1876, and yet work on the railroad was not even commenced until July 2, 1870. The time was extended until July 2, 1879, and only a fragment of the road constructed when the time expired, and other railroads under private enterprise without subsidy were in process of construction westward from St. Paul, Minn., and constructed eastward 214 miles from Portland, Oregon, to Wallula.

If the Northern Pacific grant had never been made, it is reasonably certain that private enterprise would have constructed a railroad from Portland, Oregon, to Duluth, Minn., before the Northern Pacific reached Wallula. This corporation waited until private enterprise had invaded that whole region of country, instead of "opening up the country," and now proposes, with the aid of Congress, to rob multitudes of bona fide settlers of their lands who, after the time for the completion of that road had expired, settled on the lands where no railroad had even been commenced. And Congress is now called upon by this Northern Pacific corporation to consummate this act of injustice. Gentlemen, will you yield to a demand so manifestly unjust? Will you give to this corporation, all of whose members are American and foreign capitalists, not only that great railroad of 2,450 miles in length, an imperial possession which will drain into foreign coffers millions of dollars from our country annually, but give them in addition lands which should have been the free homes of your people of the value of $80,000,000, and in addition to that for their benefit turn out of their homes tens of thousands of your people who in good faith have settled on these lands and made homes since the time fixed by law for the completion of these railroads expired?

But I have greatly underestimated this imperial grant to the Northern Pacific. The official reports show that the corporation had disposed up to January 30, 1882, of 7,107,864 acres of its grant for $29,939,657.41, "coal and timber lands being reserved until the country is occupied," and they are reserved still, and every sale of the land of this corporation is coupled with this condition, embodied in the deed of conveyance, that all "coal and minerals are reserved, with the right of the company and its assigns to enter the land and mine the same."

What do you say to this, gentlemen? It is known that 5,000,000 acres of the grant of this corporation in Montana alone is mineral land of great value. Five million acres! This corporation's grant included "coal lands and iron mines," but not other "mineral lands." Gentlemen, will you not by passing this bill in effect and finally confirm the claim of the Northern Pacific to the millions of acres of "mineral lands," of inestimable value, now known to be within their grant in Montana and Idaho? You known the patents will be issued when you pass this bill. You can see how "thrifty" this European corporation is in the management of your imperial gift! Of course the "coal and timber" lands would not be sold until the teeming population of the country and their labor added immensely to their value. The "mineral lands" will be opened up when you confirm the grant! Who, gentlemen, can estimate the value of this enormous gift? It will be a source of magnificent revenue to these English lords and German barons and European capitalists, at the expense of the farmers of Minnesota, North Dakota, Montana, Idaho, and Washington and all the people of our country, for generations to come!

And such is the result of your system of land subsidies. The Cascade branch of the Northern Pacific railroad, a portion for which it will receive the largest subsidy per mile, was not completed until twenty-one years after the grant was made and six years after the time when by law the railroad was required to be completed, and all this time the company was in the way of private enterprise which was eager to construct a railroad through that region of country.

I have more than once asserted on this floor that not one of these grants to corporations was passed through Congress by fair and honorable legislation. Can any man explain by what methods the Northern Pacific corporation prevented the forfeiture of its grant through successive years and until it completed its Cascade branch?

The Northern Pacific has the greatest interest at stake. So, sir, it naturally occurs that that powerful corporation, not only during this Congress, but during the last session of the last Congress, has peremptorily demanded the passage of this Senate bill, so that this great grant (a grant of land without a precedent in the history of the world) should be confirmed to these European gentlemen who have become in the natural course of things the possessors of your lavish gift. Of course these lordly possessors will sell the land, but at prices beyond the reach of your landless people. Yes, sir, European capitalists are now the owners of the imperial wealth of lands which by the laws of God and nature belong to our people and their children. You have stamped the accursed brand of monopoly on these fertile fields and placed them forever beyond the reach of laboring men.

If that country had been settled up according to the natural course of events, just as the country east of the Mississippi River was mainly settled, as the States bordering on the western shores of the Mississippi River were mainly settled, by men and their wives and children seeking homes, by homesteaders, these railroads would have been built, in the natural order of things, and the lands would have been settled upon by our people seeking homes, by our hopeful and enterprising sons and daughters of the older sections of the Union, already overflowing with population, and in the natural order of things in the early future every quarter-section of those lands would have been a happy and prosperous home.

But considering the effect of passing this bill as to the Northern Pacific alone, can you, gentlemen, consent to confirm to this corporation the 20,772,707 acres of land not yet certified or patented which you have exactly the same right to declare forfeited as the 2,000,000 you propose to forfeit by this bill? I press that question on you, gentlemen.

The absolute absence of equity in the claim of this corporation to these lands, and the careful attention which that powerful body of men most interested in the land question, the farmers of the United States, is giving to these abuses in the management of public affairs, naturally awakens the anxiety of these corporations and they are demanding that by prompt action of Congress their grants shall be confirmed and their patents issued, and they willingly surrender the fragments if Congress will only confirm the great body of their grants—fragments to which, as all men can see, they have not the shadow of claim.

I think the House, notwithstanding the assumption of the Senate, a body far less responsible to the people than the House, should hesitate long before it yields to the demand of a corporation for beneficial legislation when that corporation has a record only for dishonorable defaults. Must we yield to these corporations all they demand? Have these land-grant corporations, these favorites of your progressive policy, already grown greater than Congress?

[Here the hammer fell.]

Mr. PAYSON. I ask unanimous consent that the gentleman from Indiana be allowed to proceed without limit.

There was no objection.

Mr. HOLMAN. I am very much obliged to the gentleman from Illinois and the committee for this courtesy. It is claimed that public benefits were secured by these grants.

Let us see how the "art of definition" interposes between the legislative purpose of Congress and the claims of these corporations. The old grants to Illinois which went under the legislation of that State to the Illinois Central Railroad Company (but not the subsequent grants to corporations, for they were for the benefit of the corporations), all contained the following provision:

> And the said railroad shall be and remain a public highway for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

Of course every member of Congress understood that that railroad company, in consideration of the grant of land made to the State of Illinois and assigned to that company, was "to transport the property and troops of the United States free of charge."

The debates in Congress show that conclusively. I had heard

that that corporation denied the correctness of that interpretation, and introduced in the Thirty-sixth Congress a resolution calling upon the Judiciary Committee, an unusually able committee, to report on that subject. That committee unanimously reported to the House that the reservation to the United States by that clause clearly meant, and was so understood by Congress at the time the grant was made, that the Illinois Central Railroad Company and all the others receiving grants on that condition "were to transport the property and troops of the United States free of charge." But soon after the Supreme Court decided that "the only right reserved by Congress under that clause to the United States was the right to use the track of that railroad" with its own locomotives and cars, but if the railroad company "transported the property and troops of the United States it was entitled to two-thirds of the compensation for such transportation as it charged private parties for similar transportation. The Government during the late war and since has paid millions upon millions of dollars to this Illinois Central Railroad Company and other land-grant railroad companies for the transportation of its "property and troops," and is so paying up to this day. Every year we pay many millions of dollars to these corporations, notwithstanding the fact that these railroads were in fact the gift of the United States to them. These corporations, which received direct grants of land, charge the United States for transportation at their own will.

But the trouble with the Senate is not so much with reference to the question of power as with regard to the expediency of this legislation. And I wish to call attention to the language used by the majority of the House conferees on the bill declaring the forfeiture of these grants to the extent I proposed at the last session in making their final report to the House of the disagreement between the two Houses. Before the Clerk reads I will remind gentlemen that the proposition to refer the question of these forfeitures to the Supreme Court, as is now proposed by my friend from Missouri [Mr. STONE], was submitted to the Senate conferees and was promptly rejected by the Senate conferees.

If you declare the forfeiture of all these grants, as I propose, as to all lands through which the railroads were not completed when the time expired for the completion of the whole of the respective roads, then the question would come before the Supreme Court of the United States in such a form that the people would have some show. You would then have declared, as this House has declared over and over again, that the whole forfeiture to the extent I have named should be made. The question would then stand before the Supreme Court of the United States supported by the decision of the department of Government which made the grants and declared the conditions. If, however, you hold that your forfeiture should only extend to lands conterminous with the portions of roads "not now completed," the chances are overwhelming that the Supreme Court would accept as final the decision of Congress.

I now ask the Clerk to read from the conference report to which I have referred, made on this issue at the last session of Congress. Judge PAYSON was one of the House conferees, but made, as will be seen, a separate report.

The Clerk read as follows:

The conferees on the part of the House have submitted to the Senate conferees several propositions. Among others they proposed that the question of the right and power and the extent of the power of Congress to declare the forfeiture of these lands should be referred to the Supreme Court of the United States with original jurisdiction, the cause to be advanced on the Calendar on account of its special importance; also the proposition that the bill should be confined to the minor grants where complications have arisen growing out of the patenting of a portion of the lands within the grants at the time when the grants were treated as forfeited, leaving the great grants, involving the larger portion of the lands, open to a further future consideration.

These propositions were declined by the Senate conferees, who were not willing to modify in any degree the basis on which they proposed to declare the forfeiture; that is to say, except as to cases where the railroad corporations were making no claim whatever. So that the issue between the two Houses remains without any modification whatever. The railroad corporations do not resist, as far as the House conferees are informed, the proposition of the Senate—it does not come in conflict with their interest—but they do persistently oppose the proposition of the House. The majority of the conferees of the House earnestly recommend and insist that the House do not recede from the position it has heretofore occupied.

They insist that high public policy and justice to the people demand that these grants of public lands long since forfeited in fact shall be declared forfeited by law, and we indulge the belief that at an early day the force of public opinion will secure that result.

WM. S. HOLMAN.
W. J. STONE.

I do not concur in the reasoning in the foregoing statement. The first section of the Senate bill, if adopted, will declare forfeited all lands that are clearly and confessedly liable to forfeiture, and at the same time preserve absolutely to the United States every right that it now has to declare other and further forfeitures if Congress shall desire. Not a single right of the Government is waived; not one. All rights are carefully preserved by section 10. We save from all future claim by the railroads every acre of land as to which there is a clear right of forfeiture, leaving disputed lands to further legislation. Should the bill fail, further construction of the railroads would confessedly embarrass, if not entirely lose us the title of lands which can now be saved without yielding any principle by the House.

L. E. PAYSON.

THE LAND THAT SHOULD BE DECLARED FORFEITED.

Mr. HOLMAN. Now, Mr. Chairman, I will at the proper time submit the following provision as a substitute for the first paragraph of the amendment in the nature of a substitute of the gentleman from Illinois [Mr. PAYSON].

The Clerk read as follows:

Strike out the first section of the substitute and insert:

"That all lands heretofore granted by Congress to any State or to any corporation to aid in the construction of a railroad or a railroad and telegraph line opposite to and conterminous with the portion of any such railroad not constructed and completed within the time specified in the act making the grant for the construction and completion of the whole of such railroad are hereby declared forfeited to the United States, and the United States resumes title thereto, and all such lands so granted lying opposite to and conterminous with the portion of any such railroad not constructed and completed within the time prescribed by the act of Congress making such grant for the construction and completion of the whole railroad as provided for by such act, is hereby restored to the public domain and declared to be a portion thereof: *Provided, however*, That the forfeiture hereby declared shall not extend to the right of way of any such railroad through the remainder of the route, including the necessary grounds for depots, or to lands included in any village, town, or city within the limits of the lands hereby declared forfeited.

"All such lands so restored to the public domain shall be disposed of under the provisions of the homestead law only. But all bona fide settlers on any such lands shall be entitled to priority of right in entering the land occupied by them, and shall be allowed a credit for the time of such bona fide occupation: *Provided further*, That the titles of bona fide purchasers of any such lands whose titles were acquired prior to the 1st day of January, A. D. 1888, from any such State or corporation to whom any such grant of lands was made lying conterminous with a then completed portion of any such railroad, shall not be impaired by this declaration of forfeiture."

This amendment if adopted will forfeit 53,741,596 acres. The following is the statement furnished by the Commissioner of the General Land Office to the House Committee on Public Lands in the Fiftieth Congress as to the effect of the two propositions, namely, the one declaring the forfeiture of all land where *no* railroad has been constructed up to this time, the other all lands not earned by the corporations within the time prescribed by law. The Senate bill of the last Congress was the same as the present Senate bill, and Judge PAYSON'S amendment is the same as the Senate bill as to the extent of forfeiture. My amendment is the same as the House bill of last Congress. Mr. STONE, of Missouri, and Mr. MCRAE, of Arkansas, had an amendment pending proposing to forfeit the entire grant when the railroad had not been completed in conformity with law, so this statement of the Commissioner of the General Land Office was prepared so as to show the effect of each of these three propositions on the land grants named.

Statement of the Commissioner of the General Land Office, Hon. S. M. Stockslager.

Name of railroad.	Estimated number of acres which will be forfeited—		
	By Senate bill.	By House bill Fiftieth Congress.	In event of forfeiture of entire grant.
Gulf and Ship Island	652, 800	652, 800	652, 800
Coosa and Tennessee	140, 160	140, 160	140, 160
Coosa and Chattooga	144, 000	144, 000	144, 000
Mobile and Girard	536, 064	651, 064	858, 624
Selma, Rome and Dalton*	89, 932	258, 624	642, 624
Atlantic, Gulf and West India Transit	76, 800	676, 000	1, 171, 200
Pensacola and Georgia	None.	679, 680	1, 178, 880
Vicksburg, Shreveport and Texas	None.	364, 800	725, 760
Jackson, Lansing and Saginaw	None.	176, 256	898, 560
Marquette, Houghton and Ontonagon	294, 400	294, 400	627, 200
Ontonagon and Brûlé River	211, 200	288, 000	288, 000
La Crosse and Milwaukee	None.	195, 724	235, 773
Chicago, St. Paul, Minneapolis and Omaha	None.	1, 446, 400	1, 446, 400
Wisconsin Central	406, 880	461, 480	1, 800, 000
St. Vincent extension, St. Paul and Pacific (now St. Paul, Minneapolis and Manitoba)	None.	1, 113, 600	2, 009, 600
Western Railroad	None.	243, 712	243, 712
Southern Minnesota Railway Extension	None.	832, 115	1, 787, 955
Hastings and Dakota	None.	810, 840	1, 293, 440
Northern Pacific	2, 000, 000	36, 907, 741	46, 917, 200
California and Oregon	None.	1, 740, 800	3, 686, 400
Oregon and California	None.	2, 086, 400	4, 608, 000
Southern Pacific	1, 075, 200	4, 147, 200	7, 116, 800
Total	5, 627, 436	54, 323, 996	78, 503, 088

* Lands certified to State for this road prior to May 23, 1872, amounting to 440,709.16 acres, were confirmed to State by act of that date (17 Stat. L., 159), for sole use and benefit of the Selma, Rome and Dalton Railroad Company. The lands so confirmed may not be subject to forfeiture.

But after that statement was prepared by the Commissioner of the General Land Office, during last Congress (Fiftieth Congress) we passed a bill forfeiting the grants to the State of Michigan, that is, the Marquette, Houghton and Ontonagon grants and the Ontonagon and Brûlé River grants, which will be seen amount in the aggregate to 505,600 acres under the Senate bill and 582,400 acres under the then House bill, and these lands must of course be deducted in determining the effects of the pending measures. With these amounts deducted the effect of the two propositions is as follows:

Amount of land forfeited by the Senate bill is 5,121,836 acres; by my amendment, 53,741,596; a difference of 48,619,760. But as this forfeiture is against the railroad corporations only, lands heretofore sold by these corporations conterminous with portions of the railroads heretofore completed, and purchased in good faith, are excepted from the forfeiture. This concession, I think, ought to be made in behalf of bona fide purchasers opposite completed railroads. This

relieves the subject from all embarrassment and makes the question of forfeiture simply a matter between the United States and the corporations and does not affect any considerable amount of land.

THE INDEMNITY LIMITS.

But permit me to suggest the further fact in favor of these forfeitures that many thousands of settlers on what is known as the "indemnity limits" of these grants have, to their utter ruin, found these corporations claiming their improved farms under some indefinite claim of "deficiency of land in place," and in this way thousands and tens of thousands of bona fide settlers now find, after years of labor, the titles to their homes valueless. How can they resist the claim of these powerful corporations with their horde of attorneys in this Capitol with close relations to your General Land Office?

Surely these corporations could not have the effrontery to complain of a forfeiture of all the lands which they had not earned in conformity with law "within the time prescribed by law." Time was of the essence of all these grants. The spirit and letter of every grant ever made was that if the corporation failed to construct its railroad within the time prescribed in the grant the lands should revert to the United States, and shall the settlers within the indemnity limit, 40 miles or more from the site of railroad, and who settled there after the time for the completion of the had expired and no railroad constructed, be left to the mercy of the corporation?

Gentlemen can hardly have forgotten that only a few years ago, when the main line of the Northern Pacific Railroad was completed to Wallula, a horde of European noblemen and capitalists came to this country as the guests of that corporation to see the last spike (a golden spike, I believe) driven. These gentlemen were the owners and the European representatives of the owners of this great landed possession Congress graciously gave away to an infamous monopoly. And will you by confirming this grant drive out your own laboring people who settled in good faith on those lands long after the time fixed by law for the completion of the road had expired and where no railroad had been constructed, and do it for the benefit of the nobility and capitalists of Europe? Without injustice you can declare the forfeiture of these lands and protect your people. Your failing to do so will be an act of injustice to these settlers, and an act of national dishonor.

It will be seen by this table of the Commissioner of the General Land Office that 1,075,200 acres of the 5,121,836 acres forfeited by the Senate bill is in the Southern Pacific grant.

Mr. PAYSON. But, if my friend will permit me to interrupt him, he is in error in supposing that to be a portion of the land belonging to the Southern Pacific road which this bill will forfeit. If the gentleman will permit me——

Mr. HOLMAN. Certainly.

Mr. PAYSON. The road that is unconstructed of the Southern Pacific, and to which reference is made in the bill, is between Tres Pinos and Huron in Central California.

Mr. HOLMAN. Yes, I understand; but this land is in the eastern and southern section of California.

Mr. PAYSON. No; it is north of the Mohave Junction; north of the desert.

Mr. HOLMAN. Yes; but it is in the eastern and southern section of the State.

Mr. PAYSON. But they are trying to earn it, for 20 miles of the road have been constructed during the past year, as I am informed. I have no personal knowledge, but from information I believe that to be true. The gentlemen from California can set me right if I am in error. But they have constructed, as I am informed, 20 miles, and that between Tres Pinos and Huron, which is not included in my computation at all.

Mr. HOLMAN. What is not included?

Mr. PAYSON. The land lying opposite the road already constructed.

Mr. HOLMAN. We have no official information on the subject. If they have constructed 20 miles, then this Senate bill will reach that much less land. But we have no official information on the subject. The land you would reach under the Senate bill would be of very little consequence in any respect. There is 2,000,000 acres on the west end of the Northern Pacific from Wallula to Portland that you would forfeit, that is the body of your forfeiture, but large tracts of the land have been actually sold by the Northern Pacific corporation between these points, where it does not even propose to construct its railroad, and this bill confirms each sale to the extent of 320 acres on the purchasers paying $1.25 an acre. It is not the money, but land, our people want.

Mr. HERMANN. Yes, sir; but about 3,000,000 acres.

Mr. HOLMAN. It is stated to be 2,000,000 acres by the Commissioner of the General Land Office.

Mr. PICKLER. What does your proposition embrace?

Mr. HOLMAN. It embraces a total of 53,741,596 acres. The difference between the two propositions is 48,619,760 acres, a body of land more than twice as large as the State of Indiana and nearly twice as large as the State of Ohio.

My friend from Missouri [Mr. STONE] criticises Judge PAYSON for the inconsistency of his record.

But on the contrary I honor Judge PAYSON for the stand he heretofore occupied in relation to these grants, with unfaltering fidelity demanding these forfeitures. I know how hard it is, Mr. Chairman, for any gentleman to pursue a course in Congress against the current of opinion of his political associates, for it is a fact well understood, both in the Senate and the House, that the political friends of Judge PAYSON have generally disapproved of his position in regard to these land-grant forfeitures. I honor him for the position he has heretofore and for many years occupied on this question, although I regret exceedingly that he has reached the conclusion that he ought to acquiesce in the views generally entertained on this subject by his political friends.

I wish most sincerely that he could still see his way clear to adhere to that former position, so honorable to himself and promising such benefits to the people. I regret that he did not continue to insist that the House should stand where it has stood for the last eight years, demanding this measure of justice; and if any wrong resulted to the people, let the responsibility rest where it properly belonged—on that branch of Congress which, in the interest of corporations, has refused to concur in legislation which public policy and common justice alike demand.

THE SENATE.

It must be borne in mind that whatever may be said in regard to what party is responsible for these grants this final action determines the question. Of course the party which made these grants, the party which favors "bounties" and "subsidies" through which a portion of our people become rich, consigning to poverty multitudes of their fellow-citizens, would hardly abandon a policy on which it is in fact founded.

Mr. PAYSON. If my good friend from Indiana will permit me to interrupt him just there.

Mr. HOLMAN. Certainly.

Mr. PAYSON. It would be unbecoming in me, Mr. Chairman, if I did not express my sincere gratitude to my friend from Indiana for the kindly remarks which he has made in reference to myself in regard to the position that I have assumed and maintained in respect to land-grant forfeitures during the past years. But in view of what my friend has said in regard to the responsibility for legislation on this subject, I would like him now to say, as a member of this legislative body, what reason he has for believing, if any, that the position of the United States Senate to-day upon this question will be any different from what it has been during all of the years that this contest has been pending.

The gentleman knows as well as I do the position that has been assumed by the Senate, and I believe—if the gentleman will permit me to occupy his time for the moment—that the only bill which by any possibility can receive the approval of the other body of the National Assembly is the bill which I have had the honor to report from the Committee on the Public Lands. Now, if my friend from Indiana does not agree with me in that regard, I would be exceedingly glad to have it stated before the Committee of the Whole House on the state of the Union what reason he has to suppose that the Senate would now modify its views. I do not know of any, and I submit that the gentleman from Indiana will agree with me on reflection.

Mr. HOLMAN. I still adhere to the view as expressed by the majority of the House conferees in the last session of Congress, that in the present state of these grants the Senate only agreeing to forfeit unimportant fragments which the corporations do not want, no serious public injury would result from delay, and that it may be reasonably hoped public opinion will eventually compel the Senate to respect the just demands of the people rather than the demands of the corporations which are unjustly appropriating the public wealth.

But shall the House, the immediate representatives of the people, quietly submit to the domination of the Senate? Are we here only to record the edicts of that body? Let them take the responsibility of refusing to forfeit these grants, and let the people decide. I cherish the hope of seeing the day when that body will be elected as the members of this House are—by the people. I want to see that body responsible to the people of this country so that the public voice can be heard in our legislation. Sooner or later the Senate, if this republican form of government is to be maintained, will be made responsible to the people. As it is the great corporate powers hold this Government by the throat, and exercise a power in legislation greater than that of the people!

Mr. HERMANN. To that we all say amen.

Mr. HOLMAN. I hope that the aroused sentiment of our people in relation to these public lands which has been in a state of suspense for years will have a beneficial effect upon the Senate of the United States. My friend may not have noticed as carefully as I have the public opinion all along the line of the organizations of the farmers, the great power in this Republic, on this subject. They are feeling the effect of your class legislation. They understand very well that amongst the many evils that have grown out of this railroad land-grant system has been the artificial settlement of great agricultural districts of our country; that the Northern Pacific corporation alone, while it was disposing of this wealth you so lavishly gave away was through the capitalists who were obtaining the benefit of this wealth bringing over thousands and hundreds of thousands of foreigners to settle upon their lands to make them valuable and add by their industry to the profits of the railroads—these very lands you gave away on the monstrous theory of public benefit, enriching the

few for the benefit of the many—old-time feudalism of the monarchies!

I do not object to honest immigration. We have invited that from the beginning, but I do object to great grants of public lands to corporations for the purpose of colonization—a system which has wrought, together with your tariff policy, irreparable injury to the farmers of this country. These farmers demand the forfeiture of these lands not earned in conformity with the law. This demand is distinctly and emphatically made by them. I know that the Senate does not yield and never has yielded cheerfully to public sentiment when the interests of corporations were at stake.

John Quincy Adams, in 1842, when a member of this House, said this (I quote from the Congressional Globe):

> There was another branch, however, of the legislative department of the Government, which was not democratic. He alluded to the Senate, and pronounced its members to be representatives of corporations. It was known that the democracy here were not fond of corporations. The Senate of the United States was necessarily and essentially an aristocratic body in its feelings; and he hoped the balance would fall in favor of the House of Representatives.

If John Quincy Adams, forty-eight years ago, could charge that the Senate of the United States was a sheltering place for corporations and an aristocratic body, it would seem to be at least parliamentary and safe for a member of this House now, when the fact is still more manifest, to follow so illustrious an example.

THE DISCREDITABLE ATTITUDE OF THE HOUSE.

I regret that the House will stand in relation to this great measure in an attitude of absolute humiliation. Will there be any honorable pride felt in voting for this Senate bill? Gentlemen who have supported the measures of forfeiture heretofore declared by the House felt proud of their votes. They were voting justly for the people and against corporate greed; but in voting for this bill, gentlemen, you can feel no such pride.

The Northern Pacific Railroad corporation has kept in this Hall of the House of Representatives, yes, on this floor, as its representative for years, a former member of the House who voted for the bill making this grant in 1864. He has been urging on members this forfeiture as declared by the Senate bill, as far as it affected the Northern Pacific road, for more than two years. I speak of this lobby agent of that corporation because most of you know him and know the fact of his agency. Other agents of land-grant railroads swarm your lobby.

Is it a pleasant thing, gentlemen, to vote for a measure that gives away to corporations millions of acres of land which in law and justice belongs to the people, and that too at the dictation of the corporations themselves?

Does my friend from Illinois feel any satisfaction in the policies of these corporations in their relations to our Government? He has seen a high public official in your great Land Office, an officer fearless and incorruptible, standing up against the unjust and imperious demands of these corporations for more lands than the law gave them, driven out of office; if possible, dishonored. At whose dictation was this done? He has seen one of the most accomplished and best informed, one of the most truthful and efficient of all the clerks of that great office, dishonorably dismissed at the dictation of these land-grant corporations. What administration will resist the demands of these land-grant corporations in the adjustment of their claims on your public domain if Congress has not manhood enough to lay its hands upon them and determine their exact rights under the wretched laws under which they assert their claims?

Yes, gentlemen, General Sparks, an able and incorruptible public officer, and Mr. La Barns, an accomplished, truthful clerk, were unquestionably removed from your great Land Office because they stood between the people and these land-grant corporations, insisting on the impartial execution of the laws.

The gentleman from Illinois manfully resisted the arbitrary acts by which those two public officials were removed from office. I honor him for that, but the humiliating fact remains that this House of Representatives, which has declared on every occasion when it had an opportunity in the last eight years that Congress has the power and that it is its duty to declare these forfeitures, is now willing to accept the wretched and humiliating proposition of the agent of the Northern Pacific Railroad corporation to forfeit the fragment of its lands to the end that its more than 40,000,000 acres might be secure.

Mr. CANNON. I would like to ask my friend a question, as I have not been present during the discussion, being busy, and not being aware as to his position—if he is going to vote for the present bill? The present bill, I understand, forfeits the unearned land grants.

Mr. HOLMAN. I have endeavored to explain my position.

Mr. CANNON. But I did not have the good fortune to hear the gentleman.

Mr. HOLMAN. I have been standing by the position where the House has stood and the people have stood, where your constituents have stood, demanding the forfeiture of every acre of this land that Congress has the power to declare forfeited, and that embraces 53,741,596 acres. The question is, Shall we accept the proposition of these corporations, as proposed in this bill, and confirm their grants except the fragment they do not want? Shall we do that?

Mr. CANNON. I did not say how I shall vote; but I want to know the position of my friend, as he is on the Committee on Public Lands. Suppose his amendment is not adopted, will he still vote for this bill?

Mr. HOLMAN. Whether I shall vote for the Senate bill or not will depend largely upon the state of the measure when the vote is taken and whether or not the House will give a fair consideration to the amendment which I hope to have the honor to submit, and which the House has sustained over and over again in former years.

Mr. CANNON. If we should vote for the forfeiture of the unearned land grants, can my friend tell me how many million acres of land would have been saved to this Government if a bill containing a similiar provision had been passed four years ago?

Mr. HOLMAN. Eight years ago we would have saved on the Northern Pacific some 36,000,000 of acres, and have saved altogether perhaps 60,000,000 or 65,000,000.

Mr. CANNON. And if it should have been passed four years ago?

Mr. HOLMAN. Four years ago, with one or two very small portions of roads since completed, the lands to be forfeited on the principle of the Senate bill would be about the same then as now; there has been little change during the last four years. The proposition to declare a forfeiture of all lands conterminous with the uncompleted roads when the time for their completion expired would embrace the same amount of land now as it would have embraced four years ago. There has been no material change in four years.

Mr. CANNON. But failing to forfeit the unearned grants, and insisting upon larger forfeitures which we have not succeeded in passing, have we not heretofore, in the last four or eight years, pursued that policy that these land-grant railroads could have wished us to pursue if they could have carried it out?

Mr. HOLMAN. The Northern Pacific Railroad corporation especially was opposed to any forfeiture whatever and resisted any forfeiture during the whole of the Forty-seventh Congress. It was opposed to any forfeiture until it completed the Cascade branch of its road from the main line to Tacoma. As soon as that was completed, three or four years ago, it changed its position and now urges the forfeiture of its grant from Wallula to Portland, as that would virtually confirm the body of its grant. All that you would have gained by passing a bill four years ago instead of now, if lands "now unearned" alone are to be forfeited, would be the portion of the then uncompleted Cascade branch, comparatively a few acres. But in any view who is responsibe? When the Republican party under Keifer controlled the House in the Forty-seventh Congress the House refused even a vote on any forfeiture whatever. In the Forty-eighth, Forty-ninth, and Fiftieth Congress, under the Democrats, bills were promptly passed declaring the forfeiture of all lands not earned by these corporations in conformity with law, and the Senate refused to pass them, except as to land about which there was no dispute. Who is responsible; what party is responsible for this delay?

Mr. PAYSON. There were over 3,000,000 acres in that one piece.

Mr. HOLMAN. Oh, no; a portion of that Cascade branch, a material portion of it, both east and west of the mountain, was constructed before 1885. I passed over it in August, 1885. Little would have been gained over the present forfeiture by the forfeiture four years ago, so that the case would stand thus: If the Forty-seventh Congress had declared a forfeiture even on the basis of this Senate bill, over 55,000,000 acres would have been forfeited.

Of course we shall be told that there is a clause in this bill providing that it shall not be construed as waiving any further right to forfeit these land grants. If you intend to forfeit any more of these lands you must do it now, because you are notified by the Land Office that they will recognize the grants as confirmed except to the extent to which you declare their forfeiture, and will proceed to close the accounts and issue the patents.

Mr. COBB. Will the gentleman permit me to ask him a question before he sits down?

Mr. HOLMAN. Yes, sir.

Mr. COBB. Do I understand you to assert that as matter of law the passage of this bill would confirm to the railroads the lands that are in dispute?

Mr. HOLMAN. I ought not to answer that question either affirmatively or negatively at once. The case stands thus: Your Land Office has been in a state of suspense for years as to the issue of these patents, being apprehensive that Congress might ultimately declare a forfeiture of the lands. There has been suspense and hesitation on the part of the Land Office. When Congress shall have exercised the power of declaring a forfeiture of these lands to whatever extent it may be, it is well known—the gentleman from Illinois [Mr. PAYSON] has no doubt been informed as I have been—that then the Department of the Interior will understand that Congress expects the patents to issue for the remaining lands, and of course nobody hopes to set aside any of these patents after they are once issued. These patents, it is well-known, will secure to these corporations the "mineral lands." This perhaps is one reason why these corporations are pressing this bill.

Mr. COBB. Now I understand the position which the gentleman from Indiana takes to-day is that this is a question peculiarly for the Congress of the United States and not for the courts.

Mr. HOLMAN. It is more a question of public policy than it is a question of judicial interpretation. There is a clear reservation of the power to declare a forfeiture. When the sovereign legislative power which made the grants has declared the violation of the contracts by these corporations and by law has declared the land for-

feited, I do not believe the Supreme Court would assume the responsibility of denying the validity of the act.

The Supreme Court up to this time has simply said that inasmuch as the language of all the acts making these grants is "There is hereby granted," etc., the title of the land at once vested in the corporations, subject to the condition-subsequent that upon the failure of the corporation to complete their railroads within the time prescribed by the law the land should revert to the United States. The Supreme Court has held only this, nothing more. It has never gone one step beyond that position—that these grants vested at the time the acts were passed in the corporations, and can only be divested by act of Congress, the power that created them, on their failure to fulfill the conditions on which the grants were made; that is all there is in the decision in the case of Schulenberg *vs.* Harriman (21 Wall., 44), so often quoted, or in any decision since pronounced.

All I ask is that Congress shall declare forfeited all grants of lands to the extent that railroads were not constructed in conformity with law.

Mr. MCADOO. If the railroad companies have got a good legal title to the lands not earned in the time mentioned in the grant, why in the name of common sense have they employed the best legal railway talent in the United States to deluge this Congress with the legal question, when they are so certain in their own minds and so emphatic in their statements that the Supreme Court will confirm their grants?

Mr. COBB. Will the gentleman allow me one word further?

Mr. HOLMAN. Certainly.

Mr. COBB. I only wanted to say that I am in favor of forfeiting every acre of land that we can forfeit by this legislation. I do not want to be misunderstood; I am willing to go back and forfeit every acre of land the railroad companies claim to have earned since the date named in the act for the final completion of the road.

Mr. HOLMAN. That is what I am demanding.

Mr. COBB. That is what I am for.

Mr. PICKLER. Are any of the railroad companies objecting to the bill as proposed?

Mr. HOLMAN. Of course not; it is their bill. Why, they are here lobbying for it!

POSITION OF THE DEMOCRATS ON THE QUESTION.

It has been asserted that these land grants were acquiesced in by all parties, and that Congress acquiesced in the delay of these corporators in fulfilling their contracts; that therefore it would be inequitable to declare these forfeitures. This claim is utterly unfounded. While these grants were being made they met with the persistent yet fruitless opposition of the Democratic members of the House, and ever since the conditions on which the great grants were made were broken by these corporations bills have been pending in the House and have passed the House in every Congress since the Forty-seventh Congress down to the present session declaring the forfeiture of these grants to the full extent I am now demanding.

More than twenty years ago, in the midst of this carnival of land grants, when one of the bills was pending making a grant in Oregon, I expressed the views of the Democratic members of the House in the protest I then made against this policy, when I said:

I protest against this monopoly of the public lands in the name of every laboring man in America. I protest against it in the name of every laboring man who comes with his wife and children to our shores, fleeing from the curse of land monopoly in the Old World to rest under the shelter of equal laws in the New. I protest against this policy in the name of the shadowy future, the generations that are crowding upon us, for whom your policy will ripen like the fruit upon the Dead Sea, giving them a land teeming with wealth—wealth and corrupting luxury for the few; for the great multitude poverty and wretchedness; the melancholy lesson of history again repeated. I know that your policy will increase the wealth of this country. If it were not so these lobbyists would not be here. You will increase the aggregate of the wealth of the nation, but it will be the wealth which builds palaces and fills the whole land with the sigh of labor struggling for relief. The true wealth of a nation and its only glory is a virtuous, prosperous, and contented people, not great landed estates.

I prot st against this policy because it is at war with every just idea of republican government. It strikes a subtle and fatal blow at the just equality of our people; it is the appropriating to the few the wealth that belongs to a whole people; it is robbing the laboring man of his rightful heritage; it closes upon him the door to a career of honorable ambition; it will exclude multitudes from the pursuit of agriculture, of all employments the one most honorable in a free government where the plow is in the hands of its owner.

I protest against it, sir, if I may do so without irreverence, in the name of the common Father of us all, whose justice, benevolence, and mercy are outraged by granting to men who do not labor these fertile lands, this bountiful gift of His providence, and robbing the laboring man of the virgin fields which would have yielded to his free and hopeful labor the best fruits of the earth. I protest against it in the name of humanity, which it outrages by an unjust discrimination, and of the right of man to labor and enjoy the fruits of his labor without dividing with the crafty or being robbed under the color of an unnatural law. I protest against this the most hateful of the aristocratic policies of the effete monarchies, favoritism in government, oppressing multitudes for the benefit of the few. I protest against it in the name of the whole people, who demand from their Government equal and exact justice for all.

But the position of the two great parties on this subject is more clearly seen by the following facts. On the 18th day of January, 1869, while the land-grant legislation was going on, I submitted this resolution to the House:

Resolved, That grants of the public lands to corporations ought to be discontinued, and the whole of such lands ought to be held as a sacred trust to secure homesteads to actual settlers and to no other purpose whatever.

Mr. H. D. Washburn moved that it be laid on the table, and that motion prevailed, ayes 110, noes 55, a strict party vote, except that Elihu B. Washburn and Mr. Baker, of Illinois, Republicans, voted with the Democrats in the negative. Of the gentlemen now in public life WILLIAM B. ALLISON, CHARLES O'NEILL, Green B. Raum, and William Windom voted in the affirmative, all then and now distinguished members of the Republican party.

These un-American grants, this refusal of Congress to declare a reasonable and just forfeiture, this action of House, Senate, and Executive in confirming to these corporations their titles to these ill-gotten possessions, by the passage of this bill, if it shall pass and become a law, will, sooner or later, arouse the indignation and fury of the American people. There is not in all the history of the world a record more infamous than this system of land grants to railroad corporations. This final act of Congress in confirming these grants after the default of these corporations, when just ground for forfeiture exists, when common honesty and justice demand their forfeiture, will be execrated by multitudes of men, women, and children who will be in the early future deprived of even the hope of homes by this lavish and wicked favoritism to the rich and the powerful! The good St.-Pierre well said, "servitude and wretchedness, in the natural order of Divine Providence, are the penalty imposed on a people who permit a favored class to monopolize their lands."

THE UNION PACIFIC GRANT.

I have not gone into the details of these grants; I have made no mention of the Union Pacific railroads for the reason that the railroads of that system were constructed within the time prescribed by law, and because there was in 1862, when that grant was made, apparently a political necessity for a railroad to the Pacific Ocean. We were in the midst of the war for the Union and a measure that would more closely unite the States of the Pacific coast with those of the Atlantic was manifestly prudent and wise, but even then in the beginning you gave to a few gentlemen your bonds for $64,623,512, drawing 6 per cent., a sum sufficient to have constructed the railroads, and gave them in addition by the act of 1864 the right to issue their bonds with prior lien to yours for the same amount and 28,000,000 acres of land besides. This prodigal gift was naturally followed by the enormous fraud known as the Crédit Mobilier, by which the Government lost millions of dollars and public men in and out of Congress were covered with infamy and went to their graves dishonored. The final result is that the Union Pacific railroads now owe you the $64,623,512 of principal and $62,433,898.34 of interest this Government has paid on those bonds, in all $124,549,376.32, not a dollar of which has been repaid, and now threaten you that they will go into insolvency and defraud you of the whole sum unless you give them fifty years at 2 per cent. in which to pay it. This, of course, is a natural result of "subsidy," even where there is apparently a public advantage to be gained.

THE RICH MADE RICHER.

The Secretary of the Interior, in his report dated November 1, 1882, the last report I can find on the subject, says (page 10, Report of the Secretary of the Interior for 1882):

Six hundred and eight and ninety-six one-hundredths miles of road were reported as constructed under the land-grant system during the year, making 16,239.10 miles of land-grant railroad constructed in all the States and Territories up to the close of the fiscal year.

Sixteen thousand two hundred and thirty-nine miles of land-grant railroads! A magnificent gift to a few gentlemen, with millions of acres of land left "until the country is more fully settled and the lands more valuable." Your grants created the system. And yet gentlemen pretend to deplore the enormous centralization of wealth going on in this country! Did you expect any other result when you gave a few gentlemen lands equal to nine average States of this Union?

THE RESULT OF THESE SUBSIDIES.

Now, sir, what are the results of all this? Some of the results are even now very manifest. In a single generation you have substantially disposed of the lands of your public domain adapted to cultivation, on which a laboring man with moderate means could establish a home. Your public domain held by the nation through all former years, and until the Republican party came into power, as the reserved wealth of the nation for homes for landless and laboring men, is no more. Twenty-eight years ago, when the homestead law was enacted, that public domain was a living promise to labor and a guaranty against the oppression of capital for many generations to come. That golden promise, under your policy, has turned into ashes. The tens of thousands of men who with their wives and children lingered for weary months last year and for years before on the boarders of the Indian Territory, hoping to obtain homes in Oklahoma, attest the fact.

You are already despoiling the remnants of the once powerful Indian tribes of the reservations you guarantied to them by solemn treaty, to obtain lands on which your landless people may settle. You are paying from your Treasury millions of dollars annually for the lands you are thus acquiring, and instead of free homesteads, you have already inaugurated the policy of charging the settler $1.25 an acre for the land to reimburse the Treasury the amount you are paying the Indian tribes. But within five years this source of supply of lands for settlement will be exhausted. Of course there are hundreds of millions of acres of land unsettled and unoccupied between the States west of the Mississippi and the Pacific coast, but they are mainly lands unfit for cultivation without costly irrigation, and for that reason beyond the reach of

laboring men, or they are held by land-grant railroad corporations or by capitalists in great landed estates.

But again, all the great Pacific land grants—the Northern Pacific, the Union Pacific, the Atlantic and Pacific, the Southern Pacific, and all their great land-grant tributaries—were so located as to embrace the most fertile and valuable lands of the great regions of country through which they pass. If you will follow the marvelous meanderings of these railroads, especially the Northern Pacific, you will see how the great plains, fertile valleys, and valuable rivers of the West have been monopolized by these corporations.

If you will consider, gentlemen, great swaths, from 60 to 120 miles in width, stretching westward thousands of miles, with no restrictions as to meandering from a direct course, with every fertile region in view, you will see, with four great Pacific grants, to say nothing of the others, how the valuable lands of the West have passed into the ownership of these corporations if this bill to confirm the land grants shall become a law. But beyond this, taking advantage of the opportunity presented, capitalists of Europe and America, under the facilities offered by the pre-emption law which this House for many years has been seeking to repeal, long before our people could ordinarily arrange their affairs to seek homes in those remote regions, have monopolized millions of acres of these lands, not only the even sections which the United States reserved in these grants, but far beyond.

You may in portions of those regions of country travel, as I have done, for weary days through virgin lands without seeing a human habitation, yet every acre had the curse of monopoly upon it, not an acre left for the homestead settler. Of course, these railroads opened up the country, but in the natural order of things they opened up the country in the main to an accursed monopoly, not to free homes for our people. I will illustrate this by a statement I laid before the House some years ago, a very partial and incomplete statement of the holding of lands exclusively in the public-land States and Territories by foreign corporations and capitalists.

The list is as follows:

	Acres.
The Holland Land Company, New Mexico	4,500,000
Sir Edward Reid and syndicate, in Florida	2,000,000
English syndicate, in Mississippi	1,800,000
Marquis of Tweesdale	1,750,000
German syndicate	1,100,000
Phillips, Marshal & Co., London	1,300,000
Anglo-American syndicate, Mr. Rogers, president, London	750,000
Byron H. Evans, of London, in Mississippi	700,000
Duke of Sutherland	425,000
British Land Company, in Kansas	320,000
William Whalley, M. P., Peterboro, England	310,000
Missouri Land Company, Edinburgh, Scotland	300,000
Robert Tennant, of London	230,000
Dundee Land Company, Scotland	247,000
Lord Dunmore	120,000
Benjamin Newgas, Liverpool, England	100,000
Lord Houghton, in Florida	60,000
Lord Dunraven, in Colorado	60,000
English Land Company, in Florida	50,000
English Land Company, in Arkansas	30,000
Albert Peel, M. P. Leicestershire, England	10,000
Sir I. L. Kay, Yorkshire, England	5,000
Alexander Grant, of London, in Kansas	35,000
English syndicate, in Wisconsin (Clore Bros., agents)	110,000
Scotch syndicate, in Florida	500,000
A. Boysen, Danish consul, in Milwaukee	50,000
Missouri Land Company, of Edinburgh, Scotland	165,000
Sir William Heckley, of England, in California	125,000
Total	17,172,000

This is a very incomplete statement, but it illustrates the effect of such a system, for, as I have stated, the Northern Pacific, and most of the land-grant corporations became at an early day foreign corporations so far as ownership was concerned and invited foreign capitalists to the fertile fields of the West for speculation. But what is this 17,172,000 acres in comparison with the landed possessions of foreign capitalists, who, in the name of your land-grant corporations, hold more than a hundred million acres of your lands?

All men must see that irreparable injuries to our system of government will grow out of these grants which the early future will make too manifest. It is clear that if that magnificent region of country had been settled by the natural advance of our people westward, as all other sections of our Union had been settled, railroads and all else following in the natural order of things, there would have been lands for our people under the homestead law for generations to come. Could any appropriation of the public lands for the rapid development of wealth justify a departure from that old-established policy of our Government?

Our free institutions can not exist unless the great body of our people are freeholders, the independent masters of their own homes. Yet this land-grant railroad policy and the opportunity it has furnished for the acquisition of great landed estates by capitalists of Europe and America, which places them beyond the reach of laboring men, have doomed hundreds of millions of acres of your most fertile lands to the curse of monopoly. No rapid development, no rapid increase of wealth that centralizes into great estates, will compensate for this.

But the fatal effect of this system of giving away the public lands to railroad corporations is most clearly apparent in the condition of agriculture in all the States east of the Mississippi, and, to some extent, States west of that great river. All men understand that that greatest of our industries is very seriously depressed. At no time in the history of our country have our people engaged in agriculture been so completely discouraged. Of all our industries it is the least prosperous. It is and has been for years on an actual decline. Lands east of the Mississippi clear on to the Atlantic have enormously shrunk in value in the last fifteen years, and more during the last ten years than formerly. I think it is safe to estimate this shrinking in value at 40 per cent. in fifteen years.

This is appalling. It is obvious that one cause for this is found in the extraordinary policy of Congress in making these enormous gifts of public lands to railroad corporations. It is said that "a corporation has no soul to be damned," and, of course, no interest in public policy, no patriotism. Who would expect the foreign capitalists who own the Northern Pacific and most of the other land-grant railroads to be interested in the prosperity of our farmers?

To make these land grants valuable these corporations have induced men to settle on their lands and the Government lands within their grants. The result has been that within the last twenty years, increasing year by year, hundreds of thousands of men have been imported into the United States by these corporations to enter the Government lands under the homestead law and buy their lands on time. I state the number cautiously at hundreds of thousands!

The Northern Pacific alone has exceeded that number. The purpose and the interest of these corporations were to bring in men from abroad to occupy the lands, farmers, not mechanics or skilled laborers in any other field of industry. Of course, under such a state of things agricultural production has been overdone, produce of all kinds has enormously declined in value, and that great and naturally conservative portion of our people are justly in a state of revolt against an order of things which robs them of the fruits of their labor. I trust in God that the intelligent farmers of the United States will crush out the un-American policy which now employs the public resources in building up great private estates!

I should add, however, although not within the scope of this discussion, that two other causes have aided in the unexampled depression of agriculture in this country. I have often heretofore called attention to one of them; that is, local, State, and Federal taxation. These taxes have been and are exorbitant and oppressive in all sections of the Union. The farmers of this country bear the main burden of both local, State, and tariff taxation.

There is no question about this. Capital almost entirely escapes taxation, State and Federal. It is for that reason I always have favored a reasonable income tax. You can not collect for successive years in taxes annually a sum equal to more than one-fourth of the entire volume of money in this country without ultimately exhausting the resources of our people. I have often expressed that view on this floor. Of course the farmer feels the effects of this exhaustive process of taxation before any other class of citizens, as he bears the greater burden of taxation.

The causes I have named have produced the alarming depression of agriculture in this country. Coupled with the fact that while Congress has by these land grants to corporations opened up an opportunity and created a motive for the importation into this country of hundreds of thousands of laborers from Europe to compete with our farmers, Congress has at the same time by its extreme protective policy as to other industries in a large degree closed up the markets of the world against the products of our lands.

Entertaining these views now and having entertained them for many years, I can not consent that this system of land grants to corporations should receive any favor from Congress. The whole system from the beginning was un-American, unpatriotic, selfish, mercenary, and corrupting, and I demand, and I think the public judgment demands, that every acre of land of these imperial grants made by Congress to corporations to the utmost limit that law will permit shall be reclaimed from the curse of monopoly and restored to the people!

Sundry Civil Bill.

REMARKS

OF

HON. MARCUS A. SMITH,

OF ARIZONA,

IN THE HOUSE OF REPRESENTATIVES,

July 26 and August 1, 1890.

The House, being in Committee of the Whole, and having under consideration the bill (H. R. 10884) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes—

Mr. SMITH, of Arizona, said:

Mr. CHAIRMAN: In the Fiftieth Congress I gave much time and energy in efforts to secure an appropriation for the survey of reservoir sites and the construction of reservoirs for the reclamation of the desert lands of the United States.

While that most interesting debate, elicited by the great importance of the subject, was in progress on this floor, and as I remember near the close of the discussion, a proviso, in form of amendment, was offered by my distinguished friend from Kentucky [Mr. BRECKINRIDGE] at the instance and request of Mr. Symes, then a member of this body from the State of Colorado.

I even then saw the disastrous effects to flow from an ill-advised executive construction of that proviso. I feared that too great latitude would be given under the language employed, and that a wholesale reservation of the great arid belt, comprising two-fifths of the area of the United States, from settlement of any kind would result. Subsequent developments have more than justified the opinion I then entertained. Three million of people are now clamoring for the repeal of that proviso, for they have found that Congress, under the guise of proposed irrigation of these lands, has actually withdrawn them all from settlement.

Ever since my first appearance on the floor of this House I have found it necessary daily to use some effort to prevent if I could the repeal of the desert-land act. The direct attempt to repeal it was made in the Committee on Public Lands of the last Congress. Failure met the effort, but this House passed at that session, against the protest of Western Members and Delegates, a general land act, reducing desert entries to 320 acres. What the advocates for the repeal of this wise and humane law failed to do directly they accomplished by indirection under the proviso of the act now under consideration.

Fearing that the very hardship and injustice now so loudly and earnestly denounced would flow from this measure, I protested then as I protest now against this unwise legislation. I implored the gentleman from Colorado to have the amendment withdrawn. I protested before the House and with the conference committee, but without avail. I simply state these facts, Mr. Chairman, to remind the gentleman from Kentucky [Mr. BRECKINRIDGE] that there was at least one who was not silent when this proviso was passed. In view of his assertion that the Western members all favored the measure, I deem it due to myself to record this conviction.

The sundry civil act of October 2, 1888, contains the following provisions, which are found on pages 526 and 527 of volume 25 of the laws of Congress:

For the purpose of investigating the extent to which the arid region of the United States can be redeemed by irrigation and the segregation of the irrigable lands in such arid region, and for the selection of sites for reservoirs and other hydraulic works necessary for the storage and utilization of water for irrigation and the prevention of floods and overflows, and to make the necessary maps, including the pay of employés in field and in office, the cost of all instruments, apparatus, and materials, and all other necessary expenses connected therewith, the work to be performed by the Geological Survey, under the direction of the Secretary of the Interior, the sum of $100,000, or so much thereof as may be necessary. And the Director of the Geological Survey, under the supervision of the Secretary of the Interior, shall make a report to Congress on the first Monday in December of each year, showing in detail how the said money has been expended, the amount used for actual survey and engineer work in the field in locating sites for reservoirs, and an itemized account of the expenditures under this appropriation. And all the lands which may thereafter be designated or selected by such United States surveys for sites for reservoirs, ditches, or canals for irrigation purposes and all the lands made susceptible of irrigation by such reservoirs, ditches, or canals are from this time henceforth hereby reserved from sale as the property of the United States, and shall not be subject after the passage of this act to entry, settlement, or occupation until further provided by law.

Now, Mr. Chairman, it appears to me that under a liberal and proper construction of the terms of that act no objection could be successfully urged against it. But the decision of the Secretary of the Interior, based, as I understand, on the advice of the Attorney-General, goes far beyond the obvious intent of the law and the purpose actuating the members of this House in passing the bill. The difficulty is largely in the survey as shown by the map now before me. The arid land, or what is presumed to be the arid land, is here designated.

There is no pretense that all this vast domain has been surveyed, yet every inch of it has been reserved from settlement because, perchance, in the dim distance of future years some reservoir might be constructed which might be able to reclaim the entry.

The further difficulty is that no actual survey as far as I know, and certainly as far as this map discloses, has ever been made of actual reservoir sites, and the lands which could reasonably be reclaimed under them. The survey contemplated was an actual survey, not a wild general guess at long distance.

An actual survey would consist of several elements. The place for the reservoir, the amount of water it could be made to hold, the amount of land it would reclaim, the marking of the land by proper monuments and description, are each necessary to the survey contemplated by the act. If such surveys were made, and the site and the designated land reserved, there would have arisen little if any objection to this measure. Persons settling on such reserved land would do so at their peril. If loss followed, he who committed the trespass would have himself alone to blame.

Mr. Chairman, every day of my life I am becoming more impressed with the necessity of the knowledge of facts before legislation is attempted. A law might be very good for Oregon and very bad for Arizona, for the conditions are different. Wise legislation must, as far as practicable, yield itself to the conditions and circumstances of the different localities. Now, I venture the assertion that there are millions of acres of land in Arizona which can never be reclaimed by any reservoir that the vast wealth of our public Treasury could build.

Then, where is the sense in reserving such lands from the occupancy of any one who wants them? There are in that region vast valleys bound in by rock-ribbed mountains with no living stream to gladden and fructify the dormant power of its idle soil, with no water anywhere save occasional percolations from the mountainsides, and yet, under the construction given this law, all such lands are henceforth reserved. I might well have said henceforth and forever reserved.

We know that in a similar country "Jacob digged him a well" and lived. But under this act Jacob would now be deprived this pleasure in the Mojave Desert of free America. You have made the establishment of a home an impossibility. For if the industrious, enterprising pioneer goes into the dry sands and digs him a well, erects pumps, secures water, produces profitable products that can not be raised elsewhere in this country, he is met by a "ruling" on the act of October 2, 1888, and though 100 miles from any stream, the fruits of his labor, like the apples of the Dead Sea, turn to ashes in his hands.

Did that act ever design such absurd effect? Certainly not. The real spirit of the act would never touch him harshly or any such as he. Yet we find that he is knocked out by construction. The people of the West are opposed to this law. As evidence of the intelligent opinion of my constituents on this subject, I will, with the indulgence of the House, read for its consideration resolutions adopted by a mass meeting of the citizens of Pima County, Arizona, on the 17th of June last. The resolutions are as follows:

ARID LANDS OF ARIZONA.

At a mass meeting of the citizens of Pima County, held at the city hall in the city of Tucson on the 17th day of June, 1890, John A. Black was called to the chair and George I. Roskruge was appointed secretary. A committee which was appointed to draught resolutions reported the following, which were unanimously adopted:

"Whereas the Attorney-General has construed a clause of the provisions of the act of October 2, 1888, entitled "An act making appropriations for sundry civil expenses, etc.," under the head of 'Appropriations for the United States Geological Survey,' with reference to the designation or selection of sites for reservoirs, ditches, and canals for irrigation purposes; that thereby all lands capable of cultivation by irrigation are reserved from sale, and hence not open to entry under the desert-land act, homestead, pre-emption, or other acts; and

"Whereas that construction stops all settlement and reclamation of such lands and strikes a fatal blow to our prosperity, and leaves the Territory of Arizona in its natural unsettled desert condition, barring all inducements to investment; and

"Whereas many entries have been made in good faith since that act, and tens of thousands of dollars spent in the reclamation of lands and the construction of canals and ditches which is lost if this construction prevails: Therefore,

"*Resolved*, That we demand the immediate repeal of that provision of the law, or that Arizona be excepted from its provision. That we ask no Government aid, simply that the land laws, the desert and homestead acts particularly, be retained, and thereby all lands will be reclaimed that can be profitably, and all ditches, canals, and reservoirs will be built by private enterprise that would be profitable to the Government to do. We demand the repeal of this law, and then to be let alone in our struggle with the desert, as we have demonstrated that we can make the desert bloom without Government aid, if not injured by bad legislation."

The committee also recommended the adoption of the following:

"*Resolved*, That this meeting create a standing committee of fifteen, empowered to take such means as they may deem best to promote the repeal of this law."

The resolution was adopted.

On motion, a committee, consisting of Judge William H. Barnes, General Thomas F. Wilson, and Dr. F. H. Goodwin, was appointed to submit a number of names of citizens of the county to the chairman, J. A. Black, to enable him to appoint such persons as may be best qualified to carry out the objects of the meeting, and the following persons were appointed as such committee:

L. C. Hughes, William H. Barnes, Albert Steinfeldt, Thomas F. Wilson, John A. Black, F. H. Goodwin, George J. Roskruge, Ham Light, E. R. Richardson, Isaac N. Towne, J. J. Chatham, John Brickwood, James Finley, James K. Brown, and Walter L. Vail.

JOHN A. BLACK, *Chairman*.
GEORGE J. ROSKRUGE, *Secretary*.

Mr. Chairman, the names appearing on that resolution represent men of energy and the highest order of intelligence. They know what they are talking about far better than many who have addressed this House on the pending question. These are men who have had experience with the question at issue, and I commend careful consideration of what they have said.

And with equal force comes to you the following resolutions, adopted by the Phœnix Chamber of Commerce, in Maricopa County, Arizona. This chamber is composed of men of influence, wealth, and patriotism. Hear what they have to say:

PHŒNIX CHAMBER OF COMMERCE.
Phœnix, Ariz., July 9, 1890.

At the regular monthly meeting of the board of directors of the Phœnix Chamber of Commerce, held on the 9th day of July, 1890, the following resolution was unanimously adopted:

"Whereas the Attorney-General has construed a clause of the provisions of the act of October 2, 1888, entitled 'An act making appropriations for sundry civil expenses, etc.,' under the head of 'Appropriations for the United States Geological Survey,' with reference to the designation or selection of sites for reservoirs, ditches, and canals for irrigation purposes, that thereby all lands capable of cultivation by irrigation are reserved from sale, and hence not open to entry under the desert-land act, homestead, pre-emption, or other acts: Therefore,

"*Resolved*, That this organization most earnestly request that Congress take immediate action to repeal the said law, as under the decision of the Attorney-General all settlement and improvement of lands effected by this act are stopped. Numerous entries have been made in good faith since that act by bona fide settlers, and thousands of dollars spent in the reclamation of lands and the construction of canals, which will be entirely lost, bringing much hardship upon honest set-

tiers and prostrating the agricultural interests of our Territory, unless Congress repeals the law now in force."

HENRY E. KEMP, *President.*
LUTHER J. WOOD, *Secretary.*

Hon. MARK SMITH, *Washington, D. C.*

With equal indorsement of the men, and as a further evidence of the evil effect of this act, I beg to read the proceedings of a mass meeting held in the county of Yuma, Arizona, on June 24, 1890:

THE ARID LAND BILL—THE MASS MEETING.

In accordance with the following published call, a mass meeting of the citizens of Yuma County, Arizona, met at the county court-house on the evening of June 24, 1890:

"MASS MEETING.

"A mass meeting of the citizens of Yuma County is hereby called to meet at the court-house of the county, on Tuesday, the 24th day of June, 1890, for the purpose of expressing views and passing resolutions relative to existing arid land laws.

"F. S. Ingalls, chairman board of supervisors; C. V. Meeden and O. F. Townsend, members of board of supervisors; Samuel Purdy, district attorney; M. N. Nugent, sheriff; W. L. Hopkins, treasurer; Frank Avila, recorder; C. H. Brinley, probate judge; L. A. Hicks, county surveyor; J. L. Redondo, clerk of board of supervisors; J. W. Dorrington, member legislative council; Chas. Baker, ex-member of assembly, and many citizens."

The meeting was called to order by Hon. Samuel Purdy. Dr. J. H. Taggart and E. J. Trippel were elected chairman and secretary, respectively, by unanimous vote.

On motion of Mr. Purdy, seconded by Mr. Dorrington, a committee of six were appointed by the chair to draught resolutions indicative of the sense of this meeting in the matter of the obnoxious and injurious clause of the Congressional enactment of October 8, 1890, entitled "An act making appropriations for sundry civil expenses, etc., under the head of appropriations for the United States Geological Survey."

The chairman appointed upon such committee Messrs. Samuel Purdy, J. W. Dorrington, C. H. Brinley, C. E. Spencer, F. B. Wightman, and H. W. Blaisdell.

After a short recess, Mr. Purdy, as chairman, submitted the following resolutions in behalf of the committee.

"Mr. Chairman, your committee on resolutions present the following annexed hereto, and recommend their adoption.

"SAMUEL PURDY,
"*Chairman of Committee.*

"Whereas the Attorney-General has construed a clause of the provisions of the act of October 2, 1888, entitled 'An act making appropriations for sundry civil expenses,' etc., under the head of 'Appropriations for the United States Geological Survey,' with reference to the designation or selection of sites for reservoirs, ditches, and canals for irrigation purposes, that thereby all lands capable of cultivation by irrigation are reserved from sale, and hence not open to entry under the desert-land act, homestead, pre-emption, or other acts; and

"Whereas that construction stops all settlement and reclamation of such lands, and strikes a fatal blow to our prosperity, and leaves the Territory of Arizona in its natural unsettled desert state, barring all inducement to investment; and

"Whereas many entries have been made in good faith since that act, and tens of thousands of dollars spent in the reclamation of lands, and the construction of ditches and canals which is lost if this construction prevails:

"*Resolved*, That in our opinion the law of Congress of 1890 concerning arid land west of the one hundredth meridian, and withdrawing from entry all lands so classed, has proven detrimental in every direction, and embodies fatality if continued.

"It is our deliberate opinion, therefore, that said act should be repealed, for the reason that the general prosperity of this Territory will thereby be hastened; that the existing depression arising from the present uncertainty of former and future entries will be removed, and an additional inducement offered to those abroad who will be satisfied to locate here if their presence and investments are protected by a guaranty that their entries, made in good faith, will not be disturbed."

On motion, the resolutions were unanimously adopted.

On motion, it was ordered that five type-written copies be prepared at as early a date as possible, and that a copy be forwarded to the President of the Senate, the Speaker of the House of Representatives, the chairmen of the Senate and House Committees on Arid Lands, and to our Delegate in Congress. These copies shall also include the call for the meeting, the minutes of proceedings, and shall be signed by the chairman and secretary.

On motion the meeting adjourned *sine die*.

J. H. TAGGART, *Chairman.*
E. J. TRIPPEL, *Secretary.*

From these proceedings it will be observed that only one opinion prevails among the people who are on the ground confronting the difficulties of the situation with intelligent and tireless industry. There can be but one sensible opinion when we all have equal knowledge of the facts, and an equal desire to reclaim the waste places and make habitable lands which in places are as desolate as the sand dunes of Sahara.

Mr. Chairman, the people of the arid region have only just learned the effect given the act of October 2, 1888, but in the mean time hundreds of settlements have been made in good faith all through that vast domain. Of their little they have spent all, only to meet injustice in their innocent, nay, laudable ambition to secure what the bleeding heart of Burns desired, "the privilege of being independent." It is not fair to act thus by these people. You have no more right to rob them than they have to rob a mail-coach or railroad train, and to my mind there is very little difference in moral ethics between the highwayman who robs of money by force, and the legislator who by his vote deprives an innocent man of the fruits of his honest toil.

I received, a few weeks ago, a letter from a gentleman by the name of Watt, residing in Pima County, Arizona. I wish I had it here to read you a few facts from it confirmatory of the observations which I have already submitted. Going into the desert perhaps 50 or 100 miles from any stream on which he could rely for water, he at great expense of time, labor, energy, and money dug wells, erected pumps, and succeeded in reclaiming several hundred acres of land which promised full reward for his enterprise. All this was done subsequent to the act of October, 1888, and in entire ignorance of the possibility of the ruling which now prevents him from acquiring title. Is this fair? Is it honorable? Is it just? With many hundreds similarly situated, Congress will disgrace itself if it does not immediately make provision whereby all such can obtain certain and speedy relief. No argument can add force to the mere statement of such equities as these men have. I have confident hope that this Congress will not let these particular wrongs go forth unnoticed and without redress.

Mr. Chairman, I agree most heartily with the gentleman from Montana [Mr. CARTER] that this wholesale reservation, bounded by the red lines on this map, shows no survey as contemplated by law.

The act, I repeat, never designed such an absurd and tragic consummation. Every member then on this floor, except perhaps a limited few who saw and desired present results, knew that such was not the intent of the act. If it had ever entered into the mind of the majority to conceive such result the bill would never have passed. If it had even been suspected or vaguely suspicioned that this reservation was going to extend to lands that could never be reclaimed by any reservoir constructed by any human agency that act could never have passed.

I feared the result, but could find no one to join me in my apprehension. To be more accurate, I feared rather the possibility of the result. The fact is that no reservoir site in Arizona, so far as I am informed, has ever been really surveyed and marked, and the lands susceptible of reclamation marked on the ground or designated by other description. Yet 113,000 square miles in Arizona alone have been by an opinion of the Attorney-General—an ill-advised opinion—absolutely withdrawn from settlement. If that officer had given less attention to technicality, and had construed the law in the broad and liberal spirit which its very intent disclosed, the tragic results of which we now complain could never have followed.

Mr. Chairman, we are now brought to the practical solution of the question before us. What ought to be done? I am still heartily in favor of an appropriation and a liberal appropriation, for the survey and construction of reservoirs by the Government unless Congress will grant to the Territories and States the arid lands for purposes of education and internal improvement. In one or the other rests the life, prosperity, and progress of the West, and on one or the other depends the chance or power of a poor man to make a home for himself in the really arid portion of the Republic.

Permit me here to digress in order to answer as briefly as possible certain statements of the gentleman from Illinois [Mr. CANNON], chairman of the Committee on Appropriations. He complains that under our present land laws a man can take up in individual right as much as 1,200 acres. That is simply a mistake unless the party confines himself to purely desert land, on which he must file a pre-emption claim, a homestead claim, a timber-culture claim, and a desert-land claim. In a desert country he would be an idiot to attempt such a filing, for he could not comply except in most favorable localities with the timber-culture, homestead, or pre-emption laws.

It is simple idiocy in actual experience. Permit me to assure the gentleman that there is now no danger of anybody stealing much desert land in Arizona. There is no opportunity for land grabbing under the desert act unless there is a liar ready to commit perjury and water available to the wants of the land. The water sources in Arizona are already largely taken up. Irrigation must henceforth be carried on or instituted at tremendous expense. Those who are attempting to cultivate land by means of small streams, springs, or wells are absolutely prohibited from doing so.

What does anybody want with 640 acres of desert land? You who have not traveled over those wastes of sand and beheld nothing but mesquite, sage brush, and cactus for days, not a stream of water nor a cloud in the sky, speak very learnedly of the value of real estate in the Mohave Desert. Do you fear that somebody will get 1,200 acres of worthless desert land? They could have 12,000 acres of it and do themselves no good nor anybody else any harm. All this sentimental talk and poetical gush about homestead settlement on desert land is nothing more nor less than naked nonsense.

The gentleman from Illinois [Mr. CANNON] dwells with delight on that clause of the act which empowers the President to throw the lands in dispute open to homestead entry. What good does that do. Suppose he should, to-morrow, throw it all open to settlement under such law, what good would result from it? None whatever. It can not, and of course will not, be settled under the homestead law. Let us concede that the engineers have selected a certain reservoir site on a certain river or water-course, and have marked out the lands subject to reclamation under it. Let us further concede that the lands, by Executive proclamation, have been thrown open to homestead entry and have actually been entered under that law.

In what condition does the entryman find himself? What benefit has the law bestowed? How has it aided him to bring the water on the land? He is simply left in the beatified condition of a fool, unable to help himself, with no friend willing to help him. You will have to send some of your constituents there to try this experiment for mine have more sense than to undertake it.

The settler is on the desert until the water is on the land, and the poor, homeless man will never be there until the Government actually gives him a chance by constructing the reservoir at its own expense and distributing, under proper regulation, the water over the land. With the greatest personal respect for the honorable chairman of the committee [Mr. CANNON], he will, I am sure, pardon me for saying that it is simple nonsense to talk about reclaiming the desert lands of Arizona under the homestead law, independent of governmental aid. The gentleman seems to think that people are lying around Arizona only waiting a chance to steal a piece of vacant unproductive land.

Mr. CANNON. If my friend will allow me to take a minute of his time I will recompense him, because he has come to the point. There is any amount of this desert land that never can be and never will be irrigated for the want of water.

Mr. SMITH, of Arizona. Assuredly.

Mr. CANNON. So that water after all is a material thing. Now, I ask my friend if this Senate amendment is adopted if it does not in effect allow people under the four different ways of acquiring the public land to get 1,100 or 1,200 acres of reservoir site where the water originates, and thus to control the water in perpetuity?

Mr. SMITH, of Arizona. I see the point the gentleman makes. I have already answered beforehand the principal part of his question, and in response to the balance I will inform him that in Arizona every stream is already largely diverted, and vested rights exist in those using the water. These rights can not under the law be disturbed by any subsequent appropriation of the water, even though he could get 20,000 acres of land from the Government.

The irrigation of the remaining public land in Arizona will cost more per acre than an improved farm in Illinois is worth.

Mr. CANNON. But, if my friend will allow me, I know that irrigation is expensive, but it seems to me that in the fullness of time in the Western Territories and States, under apt legislation and apt grants to the States by legislation in the future, these reservoir sites will be reserved for public use in such a way that the States will have no power to alienate or dispose of the lands beyond the regulation of State sovereignty; and that by legislation of that kind, the reservoir sites will be reserved for the use of the people, rather than to allow them to be gobbled up for the use of the few. I think legislation is needed, but I do not see that this provision gives the legislation, nor do I believe that it is practicable to get the necessary legislation in this way by a rider upon this appropriation bill.

Now, I have taken two minutes of the gentleman's time, and I hope, Mr. Chairman, you will take two minutes from my time and yield it to the gentleman from Arizona.

Mr. SMITH, of Arizona. Now, Mr. Chairman, the gentleman from Illinois has again misunderstood me if he has inferred from any remark of mine that I offered any opposition to the reservation of reservoir sites from settlement, or of the land reclaimable by such reservoirs. But I do object to any such reservation of land unless the Government intends to aid by actually building the reservoirs. We have known these reservoir sites for years, but nobody seems to have taken a claim on them. I repeat that my objection to this bill is that under its provisions not one acre in the 113,000 square miles in Arizona can be acquired under any law whatever.

Mr. CANNON. If my friend will allow me right there. Is not that absolutely worthless for any agricultural purpose unless water can be placed upon it?

Mr. SMITH, of Arizona. Of course, it is. That is what I am trying to impress on the House.

Mr. CANNON. Precisely. Then what good would it do to open that land to settlement that can not be irrigated?

Mr. SMITH, of Arizona. Ah, there is the point, exactly. Nobody cares whether the land impossible of irrigation is ever open to settlement or not; for whether open or not nobody will ever try to live on it. But much of the land is capable of irrigation independent of reservoirs, and of these lands I am speaking—the only ground on which the poor man can hope to get a foothold. To these men we propose to offer a chance of which the present law deprives them by refusing to them any assurance of title. And the proposition of my friend from Illinois is equally vicious.

Mr. CANNON. If my friend will allow me. Is my friend a member of the Committee on Arid Lands or the Committee on Public Lands?

Mr. SMITH, of Arizona. I have not the honor of serving on either of those committees.

Mr. CANNON. I merely wanted to ask, if my friend had the information, how it happened that legislation apt and proper had not been presented, or reported, or considered by either of those committees.

Mr. SMITH, of Arizona. The gentleman, being of larger ability and much longer service here than I, is fully as competent as I am to answer the question he propounds, but I am free to say in response that I do not know why the Committee on Public Lands, or especially the Committee on Arid Lands—so ably presided over by my esteemed friend from California, General VANDEVER—have not long since taken more active steps in this matter. On my arrival here I straightway introduced a bill to repeal the obnoxious law now under consideration, and had the same referred to the last-named committee. Despite every effort, it still sleeps amid the noiseless records of that body. I fear the chairman of that committee and I entertain very different views on the question, and hence no favorable report on my bill has ever been made.

Now, Mr. Chairman, in the brief time remaining to me I desire to state my position on the pending measure. Under the present law all lands in the arid regions are reserved from settlement. The Senate has repealed this reservation clause together with the whole hydrographic survey item of the last sundry civil bill. Of these two evils I do not hesitate to give my support to the Senate amendment. Far better at this time to wipe the whole act from the statutes than to leave the law, as now construed, operative and binding on this great misgoverned area of our wide country.

I have used with due caution the expression "two evils," because I am convinced that neither the Senate amendment nor the present law is applicable to the conditions surrounding the people whom I have the honor to represent as Delegate on this floor. The present law is simply barbarous in the light of preceding legislation; the Senate amendment is, to say the least, inapt in the light of the natural problem confronting us. The hydrographic survey ought not to be discontinued, neither should the desert lands be reserved from desert-land entry. The proper and fair solution of the problem seems to me to be this:

The United States Government should continue the survey of the arid lands and reserve all proper reservoir sites, together with the lands to be reclaimed thereby, such reservation to take effect only on completion of the survey, and the lands reserved to be so marked and designated that the settler can make no mistake. Furthermore, the present law so far as it affects bona fide settlement on desert land subsequent to October 2, 1888, must be repealed. The title of such settlers must be protected unless Congress desires solemnly to record an unjustifiable outrage on innocent people.

Mr. Chairman, this is a serious question to the people who sent me here. They have commissioned me to protest against the wholesale reservation of the public land as well as against the threatened repeal of the desert-land act. You, in common with them, are interested in this legislation. Every school district and every voting precinct in the United States are, knowingly or unknowingly, likewise deeply interested. Our public land is, or should be, dedicated to the public good. The public can in this respect be no better served than by making the desert, the useless, waste, unprofitable desert, the fertile fields and happy homes of prosperous, patriotic people.

This can be accomplished by no mere hydrographic survey, neither can it obtain under the law as it now exists. Therefore the law as regards reservation of desert land should be repealed, and the Government should reclaim the lands by actual construction of reservoirs, or else refuse to contribute another cent to the survey. Of what value is the survey of reservoir sites if all ends there? With emphasis I repeat, of what earthly value can this survey be if the land remains reserved from settlement and the Government refuses to carry out the design of the survey, to wit, the construction of the reservoirs?

Under existing law a further prosecution of such survey is a criminal waste of public money. Under proper law there could possibly be no more humane, patriotic, and justifiable expenditure. But I have so often pressed these views on the House that I must refrain amplifying them at this time. But permit me, in conclusion, to beseech you with solemn earnestness to take no rash step in this important matter. The part of wisdom is to repeal so much of the act of October 2, 1888, as reserves from settlement the arid lands, and to confirm the title of all those who in good faith made settlement or honest claim thereon after said date.

Make liberal appropriation for survey of water-power for purposes of agriculture, with the understanding that Congress will actually build the necessary dams and ditches in order that the poor may have equal chances with the rich in the fruits of such expenditure, and nothing but good can result to the whole of our great country. Furthermore, I earnestly implore you to let the desert-land act remain as it is.

[Here the hammer fell.]

Friday, August 1, 1890.

Mr. SMITH, of Arizona. Mr. Chairman, I always feel safer in any position assumed by me on questions touching our public-land policy when I find myself in harmony with the distinguished gentleman from Illinois [Mr. PAYSON]. In this amendment proposed by him, as on many other occasions, he has shown that practical knowledge of conditions which is so much needed on this floor. I have been accorded the advantage of many conversations with the gentleman on the question now in hand, and I am constrained to give my full assent to his amendment, modified as I shall hereafter suggest.

I have always contended, and still contend, that the desert-land act must remain unmolested if rapid development of the West be desired. I had myself prepared an amendment to the measure now

before us, the purpose of which was to accomplish just what the Payson amendment proposes, except that the desert-land act was to remain unchanged by my amendment. On that particular question only do we seriously differ now. His amendment reduces desert entry to 320 acres, repeals the reservation clause in the act of October 2, 1888, and preserves all bona fide claims made subsequent to said date. To all this (save the objection already stated) I give my most cordial support and unqualified approval. In fact, to this end I have been working since the first day of the present session.

I am sorry that this House refuses to be convinced of the necessity of letting the desert-land act remain as now written. Under the operation of that beneficent law the West has revealed a marvelous development. No valid objection to the law has been made by any one throughout that long debate. There has been no charge of fraud committed under that act which is supported by any evidence worthy of serious consideration. I venture the assertion that more land has been stolen from the Government in one year under the pre-emption and homestead laws than has been stolen under the desert-land act within its whole history. But, because land has been stolen under the homestead act, are we to advocate the repeal of that law? Yet of just such logic as this is every argument made which inveighs against the desert-land act. If agricultural lands have been taken up under the desert-land act the fault lies in the execution of the land laws and not in the laws themselves.

Six hundred and forty acres have proven, since the passage of the act in question, a premium too small for wary capital to launch itself into the enterprise of irrigating these deserts. The poor and homeless are unable to build vast reservoirs and construct miles of canals and ditches. The very class for whom our Government should have the most solicitude will be most injured by the repeal of this act. The water must be brought to the land before the poor man can be benefited. It will never be brought on the land unless a course is pursued so liberal in its character that capital will seek the investment.

But I am asked why 160 acres of rich irrigated land is not enough for anybody. It is enough when you get it. But the question, the practical, important, present question is, how are you going to get the 160 acres of irrigated land? To further illustrate my point: Say, for instance, that ten men combine to build a reservoir and construct a canal for the purpose of reclaiming lands on which to establish homes. Under the present law 6,400 acres is the premium offered. Under the proposition to repeal the law, these parties would receive only 1,600 acres. The reservoir and main canal will cost virtually the same, whether the land be 6,400 acres or 1,600 acres.

It follows then of necessity that the less land you give to such enterprises the greater the price per acre to carry them out and less the tendency of people to undertake the job. When these ten men have reclaimed the 640 acres each they have land to sell—land which they must sell to repay the expenditure. Thus the large holdings are broken into smaller pieces, and the hitherto worthless desert becomes a scene of surpassing beauty, and happy homes gladden the landscape where once silence and desolation held their horrid reign.

Now, Mr. Chairman, I am convinced that the wisest course to pursue is to leave the desert-land act undisturbed and in all things else accept the amendment proposed by the gentleman from Illinois.

Mr. HERMANN. What gentleman from Illinois?

Mr. SMITH, of Arizona. Mr. PAYSON. It is his amendment that I am discussing, and not that of Mr. CANNON, the chairman of the Committee on Appropriations. The latter gentleman has advocated with his usual strength and with great plausibility a proposition which in the light of surrounding facts appears absolutely ridiculous, to wit: "Desert land should be taken up under homestead law." I have already asserted that the trouble about the desert act never originated in the law, but grew out of the manner of its execution. Lands agricultural in character have been taken up under the desert-land law. But the act was a violation of law as much as larceny or murder are violations of all civilized criminal codes.

But gentlemen seem to fear a monopoly of the desert lands. To hear them one would think that if the act is not repealed, and repealed immediately, some hungry land monopolist will pounce on the Mohave desert and water every inch of it and keep it all to himself. The people who live where I came from laugh at the preposterous absurdity. There is no scramble for possession of these arid mesas. There exists no necessity for apprehension. Millions of these acres will remain untenanted when this mighty Government shall have vanished from the face of the earth.

All possible encouragement should be given private enterprise, and when that ceases to be exercised the strong arm of the United States Treasury should be invoked to increase as far as possible the area of reclaimed land. It will never be reclaimed in any other way. The only chance the poor will ever have to lay hands upon that land is that it shall first be irrigated either by aggregated private capital or by direct Government aid.

In the Fiftieth Congress when this matter of irrigation was first under discussion on this floor, being pressed by the gentleman from Tennessee [Mr. MCMILLIN] as to the purpose of the proposed appropriation, I took the position, which I still maintain, that you are worse than wasting every cent of money put in this survey, or that will ever be applied to it, unless the Government intends to build the reservoirs and conduct the water to the land. If the Government does not do it nobody will, especially when met by the present reservation of all these lands from settlement. It strikes me that the Government would logically have to press the work to a finality, though Congress, I admit, has studiously avoided committing itself to that proposition. The Government will have to do the work or give the land to those who will do it, otherwise it will forever remain as it is.

The proposition is plain to any one acquainted with the physical features of the country. If gentlemen who talk so feelingly about homesteading the desert lands would go with me for 50 or 100 miles and see nothing but a vast plain of hot, glittering sand canopied by a cloudless sky, no growth nor water anywhere, nothing but dust and desolation, they would close up the fountains of their misguided eloquence and begin the exercise of positive, practical legislation. I refer to actual desert, not to those beautiful spots of irrigated valley lands which have already demonstrated the latent possibilities of that wonderful soil and climate which mark Arizona as the coming sanitarium of the world.

It is all very beautiful to talk about men reclaiming the desert under homestead law, but you may be assured the poor and homeless will never find a home on such land except through such legislation as I have suggested.

The amendment of the gentleman from Illinois [Mr. PAYSON] also requires that the entryman of desert land shall be a bona fide resident of the State or Territory in which the entry is made. I am not willing to give my assent to this proposition for reasons already stated.

I repeat that the greatest possible encouragement should be given to the reclamation of the desert. This is the first and most important step. No unnecessary embargo should be placed on it. Besides, I can see no reason why the son of the gentleman from Illinois [Mr. CANNON] or my friend from Pennsylvania [Mr. MUTCHLER] should be debarred the right to invest their money in so landable an enterprise by mere reason of non-residence. They certainly have as much right in the matter as I or my neighbor. I would not say the same of agricultural lands, for they are immediately productive, and grants of such land by the Government should be confined to men who actually go upon them and make homes. Therefore, I think the residence clause should be stricken from this amendment on the same principle and for the same reason that I hold that the inducement should be increased rather than lessened in respect of these lands.

As suggested by the gentleman from Montana [Mr. CARTER], the provision touching the right to the use of the water by persons conveying the same is merely declaratory of the law as the courts have construed it from the time when the question first arose. There is no objection to that provision, because it is in direct line with the decisions of the courts, uniformly followed and maintained by all of them.

From present indications in this House, and from all the legislation and all the discussion that have been had in the House in regard to the public lands since I have been a member of it, I am satisfied that these desert lands will never be reclaimed by the United States Government, and I am satisfied further that as long as the Government continues to put an embargo upon private enterprise they will never be reclaimed by anybody. That region will simply stand there a desert as it is, absolutely worthless to the United States, and I believe that the very best way for the Government to dispose of those lands would be by making a direct donation of them to the States and Territories, with proper restrictions upon the disposition of the lands and the expenditure of the money derived from them.

Mr. CANNON. My friend from Arizona commenced his speech by paying a deserved tribute to my colleague from Illinois [Mr PAYSON] and indorsing his amendment, but throughout the rest of his speech he was continually drifting away from that ground. Now, I would be glad to know what position my friend really assumes on this question?

Mr. SMITH, of Arizona. I have not drifted away an inch from the proposition first laid down by me. I have advocated the amendment of your colleague [Mr. PAYSON] except as to the quantity of land to be allowed each settler, and the residence clause of the amendment.

If the gentleman had honored me with closer attention he would recognize the injustice of his criticism. Those who have so kindly accorded attention have already discovered my position on this question, and I have not the time to repeat.

[Here the hammer fell.]

Mr. SMITH, of Arizona. Mr. Chairman, I crave but one moment's indulgence to say to the House that whatever of commendation I may have uttered in regard to the gentleman from Illinois [Mr. PAYSON] in connection with his knowledge of and attention to all questions touching the public lands applies with equal force to his predecessor, my friend from Indiana, Judge HOLMAN, who has likewise given the subject great attention.

Compound Lard.

SPEECH
OF
HON. JUSTIN R. WHITING,
OF MICHIGAN,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, August 21, 1890,

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. WHITING said:

Mr. SPEAKER: I disapprove of this bill, for it singles out a large and legitimate industry and practically destroys it. It takes from the people a healthful and cheap food product and renders no equivalent. It destroys competition and builds up a monopoly.

This bill, Mr. Speaker, if enacted into law, would prove a substantial basis for the greatest lard trust the world has ever known. Would it benefit the farmer, as the advocates of this measure proclaim? I answer most certainly not. The farmer can not compete with these great lard-refining establishments, for the farmer throws away what the refiner makes into extra-choice, steam-refined family lard. Will the farmer sell his pork for more because of a high price of lard? Again I answer no. The man who sells the swine is benefited by the largest sale possible of the hog products.

Whenever the price of lard and hog products advances, the export and sale decrease because of the inability of the foreigner, as well also of many of our own people, to as freely use them when the price is high. This at once is followed by a low price for hogs.

No, Mr. Speaker, if it is the promotion of good, stable, honest industry that demands the consideration of this House, let us substitute for this bill the bill known as the Paddock general pure-food bill. It is general in its provisions. It discriminates against no special interest and does not create any monopolies; it protects the public against the adulteration and misbranding of every article of food, drink, and drugs, and prohibits the use of any ingredient that is injurious to health. It is general in its character, and by it honest competition is encouraged under the natural laws of trade.

Again, Mr. Speaker, I am unwilling to be classed among those who offer this bill as a peace-offering to the farmers and as an offset to the measures passed in the interest of the manufacturers and importers. As such it is a piece of impertinence, for the measure is purely and wholly in the interest of the "pork-packing farmer" in the cities, and not for the actual farmer.

The farmers, I think, are gunning for bigger game than the paltry sop this evidently unfair and unbusinesslike bill offers. Any law affecting either supply or demand must in the main work injury.

Compound Lard.

SPEECH
OF
HON. ORMSBY B. THOMAS,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, August 21, 1890,

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. THOMAS said:

Mr. SPEAKER: The legislation and relief proposed by this bill are so fair, just, and within the legitimate power of Congress to adopt that I am astonished that there should be any opposition whatever to it.

The undisputed fact is that the farmers and producers as well as the consumers of lard have been for many years defrauded in a most barefaced and shameful manner by a spurious article palmed off upon the public as pure lard and made to take the place of lard, when in fact it is a base adulteration.

The effect of this has been not only to injure and depreciate the price at home, but also to shut the doors of many of the great foreign markets against American lard, by which the farmers of the country have suffered the loss of millions of dollars, while those engaged in the fraud have become immensely wealthy.

There is not a farmer in the land who has not been directly or indirectly defrauded by this compound or spurious lard, and their appeals to Congress for relief are heard from every quarter of the country. By refusing to pass this bill you not only disregard these appeals, but you say in plain terms to the country that you will not, though it is within the power of Congress, relieve the producers of lard, a great commercial article, an article produced by the farmers of this country, from the losses which they have so long sustained and are still sustaining by reason of this outrageous and bold counterfeiting.

We know and the country knows that the remedy proposed is lawful and efficacious, because in a similar case it has worked well and stood the test of the courts. It is but a short time ago that upon every table was placed spurious butter, which, like this spurious lard, in smell, taste, and appearance was so like genuine butter as to deceive the most expert. This butter, like spurious lard, was or could be made of all sorts of vile compounds and cheap refuse, which the manufacturers were able to disguise by the use of chemicals, and thus prepared it was placed upon the market as genuine butter and was able to take the place of and to drive out real butter.

This exactly parallels in all respects this compound lard. The effect of the spurious-butter fraud, as everybody remembers, was to a large extent to drive out and destroy the butter-making interests of the United States, to the great detriment of the whole country, except those engaged in the fraud. Congress thereupon passed an act similar to this, taxing, very lightly, as does this bill, the spurious article, and putting the same under the internal-revenue system, and compelling it to be marked and branded so that people would know just what they were buying.

This remedy was complete, and the dairy interest was relieved of the fraud which was fast sending it to bankruptcy and ruin, and the public are protected in the use of good butter. This bill is based upon the same idea and it is intended to operate in the same way.

Mr. Speaker, this compound lard business is, if possible a greater fraud than the one which we have already so successfully legislated against. Every reason which impelled me to vote for the oleomargarine bill impels me to vote for this. The American people like fair play; they despise anything that is underhanded and fraudulent. This legislation directly affects the interests of the farmers of this land. Many who oppose this bill claim to be the friends of the farmers and of the farming interests of this country.

If you are really in earnest in such claimed friendship, now indeed is a chance to show that you are truly the friends of the farmer and that you are willing, even against the appeals of those who have grown rich by plundering them, to pass this most just legislation in the special interest of the farmer, legislation that will do no injury to the compound-lard interest if it is an honest and legitimate business, for all it does is to compel the manufacturers to inform the public of the exact composition of the article they seek to sell and prevents them thereby from palming off upon that public the spurious article under false and fradulent representations.

Mr. Speaker, I believe in letting every honest industry stand upon its own merits, and no honest industry will ask to stand in any other way. Sir, I am firmly of the belief that not only the financial interests of the people are promoted, but also good morals are aided and advanced when we engage in legislation to suppress frauds, and especially frauds in food productions which not only rob the honest producer, but impair the health of those who are in a manner placed beyond the power of detecting the imposition imposed upon them.

For these reasons I shall vote for this bill, believing it in the interests of honesty and fair dealing, and especially in the interests of the farmers of this country.

Compound Lard.

SPEECH
OF
HON. THOMAS R. STOCKDALE,
OF MISSISSIPPI,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, August 21, 1890.

The House having under consideration the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard—

Mr. STOCKDALE said:

Mr. SPEAKER: I have tried for some time to get some gentleman to state or its supporters to confess the real object of this bill, and I have arrived at the conclusion, by their own statements, that the advocates of the bill support it purely on the ground and for the object stated by my colleague [Mr. CATCHINGS], to tax this country out of existence.

They say they do not want to put a tax on it, and if any other way could be arrived at to compel the people who manufacture it to brand the article for what it is they would be satisfied. That is a confession that there is no authority in the Constitution to compel a man to brand what he makes, unless it is arrived at through a subterfuge. You use the Constitution as a pretense; that is, you use the article of the Con-

stitution authorizing Congress to raise revenue, not for the purpose of revenue, but to get at another object, which is to burden one industry that another may flourish; to drive one class out to give place to another more favored class, which is, I say, using the Constitution in the letter to violate it in the spirit.

It would be, Mr. Speaker, more honest and becoming legislation before the country to say and do as Mr. Stevens once said, that "everybody knew they were legislating outside the Constitution," than to set up the fact that they want to do what the Constitution prohibits, but assume to legislate under a power that is granted by the letter of the instrument for a wholly different purpose to violate the spirit of it by doing something else not authorized by it. This confessedly does that. The advocates of this bill can not put it upon any other ground known to the Constitution. They can not put it upon the ground that this compound is injurious to health. All people agree that the insertion into this compound of cotton-seed oil makes it no less healthful, no less nutritious, and equally good in taste. It answers the purpose in every reasonable respect. Why, it is admitted they can not tell the difference between it and pure lard; and hence they want to put a tax upon it, as well as brand it, so as to destroy competition. The brand is already on it. If that be true, what does this bill mean? Why, simply this: That cotton-seed oil is the product of one part of the country and lard of the other, and the two when they meet and are sold belong to the people who have purchased and want to consume both. The lard is purchased from Illinois people and the Northwestern country and the cotton-seed oil from Mississippi people and the Southwest generally.

A man has a right, I take it, to go into Illinois and buy lard. He has a right to go to Tennessee or Mississippi and buy cotton-seed oil. What then? They are both his property. He undertakes to mix the two because it makes a product easy to handle in a warm climate and is cheaper to the consumer; it is as good for food; it is as wholesome, as nutritious, and as palatable as the lard alone. Both are his property, and he compounds them together. Has he not a right to do so and to sell them compounded or separately? But you say, no, he shall not do that; he shall not sell his own property. And that is Democracy, is it, my friends on this side?

I want to say to the Democrats who expect to vote for this measure, you ought to consider well before you support a doctrine that is so utterly obnoxious to every fiber of Democracy. Gentlemen who are prominent and assume to be leaders on this side of the House, let me ask where would you lead us if we would follow you now? Why, this bill is so extreme that the Republicans themselves are ashamed of it, and say they would not take this course if they knew any other means by which to accomplish their object. Even they who are accustomed to discriminating legislation want to avoid the charge of being so palpably unfair as to put a burden upon one industry for the benefit of another industry. How, then, can Democrats go to that extreme? Is this Democracy, I say? If so, the great teachers have been astray. Is it Americanism? Is it common honesty? Is it anything short of the despotism of Russia?

Here are two articles, equally wholesome, nutritious, and palatable, which can not be mixed together and sold as such without a tax; and not only not without a tax, but the men who engage in this perfectly legitimate business have to go like menials to the Secretary of the Treasury and ask his license to do a perfectly legitimate thing. In whose interest? Not in the interest of health, not in the interest of the Government, not in the interest of the people, but in the interest of a few manufacturers of lard. You want to prevent competition by getting the National Government to drive the competing people out of business; you want to drive from the market an article that we make, in order that an article which you make may sell higher. The gentleman from Iowa said that it was to prevent a species of robbery that is going on in Chicago and St. Louis; and by the controversies between the two gentlemen it seems there is more robbery and rascality going on in the city of Chicago to-day than there ought to be in the whole nation. What a place that is for the World's Fair! [Laughter.] What a place to exhibit all these specimens of morals before the world. Why, if half the testimony is true that has been detailed in this report, and I have read it over and over, if it be half true about the manufacture of lard, there ought to be more cotton-seed oil in it, because there ought to be something clean and wholesome in it. Why, one gentleman over there said yesterday that it was like the refinement of sugar, when you boiled it down with this filthy substance in it, and got it below and took the lard off the top, including every other anatomical part of the hog rendered into it. I will refer the House to the speech of my colleague [Mr. MORGAN] for information about the pure lard that this bill protects.

I would like to say a word about a portion of my own constituents. It has been said on that side that it is not to injure the producer of cotton seed, but it is to brand the thing what it is. Can it not be branded without coming to Washington to get a license? Can it not be branded without paying a tax annually? Can you not make it the subject of a license, and make a penalty for selling it without the brand, without all these onerous penalties that are intended evidently to prejudice the public against it.

My friend over there says the merchants will knock the head out and the brand off, and then sell it as lard. Whose business is that except the man's who buys it, if it is good and he gets it at 4 cents a pound cheaper? He has the right to buy it, and the consumer has the right to purchase it and save $4 on the hundred pounds.

Mr. CONGER. Will the gentleman permit an inquiry?

Mr. STOCKDALE. Yes, sir.

Mr. CONGER. Will you kindly tell us how it can be reached and the branding compelled without taxing?

Mr. McCLAMMY. And also tell us the necessity of reaching it at all.

Mr. STOCKDALE. In the first place it can not be done——

Mr. CONGER. That is exactly what I say——

Mr. STOCKDALE (continuing). Can not be done legitimately at all. You arrive at it in an illegitimate way. I say that any article that is produced by the citizens of any part of the country, wholesome and pure, which another man buys and combines with another article equally pure, and in this case purer, the result being equally good and wholesome, he has a right to sell it and the people have the right to buy it.

Mr. CONGER. Then you admit that it can not be done in any other way.

Mr. STOCKDALE. One moment and I will answer your other question. I say by what right do you undertake to say that he shall not do that? You asked me by what other means it can be arrived at. By that question you acknowledge that you have to arrive at it by an illegitimate means; that you use the letter of the Constitution in order to violate its spirit; and then how do you justify it?

Mr. CONGER. Can you tell us of any other legitimate way in which it can be done?

Mr. STOCKDALE. I do not want to teach people how to commit iniquities. [Applause on the Democratic side.]

Mr. CONGER. It can not be done in any other way except by taxing.

Mr. MORGAN. Can not the people of a State do it if they want it done?

Mr. STOCKDALE. Our friends on the other side do not want to leave it to the people. They are legislating for Illinois, for Chicago, and for St. Louis.

Mr. CONGER. And for Mississippi, too.

Mr. STOCKDALE. They are not legislating for the interests of the country, but legislating for the few and against the many, which has been the practice of this Congress from its beginning until now. [Applause on the Democratic side.] You talk about your love for the colored man. I represent a large number of them, and they are my friends and I am theirs.

Mr. McCLAMMY. And they all vote for you, too.

Mr. STOCKDALE. They are the people who make this cotton-seed oil. They sell more of it than the white people do, because they are very largely renters of land, and they sell their cotton and their cotton seed; the white people use theirs for feed and fertilizing. In the hills the white people care very little about this measure, so far as their interests are involved, but they look upon it as an outrage upon the whole negro population and on the citizens of the great Mississippi bottoms.

In the great Mississippi Valley, into which the colored people are going and which is the El Dorado of the colored race, they sell their cotton seed. It is a product that they raise. It is a product that the Northwest turns the back of its hand upon. You may say to us, "You make a good product and a wholesome product." We make a wholesome product. The two mixed can be made just as good and a little cheaper, but you say we shall not mix it. Why? That is easily answered. Yours is a Northern product and ours is a Southern product; reason enough for that side of the House. You are the people who took the tariff off of sugar, which is made almost entirely by the negro. You took the tariff off of rice; that is made entirely by the negro.

Mr. CONGER. By the negroes in Cuba.

Mr. STOCKDALE. And you say you are about to establish an industry in the tin-plate business, of which there is not a pound made in the United States. But my friend over there [Mr. NIEDRINGHAUS] says he is going to make it when he can make everybody else buy it from him. You want to make a law to prevent us from buying from anybody else. You want to create a new industry in the North and destroy one now existing in the South. The sugar industry is increasing since the war, when the industry was destroyed. You are willing to strike down that industry and create a tin-plate industry. You know where the sugar industry is, and you know where the tin-plate industry will be. One is an industry of the South and the other of the North. You are the people who taxed the negro's cotton $13.50 a bale, the first bale he ever made as an American citizen. He came to the market with his first bale in 1866, and was met by a United States officer with a brass tag, that he could afford to sell for $13.50, and the negro could pay it or go to the penitentiary or not ship his bale of cotton.

You let up in 1867 and charged him $11.50 to ship his bale of cotton. One hundred and thirty-four million dollars and over went out

of the pockets of the Southern people right after the war, when they were bleeding at every pore and every limb had a wound.

Mr. LACEY. I thought the consumer paid the tax.

Mr. STOCKDALE. You think it did not cost them anything. That is about as much substance as there is in your argument. You laugh and joke and jeer at what those colored people have been struggling for, to make homes for themselves and families, and think it no harm to rob them. Sixty-eight million dollars went into the Treasury, and is there now, and wrongfully there, and ought to be returned as a conscience fund. There were 5,000,000 and more bales made in 1866; also in 1867; and the tax of $13.50 in 1866 and $11.50 in 1867 makes $134,000,000. Then you had the Freedmen's Bureau and the Freedman's Bank, and you are claiming to be the friends of the negro with such a record before you! I say that I stand here as his friend and ask that this product of his be not taxed out of existence. I presume it is useless to ask you to do anything for the white people of the South, but I do ask you that his product be not taxed out of existence; and if you are in good faith in your professions of friendship to the colored people you would let up on them once at least.

The gentleman from Iowa told the tale. He was as earnest and eloquent as he always can be against this product, and put it upon the true ground. He says there are $28,000,000 of the products of cotton-seed oil that go into the product of the hog, and he says: "I do not intend to stand here without raising my voice against the scheme that will put $28,000,000 worth of cotton-seed oil into lard, whereby Iowa will lose $2,000,000 on her hogs." That is the doctrine. It is in the report. It decreases the price of hogs, and therefore you desire to destroy the cotton-seed combination, which is good, not because it injures anybody, but because you raise the price of your product by injury to the product of the colored race, to say nothing of the white people. Better that the South lose $28,000,000 than that Iowa should lose $2,000,000. It is not fair; it is not national. It is class legislation, and worse than class legislation.

The report says:

> The promoters of the bill are the growers of swine, and the manufacturers and consumers of pure lard. Its opponents are the manufacturers of the imitation compounds, and to some extent the producers of cotton-seed oil.

It is legislation to push back one set of citizens and to lift up another by the power of the Federal Government. It is not according to the Constitution. It is not according to the principles of American industry. Why, you talk about protection, and call this robbery. What does robbery consist of? This was denounced as robbery to-day. Why, you say it consists in combining cotton-seed oil with lard by men who have purchased and own both. You seek to deprive them of their industry, and say that it can not be continued. Is there any difference between that and the wool-growers asking here for a bill to provide that the manufacturers shall not mix cotton with wool, with silk, or with anything else without paying a tax or getting a license for it?

Probably there is not a gentleman in the House who has not cotton in the clothing he wears. Why not make a law against such a mixture? Why should not the silk manufacturers ask Congress to pass a law that there should be no cotton in silk; that there shall be no mixture of wool in silk; no mixture of anything? It is precisely the same principle, and whenever you open the door and permit this Government to enter into a policy whereby one class of citizens can come to Congress and successfully ask that their particular industry be protected, not against foreign powers or foreign labor, but against another legitimate industry within the borders of our own country, you strike down the very principles of the Government.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. HILL. Will the gentleman yield to a question before he takes his seat?

Mr. STOCKDALE. I will if I have the time.

Mr. HILL. If some manufacturers of cotten and woolen goods should be able to so mix the cotton with the wool that they could not be distinguished by the consumer and they sold interior articles for woolen goods that were not woolen, would not you think some remedy should be found?

Mr. STOCKDALE. That is the same principle that you have adopted.

Mr. HILL. Would you not think that some remedy should be afforded?

Mr. STOCKDALE. Not by the United States Government, for God's sake. If you do so you will have to go in and prevent the chicken-raiser—the great hen-raiser of Ohio—from mixing shanghais and bantams. That is the result of this doctrine. [Great laughter.]

Mr. HILL. We will have to go as far as we can.

Mr. CONGER. Does the gentleman think it honest to sell cotton-seed oil for lard?

Mr. STOCKDALE. It is not sold for lard. It is sold for what it is; and you propose to tax out of existence that industry. You propose to create one industry and to destroy another.

Mr. McCLAMMY. Does this come out of my time? If it does, I must object.

The SPEAKER *pro tempore*. The gentleman from North Carolina has the floor.

The Compound Lard Bill.

REMARKS
OF
HON. WILLIAM H. CRAIN,
OF TEXAS,
IN THE HOUSE OF REPRESENTATIVES,
Thursday, August 21, 1890,

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. CRAIN said:

Mr. SPEAKER: The bill under consideration, known as "the Conger bill," while assuming to prevent the manufacture of adulterated lard, is itself an attempt at fraudulent legislation.

Your committee believe—

Says the gentleman from Pennsylvania [Mr. BROSIUS] in his report upon the bill—

that while morals may not need trade trade must have morals.

I say that legislation, too, must have morals, and that the Conger bill is destitute of morals. Its pretended object being to compel manufacturers of "lard compound" to notify consumers of the constituent elements of that commodity, its real object is to strike down one industry in order to build up another upon its ruins. Not only is its object immoral, but its methods are also immoral; for certainly that is immoral which is contrary to truth.

Now, the gentleman from Pennsylvania [Mr. BROSIUS] asserts that among the objects of the bill is the raising of revenue. Is this true? Both parties agreed when this bill was introduced that there was a surplus in the Treasury, and the majority of the committee who reported the bill voted in favor of the McKinley bill, the alleged object of which was to reduce taxation. Just think of the contrast: the McKinley bill is to reduce taxation; the Conger bill to increase taxation. And this is the act of men who, like the Pharisees of old, stand upon the corners boasting of their superior virtue and morality. The truth is that these gentlemen seek to impose the taxes provided for in the bill for a twofold purpose, to mask their real object behind the Constitution, in order to get congressional jurisdiction, and to grind out an industry which is in their way.

I will not argue the unconstitutionality of the measure, but will content myself by saying that the framers of our organic law did not contemplate such an abuse of the taxing power as the supporters of this bill are guilty of, and I can not understand how democrats can vote for it who have made the welkin ring with their declamations for "a tariff for revenue only."

If lard compound be deleterious to health its manufacture ought to be abolished and not made a subject of revenue, and the very fact that the friends of this bill tax it is the best evidence that they regard it as innocuous. But they say it is in the interest of the farmers. What farmers? The farmers of what section? Class legislation is vicious. But what must be said of legislation for a class within a class? While it is alleged that the hog-raisers of the northwest will be benefited by this legislation what effect will it have among the cotton-producers of the south? The majority of this House whine about the poor, down-trodden negro; one of their number, more rhetorical than discreet in his utterances, contends for "a bullet for every ballot;" they pass an infamous bill for his alleged protection; and yet they strike him a heavy blow in the field of industry by depriving him of the benefit of a market for his cotton-seed and of the advantage of cheap "kitchen fat."

The gentleman from Pennsylvania sheds tears over the picture which he paints of a poor illiterate negro in the South paying 15 cents a pound for lard. His ignorance about the negro is a sufficient commentary on his vote upon the Lodge bill. Not one negro out of fifty thousand pays 15 cents, or 10 cents, or 5 cents a pound for lard. The negroes, like the poorer white farmers, use the surplus lard from their hogs, and when that is gone they cook with bacon grease.

But where do the consumers come in? Are they to be considered at all? It seems not. According to the census of 1880 there were 17,392,000 persons engaged in all occupations in the United States, and of this number there were only 4,225,945 farmers and planters, exclusive of farm laborers.

Now, at the ratio of three persons to each worker, the population being about 51,000,000, there would be 12,667,835 farmers and planters and their families in the farming class and 39,498,165 persons included in the category of consumers. But of the 12,667,835 farmers and planters at least one-third were engaged in raising cotton, and consequently they and their families will be injured by this bill, say 4,225,945 persons, so that only 8,451,888 persons would be benefited by it if all that is claimed for the bill be allowed, while 42,000,000 would be

injured. The ratio of increase of population since 1880 has been about 25 per cent., but the relative proportions are the same.

But while pretending to protect farmers, its advocates defeated the McRae amendment, which provided for the inclusion in the definition of lard that produced by the farmers and field-hands on the farms. Its supporters contend that the manufacture of "lard compound" has lowered the price of hogs and injured the swine industry. Now, who ever heard of a manufacturer of any product insisting upon raising the price of his raw material.

The hog is the raw material of the lard manufacturer, and when it walks or is carried into the slaughter-rooms no part of it ever comes out except in some kind of finished product.

Do not the manufacturers' buyers purchase hogs at the stock-yards at the lowest price for which they can obtain them? Then is it reasonable to suppose that the manufacturers urge the passage of this bill to benefit the farmers by raising the price of hogs? The question answers itself in its very absurdity and preposterousness.

But gentlemen say that the Farmers' Alliances are backing the bill. How easy it is to have these cut-and-dried circulars circulated and signed and sent to members of both Houses. I venture to say that not 1 per cent. of all the farmers who have advocated the passage of the bill have ever read it. And I venture the further statement that not a single Farmers' Alliance in a cotton-producing State (and I do not include Kentucky, Missouri, and Virginia, because their cotton productions are mere bagatelles) has insisted upon the passage of the bill.

The bill is sectional in its character, but the natural resources of the South are so great and her people are so patient and persevering that she will yet be the predominant section of the Union in population, in wealth, and in political power. She has survived the assaults of the battle-field; she will overcome those of the cotton-field.

But the bill goes further than legislative assemblies asked Congress to go. The Legislature of Iowa, whence its author comes, only requested that a statement of the contents of "lard compound" should be affixed to every package of it. Gentlemen have quoted from individual Alliance men in the South in favor of the bill, but they have totally disregarded the resolutions against it of the representatives of the cotton States at the meeting of the presidents of Farmers' Alliances at Atlanta, Ga., March 19, 1890.

Recurring to the effect of the manufacture of lard compound upon the value of hogs, from which I was temporarily diverted, I have to say that about ten years ago cotton seed was used for fertilization, cattle-feeding, or was thrown away. It will be satisfactory, then, to ascertain how the numbers and values of hogs in 1875 and 1881 compare with those of 1888 and 1890. According to the Agricultural Reports for 1887 and 1888, the mean price of hogs in 1875 per 100 pounds was $3.52. In 1888 it was $5.82 per 100 pounds. The Secretary of Agriculture attributes the fluctuations in price to the variations in the corn crop.

The statistician of the New York Produce Exchange gives the following statement:

January 1, 1881: Number of hogs, 36,247,603; value, $170,535,435; each, $4.70.
January 1, 1890: Number of hogs, 51,602,789; value, $243,418,336; each, $4.72.

While the number of hogs has increased very largely, the average value has remained the same; so that the allegations of the advocates of the bill are not sustained by the facts. An examination of the tables of statisticians will show that the value of hogs has fluctuated with the corn production of the West.

It is apparent, therefore, that the manufacture of lard compound has not affected the price of hogs. Indeed, the friends of the bill seem to lose sight of the fact that in the manufacture of lard compound quite a large percentage of prime steam lard is used after having been rendered pure.

But in discriminating by complicated restrictions and oppressive burdens in the shape of internal-revenue requirements and taxation, the advocates of the bill ask to crush an industry which utilizes only that which is pure and wholesome and to foster and encourage another which, while professing to produce a pure, clean product, actually uses in its manufacture constituents that are impure, unclean, and filthy. Cotton-seed oil is the product of a vegetable or plant of the field. Prime steam lard is made from the heads, guts, intestines, and genito-urinary organs of hogs, which are sometimes smothered before they reach the slaughter-house and are often diseased. In support of this statement I quote from various witnesses.

First, as to cotton-seed oil, read the reports of the respective boards of health of New York and New Hampshire, as well as the statements of leading physicians:

APPENDIX A.

Report of New York board of health.

CHEMICAL LABORATORY OF THE ALBANY MEDICAL COLLEGE,
Albany, May 6, 1889.

DEAR SIR: On the 26th of April you requested me to make such examination of "lard and lard compounds, or products into which cotton-seed oil enters as a component part," and of "cotton-seed oil as sold for edible purposes" as might be possible in the time intervening between that date and this day, and to report to you whether, in my opinion, such "lard, lard compounds or products are healthful or nutritious, or are in any degree deleterious or injurious to health," and "whether or not said [cotton-seed] oil is nutritious or healthful, or is in any degree deleterious or injurious to health."

The time at my disposal thus allowed me has not been sufficient to admit of the systematic collection of samples of the articles named or the elaborate analysis of such samples as had been collected, and this necessarily brief report, therefore, deals with the questions involved chiefly in a general manner, and is, in the main, based on information acquired in previous investigations and by former study of the subjects considered.

The main question, as I understand it, is whether cotton-seed oil, properly extracted and refined, is a wholesome and nutritious article of food, and whether it is a proper substance to mingle with lard obtained from the fat of hogs, or with other fats, in the manufacture of "lard compounds," table oil, and the like, for use as food or in the preparation or manufacture of food articles.

There doubtless exists on the part of many people a prejudice that lard should be made from hog-fat alone and table or salad oil from the fruit of the olive tree solely; but this opinion is in reality based on no good or sufficient reasons. Fats obtained from a variety of animals and a great number of plants have been used from time immemorial in the preparation of food, and it is unreasonable to suppose that those particular fats and oils which we in this country, or in this part of the country, have been accustomed to use are the only suitable ones to employ. All over the world vegetable oils are obtained by the expression of the seeds or fruit of plants and used as food. From the cocoanut, Brazilian nut, walnut, almond, and a wide variety of other vegetable products oils are extracted and employed in the preparation of food. In speaking of the vegetable oils Dr. Edward Smith, in his well known work on Foods, places cotton-seed oil at the head of the list, and says:

"There can be no doubt that we have in this product of seeds of plants, which seem otherwise to be useless, a great storehouse of most valuable nutritive material, and if we know but little of them in this climate it is because we have the olive-oil at hand and are bountifully supplied with many kinds of animal fats. It is, however, probable that the cheapness of some of these vegetable oils, in addition to their delicacy of flavor, will ere long force themselves into notice and obtain a place among our foods." This was written in 1873, when the manufacture of cotton-seed oils was still in its infancy.

Professor Wiley, chemist to the United States Department of Agriculture, in Bulletin No. 13, on Food and Food Adulterants, quotes from Allen's well known and standard work on Commercial Organic Analysis, as follows: "Refined cotton-seed oil is of a straw or golden-yellow color, or, occasionally, nearly colorless. The density ranges from .922 to .926, and the solidifying point from 1° to 10° C. Refined cotton-seed oil is usually very free from acid, and when properly prepared is of pleasant taste and admirably adapted for edible and culinary purposes, for which it is now extensively employed, both with and without its nature being acknowledged."

As regards the manufacture and refining of cotton-seed oil, it may be remarked that the methods employed are not materially different from the processes made use of in the preparation of olive-oil. That cotton-seed oil has for many years been exported to Italy and France, in which countries it is largely employed for mixing with olive-oil, is a well known fact.

Speaking of cotton-seed oil, Dunham J. Crain, United States consul at Milan, reported as follows, under date of November 10, 1883: "The seed-oil industry is assuming considerable proportions. Several kinds of this oil were exhibited at the Milan exhibition in 1881, and classed among alimentary oils. There were some beautiful specimens of sesame oil exhibited. * * * The importation of cotton-seed oil was arrested in 1882, since which the demand for oleaginous seeds has increased. It is therefore urged that a duty should be imposed on all imports of seeds and seed oils if it is to be continued on cotton-seed oil. It is claimed that the duty on cotton-seed oil has served no good purpose; that the mixing of cotton-oil with olive-oil was not prejudicial to health, and that the mixture is now made with oils from flax and nuts, and that the competition coming from cotton oil has been replaced by oils of other seeds and by nut oils. * * * It is felt that frauds will diminish and the public good be promoted when prejudices against good seed oils disappear and they are sold under their true names." (U. S. Consular Reports, XII, 567.)

I am clearly of the opinion that cotton-seed oil, whether used alone or commingled with other oils or fats, is a perfectly wholesome and nutritious food, and as easily digested and assimilated as any of the commonly employed fats. In support of this view, the opinion of numberless writers upon the subject, and of experts in chemistry and physiology, might be adduced, but I shall content myself with citing two or three. Battershall, in his treatise on Food Adulteration, remarks:

"As a result of the publicity lately given to the subject of food adulteration a popular impression has been produced that any substance employed as an adulterant of, or a substitute for, another is to be avoided *per se*. Perhaps the common belief that for all purposes cotton-seed oil is inferior to olive-oil and oleomargarine to butter is the most striking illustration of this tendency. Now, as a matter of fact, pure cotton-seed oil, as at present found on the market, is less liable to become rancid than the product of the olive, and for many culinary uses it is at least quite as serviceable. * * * The sale of these products under their true name should not only be allowed, but under some circumstances even encouraged."

Professor Wiley stated before the United States House Committee on Agriculture at the hearing on the compound-lard bill in 1888, in reply to the question whether from his knowledge of chemistry and of medicine there is any property in cotton-seed oil injurious to health, that there was not so far as he knew. In reply to the question, "Does that statement also apply to beef stearine used in connection with cotton-seed oil in the manufacture of refined lard?" he replied, "Yes, sir; so far as I know there is nothing in it injurious to health."

Concerning its digestibility and the ease with which it is assimilated, he instanced a case in which a pint had been given as a laxative and had undergone perfect digestion, showing, in his opinion, "that it was very easily acted upon by the intestinal juice" and "very easily assimilated," and he added that "it seems to act on the digestive organs like olive-oil precisely." In response to the question, "Are the nutritive qualities of cotton-seed oil equal to the nutritive qualities of pure lard?" he replied, "I should say that there would be little difference as far as nutritive properties are concerned."

Professor Wiley analyzed a large number of samples of so-called refined lards compounded chiefly of beef stearine, cotton-seed oil, and hog fat, and in response to the question, "Have you any belief that any of these articles or specimens * * * when used as foods is unwholesome or hurtful to the human system?" replied, "I have no reason to believe any of them is, any of the ingredients in the lards." And again, "As far as medical and chemical knowledge extends these substances are not injurious to health." In reply to the question, "What would you say of cotton-seed oil when used alone as an article of food?" he answered, "I should say that it was perfectly wholesome," and he gave it as his belief that it was as wholesome as olive-oil or hog lard or beef fat.

Professor S. P. Sharpless, State assayer for Massachusetts and a chemist who has given much time to the study of food adulteration, stated during the course of the same investigation that he knew of no property injurious to health in cotton-seed oil or the refined lards which he had examined. Professor R. Ogden Doremus, of New York City, states that refined lard made from steam lard, beef stearine, and cotton-seed oil is "pure and wholesome," and that, in his opinion, "cotton-seed oil is a wholesome article of diet," and Professor L. M. Norton, of the Massachusetts Institute of Technology, states that the compound lard made by a well known firm "is a perfectly good food material" and "is unobjectionable in every respect, and does not contain anything which can be injurious to health."

These are the opinions which seem to be almost universally held by those who have investigated this subject from a scientific standpoint. So far as I

know, there is no evidence worthy of the name which even remotely tends to show that cotton-seed oil is not a wholesome and nutritious food. It has, as a matter of fact, been used for years, both surreptitiously mixed with other oils and fats or openly employed on its merits as a palatable and useful food. Throughout the cotton-growing States it has been for a long time very largely used, and the medical faculty of the Arkansas University state that it is preferred to other fats in many respects, "agreeing with the most delicate stomachs, whether used in baking or frying," and that "not one instance has ever been given of health being in any manner impaired by the use, however free, of cotton-seed oil in food." They state that "thousands of hands employed in the cotton-seed-oil mills are in the habit of making their dinners on the crude oil by dipping their bread in it, and some of them actually drink it, and yet from this free use of it nothing has ever resulted but the best of health."

Such testimony as that given above is not easily overthrown. Writers of eminence in our scientific, medical, and agriculturnl journals have borne similar testimony, and large numbers of people in our midst to-day use, by preference, in their households a cotton-seed-oil lard in place of one made from the fat of the hog. In my own family I have employed such a lard with perfect satisfaction, and am convinced by actual trial that it is palatable, readily digestible, and a wholesome, nutritious article.

During the last few years I have chemically examined a considerable number of compound lards, sold as lard and under various trade names, containing cotton-seed oil, sometimes without a trace of hog fat, and I have also examined various qualities and grades of cotton-seed oil and of olive-oil containing it. Some of these examinations have been made within the last week, and I have discovered in these lard compounds and oils no substance injurious to health or in any way deleterious, and I am decidedly of the opinion that such lard compounds and cotton-seed-oil products as I have examined or of which I have knowledge are wholesome and nutritious articles of food.

Yours, respectfully,

WILLIS G. TUCKER,
Analyst, State Board Health.

Dr. LEWIS BALCH,
Secretary of the State Board of Health of New York, Albany.

I hereby solemnly attest that the above is a true copy of the report on file in this department.

[SEAL.] FREDERICK CARMAN,
Assistant Secretary.

ALBANY, N. Y., *February* 17, 1890.

APPENDIX B.

Affidavits of New Hampshire board of health and other New Hampshire physicians.

I, Granville P. Conn, of Concord, in the county of Merrimack and State of New Hampshire, depose and say: That I am a practicing physician and surgeon, resident in said Concord; that I took my degree at Dartmouth Medical College in the year 1856; that I have held the position of secretary of the New Hampshire Medical Society for the last twenty years, with the exception of the two years that I occupied the president's and vice-president's chair of that society. I am also one of the medical faculty of Dartmouth Medical College, and have held that position for some four years, or ever since the chair of hygiene was established.

I became a member of the New Hamphshire State board of health when it was established in 1881, and have been president of that board from that time to the present time. I was chosen vice-president of the National Association of Railway Surgeons at its meeting held last winter in the city of St. Louis. I am a member of the American Medical Association, the Medico-Legal Society of New York. I am honorary member of the State Medical Society of Vermont. I am a member of the American Public Health Association.

My attention having been called to the "lard bill" before the Legislature, I began investigating what they meant by the terms "refined lard," "lard compound," "pure leaf lard," and "pure lard." So far as I have been able to ascertain the definitions of these terms were admitted before the House Committee on Agriculture in Congress in an investigation in 1888. These compounds show that the "commercial lard" of to-day is a somewhat different article from the "lard" which our farmers were in the habit of putting up. The "lard" put up by farmers was the leaf only, unless mixed with the suet of the beef animal. This, so far as I know, represents what is purchased in New Hampshire.

The "commercial lard," to which my attention has been called, and as admitted before the House Committee on Agriculture, is an essentially different product, "refined lard" meaning the odds and ends and what was left after the better part of the leaf lard was extracted, and then mixed with stearine and cotton-seed oil. I understand "refined lard" and "lard compound" to be one and the same product. Beef stearine and cotton-seed oil are claimed to be adulterations, neither of which, from a hygienic point of view, is harmful. Beef stearine, or suet, has been mixed with lard for years, and among farmers is considered better for summer use that the pure leaf, in consequence of the melting point being a little higher.

Cotton-seed oil within the past ten years has almost entirely taken the place of olive-oil in our markets. It is still sold as olive-oil, but chemical and microscopical examinations show it to be pure cotton-seed oil. The conditions, both chemical and microscopical, are so nearly alike that there is really no difference in its nutritive value.

It is a well known fact that immense quantities of cotton-seed oil are sent to Italy, only to come back as olive-oil. In the South and West cotton-seed oil is taking the place of all forms of lard. These are well established facts, which no one who has investigated the problem will dispute. Cotton-seed oil and beef stearine would answer all of the purposes of lard, and would be entirely unobjectionable from a sanitary standpoint.

GRANVILLE P. CONN, *M. D.*

JULY 22, 1889.

STATE OF NEW HAMPSHIRE, *Merrimack, ss:*

Then personally appeared Granville P. Conn and made oath that the foregoing affidavit by him signed is true.

Before me.

J. H. ALBIN, *Justice of the Peace.*

I, Irving A. Watson, of Concord, in the county of Merrimack and State of New Hampshire, depose and say: That I am a practicing physician, and as such am a graduate of the medical department of the University of Vermont, of the class of 1871. From that time until 1881 I practiced my profession at Groveton, N. H. In 1881 I was appointed member of the New Hampshire State board of health, and have continued a member of said board to the present time. During all of said period I have served, and am now serving, as secretary of the State board of health, with my office located in the State capitol, Concord.

A short time since Mr. J. H. Albin, attorney for N. K. Fairbank & Co., brought to my office a sample of "refined cotton-seed oil" and a package of "lard compound," being branded as "lard compound," and purporting to be put up by said firm. Mr. Albin told me that the "lard compound" was made up of about 60 per cent. of "refined lard" and 20 to 25 per cent. of the "refined cotton-seed oil" like the sample, and 10 to 15 per cent. of beef stearine. He also called my attention to an investigation made by the House Committee on Agriculture in Congress, during the early part of the year 1888, copy of which proceeding he left with me, and said that this "lard compound" was the same preparation that was therein spoken of as "refined lard," put up by the said firm of Fairbank & Co.

I have used in my family several packages of refined lard put up by Fairbank & Co., and this lard has proved satisfactory. The package of lard compound which Mr. Albin recently left with me was used with the same satisfaction as the before-mentioned refined lard, and I was not able to discover any difference between them. The sample of refined cotton-seed oil I also tried as a salad oil, and found it to be as palatable and satisfactory, in every respect, as the usual table oils. I also caused some doughnuts to be fried in the refined oil, and found that it answered every purpose required of the best of lard in that respect. There were two plates of doughnuts upon the table, the one lot fried in the lard compound and the other in the refined cotton-seed oil, and I was unable to distinguish which was cooked in lard and which was cooked in cotton-seed oil.

From an examination of the testimony taken before the House Committee on Agriculture, before mentioned, I find that Fairbank & Co., for the purpose of manufacturing their lard compound, or refined lard, as it is termed there, obtain the best quality of commercial lard the market affords, and remove from it, as thoroughly as possible, all foreign substances by refining it. This lard, thus refined, is made the basis of their lard compound.

From a sanitary standpoint, in my opinion there can be no objection to the addition of the cotton-seed oil and beef stearine to this refined lard for the purpose of forming the lard compound put up by this firm. I am decidedly of the opinion that the cotton-seed oil and beef stearine are either of them infinitely more healthful than any refined lard, and that the lard compound, as prepared, is more healthful than the lard before refining.

In all my professional experience I have never known and have never read of an instance where a person's health has been impaired by the use of cotton-seed oil.

I believe that cotton-seed oil is a thoroughly healthful product, as much so as olive oil.

IRVING A. WATSON.

JULY 23, 1889.

STATE OF NEW HAMPSHIRE, *Merrimack, ss:*

Then personally appeared Irving A. Watson and made oath that the foregoing affidavit by him signed is true.

Before me.

J. H. ALBIN, *Justice of the Peace.*

I, John J. Berry, of Portsmouth, in the county of Rockingham and State of New Hampshire, upon oath depose and say:

That I am a practicing physician, and have been for ten years; that I graduated from the University City of New York, medical department, in 1878; that I located first in New York, then in Connecticut, and now in Portsmouth, N. H., and am now a member of the New Hampshire State board of health.

I have been house surgeon in St. Francis Hospital, and assistant surgeon in Chambers Street Hospital, and Hospital for Ruptured and Crippled, New York, in all three years. I am a member of the New Hampshire State Society, American Medical Association, and American Public Health Association. Have been health officer of Portsmouth; now associate editor of New England Medical Monthly.

I have used cotton-seed oil for medical purposes ever since beginning practice, and for many years for culinary purposes. Believe it to be wholesome, easily digested, and nutritious; believe the properties of cotton-seed oil of good quality to be identical with those of olive-oil, and the former to be superior to a poor sample of the latter. In my experience no distinction is made in medical practice between the two oils, it being generally understood that many brands of olive-oil, so called, are in reality wholly or in part cotton-seed oil. Chemical tests have established the truth of this supposition.

Externally applied, it is a bland, soothing substance, which acts as a protective dressing like the olive-oil. Internally it is used for various affections, and differs in its action in no respect from the oil of the olive; so far as I know physicians have no preference as regards the two varieties.

I have used it extensively in the preparation of salad dressings, as well as in other ways, and have invariably been pleased with it. Have eaten doughnuts fried in cotton-seed oil and have been unable to distinguish it from lard similarly used.

I have examined the specimen submitted. It has the ordinary appearance of good cotton-seed oil. Chemical tests show it to be such, and examination with the microscope attests the absence of foreign material as well as confirms the above tests. Had it used in the kitchen for salads and for frying purposes and was fully satisfied with the results obtained. In four tests recently made of four samples of olive-oil (so called) bought by me, I found only one pure olive-oil; the others were cotton-seed oil partly or wholly. This I determined by chemical tests.

JOHN J. BERRY, M. D.

JULY 23, 1889.

STATE OF NEW HAMPSHIRE, *Rockingham, ss:*

Then personally appeared John J. Berry, and made oath that the foregoing affidavit signed by him is true.

Before me.

J. H. ALBIN, *Justice of the Peace.*

I, Lyman B. How, of Manchester, in the county of Hillsborough and State of New Hampshire, depose and say: That I have been a practicing physician twenty-six years. In 1868 I was elected professor of anatomy and physiology in the medical department of Dartmouth College, and have been professor continuously since that time. I also lectured in the Medical School of Maine during the last session. It has been my duty to lecture on food and its digestion. I am familiar with the controversy that has been raised over the merits and demerits of pure lard and the various substitutes for it that have been introduced.

I have used N. K. Fairbank & Co's "lard compound" for family cooking and also the Cotton-Oil Product Company's "cotton-seed lard," and I consider them just as wholesome as ordinary commercial lard, and I know of no objection to their use and sale.

I have had doughnuts fried simultaneously in the "lard compound" and the "cotton-seed lard." Four members of my family expressed a slight preference for those fried in the latter, while I inclined to those fried in the "lard compound." They were both very light and free from excess of fat and as nice as those fried in lard.

L. B. HOW, M. D.

JULY 23, 1889.

STATE OF NEW HAMPSHIRE, *Merrimack, ss:*

Then personally appeared the above-named Lyman B. How and made oath that the foregoing affidavit by him signed is true.

Before me.

J. H. ALBIN, *Justice of the Peace.*

I, George W. Pierce, of Winchester, in the county of Cheshire and State of New Hampshire, hereby depose and say: That I am a practicing physician, having graduated at the Berkshire Medical College of Massachusetts, in the class of 1854, since which date I have been in the constant exercise of my profession; that during the war of 1861–1865 I served as surgeon of the First Regiment of New Hampshire Cavalry, and from 1885 to 1887 as surgeon-general of the State of New Hampshire, and that I have been president of the board of health of Winchester since its organization, as well as being a member of the New Hampshire State Medical Society, a member of the Connecticut River Valley Medical Society, and a member of the Cheshire County Medical Society.

That for some time I have been cognizant of the fact that compounds of lard and lard or beef stearine and cotton-seed oil were upon the general market to be sold for culinary purposes. That such compounds have been sold and so used under my observation, and that in no instance has any injury or objectionable results followed such use. Had injurious or objectionable results followed such use I could not have failed in obtaining knowledge of the same.

The compound of lard, stearine, and cotton-seed oil as a food, in my belief, is a product that contains a greater variety of elements necessary to the maintenance of the human economy in a healthy state than either lard, beef fat, or cotton-seed oil alone, neither being in itself a perfect food product. Of the value of lard as a food I need not speak, nor of the value of beef fat for the same purpose, but of cotton-seed oil I can say that by itself it is a valuable food product.

I have used the same in my profession as a substitute for cod-liver oil, where the latter was not well retained by the stomach of my patient, with satisfaction to myself and apparent advantage to the patient. I have used it as a substitute for fresh cream in still other cases, where the cream did not seem to be well digested, with almost invariably good results, and I have fed the same to infants suffering from wasting diseases in doses of from one-half to one teaspoonful from four to six times each day, and have found the same to check the emaciating process quite as well generally as any other food to which I could resort.

I prefer pure cotton-seed oil for professional purposes to olive-oil, though olive-oil is now believed to be largely extended by an admixture of cotton-seed oil.

As an article for many culinary uses I prefer pure cotton-seed oil to either lard or medium grade butter, having used the same (cotton-seed oil) in my own family as a butter substitute in cooking meats and fish, as well as making gravies, etc. I am also acquainted with its use for similar purposes in the families of others of my acquaintance, and in no instance has my attention been called to any objectionable results from said use.

GEORGE W. PIERCE.

JULY 23, 1889.

STATE OF NEW HAMPSHIRE, *Merrimack, ss:*

Then personally appeared George W. Pierce and made oath that the foregoing affidavit by him signed is true.

Before me.

J. H. ALBIN, *Justice of the Peace.*

APPENDIX D.

Testimony of Mr. Hately, who appeared before the Senate committee of the Fiftieth Congress as a representative of the Chicago Board of Trade, and who is himself a pork-packer.

By Senator PLUMB:

Q. From what part of the hog do you get what is called white grease?

A. There is no such thing as white grease made in the packing-house now. In the march of events the progress in packing has been just as great as it has been in almost any other industry. It has not been a great many years ago since the whole entrails as they were taken from the hog—the greater portion of the fat on them—were taken away, carried out and buried. It has not been many years ago since some packers on the Mississippi River thought the head or feet or anything of that kind was of no value whatever. They only killed in the winter time, and one packer remarked to me: "What fools we were. We had big profits in those days if we had only known it. We used to take the heads and feet and guts and run them out on the Mississippi River and pile them up there, and when the ice broke up in the spring away they went."

Q. Then, what was called white grease now goes into the manufacture of lard?

A. Yes, sir. The lard system is now so entirely different that we could not make white grease.

Q. Then, what was formerly known as white grease now becomes lard by the process of manufacture?

A. Yes, sir. It never was really white grease at all. It was really only the lard, but not a product that would pass inspection.

By Mr. FOX:

Q. Mr. Fairbank said the lard was getting poorer and poorer and you contend that was not so. Is it not a fact that every time there is a corner on the Chicago Board of Trade and trade is strained they get more of the animal in because lard is scarce?

A. No, sir.

Q. Is lard to-day the same as it was ten years ago?

A. Yes, sir. It is a higher grade to-day than it was ten or twenty years ago.

Q. Although the gut grease, the white grease, does go into the product?

A. It is higher to-day than it was five or ten years ago.

Q. Although these other products do go in?

A. Yes, sir.

Q. Do you know anything about the heads going in, and what kind of lard the head makes? State what kind of lard the head rendered by itself makes.

A. It makes very good lard.

Q. What would it sell for?

A. I can not say what it would sell for by itself.

Q. Would it sell for as much as prime steam lard?

A. No, sir.

Q. Then it is a deteriorating element in prime steam lard, is it not?

A. It is not as valuable as the leaf alone.

Second, regarding the production of "prime steam lard," which is the industry fostered by the supporters of the Conger bill as against the cotton-seed-oil product, let us read from the able minority report of Mr. WILSON, of Kentucky, and then from the testimony of witnesses both for and against the Conger bill:

The first general knowledge of the adulteration of lard was obtained from the publication by the Chicago Board of Trade in August, 1883, of the charges and evidence in a trial before the directors of that body of the case of McGeogh, Everingham & Co. *vs.* Fowler Bros. The directors of the Chicago Board of Trade in the trial of this case had all the powers of a court in matters of administering oaths and taking evidence; and the official report of the proceedings is undoubtedly entitled to as much weight as the finding of a judicial tribunal. The testimony in this case disclosed, as we said before, for the first time to the public the presence of "agitators" of cotton-seed oil, oleo, stearine, tallow, bench-cuttings, floor-scrapings, heads, feet, marrow-bones, guts, etc., in the lard-tanks of the packing-houses at the Chicago Stock Yards. Circumstantial evidence indicated that lard, which was really a compositiou of the above-named ingredients, might be branded indiscriminately either "prime steam" or "pure refined," as the market might demand. It was further demonstrated by these proceedings that up to said date, *i. e.*, August, 1883, expert chemists were unable to determine with any degree of accuracy the presence of foreign fats in "regular" lard.

Samples drawn by Mr. C. H. S. Mixer, the official inspector of the Chicago Board of Trade, who appeared to testify before your committee here in 1888, and by his assistant, Colonel Taylor, and by these officers placed in the hands of several distinguished chemists for analysis, elicited reports from these gentlemen of the most diverse and contrary nature. Seventeen samples being thus submitted to five experts, no three of the five agreed in their analysis of scarcely any one sample out of the seventeen. It was shown that in the packing-house of these particular defendants the tank room where the lard was rendered contained thirty-two cooking-tanks; twenty were used for prime steam lard; two were used for tallow; six were called grease-tanks; four of these grease-tanks were used for rendering the intestines of hogs and "the refuse of the house generally;" two were called "pluck" tanks and were used for rendering hearts, livers, legs, etc. (See page 52 of the published proceedings, Chicago, Knight & Leonard, printers, 1885.) The product of these tanks was conveyed in pipes to another room, where the tierces and packages were filled.

The men who conveyed the materials to the tank-room were not allowed to see into which tank any materials they conveyed thither were dumped. The men inside the room, who filled the tanks, were not allowed to see where the pipes led to and consequently did not know what became of the contents; and the men who drew the different kinds of lard out of the pipes in the filling-room did not know where the pipes came from and what was mixed in said pipes, and consequently could not swear positively to the composition of the product drawn into packages for shipment. Then other employés were detailed to apply the stencils and brands.

From this description of the packing-house arrangements it can be readily seen that no evidence could be procured sufficiently definite to sustain the charges; and considering also the inextricable confusion of the so-called expert scientific testimony, the directors of the Chicago Board of Trade were deprived of any alternative and were obliged to find for the defendants in a sort of Scotch verdict, "not proven." The board of directors, however, did not refrain from annexing to their verdict a statement, which we copy as follows (page 271):

"Inasmuch, however, as these charges involve questions of the greatest concern to the members of this association and to dealers and consumers of pork products, not only throughout our own country, but in foreign lands as well, the board of directors, in view of the evidence submitted in this case, both on the part of defendant and for the prosecution, can not, with a due regard to their responsibilities to the public and to the members of this association, refrain from expressing their unqualified disapproval of and censure upon the defendants for the remarkable methods of conducting the business of manufacturing lard in their establishment, as developed by the evidence in this case.

"It appears and is admitted to have been the practice during at least several of recent months that beef product in several forms has been rendered in the same tanks and with hog product, this mixed product of certain tanks being conducted through an intricate machinery and pipes, in which also prime steam lard was at times conveyed to their so-called lard refinery, wherein both prime steam lard and the mixed product used for what is called refined lard is drawn off into packages for market; and this in a manner that, by accident or design on the part of the employés of the establishment, could easily contaminate the purity of their prime steam lard, which might thus become more or less adulterated, not only with the beef product so rendered with a portion of their hog product, but also with the cotton-seed oil and other unknown substances used in the manufacture of their so-called refined lard; and this board, in view of the existing methods of manufacturing prime steam lard in that establishment, recommend that without delay the parties so readjust their lard-manufacturing arrangements that all grounds for suspicion in this respect shall be effectually removed."

The above is what the Chicago Board of Trade found to be the fact as to methods of manufacture in one of the large packing-houses of that city, not in the factory of a manufacturer of "lard compound." It is evident that if the public is to be protected against the adulteration of lard the law and its regulations must embrace all establishments where lard is produced, as well as those where it is compounded.

The price of lard involved in this particular controversy was 12.02½ cents per pound, it being of course an artificial value created by the efforts of the plaintiffs in this case to engross the market, or, in modern parlance, "run a corner on the board." But the beginning of the depression of the value of American lard dates back from this period. From the publication of these proceedings arose the first damage to our foreign trade in lard, and here were sown the seeds of that distrust concerning the integrity of packing-house lard which seems now to have spread almost all over the civilized world.

Subsequent to these proceedings the Chicago Board of Trade adopted new rules for the manufacture of packing-house lard, making two grades, the definitions of which we quote as follows from the testimony of the official inspector, Mr. C. H. S. Mixer, already quoted herein (see page 347 of the proceedings before your committee in 1888, as aforesaid):

"*Choice lard.*—Choice lard to be made from leaf and trimmings only, either steam or kettle rendered, the manner of rendering to be branded on each tierce.

"*Prime steam lard.*—Standard prime steam lard shall be solely the product of the trimmings and other fat parts of hogs, rendered in tanks by the direct application of steam, and without subsequent change in grain and character by the use of agitators or other machinery, except as such change may unavoidably come from transportation. It shall have proper color, flavor, and soundness for keeping, and no material which has been salted shall be included. The name and location of the renderer and the grade of the lard shall be plainly branded on each package at time of packing."

Mr. Mixer explained before the committee that the business of an inspector under these rules was to examine lard with three tests in mind, *i. e.*, odor, sight, and flavor, from which tests the inspector approved or rejected the lard according to his own individual expert judgment. Mr. Mixer stated that in all probability an inspector could not detect 10 per cent. of adulteration in fresh-made lard. He said that the inspectors had no control over the packing-houses; that it was "their duty to deal with the result, and not the processes;" that more than half of the lard inspected in Chicago for the preceding ten years was made outside of the State of Illinois and at points where there was no local inspection. (See Mr. Mixer's testimony, pages 244–247 of the report of 1888.)

It may be well to call attention right here to the fact that there is not even a board of trade inspection of lard anywhere except in Chicago, New York, Cincinnati, St. Louis, and Kansas City. Dozens of other packing-houses, as for instance at Boston, Louisville, Omaha, Nebraska City, Sioux City, Indianapolis, Milwaukee, are operated where there is no local inspection of lard whatever. True, when lard packed at these points is sold in cities having so-called "official" inspection such lard is subjected to such inspection at the point of sale; otherwise there is absolutely no supervision of any kind over the packing-house lard of the United States.

It can be seen from Mr. Mixer's testimony that what is called "official" inspection in the so-called "pure-lard" manufacture is very superficial at best; and we call especial attention to the fact that the testimony of all packers who appeared before this committee in 1888 agrees that the production of so-called "choice" lard according to the preceding definition was and is very small all through the United States, and that in fact nearly all the lard produced in our

packing-houses was and now is of the grade known as "prime steam" lard. The importance of this point will be seen as we go on.

The fact is that the degrading of so-called "pure lard" by the filthy methods of some of the American packing-houses is responsible for the disturbance of our European trade in lard. This is shown by the many complaints that have come back regarding the packing-house lard. See the recent correspondence between Gebrüder Gause, large importers in Germany of American lard, and the New York Produce Exchange (Appendix B). This correspondence shows the worthlessness of the present methods of inspection applied to "pure lard" and the inferior quality of the product which can pass such inspection and still be known as "pure lard."

We get a complete description of the manufacture of "prime steam" lard from Bulletin No. 13 of the United States Department of Agriculture, division of chemistry, part 4, from which we quote as follows (page 406):

"*Prime steam lard.*—The prime steam lard of commerce is made as follows: The whole head of the hog, after the removal of the jowl, is used for rendering. The heads are placed in the bottom of the rendering tank. The fat is pulled off the small intestines and also placed in the tank. Any fat that may be attached to the heart of the animal is also used. The back fat and trimmings are also used.

"This lard is passed solely on inspection, the inspector having no authority to supervise rendering establishments in order to secure a proper control of the kettles. According to the printed regulations, any part of the hog containing fat can be legally used.

"Since much uncertainty exists in regard to the disposition which is made of the guts of the hog, I have had the subject carefully investigated. Following are results of the study:

"*Guts.*—The definition of the term as used by hog-packers is: Everything inside of a hog except the lungs and heart, or, in other words, the abdominal viscera complete. The material is handled as follows:

"When the hog is split open the viscera are separated by cutting out the portion of flesh surrounding the anus and taking a strip containing the external urino-generative organs. The whole viscera are thrown on a table and divided as follows: The heart is thrown to one side and the fatty portion trimmed off for lard. The rest goes into the offal tank or sausage. The lungs and liver go into the offal tank or sausage. The rectum and large intestines are pulled from the intestinal fat and peritoneum, and, along with the adhering flesh and genito-urinary organs, sent to the trimmer. All flesh and the above-mentioned organs are trimmed off and the intestine proper is used for sausage casings. The trimmings, including the genito-urinary organs, are washed and dumped into the rendering tank. The small intestine is also pulled from the fatty membrane surrounding it and saved for sausage casings. The remaining material, consisting of the peritoneum, diaphragm, stomach, and adhering membranes, together with the intestinal fat, constitute the 'guts,' which are seen undergoing the process of washing, which is usually conducted in three or four different tanks. As the 'guts' pass into the first tank the stomach and peritoneum are split open and also any portion of the intestines which sometimes adheres to the peritoneum. After receiving a rough wash, they are passed from tank to tank, when, after the third or fourth wash, they are ready for the rendering tank. The omentum fat is cut from the kidneys, and the kidneys, with a little adhering fat, go into the rendering tank. Spleen and pancreas go into the rendering tanks, as do also the trachea, vocal chords, and œsophagus."

That there can be no question about the correctness of the foregoing, we refer to extracts from statements made before your committee in 1888, in the appendix hereto.

In our opinion the greatest injury to the farmer and his hog crop comes from the unscrupulous methods of the packing-houses and stock-yard buyers, methods which the honest farmer would not employ and could not if he would. A considerable proportion of the lard consumed in this country is purchased direct from the farmers and from the small butchers. Such lard is, as a rule, pure, sweet, and clean, prepared only from suitable parts of the animal and rendered in an open kettle. But when the farmer offers it for sale he is met at once by the competition of the prime steam lard, made by the packing-houses in large tanks under high steam pressure, in which practically the whole hog is stewed up. This method of manufacture injures the farmer in at least three ways.

1. It competes with and limits the sale and depresses the price of his home-made lard.

2. It degrades the standard of American lard, to the injury of our foreign commerce.

3. It transforms into so-called "lard" those portions of the animal which ought to be thrown away or sent to the glue factory, or soap factory, or fertilizer factory, or properly branded so as to enable the purchaser to know what kind of so-called lard he is purchasing.

It is evident that, if lard were now made by the packers as it always used to be made and as it is now made by the farmers, more hogs would be required to supply the present demand for lard and the price of hogs would be higher.

Now listen to the testimony of W. G. Bartle:

Statement of W. G. Bartle before the House Committee on Agriculture of the Fiftieth Congress.

Mr. W. G. BARTLE, of St. Louis. I am now nearly sixty-one years of age, and have been engaged in the pork-packing business, directly and indirectly, for forty years. I succeeded John J. Roe in 1870, and have been running the house known as W. G. Bartle & Co. since 1867. Prior to that, from 1860 to 1867, it was Hamilton & Bartle.

During my experience in the business of pork-packing I have been the owner of two large farms, and have been engaged in farming, and shipping cattle quite extensively to the Eastern and Southern markets.

(He went to Kansas City.) I went to the stock-yards in the first place and saw the character of the hogs that were brought there and offered for sale. From there I went to the pork-house of a certain concern there. They were cutting up hogs at the time. They commenced slaughtering at 9 o'clock. I walked up the chutes and saw the character of hogs they were slaughtering. They were what I expected to find, a great many of them diseased hogs, of which the markets of the West are now full, from what is known as cholera. Whilst looking at the hogs the foreman of the establishment came to me and we got into conversation. I said to him that I had got out of the business and that I believed that I was away behind the age.

I told him that I had been in the habit of making considerable white grease, for which I had been denounced. "Yes," he says, "there ain't much white grease made now, these days, and it is quite unnecessary to make it." He said: "I was foreman for a certain party (naming him), and one winter (that party) purchased 2,200 smothered hogs, all of which I put into the tanks, and they went into prime steam lard." I have never in all my packing experience made use of smothered hogs by putting them in the lard tanks. I have made them into white grease and sold the product as white grease. Now the character of the hogs, from disease, etc., is worse than formerly.

Piggy sows are sold on the market; they will even drop their pigs in the cars or in the pens and they are driven at once to the scalding tubs and pass on the slides as other hogs do. They go through the process of curing, and are made into breakfast bacon, sugar-cured hams, and everything else. No one, either at the hotels or anywhere else, can be free from eating that kind of unsound food. There are also the stags, rough and coarse, and often a good many boars that go into the packers' hands, and it is impossible for the packer to purchase what he wants without taking them. They come in car-load lots, and if you do not take them all you can not get any. Pregnant sows are docked about 40 pounds and stags are docked about 80, and sometimes when they are very coarse they and boars are docked more than that, or probably a low price per pound put upon them.

I think there is a great evil, commencing with the farmer, and that if strict inspection could be enforced it would relieve the packer and would be of great benefit to the farmer, because a lot of that kind of truck only cheapens the price of good articles. Such articles are unsightly and unfit for use, and the packer well knows it.

The farmer has now found it profitable to breed sows so that they will have their pigs in the spring of the year. Winter pigs are considered poor property. At this season of the year we are not troubled so much with piggy sows as we are in the early part of the winter packing season, because they now can make it profitable to keep the sows, as grass is coming on to nourish the sows, so as to raise the pigs. The farmer has found it profitable to him to put up the sows after having raised, say, three or four litters of pigs. They then become too heavy to be profitable as breeders, and they are put in the pen for fattening purposes, and after a time the boar is turned with them, as they take on fat more kindly and grow better. Hence the condition in which they come into market and are offered for sale.

I will also state to this committee how I happened to come here. I have a farm in the State of Missouri, on which I reside most of the time, coming to St. Louis probably once in two weeks, and staying a day or two and going back. Mr. Halstead Burnet, of St. Louis, told me of this attack that had been made. I paid no attention to it previous to that. I had leased my establishment, which is a central block in St. Louis; it is on the South side of Choteau avenue and Third street; it is a double block, and my establishment is on the south side of that double block, with railroad facilities and everything of that sort, which I must say is kept very clean.

It is a short distance below the Southern Hotel, and business could not be conducted in it if it was not kept clean. I consider this attack upon the refiner as unjust and unwarranted, knowing what I do of the way in which refiners conduct their business. I thought that it ought to commence at the root, and show up the kind of truck they have to make refined lard out of, which I think has been gone over here pretty fully, and so it is unnecessary for me to make any further statements about that. I certainly can, as a pork-packer and an experienced farmer, verify the statements that have been made in my presence here in regard to making prime steam lard.

I do not know anything else to state to this committee.

Mr. CROMWELL. When you said you had leased your establishment, to whom did you mean you had leased it?

Mr. BARTLE. I leased it to N. K. Fairbank & Co. I came here and paid my own way. I want it understood that I am not an employed witness here in the interest of any one, either Messrs. N. K. Fairbank & Co. or the pork-packers. I could go further into this and show you how it would redound to the benefit of the farmer to put the stock into good condition before bringing it to market, and impose a penalty upon the shipper who ships diseased animals, and also upon the packer who buys them, because they are unfit for human food. There is the place where this evil commences. There is no packer that is an exception to the rule.

Mr. Whittaker himself buys in the same market as I do, and he is compelled to pack the same character of stock that I do. So is Mr. Squire. They are also dealers in the National Stock Yards, and have to buy as I do. They are compelled to pack the same kind of stuff, and I know their hogs must die in transit; they must die after they get to the pens, sometimes in the first stages of disease or probably when they get there they may be in the last stages. That is the reason there are so many smothered hogs. As a practical farmer I think I can give you the reason why there is so much disease.

In old times, when I first commenced buying, which I did in 1846, when a mere boy, I made a purchase of eighteen thousand hogs my first year. The hogs in the country would run in the timber; they would make their beds in the leaves, six or eight in a place, and the pigs would run until they were ten months old, or probably older. They would then be matured and would be capable of standing the harsh food that they had to eat; that is, pure corn. Now at four months old they are put in pens, the corn is thrown in there indiscriminately, and they can eat the whole day, gorge themselves, and disease is bred which I think is so prevailing at the present day. Then there is the overcrowding of them in cars, which is another great evil, and is a sin. They are loaded until they are almost like sardines in a box, and young hogs, light in the bone and forced as they have been, are frequently smothered.

I had the good, bad, and indifferent. But I claim that I had to take the piggy sows, objectionable stags, and everything, just as other packers had to do. I was not an exception to the rule. Neither is Mr. Whittaker, Mr. Squire, or any one else. But the making of prime steam lard in these days I say is detestable, and there has been enough of filth flung in that direction to disgust anybody. But I am sorry to say that the description given of the way it is made is the truth.

The CHAIRMAN (to Mr. Cromwell). Do you desire to ask Mr. Bartle any further questions?

Mr. CROMWELL. No, sir; I will not interrogate him; he makes his own statement.

Under cross-examination by Judge Wilson, of counsel for advocates of the bill, he said: "The fact is when two or three thousand hogs are coming and going through the pens amongst other hogs you can not tell the cholera hogs until they are gutted; then the color of the hogs will show."

Q. What did you do with them?

A. They went into bacon, just the same as the rest of them, and they are doing it now. The yards are almost full of them. There is more this season than I have ever known. In Central Missouri there is scarcely a drove of cattle that has not got hogs following it simply because they have become diseased and have had to be shipped to market. I myself have had to ship several lots, and I have two hundred on hand now in Missouri.

Q. This is the kind of information that the committee ought to have.

A. Yes, sir; I want to give them a plain and unvarnished statement.

Q. This is something that the country ought to know, and so I hope you will give it to us just as fully as you can.

A. I will try to do so. It is very hard for a packer to detect the presence of cholera when they are all crowded together, especially a man buying two or three thousand every day. They are crowded in close pens in the yard, and mixed up with other hogs, and it is very hard to distinguish even the boars and the stags. Sometimes you know them when you are watching; in that way you can get a pretty good idea. That is, only after they have passed into your possession. Before that it is very hard to detect.

Q. So that the root of all this evil lies with the farmer; that is your idea?

A. That is the exact point.

Q. The hogs become diseased when they are in the possession of the farmer; he sends them to you and you buy them; then you convert them into meat and put them on the market, you knowing that the hogs were diseased when you converted them into meat, just as the farmer knew that they were diseased at the time he sold them to you; is that so?

A. Yes, sir; that is unavoidable. The same thing applies to cattle with Texas fever.

Q. Who was it suggested it to you to come here and testify?

A. I will state to you how it came. It will be necessary to do that to show it

up. I was on the Board of Trade when Mr. Halstead Burnet told me the manner in which their business was attacked.

Q. Who is Mr. Burnet?

A. Halstead Burnet is a member of the firm of N. K. Fairbank & Co. I had said nothing to him in regard to it, and I went across the street to a lunch-house kept by a man by the name of Hellary, and there I remarked to a pork-packer named George Day, an old pork-packer of St. Louis, that I thought they ought to commence further back. In the first place they should commence with the farmer, and at the stock-yards and packers; that I thought there was more filth in prime steam lard than there was in anything that the refiner could do to purify that, to add to its purity. Then I was called upon afterwards. Mr. Burnet came and asked me if I would have any objections to going to Chicago with him that night. I told him I would not. I came to Chicago, but unprepared at that time to come to Washington. But I came here of my own accord, of my own free will, in my own way, and I would not take 5 cents from anybody to come here to testify for anything. I came here perfectly independent.

Mr. WILSON. That is not responsive to my question, but I did not interrupt him. I am not making any imputations against you, Mr. Bartle; I simply ask you who it was suggested that you visit this packing-house. You say it was Mr. Burnet, of the firm of Fairbank & Co.

Mr. BARTLE. I feel a deep interest in remedying this evil by commencing at the root, where it comes in.

The CHAIRMAN. Some of your statements are very astonishing to me. I have had some experience, as you know, not only as a packer, but as a farmer, and have lived in the midst of a farming country. What may be true of Morgan County is not true of Northeast Missouri. There is not one farmer in a hundred that I know of within the last ten years who will spoil a nice lot of hogs by putting into it stags, boars, and piggy sows, because the loss falls on him.

Mr. BARTLE. It is getting worse every year. We had a number of books that we kept for the benefit of buyers. These books gave the name of the owner of the hogs, the number of the pens they are in, the dock taken off, the number of sows and stags, the price, and the amount carried out. We kept three of those.

Q. You say you think the proportion of that kind of hogs used in the manner you have described is growing?

A. Yes, sir.

Q. Is it not true that this rule of docking has been increased and more rigidly enforced in the last few years than formerly?

A. I think on stags it has, but on sows it has been 40 pounds for a long time; they would sometimes agree as to stags, and there was no general rule; it was usually 40 or 50 pounds, and sometimes 60, according to whether it was a young stag or an old one. But I know this, that a first-class packer don't want stags if he can help it.

The CHAIRMAN. As a rule, in the part of the State of Missouri where I live, you can not sell a boar to a butcher or packer at all; I know that to be the case in my town. In the last ten years I have paid high prices for fatted hogs and kept them until they were three or four years of age, and I have been invariably compelled to send them to rendering establishments, where dead animals from the stock-yards are rendered. I have never in the last ten years sold one to a butcher or packer; they will not buy them at all. I have seen hogs shipped at the stock-yards at Hannibal, and I do not believe that they would average one of that character to a hundred hogs, because the dealers are all particular about it, and so are the farmers who offer their hogs for sale.

Q. Now will you be kind enough to state at what time in your packing establishment in St. Louis, during your experience as a packer, you commenced in the house of John J. Roe & Co. to render your smothered hogs?

A. No, sir.

Q. I say, can you tell about what time you commenced to do that?

A. When there was any that came in they were rendered in the same manner that we continued to render them afterwards, in No. 2 tanks, and they went in the direction I tell you, as white grease. But it is only of late years that there has got to be so many of them, which I tried to explain.

Q. Here is what I want to get at: You stated that before you went into business on your own account you bought hogs at the stock-yards for Francis Whittaker & Sons and John J. Roe & Co.?

A. I think I bought all of Whittaker's hogs for seven years.

Q. During that time what was done with the smothered or down hogs at the stock-yards?

A. Those I bought for Francis Whittaker he rendered out. The year that there was so much loss on the Hannibal and St. Jo road, so many hogs frozen, I bought him several thousand; I had them piled up mountain high.

Q. That was during the war?

A. Yes, sir. I even took my own teams from my business to haul dead hogs, and they were rendered out at his Rocky Branch establishment.

Q. Not at his packing establishment?

A. At his slaughter-house. I bought them for almost a song; I used to pay so much apiece for them.

Q. What I want to get at is, when you were buying hogs in the ordinary way, by the car-load, when you went on the market to buy a car-load of hogs, did you buy the hogs in the pen or did you buy the dead hogs that came in the car?

A. Never.

Q. Do you state—because this statement of yours will go out to the entire country—to this committee and the country that during the time you were packing hogs in St. Louis, with a large Southern trade, as I know that house had, you made no effort to separate that class of hogs from what you were putting into the food product that was being sold under your brand?

A. Yes; I did. I watched the pen always, and would never touch a lot of hogs that I thought had the cholera. But, as I may state to this committee, it is impossible for you to detect them when there are only a few in the lot.

By Mr. WHITING:

Q. I would like to ask, for information: In the manufacture of this refined lard, they buy pure steam lard?

A. They buy pure steam lard.

Q. Do they purify that any before they put in cotton-seed oil?

A. Yes, sir.

Q. So that a large portion of what is known as Armour & Co's or Fairbank's refined lard is made of steam-refined lard, which is somewhat purified?

A. Yes, sir; it goes through a process which takes out the dregs and settlings that may be in it.

Q. They think that is necessary in order to put a good article on the market?

A. I think so.

Q. And the prime steam lard, in your opinion, is not a good marketable, edible fat?

A. I say it is not.

Mr. LAIRD:

Q. Who asked you to come here—that is, who of the gentlemen present, counsel of Mr. Fairbank or any one?

A. There is no one here who knew anything about my coming here; I do not think a single person knew of it.

By Mr. CROMWELL:

Q. In answer to Judge Wilson's questions I understood you to state that you might justify legislation under the conditions he stated?

A. Yes, sir.

Q. I want to know if you know of any fact or any reason that has occurred within your knowledge and observation, in your forty years' experience, for placing an inspector in any establishment or any manufactory of refined lard?

A. I do not.

Q. Or for placing the manufacture of refined lard under any supervision whatever?

A. I do not.

Q. Do you think there should be any legislation against refined lard, if it be made solely of refined steam lard, in addition to cotton-seed oil and pressed beef fat? Do you think there should be any legislation if it be made solely of those three ingredients?

A. Well, I do not know how to answer that question. I came here to state what lard was before it came into the hands of the refiner. From what knowledge I have of refining I can not see that there would be any necessity, if the articles that they get are pure when they get them and compounded and put together; I can not see where there would be any injurious effects at all.

Q. Refined steam lard which they subject to this refining process is better after that process than before, is it not?

A. I am satisfied it is.

Q. Then if the cotton-seed oil is properly refined and pure, if the pressed beef fat is of good quality, is the composition, the result, a wholesome and nutritious one.

A. I should say it was.

By Mr. OLIVER:

Q. Judge WILSON has asked you a hypothetical question as to the effect on the market of a discovery that refined lard contained the percentage of elements that he named. What would be the effect upon people if they knew that pure lard contained gut-fat, pigs'-feet grease, etc.?

A. I think if they discovered that they would not buy it.

Now hear the statements of other witnesses on the same subject, and also a letter from German importers at Berlin:

APPENDIX A.

[Excerpts from report of hearings before the House Committee on Agriculture and before the Senate Committee on Agriculture. Government Printing Office, 1888.]

Statement of Michael Ryan (page 47).

Q. What kinds of brands of lard do you manufacture?

A. Principally prime steam lard.

Q. Out of what do you make it?

A. Prime steam lard, or, as we sometimes call it, hog round lard, is made from the trimmings and the leaf, the gut-fat and the heads of the hog; all parts of the hog go into this prime steam lard in equal proportions.

Statement of Joel A. Sperry (page 61).

The steam lard which we make is composed of the trimmings from the hams, which is fat, off the shoulder and off the side, and the lard that is taken off the guts.

(Page 63.) There are a good many concerns, I think, that make but one article of lard; they make what we call the run of the house, which is the product of the hog, all of it.

(Page 66.) There are certain brands of steam lard on the market now that I would not buy with out I had a sample and test, because I know there is no dependence upon it.

(Page 67.) Q. What sort of pearl-ash do you use?

A. It is the best.

Q. It makes prime steam lard?

A. Yes, sir.

Q. That means clarified then, does it?

A. It is simply this: It is lard where it is drawn off and rendered in tanks. Of course, rendering 3,000 or 4,000 pounds of lard by running steam into it, that accumulates a certain amount of water, and the refuse and scrap that is left when that lard is thoroughly cooked settles, and in drawing that off at times you have got to draw it down so that you don't leave any lard upon this water and sediment. You can't get all off many times, though, and there will be a little scrap that will go off with this, and that gets into the lard. It is not perceptible, but you put it into a receptacle and boil it over this water with a little pearl-ash in it, and that separates it all, and after it has stood it settles, and you can draw the water off, and it takes every particle, and when you put up 100 tierces of lard it will be all alike and clean.

Statement of John Whittaker (page 71).

Q. What has been spoken of here as prime steam lard, as I understand you, is the unmixed fat of the hog.

A. Prime steam lard is the usual proportions of fat coming from the ordinary good hog.

Q. There is nothing else mixed with it?

A. No, sir.

Q. So that any man who buys prime steam lard gets nothing but the fat of the hog?

A. That is according to the rules of the Board of Trade, and I think those rules are generally lived up to.

Statement of Abram S. Jewell (page 99).

Q. Speaking now of packers, do you know whether packers ten years ago used gut fat in the manufacture of lard?

A. I think they did. I think it is used now in what they call hog round lard.

Q. How recently did the packers begin to use gut fat?

A. That I can not tell.

Q. In the past few years, however, was it not?

A. Yes, sir. There has been a great improvement in the last twenty years in the manufacture of lard, and in fact in preparing the hog for the market. It is reduced to a science now, and many portions of the hog that forty years ago were thrown away are now utilized, some in one form and some in another. But when it comes on our market, it comes on in a uniform manner, when before it came very ununiform. As I said, the process of producing lard from the hog is reduced now to a science.

Q. But it has only been in recent years that the gut fat has been employed in the manufacture of lard by the packers?

A. I should think so. I can't tell you how long since it has been used.

Q. In recent years?

A. I couldn't tell you how long ago it first began to be used.

Q. Respecting the heads, how long have packers been employing the head fat and putting that in the tank?

A. About the time they began rendering lard by steam.

Q. Is that also so about the feet?

A. The same in regard to feet. Before they commenced using steam to render lard the head and feet were never used as lard.

Q. But since they have introduced the steam process they employ the head and feet?

A. Yes, sir.

Q. As well as the entrail fat?

A. Yes; fat from the entrails.

Statement of U. S. Epperson (page 102).

We manufacture prime steam lard in the manner very accurately described by Mr. Whittaker, of St. Louis, yesterday.

Prime steam lard is the standard lard of commerce, deliverable on board of trade contracts.

We refer at this point to the statements of John C. Hately and William G. Bartle, quoted in previous report upon this same bill; *i. e.*, Report 970, part 2, Appendix D.

We call especial attention to the following remark from Mr. Hately, which appears on page 337 of the report of 1888:

"It has not been a great many years ago since the whole entrails as they were taken from the hog, the greater portion of the fat on them, were taken away, carried out and buried. It has not been many years ago since some packers on the Mississippi River thought the head or feet or anything of that kind was of no value whatever. They only killed in the winter time, and one packer remarked to me: 'What fools we were. We had big profits in those days if we had only known it. We used to take the heads and feet and guts and run them out on the Mississippi River and pile them up there, and when the ice broke in the spring away they went.'

"Q. Then what was called white grease now goes into the manufacture of lard?

"A. Yes, sir. The lard system is now so entirely different that we could not make white grease."

The testimony of James Matthews (page 159) and of John Callahan (page 163) seems practically in accord with that of the packers. Some attempt was made at one time to discredit the testimony of these men, because having been employed in the packing-house of one of the proponents of this bill they were induced by some of the opponents to appear in Washington and make their statements before your committee. No serious attempt, however, was made to contradict or impeach their testimony. Both appear to be good, honest, ordinary every-day laborers. But there should have been no more objection to their appearing before the committee than there was to Professor Sharples, who appeared as the paid expert of these same proponents. We must allow that the workingman is honest as well as the professional man.

Statement of N. K. Fairbank (page 291).

That process reduced the quality of prime steam lard, and it got it to such a point that the people began to complain of a bitter taste in it.

Now in the great packing-houses of the West they do not stop to clean the guts or make sausage cases of them. There are only certain particular entrails used for that purpose, and all of the gut fat. They just wash around, not thoroughly, and then throw all into the tank.

Q. Guts and all?

A. Guts, head, feet, and everything. The lard tank to-day in a packing-house is a sewer for cleaning out everything in the shape of grease. To-day there is not a packing-house that makes—I won't say a tierce—but there is no such thing as white grease from packers on the market.

Q. That is worked up into lard?

A. It all goes into the lard, all the product that we used to buy as white grease. There is no such thing as No. 1 lard any more. It all goes in, and is all prime steam lard. The quality of it had deteriorated to such an extent that we had to get something to mitigate it, to do away with the taste and smell.

APPENDIX B.

BERLIN, *September* 13, 1889.

The SECRETARY OF THE PRODUCE EXCHANGE,
New York:

We, the undersigned, beg to call your attention to irregularities in the lard trade which are apt to shake our confidence in the respectability of New York shippers and damage our trade with your market.

For years we have purchased from New York commission merchants large quantities of Western steam lard on condition that every lot be accompanied by certificates of inspection by a properly appointed inspector and approved as choice quality. These certificates are frequently issued in such frivolous manner that they give no guaranty whatever of the quality of the goods. We are informed that your inspectors do not personally inspect the goods when the same are delivered by respectable packing-houses, but grant any certificate required without examination. Such appears to have been the case with a lot of 350 tierces choice Western steam lard marked K. U. X. Y. Z. F. G., branded Jacob Vogel & Son.

Messrs. ——,* of your city, have shipped for our account by steam-ship Gellert and also with the lot of 100 tierces marked F. H. 100, branded Jacob Vogel & Son, shipped by steam-ship Ems. According to the certificate of Mr. Charles H. Munday, which please find inclosed, these lots have been approved as choice Western steam lard, but the goods do not correspond with this definition, "choice quality."

A number of tierces contain a dirty yellow malodorous substance which seems to be gut-lard or ordinary lard drawn too close on the tank bottom. This fat can not be sold here as lard or for any edible purposes.

We have sent Messrs. —— a claim for the loss we have suffered on this shipment and would request you to point out the justice of proper certification in such cases, which would otherwise shake the confidence in American lard, which, owing to frequent similar occurrences in the past, is not what it ought to be in this market.

The trade here accepts refined or compound lard on faith in the brands, but in the case of steam lard, which forms the bulk of our importations, we look to the inspection certificates for a protection, which is only too illusory, and when we are deceived through fraud or carelessness we are placed in this position, that the American shipper creeps behind his certificate, while our buyers hold us responsible for the quality delivered.

We can not too strongly point out to your honorable board the necessity of providing easy means of redress, as well as strict control of your public inspectors, as otherwise our Government might feel compelled to provide supervision on sanitary grounds.

We are only asking for delivery of that which we buy and pay for, and feeling confident that commercial honor is the first requirement on your exchange, as well as our own, we ask your prompt attention to the case in hand, signing most respectfully,

GEBR. GAUSE.

It is evident, Mr. Speaker, that this bill will pass, because the vast majority of the Republicans are in favor of it, and they are aided by nearly all the Democrats from the West, including the greater number, if not all, of the Missouri delegation on the Democratic side; but the knowledge of this fact does not deter its opponents from entering their solemn protest against it.

The bill is outside of the spirit of the Constitution; it is deceitful and fraudulent legislation; it is sectional; it is oppressive in its requirements; it seeks to protect the Western hogs and to crush the cotton-seed-oil industry; it injures the consumer by increasing the price on articles of home consumption; it declares that lard compound is deleterious, but fails to prove the charge; it insists that "lard compound" is a fraudulent label and then compromises by allowing the manufacturers to use either brand, "lard-compound" or "compound lard;" it strives to sustain a filthy, unclean product against a pure, wholesome commodity, and while it objects to the picture of the hog's head on the label of "lard compound" it puts in prime steam lard the hog's head itself as well as the guts and unclean parts of the hog.

* The name is omitted because the shipper was not to blame for the poor quality of lard delivered by the packer or for the inspector's carelessness.

Compound Lard.

SPEECH
OF
HON. EDWARD LANE,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 21, 1890.

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. LANE said:

Mr. SPEAKER: The special order under which the House is now proceeding embraces three measures, that is to say, the meat-inspection bill, the pure-lard bill, and what is known as the option or Butterworth bill. These three measures come from the Committee on Agriculture and are presumed to be in the interest of the farmers of the country. I favor all three of these bills, but do not concede to them the importance claimed for them by some gentlemen on the floor of the House.

In regard to the first bill I wish to say that, when we consider the fact that at various times contagious diseases are certain to prevail among food cattle, it is certainly essential that such inspection should be provided as will prevent the sale for food of diseased meat. If State or municipal laws are inefficient, national law should be provided. Inspection of cattle previous to slaughter should in all cases be enforced, and, where such is impossible, inspection of the flesh should be made previous to sale.

Prior to 1881 the pork of this country had access to all foreign markets, but in that year the German and French Governments forbade the importation of our pork into their markets; and prior to 1884 the markets of the world were open to the sale of American cattle, but in that year the British Government excluded our cattle, except on condition that they should be slaughtered within ten days after they reached port. We learn by official reports that our shipment of pork had reached $104,000,000 annually, but on the passage of these laws by the French and German Governments it fell immediately to less than $60,000,000, and that the shipment of cattle prior to this time amounted to $17,000,000 annually, and under these new conditions it fell to $10,000,000. These losses since that time to our people amount to over $450,000,000.

These discriminations were made against our meat product by the foreign Governments on the ground that such meats were diseased and unfit for food. Under this bill it is to be hoped that when the proper inspection is made it will enable our people to insist that it shall be accepted as pure and healthful, and in case it is refused the bill empowers the President to declare our ports closed against everything such countries produce and desire to ship into this country. The bill will also to some extent protect home consumers in the use of healthful meats, which is very much desired. I hope the law will prove beneficial to all the people, and if it fails in its purpose it can be repealed.

The pure-lard bill, or what is known as the Conger bill, is the second in the special order, and its friends claim that it is in the interest of pure and healthful food, and if this is true there should be no serious objections to this law. There is in this day and age a great deal of sham and shoddy in the world, and people can stand a good deal of this, but, when the substance on which human nature feeds and subsists itself is so doctored and compounded that we do not know what we are eating, it is time that humanity should have some relief, even if it is by force of law.

Mr. Speaker, during this debate I have heard and read so much about the adulteration of lard and the handling of pork that I am almost ready to forswear my religion and become a Jew. I know that counterfeiting has been practiced since the dawn of civilization, but I had no idea until I heard this debate and read the testimony taken by the committee that such systematic fraud had been practiced on the consumers of the country in the sale of compound lard. Not only has a fraud been practiced on the consumers of the country, but also on the farmers who are engaged in raising hogs for the market. I knew that the manufacturers of the country, by the assistance of Congress, were obtaining protection that must be paid by the farmer, that the farmer was being discriminated against, but

I did not dream to what extent these manufacturers of the so-called compound lard were imposing on the farmers of the country.

We raised in this country last year 51,602,780 hogs, and from the testimony taken before the committee it is estimated that because of this compound-lard process these hogs depreciated 70 cents per hog, some witnesses putting it as low as 40 cents and others as high as $1. The testimony further shows that this compound lard is made of 60 per cent. cotton-seed oil mixed with 20 per cent. of tallow or stearine and 20 per cent. of lard for "flavor." It is further shown by the testimony that sometimes they put as much as 35 per cent. of water into it, and then this compound is sold as pure refined family lard or prime refined leaf lard, and some gentlemen call this vile mixture pure and healthful food, or at least good enough for poor people to eat; and, to listen to the story of these honest manufacturers of this villainous compound as they speak through their representatives on this floor, one would be led to believe that they were engaged in this business solely in the interest of the poor.

They say that cotton-seed oil is healthful and so is tallow. That may be so in their natural condition, but the samples of this compound lard brought before the committee and analyzed by the chemist are of such a vile character that they are a stench to the nostril and revolting to the stomach. But some of these compounds are so mixed that no one but an expert can tell the counterfeit from the true article, and people are thereby deceived. Counterfeiting in any form is a fraud, but if a person passes on me a counterfeit bill and I pass it again on some person else I am not harmed thereby; but when I purchase an article of food to sustain life and I am deceived, then I do sustain a great injury. Nor does the fact that cotton-seed oil is not injurious to the human system help the matter.

I have no objection to the manufacture and sale of cotton-seed oil, and I think that if any person wishes to use it for food he should be permitted to do so. Far be it from me to dictate by legislation what any man should eat or drink. I think these are personal rights, to be settled by each individual, and not by law. If any person wishes to purchase and use as food cotton-seed oil, let him do so, and mix it with lard or tallow in any proportion that his appetite may demand, or even if he wishes to purchase it in the compound form let him do so; but what I insist is that the consumer should not be deceived in what he purchases; that every tub should stand on its own bottom.

It is shown in the testimony before the committee that a single city in this country in 1886 shipped of this character of lard 267,500,000 pounds in excess of receipts. This is the fraud I complain of and which I think should be stopped. The amount of this fraudulent lard made in the United States annually is 320,000,000 pounds.

Mr. Speaker, I represent an agricultural district largely engaged in raising hogs. Last year Illinois raised more hogs than any other State in the Union except Iowa, the number being 5,433,250. Now, if there is a loss of 80 cents per hog, as is shown by the testimony, it would make a loss of $4,346,600 to the farmers of Illinois.

My people favor this law, Mr. Speaker, and I think it is the duty of a Representative on this floor to truly represent his constituents without regard to his own views when the enactment of such law does not conflict with the Constitution. I would prefer that this result could be reached through our State legislation. But it seems, in order to stop this fraud and secure, not free trade or fair trade, but an honest trade, Congress must take charge of this matter and stop this falsehood, deceit, and fraud hitherto practiced on the producer and consumer of swine.

But, Mr. Speaker, I regard the option or Butterworth bill as more appropriate legislation than either of the other two. Option dealing is a vice, and statute law should make it a crime. The necessity for relief to our farmers is apparent to everybody. Great distress is near at hand unless a remedy is soon found, and I am quite sure that this bill will not furnish adequate relief, but it is a step in the right direction. The state of the markets on grain and stock threaten the heart of the grain and stock producing interests of the West.

We see an effect. What is the cause?

We learn from the public press that a committee of the United States Senate is insulted and treated with contempt by those engaged in dealing in stock.

We are informed that demagogues are busy inflaming the public mind against men engaged in the laudable attempt to destroy the price of grain.

We are taught that the Federal Constitution is too narrow to relieve the known distresses of those engaged in agricultural pursuits and that State constitutions are not broad enough to reach the disease.

If this be true, we must either prepare for a worse condition of the grain and stock market or we must amend the fundamental law.

If the States can not regulate this by uniformity of legislation, then the power should be, by amendment, conferred on the Federal Government. We are suffering from a cause that only criminal laws can wipe out.

There is great depression in all the products of the farm, and the option dealer and his friends cry overproduction, but statistics prove that the amount of grain produced has no effect on the market.

The bull and bear raise and lower prices according as they command capital. Whether wheat is 50 cents or $1 per bushel cuts no figure. Supply and demand have no perceptible effect on prices. If the bull is successful markets are good; if the bear triumphs there is a crash.

Option-dealing or selling what one does not have and has no intention of possessing, or, putting it in its true light, betting on the price of grain and stock at a future date, is vicious, because there is an incentive on the part of one party to the bet to destroy the worth of an article.

Option-dealing is nothing but gambling pure and simple, that and nothing more.

If a man bets $5,000 that certain lots will depreciate 30 per cent. in three months, he must to gain his wager create a panic in lots in that neighborhood which might get him into trouble, and yet so-called respectable men bet on the price of grain, and the result on the real owner of grain is disastrous.

I may be wrong in my conclusions, but the depression of farm products has led me to the conclusion that the tendency of grain-gambling is to drive the American farmer from the farm.

There is an evil, a vice, damaging the crop and stock interest of the West and South, and this vice should be made a crime.

The grain gambler should be on a level with the poker-chip man, the keno-caller, the faro-dealer. The grain man is quasi-respectable everywhere, the common gambler ostracized everywhere; and yet, so far as the consequences to the people of this country are concerned, the common gambler is harmless as compared to this output of respectable grain-monte population which has swarmed on us in the last decade.

The common gambler has no capital and has a bad reputation. His life brings poverty on himself and disgrace to his family. His victims are few and are to blame for being caught. The gambler dies unregretted, unwept, and dishonored. The grain-monte man has capital, power, influence, position, and the result of his life is injurious to that pursuit in life which makes America the pre-eminent nation of earth.

Rob us of grain and stock and we are paupers. Debase this industry and we are a nation of serfs; uplift it and we are the most prosperous of all people. If we are to have an American farmer we must have compensation for labor. Slaves, peasants, serfs, are the only farming class that can be made to toil for others at wages or profits less than the cost of a crop, and the continuance of the option dealer will result in driving Americans from the farm and filling their places with an alien tenant class, a class that will be brought here, not to be citizens or own land, but to eke out a livelihood as tenants from one generation to another.

If these things make no impression on the public mind it will be because the people who gain wealth by other pursuits are indifferent to the fate of the American farmer and stock-raiser, and because they are content to live, exist, grow rich, and die surrounded by a mass of humanity from across the ocean who have but one idea in life, a bare living; and yet, when the American ceases to farm and lands are tilled by tenants, the effects of this will affect all other trade and business. To drive the option dealer from options forces the capital engaged in it, beyond the real visible supply, to engage in honest pursuits and results in benefit to the country at large.

It is conceded that we must find some means to check this growing evil. It is hinted, if not asserted, that the powers granted to Congress do not include the power to regulate this phase of so-called commerce and that the power of the State does not reach out beyond its territorial limits.

I think, Mr. Speaker, that the power of Congress is ample for this purpose and that its power should be invoked in the interest of agriculture, and I hope that the proposed measure will secure the desired result. When we look at the great interest and value of farm products these products are entitled to our highest consideration. The value of some of the farm products of last year in this country are as follows: Potatoes, $94,000,000; hay, $408,000,000; tobacco, $43,000,000; cotton, $292,000,000; corn, $597,000,000; wheat, $342,000,000; oats, $10,012,000; hogs, $243,418,336; horses, $978,516,562; mules, $182,394,099; sheep, $100,659,761; milch cows, $353,152,133; oxen and other cattle, $560,625,137.

This does not include many other crops, as rye, buckwheat, etc., but I respectfully submit that the interests I have mentioned are sufficient to be protected from gamblers and robbers. Henry Ward Beecher said that—

> Gambling with cards or dice or stocks is all one thing; it is getting money without giving an equivalent for it.

Mr. Speaker, gambling is a vice which is productive of every possible evil. It is the offspring of avarice, the brother of iniquity, and the parent of mischief. It has brought disgrace to many a worthy family, is the cause of the loss of honor to man, and finally leads to suicide. It is only a question of time with all gamblers; though good fortune may attend them for awhile, the reverse is sure to follow, and the greater master a gambler may be in his art the worse man he is.

The statute of Illinois provides that whoever deals in options in any grain or stock or spreads false rumors to influence or affect the prices of the market shall be fined in a sum not less than $10 nor more than $1,000 or be confined in jail not exceeding one year, or both, and that all option contracts shall be absolutely null and void. The supreme court of that State has held this statute valid

in both civil and criminal proceedings. It is not held that future delivery of grain or other commodity is prohibited by this statute, but simple speculations in differences in market values. The bill under consideration only requires a person engaged in the option business to take out a license, as such dealer, from the Government, for which he is to pay $1,000 annually, and in default of such license if he carries on the business he shall be subject to a fine of not less than $1,000 and not more than $5,000 or imprisonment, or both fine and imprisonment.

The evident intention of the law is to tax the business out of existence, as State banks have been. I hope the bill will have the desired effect, and I will give it my support, but I would much prefer that these matters should be attended to in the several States by local statutes, but it seems it can not be done, and therefore the appeal is made to Congress to grant the desired relief.

Mr. Speaker, it is claimed that these three acts are in the interest of the farmer and are passed for his protection, and that this is about all that will be done for him at this session of Congress. Congress has been in session now nearly nine months, and the passage of these three acts is but a mere bagatelle in the way of benefits as compared to the increased burdens imposed on the farmers and laborers of the country by the tariff bill passed by this House at the present session. This class of men can not be deceived any longer, and the sham and humbug of passing these acts as compensatory for the passage of the tariff legislation is too apparent to mislead any person.

I do not insist that tariff legislation is the only legislation that injures the farmers, but I do insist that it is the chief cause to-day of the depression in the fields of agriculture, and it threatens to pauperize labor. It is the greatest political question to-day in this country, and it will ever so remain until the Government ceases its paternalism of the manufacturers of this country. It is the greatest question for the reason that it involves the principle of personal liberty in its broadest sense. A protective tariff creates monopolies, centralizes wealth, and restrains freedom. It is the variation and diffusion of freedom which produces the greatest sum of human happiness, energy, and the greatest sum of human skill, the greatest sum of human benefits, and their most equitable distribution. The moment a political privilege of any kind is created, freedom recedes just so far as the privilege operates. When a tariff law takes one-third of the earnings of the labor of one man and gives it to another without his consent, it encroaches on his personal liberty, and to that extent encroaches on the principles of a free Government. Liberty and liberty alone gives to man all for which existence is valuable, and where there is liberty there slavery can not be, and there is no liberty when a man can not sell the proceeds of his labor.

I do not think, Mr. Speaker, that the cause of agriculture's depression is due to either of the causes mentioned in these bills, and I wish briefly to submit some views on this question to the House and the country. I believe that it is admitted on both sides of this Chamber, at least in the public press, that agriculture in no civilized country under the sun has been placed by the Government in such a state of oppression as in this land.

I know that some persons claim that the Government is not responsible for this oppression, but the trouble is overproduction and that the farmers of the country are complaining at imaginary evils. I do not believe this. The American farmers are becoming conscious of their wrongs and from all parts of the country they are coming together. They are joining hands in organization and co-operation, and they demand that their rights shall be respected and that justice shall be done them. They are insisting upon their rights to the profits of their industry and they declare they will no longer bear most of the burdens of society and government. They are possessed of good practical sense and have discovered the cause of their oppression, and the farmers will not allow themselves to be degraded to the condition of serfs, and from my heart of hearts I wish them success.

On the farmer depends the prosperity of the whole country, for in the end he feeds the world. When the farmer is not prosperous the local merchant and mechanic can not prosper. The country towns depend on the farmer for trade and support, and when he fails they of necessity fail also. Our fathers regarded agriculture, commerce, and manufacturing as the three great pillars of the state, but two of these, agriculture and commerce, are practically dead and manufacturing alone flourishes at the expense of everything else.

The principle of our so-called protection has driven our merchant marine from the high seas, and we pay annually to British ships for carrying our products more than $150,000,000. If it was not for this protective system to-day American ships, sailing under American flags, manned by American seamen, would be carrying the products of our farms over seas and into every port, and bringing back to us in exchange fruits of other climates, impossible to produce here, and raw material which American labor could form into the finished product to be again sent forth to enrich ourselves and to bless mankind. Before the adoption of this policy our ships carried nearly 70 per cent. of the commerce of the world and the Stars and Stripes were seen floating from our mast-head against every sky and in every sea and ocean of the world.

This, Mr. Speaker, is the sad condition of American commerce to-day. It has nearly disappeared from the face of the earth and ceased to be God's missionary to carry to other nations the fruits of our soil and the wealth of our mines and shops.

Now let us see how agriculture fared in this country for the past decade. On a former occasion during this session I gave to the House in detail facts and figures showing the decline in prices of farm values and the decrease in the price of the products of the farm, which amounted to many millions of dollars' loss to the farmers of this country, and more especially in the West and Northwest. But farm values have declined in the manufacturing States also.

In the Philadelphia Press of October 7, 1889, was a special dispatch from Lancaster, as follows:

Real estate is not bringing large prices in Lancaster County this year, and in some instances the depreciation is startling. A farm was sold in Strasburgh Township last week for $173.50 per acre for which $289 per acre had been offered at public sale last year, the offer being refused and the farm withdrawn. A farm in Rapho Township for which $18,000 was paid can not find purchasers now at $10,000.

In the Philadelphia Press of December 3, 1889, in an editorial entitled "The fall in farm values," the editor says:

In the New England States it has reached the point where farms are constantly offered for the cost of the buildings and fences upon them, so that the land is practically given away if any one will pay for the bare cost of improvements. The collapse has not been complete in the Middle States, but we do not suppose any well informed person will place the loss in farm values, as compared with the prices fifteen years ago, at less than 30 per cent. We should be glad to believe it was no greater. In only too many instances it reaches 50 per cent. Bankers know only too well how frequently this shrinkage has sunk below the line which once represented the mortgage value. * * * We do not believe any economic question is of greater weight and interest than this change in farm values. It demands and deserves the closest and most careful investigation. Unless the Pennsylvania farmer wishes to see the forest invade the farm, as it has in New England, the cause for this great depreciation must be investigated and a remedy proposed.

In The New Era, the leading Republican paper of Lancaster, Pa., of October 3, 1889, is this editorial item:

The sale of a hotel and grounds in the village of Rothville for $2,500, on last Saturday, for which $7,500 was bid and refused five years ago, seems to indicate that there has been a decline in the price of real estate in Lancaster County, despite the contrary assertion of a learned contemporary.

The New Era also says editorially, in its issue of December 10, 1889:

That agriculture here in the East is in a depressed condition is only too true. That farm lands have depreciated only an idiot will deny. The correct thing to do seems to be to learn how this all came about. We can not apply a remedy until we know what the disease is. It is silence, not publicity, that can deceive the public.

In another item in the same issue the editor says:

More farms have been sold out by the sheriff in Berks County during the past two years than during the previous twenty years. That shows the extent to which the farming interests have suffered in recent years. It would seem the part of wisdom to ferret out the causes that have led to this condition of things, instead of trying to hide them.

A great amount more of similar testimony could be furnished in regard to other States, but I deem this sufficient. Judge Nott, of the Court of Claims of this District, has published a little book in which he discusses the reason for the decline of farm values in New England, in which will be found this statement:

Midway between Williamstown and Brattleborough I saw on the summit of a hill, against the evening sky, what seemed a large cathedral. Driving thither I found a huge, old-time, two-story church, a large academy (which had blended in the distance with the church), a village with a broad street, perhaps 150 feet in width. I drove on and found that the church was abandoned, the academy dismantled, the village deserted. The farmer, who owned the farm on the north of the village, lived at one side of the broad street, and he who owned the farm on the south lived on the other, and they were the only inhabitants. All of the others had gone to the manufacturing villages, to the great cities, to the West. Here had been industry, education, religion, comfort, and contentment, but there remained only a drear solitude of forsaken homes.

John G. Whittier, the poet, wrote to Judge Nott the following letter in regard to this book and it is published in the same:

DANVERS, MASS., *December* 1, 1889.

MY DEAR FRIEND: I thank thee for thy noble "testimony" in regard to the sad decline of New England agriculture. Every year when I go to the New Hampshire hill country I find more and more abandoned farms, and the sight takes away much of the pleasure of a sojourn in view of the mountains.

I hope thy article, with which I fully agree, will be widely read. It should be published in pamphlet form and scattered broadcast.

I am very faithfully thy friend,

JOHN G. WHITTIER.

It is painful to pursue this subject further. We are simply destroying agriculture and commerce and building up manufacturing—in other words, enriching the few and pauperizing the many. The Jackson Iron Mining Company of Michigan paid (as appears from the testimony taken in open court) in twenty years $5,355,000 in dividends on a capital of $300,000, or on an average of 89½ per cent. per annum, and the plant increased in value $1,500,000. Andrew Carnegie admits that he drew $1,500,000 in dividends in a single year, nearly $5,000 a day, out of the Edgar A. Thomson Steel Works.

Many other similar instances could be given, but I deem it unnecessary. This money was so much taken from the farmers and laborers of the country by this infamous tariff system of protection which we have in this country. Is it any wonder that the farmers are poor and the values of their property decreasing?

I will give a few items more to show how the farmers are robbed. I will take, for example, binder-twine. It takes 50,000 tons of twine a year to bind the wheat and oat crops of the country. It is worth at manufacturers' price 13 cents a pound, or $260 per ton of 2,000 pounds. The value of the 50,000 tons, at the manufacturers' price, therefore, is $13,000,000, and this is what the wheat and oat crops of the country pay every year for the twine used in harvesting them.

The protective duty on this twine is 40 per cent., and on the manila it is made of 20 per cent.; so that it will be strictly within limits to say that one-half the cost of this binding-twine is the real value of the article, and the other half is protection, or, to put the matter in a different shape, that the wheat and oats farmers of the United States are made to pay a penalty of $7,400,000 a year for the crime of raising those crops. And the curious part of the business is that the Government which extorts this tax from him has no earthly use for it, since it has more money than it knows what to do with. It wrings the tax from him and hands it over to the twine-manufacturer and hemp-raiser to "protect" them in their business.

Now, what was the loss to the Illinois farmers last year on this one item alone. The wheat crop of Illinois last year was 38,014,000 bushels, and the oat crop 145,364,000 bushels. This would make 183,378,000 bushels in all, and it requires about a half a cent's worth of twine to bind a bushel; so the farmers of Illinois were out the sum of $916,890, one-half of which sum was handed over to the favored persons engaged in the praiseworthy business of making twine, and this is the policy which the Republican Senators and Representatives in Congress from Illinois favor and support as a means of "protecting American labor" and "developing American industries."

I will take one other item, that of tin-plate. This article enters largely into the home of the farmers and laborers of the country, the tin can, the tin pail, the tin roof, tin spoons, etc. These are all used by the poor people of the country, while the rich, in place of tin-plate, use silver, china, and slate. There is not a particle of tin-plate manufactured in America, and is not likely to be soon.

There was shipped into this country last year of tin-plate 727,945,972 pounds, valued at $21,002,209.15, and the duty the Government received last year on this article was $7,279,459.72, and the duty is increased by the McKinley bill to $16,014,811.38—more than double—and the statement I find in the tariff bill is that—

It is believed that the proposed increased rate will be sufficient to protect domestic manufacturers.

How absurd this sounds when there is not a domestic manufacturer of this article in the United States. But it is said that, if such an industry will be started, it will furnish employment to 20,000 men, which would cost the poor people of the country $16,000,000. It would be better for the people to employ these 20,000 men at $600 per annum and board them in idleness at some first-class hotel, and this would leave $4,000,000 in the pockets of the people. This is certainly protection run mad. And so I might go through the whole list of the protected industries, and they would all appear in the light of those I have examined. But for some reason or other all these increases are on articles used by the farmers. For example, cotton-ties are increased from 35 per cent. to 103 per cent., and this loss falls on the producers of cotton.

But, Mr. Speaker, this is not all. There is a rebate also that the people have to pay. The people pay $16,000,000 annually as a tax for the importation of tin into this country and when it is manufactured into the finished product and exported from this country a rebate is paid the manufacturer of the tin, which amounted last year to $1,494,790.10. It was simply a robbery of the people to that extent and a clear bonus to the manufacturers. Last year a rebate on salt was paid of $56,438.80, and nearly all of this was paid to one firm. There was a rebate of $34,851.04 on lumber, old boxes that were re-shipped from this country in order to save the merchant shipper from buying new lumber here. There was a rebate paid by the Government last year on old bottles of $43,884.88, mostly filled with beer, which were exported. The total amount paid by the Government in drawbacks or rebates in 1887 was $7,286,831.88.

On what principle can the payment of this vast sum of money be justified? The great beneficiaries of this bonus are the Standard Oil Company and Armour & Co. The former export their oil in tin cans incased in wooden boxes, on both of which they receive 90 per cent. of export duty as a drawback or rebate, and Armour & Co. receive the greater part of the rebate on salt exported by them and used in connection with their exports of meat. For this bonus it is presumed that they will contribute liberally to the Republican campaign fund next year. The people are taxed on imports and rebates, taxed to keep out commerce, and taxed to subsidize ships to bring in commerce. Taxed to prevent foreigners from doing business with us, and then taxed so that we may do business with them. Taxes on our nursing bottles and our tombstones. Taxes, taxes, taxes.

Now let us see what the Illinois farmer is taxed for protection, so called. The average duty now is 47 per cent. on all protected articles and by the McKinley bill it is raised to 52 per cent., and the administrative tariff bill passed at this session of Congress is supposed to raise the tariff 10 per cent. more, so it will make in all 62 per cent. Now, when an Illinois farmer buys an article protected by this tariff he pays a tax to the amount of the tariff to the home manufacturer of such article, and he can not get the necessaries of life without paying the taxes.

The population of Illinois by the last census is 3,879,203, and it is not too much to say that a little over 10 per cent. of the population are farmers, or say about 400,000. Now, whenever the farmer buys a protected article worth $1 he pays for it under the McKinley bill $1.60. Say that they would each purchase $100 worth per annum this would make a loss to him of $60, which is a very low estimate. This would make a net loss to them of $24,000,000. This is perhaps one-third too low, and it would be $32,000,000, so the protective policy would cost the farmers of Illinois annually about $32,000,000, and they do not get one cent in return for this. Is it any wonder that the farmers are organizing in self-defense against this robber tax?

THE FALLACY OF THE HOME-MARKET PLEA.

But our Republican friends tell the farmers, as an off-set to this robbery, that they have the "home market," and they have deceived them from year to year with this false sophistry. The farmer has the home market not because of any protective law, but because no law could take it away from him. Mr. Blaine is quite right when he says that the McKinley bill does not open a market for another bushel of corn or a barrel of pork. Does any person think that if Massachusetts could bring her breadstuffs from England 10 per cent. cheaper than from the farmers of Illinois, she would not do so? If he should, he would find himself greatly mistaken.

The facts are all against the home-market argument. In 1860 we sold 90 per cent. of our farm products at home; in 1870, 80 per cent., and in 1880, only 70 per cent. In 1860 we were compelled to send only 10 per cent. abroad; in 1870, 20 per cent., and in 1880, 30 per cent. How is that for a home market, with an increasing tariff all the time? From another point of view the home market is a mere theory, and an empty one at that. One operative attending a machine will manufacture for five, but he will only eat bread for himself. Pennsylvania mainly eats her own bread and meat, but she not only produces steel rail iron and coal for herself, but for twenty other States also. Let two other States do the same, and no market for the goods could be found in the Union.

We already make more goods than our people will use at present prices, while we yearly export increasing quantities of our grains and meats. In 1860, under a revenue tariff, we exported $295,000,000, and in 1870, after ten years of protective tariff, there was only $391,000,000, and in 1880 our exports amounted to $686,000,000. Instead, therefore, of the ratio of home consumption increasing, it really became less, and a larger per cent. of our agricultural products sought a foreign market. Therefore, instead of our farmers securing a home market, our farmers are year by year becoming more dependent on Liverpool and London. Rhode Island never has paid and never will pay the American farmer more for his grain than he gets in Liverpool.

It is not the home market of 60,000,000 of people that the farmers want, but the market that lies beyond it of 200,000,000. Our balance of trade with Great Britain in 1889 was $204,712,607, and the balance of trade has been in our favor since 1856, with the exception of a single year. Here is a table showing the facts:

Table showing the value of the exports of merchandise from the United States to the United Kingdom and the value of the imports of merchandise into the United States from the United Kingdom during each year ending June 30, 1850, to 1889, inclusive.

Year ended June 30—	Exports to the United Kingdom.			Imports from the United Kingdom.	Excess of exports.	Excess of imports.
	Domestic.	Foreign.	Total.			
1850..	$68, 365, 073	$2, 271, 115	$70, 636, 188	$74, 632, 158	.....	$3, 995, 970
1851..	97, 959, 004	2, 887, 930	100, 846, 934	92, 749, 219	$8, 097, 715	.....
1852..	78, 675, 676	2, 592, 015	81, 267, 691	89, 149, 855	.....	7, 882, 164
1853..	99, 872, 415	2, 797, 956	102, 670, 371	129, 980 541	.....	27, 310, 170
1854..	112, 849, 988	4, 279, 588	117, 129, 576	146, 353, 381	.....	29, 223, 805
1855..	86, 691, 613	5, 043, 241	91, 734, 854	106, 435, 716	.....	14, 700, 862
1856..	127, 039, 659	1, 160, 186	128, 199, 745	121, 844, 311	$6, 355, 434	.....
1857..	132, 646, 981	2, 308, 535	134, 955, 516	126, 734, 039	8, 221, 477	.....
1858..	121, 417, 055	8, 042, 702	129, 459, 847	88, 966, 301	40, 493, 546	.....
1859..	131, 658, 531	1, 466, 271	133, 124, 802	125, 607, 038	7, 517, 764	.....
1860..	166, 025, 646	2, 934, 700	168, 960, 346	138, 495, 113	30, 465, 233	.....
1861..	103, 051, 422	3, 319, 691	109, 371, 113	104, 917, 910	3, 453, 203	.....
1862..	83, 227, 782	2, 641, 373	85, 869, 155	74, 759, 710	11, 109, 445	.....
1863..	121, 347, 213	7, 090, 037	128, 437, 250	112, 898, 201	15, 539, 049	.....
1864..	92, 087, 193	4, 787, 248	96, 874, 441	142, 204, 433	.....	45, 329, 992
1865..	89, 295, 877	14, 184, 145	103, 480, 022	85, 182, 367	18, 297, 655	.....
1866..	283, 644, 365	3, 871, 293	287, 515, 668	202, 275, 650	85, 240, 018	.....
1867..	219, 915, 124	5, 175, 100	255, 090, 224	172, 398, 128	52, 692, 096	.....
1868..	195, 085, 084	3, 280, 406	198, 365, 490	132, 013, 522	66, 352, 968	.....
1869..	182, 605, 560	2, 448, 125	185, 053, 085	158, 890, 015	26, 163, 670	.....
1870..	243, 316, 828	4, 868, 814	248, 185, 642	152, 066, 269	96, 119, 373	.....
1871..	270, 116, 075	3, 056, 465	273, 202, 540	220, 768, 371	52, 434, 169	.....
1872..	261, 444, 251	4, 052, 584	265, 496, 835	248, 772, 324	16, 724, 511	.....
1873..	312, 347, 848	4, 514, 026	316, 861, 874	237, 298, 218	79, 563, 656	.....
1874..	341, 024, 049	4, 335, 535	345, 359, 584	180, 042, 813	165, 316, 771	.....
1875..	313, 541, 849	3, 569, 293	317, 111, 142	155, 297, 449	161, 813, 198	.....
1876..	331, 287, 126	4, 664, 924	336, 052, 050	123, 373, 281	212, 678, 769	.....

Table showing the value of the exports of merchandise from the United States to the United Kingdom, etc.—Continued.

Year ended June 30—	Exports to the United Kingdom.			Imports from the United Kingdom.	Excess of exports.	Excess of imports.
	Domestic.	Foreign.	Total.			
1877..	$341, 851, 634	$4, 109, 421	$345, 961, 055	$113, 734, 258	$232, 226, 797	.....
1878..	383, 606, 911	3, 823, 819	387, 430, 730	107, 290, 677	280, 140, 053	.....
1879..	346, 485, 881	2, 342, 558	348, 828, 439	106, 538, 812	240, 289, 627	.....
1880..	450, 994, 244	2, 802, 253	453, 796, 497	210, 613, 694	243, 182, 803	.....
1881..	477, 450, 619	3, 684, 489	481, 135, 078	174, 493, 738	306, 641, 340	.....
1882..	404, 248, 031	4, 099, 124	408, 347, 155	195, 588, 692	212, 758, 463	.....
1883..	420, 433, 473	4, 990, 701	425, 424, 174	188, 622, 619	236, 801, 555	.....
1884..	382, 717, 159	3, 521, 227	386, 238, 386	162, 549, 608	223, 688, 778	.....
1885..	394, 925, 925	3, 177, 278	398, 103, 203	136, 701, 780	261, 401, 423	.....
1886..	344, 927, 973	3, 525, 727	348, 453, 700	154, 254, 054	194, 199, 646	.....
1887..	363, 101, 143	3, 209, 536	366, 310, 679	165, 067, 443	201, 243, 236	.....
1888..	358, 238, 790	3, 276, 913	361, 515, 703	177, 897, 975	183, 617, 728	.....
1889..	379, 990, 131	2, 901, 543	382, 981, 674	178, 269, 067	204, 712, 607	.....

S. G. BROCK, *Chief of Bureau.*

BUREAU OF STATISTICS, TREASURY DEPARTMENT, *May* 9, 1889.

What would the farmers of this country do if it was not for this $200,000,000 a year in gold secured from this so-called free-trade England in order to keep up our balance of trade?

No, Mr. Speaker, there is nothing but fraud in the plea of the home market for farmers, and under this false doctrine and other sham arguments the American farmers have been robbed of from $400,000,000 to $500,000,000 of their hard earnings annually in the last decade. The extraordinary thing about it is that the farmers of the United States have themselves made this thing possible. First, by their votes. This robbery could not exist a month if it did not receive either the active support or the tacit toleration of agriculture. Secondly, by sending their mighty surplus to pay for our imports from Europe. Without this as a prop the fabric of protection would have crumbled long ago from its own weight.

In times of financial stringency and disaster the country has grown into prosperity again through the productiveness of agriculture. When will princely manufacturers acknowledge their obligations to agriculture? Should they not cease to look upon agriculture as a proper subject for legal robbery? And how long will the tillers of the soil continue to listen to the sophistries of protection when it comes as a pauper to their homes which for a quarter of a century it has robbed under legal forms? Will they still continue to tolerate a fiscal policy which covertly robs one class for the enrichment of another, and whose only language is give more, more, more?

The system of protecting our "infant industries" began in this country a hundred years ago at an average of 8 per cent., and it was gradually increased to 24 per cent. Over fifty years ago we were assured by the great Clay that if the people would tolerate the protection to our infant industries for three years more from that time they would be able to take care of themselves. Yet after fifty years more it has gradually increased from time to time until it is 62 per cent., and we still have the infant industries with us, and while they are still in their cradles with the nursing-bottle in their mouths and their swaddling clothes on they say that if we meddle with the protective system they will get out of their cradles and kick the top of our heads off.

There is nothing equal to the cheek of these gentlemen. They insist that the home market is good enough for the farmer, but they want the markets of the world for their wares, and they are willing to sell to foreigners at a much lower figure than to the farmer at home. The facts contained in the following list of prices for the home and foreign markets are abundantly sustained by testimony before Congress, and it fully shows the love of these infant industries for the home farmer. The lists show the price at which articles are sold by the manufacturers of this country in the home and foreign markets:

	Foreign price.	Home price.
Advance plow	$9.00	$18.00
Do	4.00	8.00
Hay-tedder	20.00	45.00
Mower	40.00	65.00
Horse-rake	17.00	25.00
Cumming feed-cutter, No. 3	60.00	90.00
Ann Arbor cutter, No. 2	28.00	40.00
Ann Arbor cutter, No. 1	16.00	28.00
Clipper cutter	9.50	18.00
Lever cutter	4.25	8.00
Cultivator	22.00	30.00
Sweep	60.00	90.00

The following table shows another class of articles and the home and foreign prices:

	In home market.	To foreigners.
CULTIVATORS—PROTECTED 45 PER CENT.		
Wheel hoe-cultivator, rake, and plow	$11.00	$8.40
All-steel horse hoe cultivator, with wheel	8.00	6.75
All-steel plain cultivator, with wheel	7.20	4.50
RAKES AND TEDDERS—PROTECTED 45 PER CENT.		
Lock-lever rakes	15.00	14.21
Self-dumping rakes	18.00	17.12
Hay-tedder	26.00	25.25
Potato-digger	8.00	6.75
PLOWS—PROTECTED 45 PER CENT.		
Two-horse:		
Chilled, 9-inch cut	5.60	5.04
All steel, 9-inch cut	8.40	7.56
Chilled, 10-inch	6.30	5.67
All steel, 10-inch	10.50	9.45
Three-horse:		
Chilled, senior	7.70	6.93
Chilled, junior	7.35	9.61
All steel, senior	14.00	12.00
All steel, junior	14.60	12.60
Four-horse:		
Two-gang plows, all steel	58.80	52.92

These are the prices that the foreign farmer has to pay for one plow, and the prices which the American dealer in plows has to pay in large lots at the factory. The foreigner pays no more freight than the American dealer; sea freights are cheap. Farmers know the prices they have to pay the local dealers.

But, to make this matter more certain, while I was in the Senate the other day Senator CARLISLE presented to that body an authenticated letter written by the American Screw Company, as follows:

We hand you herewith "American list for exportation, iron wood screws," subject to a discount of 57½ per cent. "Terms cash, or thirty days. Freight paid to New York." This quotation is made conditional that the export shipment be of sufficient value to entitle us to drawback and that the export shipment be made by us.

* * * * * * *

Yours, very truly,

AMERICAN SCREW COMPANY,
FRANK HORR.

Then there can be no doubt that the very manufacturer that the farmer is taxed to protect against the pauper labor of Europe is selling farm implements from one-half to one-third cheaper to the foreigner than to the home farmer. Mr. Speaker, I could pursue this question of the home market to an indefinite length and show that it is a fraud and a sham from start to finish, but will not do so, but will say that my prayer is that the Lord will deliver the American farmer from the fallacy of the home market and the Republican protective system.

THE FALLACY OF OVERPRODUCTION.

Some claim that the cause of the decline of American agriculture is overproduction. There is no question that there is a decline. Others again claim that it is due to other causes, as to railroads, trusts, and combines. Whatever the cause is, it can be mathematically demonstrated that it is not overproduction. The following table, compiled from the reports of agriculture as to wheat, speaks for itself on this question:

Table showing production, area, etc., of wheat.

Years.	Total production.	Total area of crop.	Total value of crop.	Average value per bushel.	Average yield per acre.	Average value per acre.
	Bushels.	*Acres.*		*Cents.*	*Bushels.*	
1880.....	498, 549, 868	37, 986, 717	$474, 201, 850	95.1	13.1	$12.48
1881.....	383, 280, 090	37, 709, 020	456, 880, 427	119.3	10.2	12.12
1882.....	504, 185, 470	37, 067, 194	444, 602, 125	88.2	13.6	11.99
1883.....	421, 086, 160	36, 455, 593	383, 649, 272	91.0	11.6	10.52
1884.....	512, 765, 000	39, 475, 885	330, 862, 260	64.5	13.0	8.38
1885.....	357, 112, 000	34, 189, 246	275, 320, 390	77.1	10.4	8.05
1886.....	457, 218, 000	36, 806, 184	314, 226, 020	68.7	12.4	8.54
1887.....	456, 329, 000	37, 641, 783	310, 612, 960	68.1	12.1	8.25
1888.....	415, 868, 000	37, 336, 138	385, 248, 030	92.6	11.1	10.32
1889.....	490, 560, 000	38, 123, 859	342, 491, 707	69.8	12.9	8.98
Total	4,496,963,588	372, 791, 619	3,718,095,041	.....	.....	.....
Annual average ...	449, 695, 359	37, 279, 162	371, 809, 504	82.7	12.1	9.97
Annual average for preceding ten years	312, 152, 728	25, 187, 414	327, 497, 258	104.9	12.4	13.00

Now, it will be noticed by this table that in 1880 we had only 50,000,000 of people in the United States; now we have 65,000,000. The 50,000,000 of people then produced 498,549,868 bushels of wheat, or about 10 bushels per capita, whereas now 65,000,000 of people

produce but 490,560,000 bushels of wheat, or about 8 bushels per capita. Here, in ten years, there are an increase of 15,000,000 in population and a decrease of 8,000,000 bushels of wheat product.

Nor is there an overproduction of corn to which the decline can be attributed. The following table shows the condition of the corn crop and prices since 1880:

Years.	Population.	Corn crop.	Bushels per capita.	Price per bushel.
		Bushels.		*Cents.*
1880	50,155,783	1,717,434,543	34.2	39.6
1881	51,728,018	1,194,916,000	23.1	63.6
1882	53,448,114	1,617,025,100	30.3	48.4
1883	55,012,502	1,551,066,895	28.2	42.4
1884	56,522,347	1,795,528,000	31.8	35.7
1885	57,935,095	1,936,176,000	33.4	32.8
1886	59,312,120	1,665,441,000	28.1	36.6
1887	60,860,858	1,456,161,000	23.9	44.4
1888	62,512,404	1,987,790,000	31.8	34.1
1889	64,082,054	2,112,892,000	33.0	28.3

It will be seen by this table that in 1888 the United States produced 1,987,790,000 bushels of corn, worth $677,561,580. In 1889 they produced 2,112,892,000 bushels, worth $597,918,829, a loss of over $80,000,000 to our farmers on corn alone. In 1888 corn was worth 34.1 cents per bushel; in 1889, 28.3, a loss of over 5 cents a bushel.

The following table will show more fully that overproduction is not the cause of the depression in grain or stock.

	Bushels.	Dollars.	Cents per bushel.
CORN.			
1888	1,987,790,000	677,561,580	34
1889	2,112,892,000	597,918,829	28
Increase in quantity	125,102,000		
Decrease in value		79,642,751	
WHEAT.			
1888	415,868,000	385,248,030	92
1889	490,560,000	342,491,707	69
Increase in quantity	74,692,000		
Decrease in value		42,756,323	

Stock.	1888.	1889.	Increase or decrease.
Horses	$982,194,827	$978,516,562	—$3,678,265
Mules	179,444,481	182,394,099	+ 2,949,618
Milch cows	366,226,376	353,152,133	—13,074,243
Oxen and other cattle	597,236,812	560,625,137	—36,611,675
Sheep	90,640,369	100,659,761	+10,019,392
Swine	291,307,193	243,418,336	—47,888,857
Total	2,507,050,058	2,418,766,028	—88,284,030

In 1857 wheat was worth $1.50 and corn 80 cents per bushel, and flour $13 per barrel. The entire crop of grain of 1889 was not worth as much as the crop of 1859 by over $100,000,000, although it was much greater. The Committee on Ways and Means of the House, that is, the Republican members, say in their report:

A critical examination of the subject will show that agriculture is suffering chiefly from a most damaging foreign competition in our home market.

Now, what was that foreign competition mentioned by the committee? Last year there was imported into this country but 1,946½ bushels of wheat, 22,324 bushels of oats, 2,388 bushels of corn, and 16 bushels of rye. What a sham it is to claim that this small amount in any manner comes in competition with our farm products. This argument will not do with sensible men. The chief reason of the depressed condition of agriculture is that our protective tariff prohibits us from buying from other nations, and for that reason they will not trade with us, and this is but just. There is a high protective wall around China and a wall all around our penitentiaries, and the people therein are not allowed to trade with the outside world.

But I submit, Mr. Speaker, that a free people should not be treated as either of these classes are, for it is neither humane nor just, and especially so when it is done so that a few shall thrive and grow rich at the expense of agriculture. I think the time has come when the toiling millions of the United States who are engaged in agriculture will not and ought not to submit to the perpetual paying of bounties to other people without getting some bounties themselves.

The cost of production of wheat, corn, and oats last year in Illinois was many millions of dollars greater than the value of the crop when produced. This will be seen by an examination of the report of the commissioner of agriculture of Illinois for the past year. Why not give the Illinois farmer a bounty of 4 or 5 cents a bushel on these grains, as well as to the manufacturers or the producers of sugar in the South. I will content myself on this branch of my subject by reading an extract from the Philadelphia Evening Telegraph of April 18, 1890, a Republican newspaper. It is as follows:

Of all the silly things that Mr. McKINLEY has yet done in connection with the tariff question, his report to the House in favor of the Ways and Means Committee bill is the most grotesque. What possible sense is there in trying to fool the farmers of the United States by the statement that their industry is being prostrated on account of the crowding of American markets with foreign agricultural products? In order to back up this utterly absurd declaration Mr. McKINLEY is driven to quote the importations of sugar, tea, coffee, fruits, tobacco, animals, and fibers, the latter including wool, hemp, jute, etc. What does the sugar industry in nine-tenths of the United States amount to? It is practically unknown in thirty-six of the forty-two States. How much tea and coffee are raised in this country? The importation of animals, as everybody knows, is chiefly confined to first-class breeding-stock brought in by fancy farmers. The carpet men have clearly shown that the class of wool most needed in this country is not and can not be grown here profitably.

THE DOGMA OF PROTECTION OF AMERICAN LABOR.

Mr. Speaker, there is nothing more familiar than to hear the advocates of a high protective tariff claim that it is in the interest of American labor. If a high protective tariff would help the farmer or laborer then there might be some justification for it, but it does neither. There is no protection on labor. The protection is on the product of labor, of which the laborer never receives one cent.

If high protection is a great benefit to the wage-worker, as its advocates claim it is, why do not the American workingmen get a larger share of the price of manufactured articles than they do? This is a question that the average wage-worker may well ask himself. For, in spite of all that is told him about the superiority of his condition over that of his foreign rival, the actual fact is that, proportionately to the value of each country's industries, he gets less money for his work than either the English or French workman, a statement that may seem improbable, but the statistics prove it.

By the census of 1880 the total value of manufactured articles in the United States is given as $5,370,000,000, the value of raw material consumed in the factories as $3,397,000,000, and the total amount paid for labor as $948,000,000. In other words, labor gets but 18 per cent. of the value of the finished goods. Now, according to recent figures published in The London Times, in England 56 per cent. goes to labor, and in France 41 per cent. Here is a state of things that can be accounted for by only one cause: the higher cost of raw material in the more highly protected countries. Make the relative proportion of that cost smaller, and labor's share in the profits of industry becomes by that much the larger. Therefore—and is not the conclusion inevitable?—the American workingmen have a direct personal interest in cheapening the cost of raw material to the manufacturer. And this cost can be lowered only by removing or reducing the import tax which is levied under the specious misnomer of "protection."

When Mr. Blaine was Secretary of State the first time he embodied the following in his report to Congress after he had made a full examination of the whole question:

From these returns it is seen that each American spindle consumes sixty-six pounds of raw cotton, while each British spindle consumes only thirty-two pounds, or less than one-half the American consumption per spindle. It thus appears that each American operative works up as much raw material as two British operatives, turns out nearly $1.50 worth of manufactures to the British operative's $1 worth, and even in piece goods, where the superior quality and weight of the American goods are so marked, the American operative turned out 275 to 250 yards by the British operative.

Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor.

In the two prime factors which may be said to form the basis of the cotton-manufacturing industry, namely, raw material and labor, we hold the advantage over England in the first and stand upon an equality with her in the second.

I repeat there is no tariff on labor. There is absolutely free trade in labor, the one thing that the manufacturer has to buy and the one thing the laborer has to sell.

It is true that the wages of labor are some higher here than in England, but the State Department in 1878 issued a volume on The State of Labor in Europe, wherein it is shown that rent, clothing, and all articles of food except meat and bread are so much cheaper in England than in this country that it makes up a great part of the difference, and protection has nothing to do with it.

If protection regulated the price of labor then it would be the same or nearly so in all the States, as protection is uniform. The difference of wages between the United States and England is not so great as it is between the States of the Union and even in different parts of the same State.

The following table shows the difference in wages in this country:

Table showing the relative average wages in the several States, computed from returns relating to wages taken from the Tenth Census reports of the United States, estimating three hundred working-days in the year.

States.	Wages.	Per cent. higher—	Than those in—
South Carolina	$0.43		
North Carolina	.50		
Georgia	.70		
Maine	.88		
Vermont	.92		

Table showing the relative average wages in the several States, etc.—Cont'd.

States.	Wages.	Per cent. higher—	Than those in—
New Hampshire	$1.01½		
Ohio	1.06		
Michigan	1.09		
Indiana	1.10		
Wisconsin	1.11		
Rhode Island	1.13		
Pennsylvania	1.15		
Iowa	1.15		
Massachusetts	1.21		
New Jersey	1.22		
New York	1.28		
Connecticut	1.28		
Colorado	1.53		
Illinois	1.32	25	Ohio.
Do	1.32	50	Maine.
Do	1.32	47	Vermont.
Do	1.32	10	Massachusetts.
California	1.59	377	South Carolina.
Do	1.59	57	New Hampshire.
Do	1.59	70	Maine.
Do	1.59	30	Massachusetts.
Missouri	1.27	44	Maine.
Do	1.27	5	Massachusetts.
Do	1.27	20	Ohio.

It will be seen by the foregoing table that the wages in Illinois ($1.32) are 25 per cent. higher than in Ohio, 50 per cent. higher than in Maine, 47 per cent. higher than in Vermont, and 10 per cent. higher than in Massachusetts. Wages in California ($1.59) are 319 per cent. higher than in North Carolina, 57 per cent. higher than in New Hampshire, 70 per cent. higher than in Maine, and 30 per cent. higher than in Massachusetts. Wages in Missouri ($1.27) are 44 per cent. higher than in Maine, 5 per cent. higher than in Massachusetts, and 20 per cent. higher than in Ohio.

But, Mr. Speaker, I go further than this. I affirm without the fear of successful contradiction, that no protected employer ever in his life paid out of his own money 1 cent of wages to a protected workman. Every cent of wages paid in every protected industry is paid by the people, through the employer, who merely acts as their agent.

The labor in all protected industries is absolutely free of all cost to the employer, under all circumstances, and he usually steals from his workmen one-quarter to nine-tenths the money intrusted to him by the public to pay wages.

WOOLEN GOODS.

Value of product, 1880	$160, 606, 721
Total wages paid (1,990 mills)	25, 836, 392
Value without wages	134, 770, 329

Wages increased the value 19 per cent.

We imported in 1887 manufactured woolen goods valued at $44,235,243. Merely to have increased the price of these foreign goods by an amount equal to the difference in wages, a tax of 7 per cent. would have been ample. To give the woolen mills their labor free of all cost, a tax of 19 per cent. was not necessary. The foreign product included cost of foreign wages. An additional burden of 19 per cent. would more than cover the whole amount of wages paid in this country. An addition of 19 per cent. to the foreign value, even after deducting foreign wages, would exactly cover the whole amount of American wages, and give our woolen mills their labor free of cost.

Every $1,000 worth of American cloth made in an American mill was protected $670 (average). The wages paid raised its value $190, so that it was worth $1,190. It was sold for $1,670, the $670 being given the mill-owner in trust for wages. The mill-owner stole $480 and paid $190. For every $1 paid he stole $2.52.

If he handed the same amount of wages to his workmen last year that he handed in 1880 he stole $65,107,707 of the wages instrusted to him for his workmen, and also had their labor free.

The net amount stolen annually from wages by the woolen mills, after deducting all the tax on raw material in all woolen industries, amounts to over $28,000,000 to the 1,990 owners, and they had the labor of 86,000 workingmen free.

The same principle is true of all other protected industries, and if I had the time I could produce the figures that would conclusively prove it. The figures can be found in the American Statistician, and the results easily reached. It does not matter what industries are taken, they are all nearly alike.

No honest argument has ever been made to the effect that protection increases the price of wages. Our wage system is a pauper system, and every laborer in the protected industries is paid by a tax on himself and other laborers and farmers of the country. It is a fouler blot upon civilization than slavery ever was, for that did raise the African savage, while this degrades the white man. It will prove a greater curse if allowed to spread all over the land without legal control, until 100,000 tariff lords own, body and soul, 10,000,000 unpaid workers, supported by public charity and dependent upon their lords' nod whether they shall live or be turned out of his pauper-house to die of starvation.

The arrogance of the slaveholder was as water to wine compared with the arrogance of these tariff lords and their subsidized newspapers. They decline to argue. They assert the most ridiculous propositions and denounce as liars and slanderers, paid with British gold, whoever gainsays them. They demand that any false statement they may make concerning the tariff shall be accepted as holy writ and that he who questions it shall be declared an enemy of his country and of his race. It is a game of unlimited bluff, far beyond the slaveholder's wildest dream, for none may see or call these players. They will not permit any one to even question the divine nature of this doctrine of unlimited theft from wages. Truly the New England manufacturer was shrewd and cunning when he pulled down slavery to build up protection.

Imagine a Southern planter, the owner of 100 slaves, receiving yearly from his State treasury $466,998 bounty because he furnished them with work, $44,843 being for the support of his slaves and $422,155 being for himself, to pay for his philanthropy, in addition to having the product of their 31,200 days' labor.

But the sugar-refiner of Brooklyn, New York, Jersey City, or Philadelphia receives exactly this sum yearly, under exactly the same conditions, for every 100 workmen employed.

The cotton-mill-owner, the woolen-mill-owner, the iron-master, the protected employer of high and low degree, receives a proportionate amount under precisely similar circumstances for every protected pauper in his public pauper-house called a protected industry.

Is it any wonder that the protected employer is fighting tooth and toenail to prevent the slightest encroachment on his pauper labor or even on his stealings? It is the old slavery question revived, but this time it is a fight to maintain and increase Northern pauper labor instead of Southern slave labor. As in 1840 to 1850 no one proposed to interfere with slavery as it was, only to limit it, so now no one proposes to interfere with New England's pauper labor, but merely to confine it to its present boundaries, merely to set some limit to its extensions, merely to put a check upon greater stealings from the money handed to the "employers" in trust for their workmen. The man who proposes in any way to reduce it or interfere with it as it now stands or to deprive the protected mill-owner of either one day's free pauper labor or one dollar's stealings from wages is denounced as a crank and fanatic.

Every protected employer stands shoulder to shoulder, for the interest of one is the interest of all. That is what explains their efforts here about the Capitol and in the committee-rooms to secure an increase of taxes on the people from 47 per cent. to 62.

But, Mr. Speaker, I have said enough. The facts I have given are incontestable and should satisfy any unprejudiced mind, and the practical question now is, What will be done about it? The farms of this country are mortgaged for the vast sum of $3,500,000,000, which every sensible man knows can not be paid, and, as a result, the farms are passing under the sheriff's hammer from the farmers to the rich corporations of the country.

The farmers have promised to pay 8 per cent. per annum on their mortgage indebtedness, while they do not realize 3½ per cent. annualy from their farms. It is not apparent at a glance what the result of this operation will be. The Consolidated Coal Company and other coal barons are running the coal mines of the country on starvation wages. The coal-miners of Pennsylvania last winter were starving for bread while the farmers of Kansas were burning corn to keep themselves warm, and it was impossible for the people of the different sections of the country to exchange their corn for coal because railroads refused to carry them for reasonable rates on the ground that they could not afford it, while the facts show that the railroads last year made over $18,000,000 over and above interest, wages to laborers, and all other expenses.

Country merchants are on the verge of bankruptcy because the farmers have no money to carry on trade with them. A financial panic at this moment threatens the people, while at the same time the country is infinitely rich in all material resources and fairly teeming with milk and honey. We have untold wealth. Vanderbilt and 3,000,000 of tramps together are worth $200,000,000, but what part of that belongs to the tramps? The public press tells us the other day that Carnegie gave to the bride of Stanley, the explorer, an uncut diamond as a wedding gift more costly than the Queen of England or the King of Belgium could afford. It was purchased with the $1,500,000 that he annually robs the farmers and laborers of this country of because of the fraud of protection.

But now, what are the farmers and laborers going to do about it? On the 15th of February last I submitted to this House and the country an argument and some facts in regard to the depression in agriculture. The Progressive Farmer, a newspaper published in my State, presumably in the interest of the farmers, did me the honor to publish a part of my speech. The editor of the paper in commenting on the speech editorially, among other things, said:

We took up the speech with an eager gladness we seldom feel on receiving such a document; we read it with the most studious care; we laid it down with unspeakable sadness. It is an eloquent portrayal of the farmer's wrongs, a vivid picture of his condition, a full and complete justification of his efforts at organization, but it scatters abroad the firebrands of partisan hate and prejudice, has a tendency to divide the farmers rather than unite them, and makes the success of a particular political party the paramount object to be sought. In other words

and they appear in almost every sentence of the speech, Mr. LANE is willing the farmers should organize provided they organize in the interest of his political party.

Mr. Speaker, I believe I am willing to admit the "soft impeachment" of my esteemed friend. Where else but to the Democratic party could the farmers and laborers go for relief from the burdens that now oppress them? That party has been the advocate and defender of personal liberty and the equal rights of all men before the law for more than a century. It was founded by the sage of Monticello, defended by the hero of New Orleans, and preserved by the seer of Graystone. Among its acknowledged leaders to-day are to be found Grover Cleveland, JOHN G. CARLISLE, and ROGER Q. MILLS. Only under the leadership of such men is there deliverance.

There is place for but two political parties in this country. There are but two sides to every question. Protection is right or wrong; there is no middle ground. Nearly two thousand years ago the blessed Master said that "he that is not with me is against me," and that is true to-day. There are but two sides to this Chamber, and every vote that is given on the passage of a law must be yes or no. There is no place for a third party, and the farmers and laborers of the country should not be deceived into believing that there is. It will surely lead to defeat. Whatever redress is sought in the legislation of this country must be in one or the other of the existing parties. If the principles of the Republican party are correct then it should succeed, and if not it should fail. The same is true of the Democratic party.

The platform and principles of the Democratic party for the last thirty years, reaffirmed from year to year, read as follows:

We believe in honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into money without loss.

Asserting the equality of all men before the law, we hold that it is the duty of the Government in its dealings with the people to mete out equal and exact justice to all citizens of whatever nativity, race, color, or persuasion, religious or political; that justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of another, or to cherish the interests of one faction of our common country; that every citizen and every section of the country have a right to demand and insist upon an equality of rights and privileges and a complete and ample protection of person and property from domestic violence and foreign aggression.

These just principles of government are in harmony with an address made by Thomas Jefferson to his fellow-citizens, and, after recounting the blessings of our country, he uses these words:

With all these blessings what more is necessary to make us a happy and prosperous people? Still one thing more, fellow-citizens, a wise and frugal government which shall restrain men from injuring one another; shall leave them otherwise free to regulate their own pursuits of industry and improvement; and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

Now, what are the platform and principles of the Republican party as stated in the Chicago platform of 1888? I quote as follows:

We condemn the proposition of the Democratic party to place wool on the free-list and we insist that the duties thereon should be adjusted and maintained so as to furnish full and adequate protection to that industry.

The Republican party would effect all needed reduction of the national revenue by repealing the taxes upon tobacco, which are an annoyance and burden to agriculture, and the tax upon spirits used in the arts and for mechanical purposes, and by such revision of the tariff laws as will tend to check imports of such articles as are produced by our people, the production of which gives employment to our labor, and release from import duties those articles of foreign production (except luxuries) the like of which can not be produced at home. If there shall still remain a larger revenue than is requisite for the wants of the Government we favor the entire repeal of the internal taxes rather than the surrender of any part of our protective system at the joint behest of the whisky trusts and the agents of foreign manufacturers.

Here you have it in a single word, "protection." This, I hold, connected with the financial policy of the Republican party, has been the ruin of agriculture and the enslavement of labor.

Is the laborer and farmer protected? And, if not, why not?

Why in all reason and justice should the man who manufactures the plow-share be a pet of the Government while the man who holds the plow is an outcast? Why should the man who spins cotton be regarded as a beneficiary of the Government while the man who raises the cotton is about to be taxed out of existence? Why should the manufacturer of the shovel and pick be protected while the man who uses them must compete with all the imported pauper labor of Europe?

The farmer has a right to demand a fair field and an even chance in the race of life. He demands no more. Not a farmer in this country is asking a bounty from the Government. The farmers of this country know that whoever lives on bounties at the public expense is a pauper. No sophistry can conceal this fact, and the farmers of the country are not willing to accept the position of a panper. They have too much independence of character and pride for that, and I hope the day is far distant when they will surrender that pride and character. They prefer loss to dishonest gain, the former may vex them, but the latter would bring to their sense of honor a lasting shame.

Wealth accumulated by unjust taxation is a violation of the rights of man and the justice of God. Honesty is to be preferred to great riches, and is more satisfactory than fame. The farmer has no desire for unrighteous gain at the cost of others, and in his mind no device of statesmanship or trick of politics should supplant the principle of justice and fair dealing among men.

If I apprehend his character, and I think I do, he would prefer to live in a log cabin sustained by his own strong arm than to occupy a palace purchased with ill-gotten gains. The farmers are perfectly willing to bear their own burdens, but they have a right, as they are doing, to denounce all attempts to weigh them down with burdens not their own. They should not be required to pay tribute to other industries, and for this reason they are organizing in defense of their homes and firesides. With a sense of the wrong that has been done them and smarting under its injustice, the danger is that they may make a mistake and injure themselves and their friends. It is better to "bear those ills we have than fly to others that we know not of." Any division now in the ranks of labor will only tend to keep the dominant party in power.

The Democratic party advocates the equality of all men before the law, with equal and exact justice to all and special privileges to none. It is opposed to subsidies, bounties, and monopolies, and it invites co-operation with all men of similar views. The signs of the times indicate that a victory for tariff reform is near at hand, and the farmers and laborers of the country uniting in the Democratic party will assure its success; division is failure.

It can not be that the people of the United States will submit longer to legalized robbery. It was tolerated in England for generations and millions of her people died of starvation before deliverance came; but it came at last. We boast of our free institutions of liberty and equality, but who can call himself a free man save in mockery when by force of law the proceeds of his labor are unjustly taken from him to enrich another?

The struggle for human liberty did not end when the battles of the Revolution were fought and won, nor can it end until every American freeman has the God-given right assured him to enjoy all the fruits of his own labor.

Compound Lard.

SPEECH

OF

HON. JOHN H. BANKHEAD,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 21, 1890.

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. BANKHEAD said:

Mr. SPEAKER: It is a well settled principle of legislation that the title of a bill should disclose the purpose of the measure. The title to this bill should therefore be amended so as to read as follows: "A bill to create a trust in lard made from the fresh fat of slaughtered swine and prevent all competition therewith." The bill under consideration undertakes to define and regulate the manufacture and sale of compound lard under the pretense that as a food product it is a fraud, made so by false brands and sold for what it in fact is not. No witness who has testified before the Agricultural Committee has stated that the compound lard is unhealthful, unclean, or in any way unfit for human food.

I desire to examine this bill calmly and without prejudice, as one of the representatives of 65,000,000 of people, all of whom have a right to have their interests considered. In doing that I will not discuss the constitutional question that may be involved. I will leave that to those who have made the Constitution a life-long study. I shall deal with the question from the standpoint of a business man and one who believes he is in sympathy with the masses of the laboring people of this country. If I can expose the dagger concealed in this bill, with which it is intended to assassinate the compound-lard and cotton-seed-oil industry, and thereby paralyze one of the greatest agricultural industries of the country and increase the price to the consumer of one of the most wholesome and purest food products, I will be entirely content to leave the constitutional question to those who better understand that branch of the subject.

Every section of the bill is wholly bad. It is special legislation of the most wicked and vicious character and is intended to favor and foster one interest at the expense of another, both being agricultural products and entitled to the same consideration. The bill makes no pretense of correcting the evil complained of, namely, to prevent the adulteration of lard and compel the lard-packers to give to consumers a pure and wholesome article of food; but every word in the bill is aimed at the cotton-seed oil industry, at a pure vegetable oil, known to be perfectly pure and wholesome, and because the agricultural product known as cotton-seed oil comes in competition with the agricultural product known as hog lard, and because the former is produced in that unfortunate section geographically known as the South, and the latter is almost exclusively produced in the North and West, making the bill, besides its other objectionable features, sectional in its character. It is very nearly related to that legislation which in

posed a tax of 3 cents per pound on the lint cotton grown in the South after the close of the war and by which one hundred and twenty millions of dollars were wrung from that unfortunate and oppressed people under the forms of law. No less sectional in its purpose is the bill now before the House.

The cotton-planters could stand the tax of 2 mills per pound levied by this bill, and perhaps would not complain, as they are growing accustomed to being discriminated against; but the restrictions thrown around the manufacture and sale of compound lard by the seventh section of the bill will, and were intended to, so embarrass the business as to practically destroy the industry and prevent competition with lard made from the fat of swine. I have no means of knowing the exact amount of compound lard sold by the retail trade in this country, but I think it would be safe to say that two-thirds of the product ultimately passes through the stores of the retail dealers.

Now, let us examine the bill and see if we can discover the dagger that I said was concealed in it, and with which the friends of the hog intended to assassinate the compound-lard industry. Section 7 provides that retail dealers in compound lard must sell in quantities not exceeding 50 pounds, such sales to be in original stamped packages when the quantity sold is not less than 3 pounds and from original stamped packages when the quantity sold is less than 3 pounds; and when the sale is from an original stamped package they shall pack the said compound lard so sold by them in suitable wooden, tin, or paper packages, which shall be marked and branded as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe. It further provides a penalty of $1,000 and one year's imprisonment for each violation of the above provision.

These absurd and unreasonable requirements are intended to so hamper and embarrass the retail merchant that he will give up his trade in compound lard rather than take the risk and expense of sales under these terms. If a customer comes into the store of his grocer and says, "Put 10 pounds of lard in this bucket," the merchant must say, "No, I can not sell you 10 pounds from that tierce. You must take one of these original stamped packages. The Conger bill will not permit the sale of lard from tierces in 10-pound packages. If you do not take the can, I can not sell to you." The customer replies, "I prefer to buy lard from the tierce and have it put in my own can that I keep for that purpose. I do not like to buy lard in cans that may get me into trouble with the revenue officers. My wife or daughter may forget to destroy the stamp, and in that event the revenue officer might come nosing around and find it; and then you know it would cost me a year's labor to get out of the trouble." The merchant has bought a tierce of compound lard which is also an original package. Why not let him sell 10 or 20 pounds from it if his customer prefers it?

What protection does the Government receive from this provision? Is the consumer protected by it? Why should the merchant be required to sell less than 3 pounds when taken from a tierce or other original stamped package and why must he pack less than 3 pounds in a stamped package? Why is he required to keep on hand wooden, tin, or paper packages, stamped as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, and why is he required to pack the small amount of 2 pounds of lard in these expensive packages? Does not every business man know that these unusual and expensive requirements are intended to prevent as far as possible the sale of compound lard and competition with the so-called pure lard? "But," says the merchant to his customer, "I can sell you lard made from the fat of slaughtered swine in any quantity you desire and pack it in your own bucket. The law does not throw any restrictions around that, and I can sell it in any way you call for it." The customer replies, "No, I do not want any of your so-called pure lard. I have read the testimony taken before the Agricultural Committee in the Fiftieth and Fifty-first Congresses, and if all consumers of lard have not read this testimony of pork and lard packers themselves, I hope they will."

The distinguished farmer, Mr. BROSIUS, of Pennsylvania, who opened this discussion, said:

> What the people have been consuming in the past no history relates, and what they may be fed on in the future, if this imposition is not curtailed, baffles the utmost resources of prophecy. What compound essences and super-refined quintessences may be used in this conscienceless race for the markets no mortal can tell.

Unfortunately for the gentleman from Pennsylvania and those who represent the hog-lard interest, so carefully guarded by this bill, those who consume lard made from the fat of slaughtered swine are left in no doubt as to the character of what they consume. If there is a dead rat in the well it may not be known until it is drawn out. Neither did the consumers of hog lard know what vile stuff they consumed until this investigation commenced and lard-packers were put on the stand. Hear what Mr. W. G. Bartle, a pork-packer for forty years, says under oath before the Agricultural Committee, who bring in this bill and urge its passage:

> Mr. W. G. BARTLE, of St. Louis. I am now nearly sixty-one years of age, and have been engaged in the pork-packing business, directly and indirectly, for forty years. I succeeded John J. Roe in 1870, and have been running the house known as W. G. Bartle & Co. since 1867. Prior to that, from 1860 to [illegible] was Hamilton & Bartle.
>
> During my experience in the business of pork-packing I have been the owner of two large farms, and have been engaged in farming, and shipping cattle quite extensively to the Eastern and Southern markets.

(He went to Kansas City.) I went to the stock-yards in the first place, and saw the character of the hogs that were brought there and offered for sale. From there I went to the pork-house of a certain concern there. They were cutting up hogs at the time. They commenced slaughtering at 9 o'clock. I walked up the chutes and saw the character of hogs they were slaughtering. They were what I expected to find, a great many of them diseased hogs, of which the markets of the West are now full, from what is known as cholera. Whilst looking at the hogs the foreman of the establishment came to me and we got into conversation. I said to him that I had got out of the business and that I believed that I was away behind the age.

I told him that I had been in the habit of making considerable white grease, for which I had been denounced. "Yes," he says, "there ain't much white grease made now, these days, and it is quite unnecessary to make it." He said: "I was foreman for a certain party (naming him), and one winter (that party) purchased 2,200 smothered hogs, all of which I put into the tanks and they went into prime steam lard." I have never in all my packing experience made use of smothered hogs by putting them in the lard tanks. I have made them into white grease and sold the product as white grease. Now the character of the hogs, from disease, etc., is worse than formerly.

Piggy sows are sold on the market; they will even drop their pigs in the cars or in the pens, and they are driven at once to the scalding tubs, and pass on the slides as other hogs do. They go through the process of curing, and are made into breakfast bacon, sugar-cured hams, and everything else. No one, either at the hotels or anywhere else, can be free from eating that kind of unsound food. There are also the stags, rough and coarse, and often a good many boars, that go into the packer's hands, and it is impossible for the packer to purchase what he wants without taking them.

Mr. Speaker, let us hear another witness on this question. I know that it will not be very pleasant reading for the friends of the hog and the consumers of hog lard, but a war is being waged against an agricultural product in which my constituents are deeply interested. Cotton-seed oil has been assailed as a fraud, and I am only defending and trying to protect the interest of my people and refute, if I can, a base slander. Let us hear another witness who testified before the same committee, himself a pork-packer and knowing what he is talking about:

Testimony of Mr. Hately, who appeared before the Senate committee of the Fiftieth Congress as a representative of the Chicago Board of Trade, and who is himself a pork-packer.

By Senator PLUMB:

Q. From what part of the hog do you get what is called white grease?

A. There is no such thing as white grease made in the packing-house now. In the march of events the progress in packing has been just as great as it has been in almost any other industry. It has not been a great many years ago since the whole entrails as they were taken from the hog—the greater portion of the fat on them—were taken away, carried out and buried. It has not been many years ago since some packers on the Mississippi River thought the head or feet or anything of that kind was of no value whatever. They only killed in the winter time, and one packer remarked to me: "What fools we were. We had big profits in those days if we had only known it. We used to take the heads and feet and guts and run them out on the Mississippi River and pile them up there, and when the ice broke up in the spring away they went."

Q. Then, what was called white grease now goes into the manufacture of lard?

A. Yes, sir. The lard system is now so entirely different that we could not make white grease.

Q. Then, what was formerly known as white grease now becomes lard by the process of manufacture?

A. Yes, sir. It never was really white grease at all. It was really only the lard, but not a product that would pass inspection.

By Mr. FOX:

Q. Mr. Fairbank said the lard was getting poorer and poorer and you contend that was not so. Is it not a fact that every time there is a corner on the Chicago Board of Trade and trade is strained they get more of the animal in because lard is scarce?

A. No, sir.

Q. Is lard to-day the same as it was ten years ago?

A. Yes, sir; it is a higher grade to-day than it was ten or twenty years ago.

Q. Although the gut grease, the white grease, does go into the product?

A. It is higher to-day than it was five or ten years ago.

Q. Although these other products do go in?

A. Yes, sir.

Q. Do you know anything about the heads going in and what kind of lard the head makes? State what kind of lard the head rendered by itself makes.

A. It makes very good lard.

Q. What would it sell for?

A. I can not say what it would sell for by itself.

Q. Would it sell for as much as prime steam lard?

A. No, sir.

Q. Then it is a deteriorating element in prime steam lard, is it not?

A. It is not as valuable as the leaf alone.

Q. As the ribs, sides, and back?

A. No, sir; not as valuable now as any portion of the lard. There is no portion of the lard of the hog as valuable as the leaf at present.

Q. Would gut fat rendered by itself bring as much as prime steam lard?

A. No, sir.

Q. Then that is another deteriorating element in prime steam lard?

A. No, sir.

Q. You say the guts are stripped and the guts go to the sausage-makers?

A. Yes, sir.

Q. Can you tell me how many hogs are slaughtered in Chicago daily?

A. About four and a quarter million hogs are slaughtered yearly.

Q. How many would that make a day? Does it ever run as high as 40,000 hogs a day?

A. Yes, sir.

Q. Do you know how many intestines there are in a hog?

A. I don't know.

Q. Do you think there are from 30 to 35 feet?

A. I can not say.

Q. As a matter of fact, Mr. Hately, there are about 30 or 35 feet, are there not?

A. I think there might be.

Q. Would you be surprised to learn that the quantity you have stated would make 275 miles of sausages manufactured every day in Chicago?

A. I would not be surprised if there were a thousand.

Q. Do you know how many guts go to the sausage-maker from hogs slaughtered in Chicago every day?

A. No, sir.

Q. Do you mean to say that, with regard to the lard as made in Chicago, the fat is always pulled from the gut, and that none of the guts go into the tank?

A. I did not say that.

Q. Does not this process take place: Instead of the fat being pulled from the

gut, is not the gut split open and the ordure pulled out, and the entire thing put into the tank?

A. There are certain guts that are cut open in that way that can not be voided. They are not used by the sausage-maker. The guts are thoroughly washed and are just as wholesome as the sausage we eat.

Q. Does the gut go into the tank?

A. Yes, sir.

Mr. FOX. That is what I understood Mr. Fairbank to say.

I am not surprised that the packers of so-called "pure" lard want protection against compound lard, into which cotton-seed oil largely enters, after reading the mass of testimony taken by this committee. But, Mr. Speaker, no witness has been found who remotely intimated that cotton-seed oil is not a pure, perfectly wholesome, and desirable article of food.

I submit here, Mr. Speaker, a report from the New York board of health, which will give some idea of the high value placed on cotton-seed oil:

Report of the New York Board of Health.

CHEMICAL LABORATORY OF THE ALBANY MEDICAL COLLEGE,
Albany, May 6, 1880.

DEAR SIR: On the 26th of April you requested me to make such examination of "lard and lard compounds, or products into which cotton-seed oil enters as a component part," and of "cotton-seed oil as sold for edible purposes" as might be possible in the time intervening between that date and this day, and to report to you whether, in my opinion, such "lard, lard compounds or products are healthful or nutritious, or are in any degree deleterious or injurious to health," and "whether or not said [cotton-seed] oil is nutritious or healthful, or is in any degree deleterious or injurious to health."

The time at my disposal thus allowed me has not been sufficient to admit of the systematic collection of samples of the articles named or the elaborate analysis of such samples as had been collected, and this necessarily brief report, therefore, deals with the questions involved chiefly in a general manner, and is, in the main, based on information acquired in previous investigations and by former study of the subjects considered.

The main question, as I understand it, is whether cotton-seed oil, properly extracted and refined, is a wholesome and nutritious article of food, and whether it is a proper substance to mingle with lard obtained from the fat of hogs, or with other fats, in the manufacture of "lard compounds," table oil, and the like, for use as food or in the preparation or manufacture of food articles.

There doubtless exists on the part of many people a prejudice that lard should be made from hog-fat alone and table or salad oil from the fruit of the olive tree solely; but this opinion is in reality based on no good or sufficient reasons. Fats obtained from a variety of animals and a great number of plants have been used from time immemorial in the preparation of food, and it is unreasonable to suppose that those particular fats and oils which we, in this country, or in this part of the country, have been accustomed to use are the only suitable ones to employ. All over the world vegetable oils are obtained by the expression of the seeds or fruit of plants and used as food. From the cocoanut Brazilian nut, walnut, almond, and a wide variety of other vegetable products, oils are extracted and employed in the preparation of food. In speaking of the vegetable oils Dr. Edward Smith, in his well known work on Foods, places cotton-seed oil at the head of the list, and says:

"There can be no doubt that we have in this product of seeds of plants, which seem otherwise to be useless, a great storehouse of most valuable nutritive material, and if we know but little of them in this climate it is because we have the olive-oil at hand and are bountifully supplied with many kinds of animal fats. It is, however, probable that the cheapness of some of these vegetable oils, in addition to their delicacy of flavor, will ere long force themselves into notice and obtain a place among our foods." This was written in 1873, when the manufacture of cotton-seed oils was still in its infancy.

Professor Wiley, chemist to the United States Department of Agriculture, in Bulletin No. 13, on food and food adulterants, quotes from Allen's well known and standard work on Commercial Organic Analysis, as follows: "Refined cotton-seed oil is of a straw or golden-yellow color, or, occasionally, nearly colorless. The density ranges from .922 to .926, and the solidifying point from 1° to 10° C. Refined cotton-seed oil is usually very free from acid, and when properly prepared is of pleasant taste and admirably adapted for edible and culinary purposes, for which it is now extensively employed, both with and without its nature being acknowledged."

As regards the manufacture and refining of cotton-seed oil, it may be remarked that the methods employed are not materially different from the processes made use of in the preparation of olive-oil. That cotton-seed oil has for many years been exported to Italy and France, in which countries it is largely employed for mixing with olive-oil, is a well known fact.

Speaking of cotton-seed oil, Dunham J. Crain, United States consul at Milan, reported as follows, under date of November 10, 1882: "The seed-oil industry is assuming considerable proportions. Several kinds of this oil were exhibited at the Milan exhibition in 1881, and classed among alimentary oils. There were some beautiful specimens of sesame oil exhibited. * * * The importation of cotton-seed oil was arrested in 1882, since which the demand for oleaginous seeds has increased. It is therefore urged that a duty should be imposed on all imports of seeds and seed oils if it is to be continued on cotton-seed oil. It is claimed that the duty on cotton-seed oil has served no good purpose; that the mixing of cotton-oil with olive-oil was not prejudicial to health, and that the mixture is now made with oils from flax and nuts, and that the competition coming from cotton-oil has been replaced by oils of other seeds and by nut-oils. * * * It is felt that frauds will diminish, and the public good be promoted when prejudices against good seed-oils disappear and they are sold under their true names." (U. S. Consular Reports, XII, 587.)

I am clearly of the opinion that cotton-seed oil, whether used alone or commingled with other oils or fats, is a perfectly wholesome and nutritious food, and as easily digested and assimilated as any of the commonly employed fats. In support of this view the opinion of numberless writers upon the subject, and of experts in chemistry and physiology, might be adduced, but I shall content myself with citing two or three. Battershall, in his treatise on Food Adulteration, remarks:

"As a result of the publicity lately given to the subject of food adulteration, a popular impression has been produced that any substance employed as an adulterant of or a substitute for another is to be avoided *per se*. Perhaps the common belief that for all purposes cotton-seed oil is inferior to olive oil and oleomargarine to butter is the most striking illustration of this tendency. Now, as a matter of fact, pure cotton-seed oil, as at present found on the market, is less liable to become rancid than the product of the olive, and for many culinary uses it is at least quite as serviceable. * * * The sale of these products under their true name should not only be allowed, but under some circumstances even encouraged."

Professor Wiley stated before the United States House Committee on Agriculture, at the hearing on the compound-lard bill in 1888, in reply to the question whether, from his knowledge of chemistry and of medicine, there is any property in cotton-seed oil injurious to health, that there was not so far as he knew. In reply to the question, "Does that statement also apply to beef stearine used in connection with cotton-seed oil in the manufacture of refined lard?" he replied, "Yes, sir; so far as I know there is nothing in it injurious to health."

Concerning its digestibility and the ease with which it is assimilated, he instanced a case in which a pint had been given as a laxative and had undergone perfect digestion, showing, in his opinion, "that it was very easily acted upon by the intestinal juice" and "very easily assimilated," and he added that "it seems to act on the digestive organs like olive oil precisely." In response to the question, "Are the nutritive qualities of cotton-seed oil equal to the nutritive qualities of pure lard?" he replied, "I should say that there would be little difference as far as nutritive properties are concerned."

Professor Wiley analyzed a large number of samples of so-called refined lards compounded chiefly of beef stearine, cotton-seed oil, and hog fat, and in response to the question, "Have you any belief that any of these articles or specimens * * * when used as foods is unwholesome or hurtful to the human system?" replied, "I have no reason to believe any of them is, any of the ingredients in the lards." And again, "As far as medical and chemical knowledge extends these substances are not injurious to health." In reply to the question, "What would you say of cotton-seed oil when used alone as an article of food?" he answered, "I should say that it was perfectly wholesome," and he gave it as his belief that it was as wholesome as olive oil or hog lard or beef fat.

Professor S. P. Sharpless, State assayer for Massachusetts and a chemist who has given much time to the study of food adulteration, stated during the course of the same investigation that he knew of no property injurious to health in cotton-seed oil or the refined lards which he had examined. Professor R. Ogden Doremus, of New York City, states that refined lard made from steam lard, beef stearine, and cotton-seed oil is "pure and wholesome," and that, in his opinion, "cotton-seed oil is a wholesome article of diet," and Professor L. M. Norton, of the Massachusetts Institute of Technology, states that the compound lard made by a well known firm "is a perfectly good food material" and "is unobjectionable in every respect, and does not contain anything which can be injurious to health."

These are the opinions which seem to be almost universally held by those who have investigated this subject from a scientific standpoint. So far as I know, there is no evidence worthy of the name which even remotely tends to show that cotton-seed oil is not a wholesome and nutritious food. It has, as a matter of fact, been used for years, both surreptitiously mixed with other oils and fats or openly employed on its merits as a palatable and useful food. Throughout the cotton-growing States it has been for a long time very largely used, and the medical faculty of the Arkansas University state that it is preferred to other fats in many respects, "agreeing with the most delicate stomachs, whether used in baking or frying," and that "not one instance has ever been given of health being in any manner impaired by the use, however free, of cotton-seed oil in food." They state that "thousands of hands employed in the cotton-seed-oil mills are in the habit of making their dinners on the crude oil by dipping their bread in it, and some of them actually drink it, and yet from this free use of it nothing has ever resulted but the best of health."

Such testimony as that given above is not easily overthrown. Writers of eminence in our scientific, medical, and agricultural journals have borne similar testimony, and large numbers of people in our midst to-day use, by preference, in their households a cotton-seed-oil lard in place of one made from the fat of the hog. In my own family I have employed such a lard with perfect satisfaction, and am convinced by actual trial that it is palatable, readily digestible, and a wholesome, nutritious article.

During the last few years I have chemically examined a considerable number of compound lards, sold as lard and under various trade names, containing cotton-seed oil, sometimes without a trace of hog fat, and I have also examined various qualities and grades of cotton-seed-oil and of olive-oil containing it. Some of these examinations have been made within the last week, and I have discovered in these lard compounds and oils no substance injurious to health or in any way deleterious, and I am decidedly of the opinion that such lard compounds and cotton-seed-oil products as I have examined or of which I have knowledge are wholesome and nutritious articles of food.

Yours, respectfully,

WILLIS G. TUCKER,
Analyst, State Board Health.

Dr. LEWIS BALCH,
Secretary of the State Board of Health of New York, Albany.

I hereby solemnly attest that the above is a true copy of the report on file in this department.

[SEAL.] FREDERICK CARMAN,
Assistant Secretary.

ALBANY, N. Y., *February* 17, 1890.

APPENDIX B.

Affidavits of New Hampshire board of health and other New Hampshire physicians.

I, Granville P. Conn, of Concord, in the county of Merrimack and State of New Hampshire, depose and say: That I am a practicing physician and surgeon, resident in said Concord; that I took my degree at Dartmouth Medical College in the year 1856; that I have held the position of secretary of the New Hampshire Medical Society for the last twenty years, with the exception of the two years that I occupied the president's and vice-president's chair of that society. I am also one of the medical faculty of Dartmouth Medical College, and have held that position for some four years, or ever since the chair of hygiene was established.

I became a member of the New Hampshire State board of health when it was established in 1881, and have been president of that board from that time to the present time. I was chosen vice-president of the National Association of Railway Surgeons at its meeting held last winter in the city of St. Louis. I am a member of the American Medical Association, the Medico-Legal Society of New York. I am honorary member of the State Medical Society of Vermont. I am a member of the American Public Health Association.

My attention having been called to the "lard bill" before the Legislature, I began investigating what they meant by the terms "refined lard," "lard compound," "pure leaf lard," and "pure lard." So far as I have been able to ascertain the definitions of these terms were admitted before the House Committee on Agriculture in Congress in an investigation in 1888. These compounds show that the "commercial lard" of to-day is a somewhat different article from the "lard" which our farmers were in the habit of putting up. The "lard" put up by farmers was the leaf only, unless mixed with the suet of the beef animal. This, so far as I know, represents what is purchased in New Hampshire.

The "commercial lard," to which my attention has been called, and as admitted before the House Committee on Agriculture, is an essentially different product, "refined lard" meaning the odds and ends and what was left after the better part of the leaf lard was extracted, and then mixed with stearine and cotton-seed oil. I understand "refined lard" and "lard compound" to be one and the same product. Beef stearine and cotton-seed oil are claimed to be adulterations, neither of which, from a hygienic point of view, is harmful. Beef stearine, or suet, has been mixed with lard for years, and among farmers is considered better for summer use than the pure leaf, in consequence of the melting point being a little higher.

Cotton-seed oil within the past ten years has almost entirely taken the place of olive-oil in our markets. It is still sold as olive-oil, but chemical and microscopical examinations show it to be pure cotton-seed oil. The conditions, both chemical and microscopical, are so nearly alike that there is really no difference in its nutritive value.

It is a well known fact that immense quantities of cotton-seed oil are sent to Italy, only to come back as olive-oil. In the South and West cotton-seed oil is taking the place of all forms of lard. These are well established facts, which no one who has investigated the problem will dispute. Cotton-seed oil and beef stearine would answer all of the purposes of lard, and would be entirely unobjectionable from a sanitary standpoint.

GRANVILLE P. CONN, *M. D.*

Mr. Speaker, I am satisfied that those who have looked impartially into this question are convinced that the only deleterious component of compound lard is the so-called pure lard that enters into it. Certainly the cotton-seed oil is not. It is cotton-seed-oil-producers who have a right to complain because impure, unclean, and unhealthful hog lard is mixed or compounded with their cotton-seed oil. Let us see if this bill does not surround compound lard with such restrictions that it can not be shipped in commercial shape or as other articles of merchandise are shipped.

Let us see if the restrictions and disabilities are not such as to prevent the transportation of compound lard by railroads. The bill provides in section 7 that no person shall ship, transport, or remove any compound lard in any package, incased in any cask, package, bag, bale, or any inclosure whatever. If so, the compound lard so shipped shall be forfeited and the party fined $500. What can be the purpose of the provision? Can any one be so blind as not to see the object? Does anybody suppose that a merchant will order one hundred 3-pound, fifty 5-pound, and twenty-five 10-pound packages of compound lard from a St. Louis firm to be shipped to Alabama, when the law requires the St. Louis shipper to put all these packages into a freight-car loose, to be destroyed or stolen in transit? The merchant knows the risk is all his, because the law requires compound lard to be so shipped. You kindly consent that the railroad company may close the car-door and that is all.

Why do you not permit these original packages to be put in cases and the case marked and branded? Why not put it in commercial shape, as all other merchandise is packed? You do not require each package of smoking tobacco or bottle of snuff or box of cigars to be shipped as an original package, loose. Why do you not require every article under revenue regulation shipped in the same manner that you prescribe for compound lard? Your purpose is to increase the risk and surround the trade with such unreasonable and unbusinesslike conditions as to deter the merchant and prevent the sale of compound lard.

Why do you not lay aside the mask behind which you are hiding? Why do you not come out like men and fight us in an open field? Why are you not willing to put your hog against our cotton-seed oil, and let a discriminating public decide between them? You are guilty of false pretenses. You are pretending to protect the consumer against a fraud, when there is no fraud. Your sole object is to prevent competition; you can not meet us in the open markets of the world and sell your so-called pure lard against a pure, clean, and wholesome compound lard made largely from one of the principal agricultural products in this country. You know that compound lard is more cleanly and wholesome than the so-called pure lard made from the fat of slaughtered swine. You will not deny that it is the competition with compound lard that you are trying to get rid of by this bill. Why not justify your action by declaring that you are the Lord's anointed, and therefore have the right to tax and oppress all mankind for your special benefit? That would be more manly and in accord with your past history.

But there are other serious objections to the bill. You put the sale of compound lard under the surveillance of revenue officers and license them to invade the privacy of the family in this unholy pursuit after blood-money. You must know, gentlemen, how obnoxious this system of surveillance is to the proud American farmer and laboring man. When the package is empty, the stamp must be utterly destroyed, says the law. If the honest old farmer or his hard-worked wife should neglect or forget to destroy this stamp and the revenue officer goes nosing around the kitchen, as he has the right to do under this bill, and finds the innocent package with the stamp uncanceled, the owner is seized and dragged away from home and business, carried before a United States commissioner, bound to appear at the next term of the United States district court, fined $50, and imprisoned six months.

And this is the relief you offer the farmer and farm laborers and working people generally, all of which is intended to embarrass and to increase the risk in the manufacture and sale of compound lard. This wholesome, desirable food product that goes on the table of more than one-half of the people of this country is put under the same bans and restrictions that tobacco, snuff, and cigars are subject to, except that you permit these articles of luxury to be incased and shipped in a decent, businesslike way, while you require the compound lard, the poor man's food, to be shipped so as to expose it to the greatest possible danger and increase the risk and raise the price as much as possible.

The bill is a long step toward a system which will bring every section of the country and every diverse interest before Congress, each clamoring for protection against some other domestic industry. Mr. Speaker, the honest farmers do not demand this class of legislation. They are fair-minded men. They want equal and exact justice done to all interests and every section of the country. What farmer has been here to lobby for this bill? What farmer has haunted the committee-rooms and corridors of the nation's Capitol in advocacy of this measure? Who are they? Name some of them, that the honest farmers may know who is so solicitous about their interest and welfare, who it is that urges the passage of this monstrous proposition. I will give their names and let the farmer say if, in his opinion, these gentlemen are sincere in their professions or care one snap of their finger for the interest of the farmer, or have a desire to furnish a good, wholesome article of pure lard at a less price than is now paid.

The distinguished farmers, so called, whose names I print with my remarks are those who have lobbied for this bill, and they are the so-called farmers who will be benefited by it. Their hired agents have haunted this Capitol for two sessions of Congress, and they are now about to receive their reward. A great trust is about to be organized in pure lard, so called, for the benefit of the "farmers," so called. But here is a list of some of these distinguished friends of the farmer, and I am indebted to Hon. JOHN H. WILSON, a member of the committee, who submits a very able report on this subject. He says:

Who first proposed any legislation in Congress upon the subject of lard? The earliest known bill was presented by Hon. Mr. DAWES in the United States Senate December 19, 1887, Fiftieth Congress, first session (S. 650), by request of John P. Squire, a pork-packer in Boston. (See page 49 of the hearings of the Fifty-first Congress.) The proceedings before the committees of both Houses show that the prominent advocates of lard legislation who appeared before the said committee as promoters thereof were as follows:

Page 47, Mich. Ryan, pork-packer, Cincinnati.
Page 61, Joel A. Sperry, pork-packer, New Haven, Conn.
Page 68 and 266, John Whittaker, pork-packer, St. Louis, Mo.
Page 101, E. A. Bartman, pork-packer, Bridgeport, Conn.
Page 230, William S. Harvey, pork-packer, Kansas City, Mo., and Philadelphia, Pa.
Page 102, U. S. Epperson, pork-packer, Kansas City, Mo.
Page 246, O. W. Thomas, pork-packer, Louisville, Ky.
Page 265, Mr. Morrison, pork-packer, Cincinnati, Ohio.
Page 247, W. W. Kimball, pork-packer, Boston, Mass.
Page 258, C. G. Cryer, pork-packer, Baltimore, Md.
Pages 119 and 277, W. L. Hill, pork-packer, Boston, Mass.
Page 330, John C. Hately, pork-packer, Chicago.
Page 348, William Kirkwood, pork-packer, Chicago.

Among the prominent petitions, letters, resolutions, statements, etc., favoring the bill we also note:

Page 8, Cincinnati Board of Trade.
Page 8, Chicago Board of Trade.
Page 15, Francis Whittaker & Sons, pork-packers, St. Louis, Mo.
Page 16, St. Louis Live-Stock Exchange, East St. Louis, Ill.
Page 107, Louisville Board of Trade.
Same page, Boston Chamber of Commerce.
Page 116, Plumb & Winton, pork-packers, Bridgeport, Conn.
Page 168, William Ryan & Sons, pork-packers, Dubuque, Iowa,
Also, John P. Squire & Co., Boston, Mass.
Des Moines (Iowa) Packing Company.
International Packing Company, New York City.
Chicago Live-Stock Exchange.
James E. Booge & Sons, pork-packers, Sioux City, Iowa, etc.

The foregoing seems to us to be as choice an assortment of pork-packers, combines, and stock-yards representatives as can be gathered in the length and breadth of these United States. These are the men, we take it, who, when they can, squeeze the last cent of money out of the hog-raiser and the hog-seller. These are the men who through their "eveners" and adjusters at the stock-yards and at the packing-houses "dock" the honest farmers most arbitrarily on every drove of hogs they buy, and these are the men who appear before the Congress of the United States as manufacturers of "prime steam" lard, as explained in the foregoing pages, which they say the Government must not touch, and as advocates for the enactment of this particular measure which they say is solely in the interest of the downtrodden farmers.

The object of this report is to state as distinctly and frankly as possible our mistrust and suspicions concerning the ultimate results which may accrue if this bill (H. R. 283) becomes a law. We are free to say that we hesitate to believe a bill which will benefit the agricultural interests of the United States, the farmer and the hog-raiser, can emanate from such a source. If there is any possible chance of any lard legislation of this kind adding 32 cents to the value of every hog in the United States, we are satisfied in our own mind that that 32 cents will accrue to these gentlemen of the slaughter-houses and of the stock-yards, and not one cent of it will ever reach the farmer, in whose interests it is claimed this bill is proposed.

This is distinctively a Republican measure. I confess, Mr. Speaker, that I can not understand how our Democratic friends on this side of the House can support such a bill. They must know that the purpose of the bill is to protect one agricultural product at the expense of another agricultural product. They must know that the bill strikes a blow at one section of the country in favor of another section of a common country. They must know that it is in direct violation of the ever-living principles of our party. They must know that it is un-Democratic and un-American. My brethren of the household of the faithful, you stand on dangerous ground. You are warming into life the adder that will sting you and the dearest right and interest of the people.

In the name of the American farmer and wage-earner, I protest. In the name of the wife who is tired and worn with the cares and burdens of life, at whose apron strings hungry and crying children are pulling for a biscuit seasoned with compound lard, I enter a solemn protest. In the name of justice and fair play, I protest. As I hope to see the principles of our Government handed down to those who are to come after us as they came to us from the fathers of the Republic, I protest against this wicked, vicious, and dangerous doctrine.

Will this kind of legislation never cease? Will the time never come when the people of the South will feel that their rights and interests will be protected as those of other sections of a common country are

protected? Can we never feel that we are in our father's house and entitled to all the benefits and privileges that our brethren enjoy? Can we never claim that under its roof we are the equals of anybody else in the same house? Will you never tire in your efforts to oppress the South? Will the time never come when you will treat us as brethren, owing allegiance to the same flag and holding a common interest in the Government with yourselves?

You say the farmers demand the passage of this bill. What farmers? Do you not know that four-fifths of the farmers and farm laborers in this country are buyers of lard, and not sellers? You do not reach the lordly cotton-planter who owns his broad acres of waving corn and cotton, for he does not sell cotton seed. It is the poor tenant who rents his land or works on the share system, the common farm laborer, who will suffer by this class of legislation. I venture the assertion that there is not a Representative on this floor who claims to represent an agricultural district at least half of whose constituents are not buyers of both pork and lard. To say the farmers of this country are demanding this class of legislation is to insult their intelligence. It is to say to them as you have been saying for years: "You do not know what you want or what your interest is." Suppose a few farmers who sell lard do want this bill; is that any reason why the millions of men, women, and children in the country who will be injured by it should not be heard?

Who is looking after the interests of the miners and mechanics and wage-earners, whose number exceeds ten times those who sell lard? Have they no friends here and have they no interests to be protected? Have they no rights? Do they not pay taxes, and must the Government not rely on them to fight her battles and defend her honor? Then why should they not be heard? Do they demand that their food shall be increased in price in order that a few pork-packers in the great cities of the country may be able to organize a great lard trust, and mercilessly drive up the price of lard until none but the rich can buy it? Mr. Speaker, I stand for the laboring people of this country, and will never, by word or deed, deprive them of a single blessing or add one drop of sweat or stroke of toil to their efforts to better their condition and that of their families.

Gentlemen are growing very anxious about the farmers. You pretend to favor this bill in the interest of the farmers. If you are sincere in your protestations in behalf of the agricultural interest of this country, at a time when you could have rendered effective service why did not your political friends protect the great toiling population of this country from the unjust burdens cast upon them by the act of 1869, which converted a contract to pay the bonded indebtedness of the United States in paper money into a contract requiring it to be paid in coin? The wealth of the bondholders was appreciated in value by this act over $500,000,000. Why did you not interpose in their behalf when your party clandestinely demonetized silver, by which the obligations of the Government were made payable in gold, the volume of circulating medium reduced, money made dearer, and property and labor made cheaper? You ought to have thought of them when you were voting for the McKinley bill, by which you increased the price of nearly every article consumed by the farmers and laboring people of this country.

Can you not get your mind on the interest of the real farmers, laboring men and women, and hungry children when you come to vote on this bill? Can you not for once in your life lose sight of the wealthy pork-packer, who contributes to your campaign fund, long enough to cast one vote for the people? Gentlemen across the aisle, do not worry about the poor farmer. He has no confidence in your promises. They are made only to be broken. The pathway of your march over the rights and interests of the people is strewn with broken promises and unfulfilled pledges. Do not grow restless, farmers ALLEN, BROSIUS, and BUTTERWORTH; the real farmers of this country are preparing to take care of themselves. They are on your track. They are studying the science of government, political economy, and other important questions as never before. They are organizing, and will move with great force when the word "Forward!" is passed down the line in 1892.

I am satisfied that my advice on this subject will not be taken. It is and always has been the policy of the Republican party to promote class legislation; and it has so happened in all cases, as in this, that the class benefited is comprised of the rich and powerful, who do not need to be aided at the expense of the poor and toiling millions of this country.

Mr. Speaker, in conclusion, it seems to me that the American Congress would present a much grander and nobler spectacle if it were engaged in passing a resolution of thanks to those men who by their investigations have discovered and given to the world a cheap, wholesome, and nutritious food. None of the great inventors of modern times have so benefited mankind as those who discovered that cotton-seed oil compounded with stearine and hogs' lard made the best article of food and the cheapest cooking fat ever used. Mr. Speaker, the farmers have asked for a measure of relief, and this bill has been offered them. They come before this Congress and ask to be relieved of some of the burdens they have been bearing so patiently and so uncomplainingly for so long, and they are offered a measure filled with additional taxes on the necessaries of life. I doubt if they will accept this additional insult without resentment.

Compound Lard.

SPEECH
OF
HON. MARRIOTT BROSIUS,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 23, 1890,

On the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard.

Mr. BROSIUS said:

Mr. SPEAKER: It was not my purpose to add anything to the remarks I had the honor to submit at the beginning of the discussion, but some observations made by the opponents of the bill make it necessary for me to trespass a little further upon the patience of the House.

COTTON-SEED OIL.

It is urged strenuously in opposition to the bill that the "compound-lard" industry has given a great impetus to cotton-seed-oil production and added greatly to the value of that product, and that the passage of this bill will seriously impair that industry. Whatever specious show of logic this contention may have, it has no standing in morals. No trade has a right to rise on the ruins of its fellow, wrought not by legitimate competition in a fair field, but by cunning and the subtle devices of the wicked.

No title to prosperity can be based upon a fraud. The claim of cotton-seed oil to a market under the name and brand of "refined lard" is no more defensible on moral grounds than the claim of a man to the goods he has obtained by false pretenses. Whatever prosperity in the oil trade is due to deceit and imposition ought to be impaired, and the honest residue will remain unaffected, enjoying a higher degree of self-respect than heretofore.

It is sad and depressing to contemplate that, in a christian nation, which sends missionaries to the heathen of other lands, tillers of the soil insist upon the right to use the arts of the devil, agencies which every honest man must stamp as immoral. Are cotton-planters becoming insensible to the obligations of morality? Are the cotton-seed-oil-producers conspiring with the spurious-lard-compounders against commercial honesty and business integrity? Are they like the sanctimonious pirates who went to sea with the Ten Commandments, but scraped one out of the table—"Thou shalt not steal"—because that was a commandment that commanded them against their functions?

Nor is there any need for such devices in marketing the products of the cotton plant. There is no product of the soil so entirely and completely utilized for purposes of profit as the cotton plant; there is not an atom of waste in it.

Let me read the story of the transmutation of cotton seed. It is like a fairy tale:

Was there ever—

Says The Bankers' Monthly—

such a history as that of the cotton seed? For seventy years despised as a nuisance, and burned or dumped as garbage; then discovered to be the very food for which the soil was hungering, and reluctantly admitted to the rank of utilities; shortly afterwards found to be nutritious food for beasts as well as for soil, and thereupon treated with something like respect. Once admitted to the circle of farm industries, it was found to hold 35 gallons of pure oil to the ton, worth in its crude state $14 to the ton, or $40,000,000 for the whole crop of seed.

But then a system was devised for refining the oil up to a value of $1 a gallon, and the frugal Italians placed a cask of it at the root of every olive-tree, and then defied the Borean breath of the Alps. And then experience showed that the ton of cotton seed was a better fertilizer and a better stock food when robbed of its 35 gallons of oil than before; that the hulls of the seeds made the best of fuel for feeding the oil-mill engine; that the ashes of the hulls scooped from the engine's draught had the highest commercial value as potash, and that the "refuse" of the whole made the best and purest soap stock, to carry to the toilet the perfumes of Lubin or Colgate.

Is it necessary to mask such a commodity to get it on the market, and are farmers in the South willing to proclaim from the housetops that they need devices of fraud and covin to promote their trade? Do they demand the intervention of this oil miracle to push their sales? Gentlemen will recall the famous lines of Crashaw, describing the miracle of Cana:

The conscious water saw its God and blushed.

Here we are introduced to another miracle by the farmers of the sunny South—and I speak of it with all reverence—which may be described in a line which is in no danger of becoming celebrated:

The conscious oil of the cotton seed saw Fairbank's chemist and bleached.

THE FARMERS.

The tillers of the soil, of all men on earth, ought to spurn the arts of the knave who goes about "to cozen fortune and be honorable without the stamp of merit."

The farmers of this country have keenly regretted and often charged that other classes were wearing "undeserved dignities." They have lamented, with the prince in the play, "that estates, degrees, and offices were derived corruptly, and that honor was not purchased by the merit of the wearer."

There was no command laid upon the farmer to be rich or learned,

but he must be honest. His situation invites it. His intercourse with nature promotes it. God's myriad ministers of truth are speaking hourly to him in the voices of the field, the woods, and the air. He sees no base deceit in nature's commerce with him in taking the seed and returning the harvest. He hears no lie from the ceaseless tongues which warble the music of nature's sublime symphonies. He lives and moves and has his being in a glorious temple of truth and beauty, where every inspiration is uplifting and every influence ennobling, and God knows he ought to be honest.

REDEEM COTTON-SEED OIL.

I am inclined, moreover, to believe that the sooner cotton-seed oil ceases to be used as an adulterant the better for the producers. This oil is said to be little inferior to olive oil as a dressing for salad. In nutritive value it is equal to any oil. We import 893,338 gallons of olive oil at a cost of $696,065. I have no doubt it will at an early day, with superior methods of refining, largely supersede olive oil, and command as high a price and ultimately give the cotton-grower the benefit of the money we are now sending abroad for olive oil. This, however, can not occur while the oil is degraded by use as an adulterant and palmed off as lard.

The subjoined statement conveys some idea of the cotton-seed-oil product and its value:

STATISTICS OF COTTON-SEED OIL.

Total annual production, about 28,000,000 gallons, or	pounds	210,000,000
Value on present market		$10,000,000
Used in production of compound lard	pounds	70,000,000
Value of which is about		$3,500,000

The manufacture of cotton-seed oil in recent years has been from 175,000,000 to 200,000,000 pounds and more. It is probably a fair estimate to place the current season's manufacture at about 225,000,000 pounds; in 1888-'89, at 210,000,000; in 1887-'88, at 185,000,000, and approximately 175,000,000 for several years previously. We are unable to estimate satisfactorily the proportion of the product used as a lard mixture.

The export valuation of cotton-seed oil has been approximately as follows, per pound, for years ending June 30:

	Cents.		Cents.
1888-'89	6.45	1883-'84	5.80
1887-'88	5.75	1882-'83	7.00
1886-'87	5.15	1881-'82	6.15
1885-'86	4.50	1880-'81	5.70
1884-'85	5.50	1879-'80	6.15

Export of cotton-seed oil in 1888.

To—	Gallons.	Value.
Belgium	368,489	$146,598
Denmark	2,550	1,026
France	1,062,140	445,609
Germany	143,258	61,454
England	250,527	109,178
Gibraltar	386,244	123,690
Italy	284,956	104,199
Netherlands	1,797,800	803,820
Portugal	179,000	72,600
Sweden and Norway	22,030	9,680
Total	4,396,994	1,876,835

NO DISCRIMINATION.

It is said that the bill discriminates invidiously against this particular industry. If it does so, it is because this particular industry in its mode of prosecution is particularly obnoxious to commercial morality and injurious to public interests. A difference in the character of industries justifies a distinction in the manner of treatment. All men are endowed with equal rights, but some men are sent to jail and others invested with high honors and civic distinctions.

The opposers of the bill would not object to it if it applied to all lard-manufacturers. This is of course a stupendous concession to the weakness of their case. It means that the principle of the bill is right, but they do not want to be singled out and have their sins set before them in the eyes of the world. They want their betters to share the ignominy of their wrongs. Their anticipated miseries, they think, will be more easily borne if shared by others. All wrongdoers seek this kind of consolation. It is the same thought which is so aptly expressed in King Lear:

> When we our brothers see bearing our woes,
> We scarcely think our miseries our foes;
> How light and portable my pain seems now,
> When that which makes me bend makes my neighbor bow.

CLEANLINESS NEXT TO GODLINESS.

But the claim that the steam-rendered lard of commerce should be subjected to similar regulation because it contains impurities is unworthy those who make it. There is no more reason for including genuine lard than flour, corn-meal, or other unadulterated products of the farm, field, or factory. That lard at some stages in the progress of its rendering may be repulsive to the eye, I do not doubt, but it does not follow that it is not clean when the process is completed. You might as well complain of the foulness of the lily that lifts its silver cup of beauty and purity from the muck-pile.

This not a question of cleanliness, but rather of godliness. Cleanliness does not go before, nor is it equal to, but is next to godliness. We may be clean if we like, but we must be godly, in the lard business as well as in all others. This bill seeks to prevent fraud, imposition, covin, and deceit in the production of a food product and placing it upon the market, all of which are in a degree ungodly. We would like manufacturers of lard as well as other people to bear in mind that it is as true to-day as in the elder time that "righteousness exalteth a nation, but sin is a reproach to any people."

NO ASSAULT UPON FAIRBANK.

I desire in this connection to observe that my friend from Illinois [Mr. MASON] is in error when he says I assailed the personal character of Mr. Fairbank in my opening address on this bill. I did not mention Mr. Fairbank's name, save in connection with his own testimony; I assailed the fraud which I think he is perpetrating upon the people. He may not think it a fraud, but that fact can not curtail my thinking upon the subject, and I must characterize the business as I think it is, and if he follows it he can not escape that modicum of character which men acquire from their business.

If I thought I had abused the liberty of this floor to assail Mr. Fairbank or any other man, I would reproach myself until I had made a retraction as distinct and public as I made the offending utterance; for I hold that to take advantage of the exemption from responsibility enjoyed by a member of this House for words spoken in debate to assail private character is more reprehensible and wears a darker livery of culpability even than making lard out of cotton-seed oil.

If my friend from Illinois [Mr. MASON] will do me the honor to re-examine my remarks, I think and hope he will see that I did not exceed the just limits of decorous debate on a question of public importance.

THE TRAIL OF THE SERPENT.

I quite agree with my friend that Chicago is a great city and contains multitudes of the children of men, but when I reflect that one-half the bogus butter and three-fourths of the adulterated lard consumed in the United States are made in that city I am almost cruel enough to harbor the suspicion that the queen city of the West is growing in grease faster than in grace.

When I reflect how many of her people were engaged for several years in making and selling a compound of oil, suet, and lard under the name and brand of "choice refined family lard," I may be excused for suspecting that beneath the spreading vines and scented flowers which adorn the door-way to the temple of her virtue, there may still be found the "trail of the serpent."

Now, Mr. Speaker, it seems to me this House ought to be ready to vote upon this bill. No feature of the question has escaped the discussion. We have but to realize two things to make the way clear for the passage of the bill.

THE PEOPLE FOR THE BILL.

The first is that the people of this country demand it. From the sunny slopes of the South, the illimitable plains of the West, and the fertile hillsides of the East, comes the voice of the people in united, concerted, and enthusiastic acclaim for this legislation.

THE MILLENNIUM ADVANCES.

The other is that every act of legislation that strikes down a wrong, every law that stabs to the heart a national vice, overthrows a seated iniquity, which tarnishes the fair fame and dims the glory of our people, visibly advances that national millennium in which we will be liveried in the white and seamless robe of national honor and commercial integrity.

A SPLENDID RECORD.

Within the compass of a few fleeting days we have cast down the lottery monster gorged with the blood of its victims, and mounted another guard over the exposed point on the frontier of our foreign commerce in meat products. Let us now scuttle and destroy the pirate craft of this lard compound, "rigged with curses dark," which has scourged the sea of our national honor. And then let us, at least, cut off the arms of the mighty gambling octopus that has too long fattened on the substance, if not the souls, of our people. When this is done we will have completed for the first session of the Fifty-first Congress a record of unrivaled splendor in remedial legislation on lines of commercial integrity and national honor.

Compound Lard.

SPEECH
OF
HON. DARWIN S. HALL,
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, August 23, 1890.

The House having under consideration the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard—

Mr. HALL said:

Mr. SPEAKER: So far as this Conger lard bill is concerned, as a farmer and a representative of the farming and business interests of the Third Congressional district of Minnesota, I am for it. I am in favor

of it as a separate and distinct proposition. The Agricultural Committee has seen fit to report this bill as one of special interest to the producer.

The interests of agriculture come especially within the purview of this committee. This bill requires cotton-seed oil to sail under its true colors, and not be sold as pure lard. This is only fair to those who raise hogs, and is a matter in which all our farmers are interested. This cheap oil, which comes in competition with lard and is used to adulterate with lard, is to be branded, so that all may know what they are buying, and if they prefer cotton-seed oil to pure lard, nothing prevents any one from buying it, but they can not, under this bill, defraud the public by a spurious article, and it is only just to the consumer and the producer.

This committee seen fit to bring forth this bill stamped with its approval. I believe this is an honest committee; they bring forth this bill and antagonize the Big Four dressed-beef, oleomargarine, and compound-lard combine. Then I say Stand by the committee! When I hear John Bull and the Cobden Club lobby cry out that they will manufacture all the iron, pottery, and in fact everything we need in Minnesota, and that no more factories need be built in Red Wing, Faribault, Hastings, Glencoe, and elsewhere, I do not have to pause long and consider a proposition of that kind. I am opposed to it from the start; and when I see who advocates it I continue to think less of it. So with this substitute which is proposed at this time.

I am not opposed to the Paddock bill, with which I understand this substitute is identical. Let that bill come in and stand on its own merits, and I, with many others, will support it; but do not bring it in at this time to defeat this bill which has been so carefully considered and recommended by the Committee on Agriculture.

I live in a State which has felt the heavy hand of the Big Four dressed-beef, oleomargarine, compound-lard combine. I was a member of the State senate of Minnesota when we passed the "Scheffer law," requiring all live-stock for food to be inspected on the hoof before being slaughtered for that purpose. It would seem reasonable that every State or locality should prescribe what sanitary and police regulations are necessary to provide pure food for her people. No live man can tell whether the dressed quarters of meat from refrigerator cars are from lumpy or cancer jawed diseased animals. We proposed to see the live animals standing which our people were to eat, and passed a law requiring it. Yes, passed a law, meeting every kind of opposition from the "combine," be it said to the praise of the Minnesota Legislature and the governor who approved it.

Did our troubles stop here? Not much. Money is all-powerful, as was discovered later by the farmers and business men of Minnesota. The combine carried the matter to the Supreme Court of the United States. Was the decision in favor of a State's inspecting by their own officers food coming in from another State? Was the decision in favor of local police regulations of that kind? Not by a large majority. The law was declared unconstitutional by the highest court in the land.

I desire to cast no reflections upon the court, made up as it is of men learned in the law, of high character, etc., which would preclude any thought of questioning the honesty of that decision. Though a farmer myself and never having had a lawsuit in my life, I have the greatest deference for learning and belief in the judiciary. But, Mr. Speaker, let me say to you that this Supreme Court decision declaring "inspection on the hoof unconstitutional" raised a deep-down, ugly-spirit feeling of resentment akin to "original package;" though slumbering, it is vindictive, ready to flame at the slightest breeze.

Now, as this substitute empowers a State to police and regulate its own sanitary affairs as to food adulteration, I am for it on its merits, but not as a substitute for the bill reported by the committee. Let us stand by the committee; then after we have passed that, let us take up the Paddock bill, perfect it, if it needs improving, and pass that also. I believe this Congress has tried honestly and fairly to do justice to every industry and individual in the land.

It is said that protective tariff is entirely in the interest of the Eastern manufacturer; that there is a strong lobby at the Capitol working for protection and the Eastern manufacturer; that the West needs no protection; that protection is against the producer.

First, if the East is so strongly in favor of protection why do they send, right from their manufacturing centers, so many Democrats to Congress opposed to protecting our industries and in favor of free trade? I will tell you; they know free trade means free raw material. That is what they want, free wool, free coal, free iron, and free wheat, barley, and corn. Then they want a commerce, and if wheat is high in price here they will buy it in India or Russia or elsewhere. Do you not see it?

"Free raw material and a commerce" is their watchword. With that condition of things how would factories build up in the West? How much of our commodities would they want of us in the West, which they would have to secure by rail, when they could get all things so much cheaper by subsidized steam-ship lines, by water?

If there ever was a lot of men who believe honestly and truly that the building of factories in the West is that which is necessary to make its prosperity permanent and substantial, it is the Western members of the Fifty-first Congress.

They believe the East occupies very much the same relation to the West as England does to this country; that the Eastern manufacturers are nearly all free-traders at heart, knowing they could stand free trade, but that every new Western industry and enterprise must fall. Honestly believing this they have manfully stood shoulder to shoulder battling for the new Western enterprises and for the localities they represent.

In protecting the interests of this country the producer has not been forgotten; the Republicans believe that the large importations of farm products into the United States is detrimental to the agricultural interests, with no corresponding benefit to the consumer; therefore this Republican Congress has taken steps to reduce the importations, believing this market should be saved for our own people. And I can say to the gentlemen on the other side of this House who oppose this measure that the farmers understand this. "Do not lay the flattering unction to your souls" that you will deceive them longer with honeyed words and shouts of the demagogue.

The interests of the farmer and the business man, of the West especially, are identical. What is an advantage to one benefits the other, and you can not array one against the other. You can not tear down the Republican party in the North by your efforts in that direction. It does not deserve to be torn down. Has not the Republican party honestly carried out its pledges to the people? Has not this Congress enacted honest and just pension laws for those who saved the nation, those who made it possible to have a united government for you to enjoy, and did not you on the other side of this Chamber oppose it by all possible means?

Have we not passed an honest and fair silver bill which you opposed, which your Democratic President, Grover Cleveland, opposed, and which no Democratic Congress ever passed. What has the Democratic party done during all its years of power? Did it give the poor man a homestead in the West? No, opposed it by every possible means. The Democratic party takes no responsibility, it believes in a do-nothing policy, but waits for the Republicans to act that it may denounce them. The Republicans bravely grapple with the questions of the hour. They assume the responsibilities of enacting what they believe to be just and wholesome laws for the benefit of the whole people.

The Republican party has never tried to injure the credit or destroy this nation. They believe the fundamental principle which underlies the entire national fabric is the intelligence and education of the masses. This Republican Congress has done more toward enacting laws for the benefit of the farmer and laborer than any other Congress since the foundation of the Government, and I defy a contradiction of this statement. The Republican party call things by the right name. They did not try to defeat the silver bill by insisting that the Government buy all the old silverware of Europe, and the tons of silver bullion from the wealthy mine-owners and pay $1 for 71 cents' worth of silver. They did not try to defeat pension legislation by insisting that unreasonable pensions should be paid to every widow and orphan of soldiers, and soldiers themselves, sick or well, rich or poor, as the Democrats now try to defeat this bill by proposing a substitute. Again, I say I propose to, and believe this House will, stand by the committee and thus add one more evidence of a desire to benefit the agricultural and business interests of the country.

The Late Representative Nutting.

REMARKS

OF

HON. THOMAS J. HENDERSON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 5, 1890.

The House having under consideration resolutions of respect to the memory of Newton W. Nutting, late a Representative from the State of New York—

Mr. HENDERSON, of Illinois, said:

Mr. SPEAKER: The intimate and friendly relations existing between the late Judge Nutting and myself were such during his entire service as a member of this body that I can not well refrain from adding on this occasion some tribute to his memory.

My acquaintance with him began soon after he took his seat in the Forty-eighth Congress. As a member of the Committee on Rivers and Harbors, which had for its consideration matters of improvement of great interest to his constituents, I was early brought in contact with him, and had ample opportunity to study his character and to know something of his devotion to his public duties, and I can bear testimony to the intelligent, able, and faithful manner in which he represented the interests of the people of his district and State, even in the first term of his service here.

For some reason Judge Nutting was not returned to the Forty-ninth Congress, but was again elected to the Fiftieth Congress, in which he, with myself and others, was appointed a member of the Committee on

Rivers and Harbors, one among the most laborious, responsible committees of the House. And it was in our service as members of that committee that I learned to appreciate the high character of Judge Nutting for ability, energy, and industry, and for his fidelity to duty.

For many months we were almost daily associated together in the work of the committee, and I believe it would be the universal testimony of every member of the committee who served with him that he was one of the most attentive, careful, industrious, painstaking members of the committee, and that he brought to the discharge of his duties a high degree of intelligence and an unswerving integrity.

While he was a quiet, modest man and assumed no superiority of ability or merit over his associates, he was nevertheless an intelligent and capable man, and always desired to be well assured as to the rightfulness of his own action. He therefore investigated questions conscientiously and carefully before forming an opinion; but, when formed, he was firm and courageous in maintaining and defending it.

In his intercourse with his fellow-members he was courteous and gentlemanly, and commanded their respect, no less by his affability than by his close attention to his public duties.

He was a true patriot. He loved his country devotedly and rejoiced in its prosperity and greatness. His love of country was in no manner narrow or sectional. While proud of his own great State, he believed in our nationality, and was broad-minded and generous in his views and disposed, so far as it could be properly done by national legislation, to promote the prosperity of the entire country.

But the labor of his life, honorable and useful as it was, is ended. To us who served with him in this Hall, and especially to those who served with him in the committee-room and knew him so well, his death was full of sadness.

When I first heard, Mr. Speaker, that Judge Nutting was afflicted with the fatal malady which cut him down in the vigor of his manhood and his usefulness, I was deeply distressed. And it was a continuing sorrow to all of us, as we watched his patient suffering from that terrible disease, which he no doubt realized would soon terminate his life. I never saw more patient endurance nor a calmer resignation to meet the end when it came than he exhibited up to the hour when I last met him.

He has truly left behind him the example of a noble life and is worthy of the honor we this day pay to his memory.

Samuel J. Randall.

REMARKS
OF
WILLIAM S. HOLMAN,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 14, 1890.

The House having set apart June 14, 1890, for a suitable commemoration of the life and public services of Samuel J. Randall—

Mr. HOLMAN said:

Mr. SPEAKER: After many years of close association with Samuel J. Randall in the House of Representatives, in entire sympathy with him on most of the questions of public policy which have agitated our country during the last twenty-five years, and highly appreciating his integrity as a man and his ability as a statesman, I wish to add some words of affectionate remembrance to the record which Congress will order to be made in commemoration of his public services.

Mr. Randall entered the House of Representatives in the midst of the late war a Democrat with unfaltering devotion to the cause of the Union. His political associates were in the minority and did not in any material degree influence the course of legislation. In a time of war legislative majorities adopt the methods of the camp; it is a period for action, and not for debate. I had been a member for several years before Mr. Randall entered the House, and while in the earlier period of his service he took but little part in the business of the House, yet he displayed from the beginning the vigilant attention to current legislation, the solicitude for the public welfare, the sincere patriotism, so indispensable to an honorable career in a Government like ours.

Mr. Randall soon became familiar with the rules of legislative procedure, but it was some time before he displayed the thorough knowledge of public affairs and capacity for leadership which in later years were to place him in the foremost ranks of our public men. It was not until the last session of the Forty-third Congress that an occasion arose in the House demanding united action and skillful leadership on the part of the minority, when the measure of that period, known as the "force bill," was being pressed to its passage by the powerful majority. Mr. Randall had already acquired such standing in the House as an accomplished master of parliamentary law, as a gentleman prudent in method and unfaltering in purpose, that his political associates without hesitation recognized his leadership. This parliamentary contest involved the gravest interests and was one of the most prolonged and exciting that has ever occurred in our history. The measure was defeated.

This event secured to Mr. Randall the confidence and kindly feeling of all of his political associates, and especially of Representatives of the States of the South. That he was not elected Speaker of the House at the opening of the Forty-fourth Congress was attributed to the fact that Mr. Kerr, his strongest competitor, a gentleman of high attainments and great ability, had, as a legislator, rendered the country and the States of the South services of especial value during the period of reconstruction. It soon appeared that this result was best for the country and best for Mr. Randall's permanent reputation.

As soon as the Forty-fourth Congress was organized Mr. Randall became the chairman of the Committee on Appropriations. By courtesy the chairman of the Committee on Ways and Means, the older committee, has been nominally the leader of the House, but ever since the Committee on Appropriations was established its chairman has been the real leader of the House; this was never more manifest than in the Forty-fourth Congress.

It was during the Forty-fourth Congress that Mr. Randall, as chairman of the Committee on Appropriations, won his great reputation and changed the administration of the Government. The late war and the inevitable inflation of the currency had led to an alarming extravagrance in every department of Government. It seemed almost impossible to reduce the profligate expenditures of a period of war to their proper and natural condition in a time of peace. The party in power, whatever might have been the views of its leading men of the necessity of retrenchment, was absolutely powerless. The great army of superfluous employés found shelter under the Senators and Representatives from their respective States and districts; years had elapsed since the close of the war, yet the appropriations demanded by the great Departments of Government were substantially unchanged.

Mr. Randall and his committee determined to reduce the appropriations to the sums actually required by the Departments for the efficient performance of the duties imposed on them by law.

With the House Democratic, Senate and Executive Republican, there was a fierce conflict from the beginning. That first session of the Forty-fourth Congress, a long session for that period, was almost entirely employed on the appropriation bills. Months were occupied on the leading appropriation bills by the conferees of the two Houses, especially on the bill involving the number and compensation of the employés of the great Departments.

Such a struggle to reduce the public expenditures to the actual necessities of the public service has never occurred in our history. There was no thought of embarrassing any of the Departments of the Government, but a determination that the expenditures should be reduced to the reasonable requirements of the public service. After months of controversy between the two Houses over the great appropriation bills, the appropriations of the first session of the Forty-fourth Congress were reduced $29,131,362.51 below those made by the corresponding session of the preceding Congress. The result was exceedingly gratifying to Mr. Randall's political associates and arrested the attention and received the approval of the country in a very marked degree.

Before the meeting of the second session of the Forty-fourth Congress, the lamented death of Michael C. Kerr, Speaker of the House occurred, and on the first Monday of December, 1876, Samuel J. Randall was elected Speaker. As the member present who had served in the House for the longest period, I administered to him the oath of office. I will never forget the unconscious expression of absolute confidence of Samuel J. Randall, then in the vigor of perfect manhood, when he took up the gavel and entered upon the duties of that great office, which he filled with ever-increasing honor until the close of the Forty-sixth Congress, when the Republican party obtained the control of the House.

The expression of public confidence in the Democratic party in the great political contest of 1876 was in a large measure due to the statesmanship displayed by Mr. Randall during that memorable session. I succeeded Mr. Randall as chairman of the Committee on Appropriations, and on the line of policy which he had marked out the appropriations made by the second session of that Congress were $34,574,059.67 less than those of the corresponding session of the preceding Congress, making the appropriations of the Forty-fourth Congress $63,705,423.18 less than those made by the next preceding Congress, a sum exceeding the entire expenditure of Government during any year preceding the late war.

It was noticed by all men who carefully observe the course of our public affairs that this radical retrenchment of expenditures increased the efficiency of the administration of the Government because it purified and elevated the morals and spirit of the public service in every one of its departments. Public spirit took the place of mercenary designs.

I have dwelt on this portion of the public record of Samuel J. Randall because his successful efforts in reducing the expenditures of the Government secured to him the confidence of the country and were the foundation of his great reputation, and for another reason; when, at a later period, the question of revenue reform arose Mr. Randall was not in accord with his political associates; he, in common with most of the

statesmen Pennsylvania has produced, was an earnest friend of a tariff for protection, while his political associates generally favored a tariff for revenue; but as the champion of pure and honest government he was the great leader of his party to the last, and here rests his great and well earned reputation as a statesman. He believed that however the wealth of the country might increase, if the Government remained frugal, the Republic was secure; that frugal government could alone secure honest government; that without frugality in the administration of Government, corruption of its great departments was inevitable, and he struggled to the last for frugal and honest Government.

Mr. Randall as Speaker of the House was courteous and firm and always impartial; if ever arbitrary it was in support of his leading idea of American statesmanship, the maintenance of purity and honesty in the administration of the Government.

His rugged and inborn integrity kept him always in line of public duty. He was an intense partisan, but from this line of public interests and duty the interests of his party could not swerve him the tithe of a hair.

Whatever may be said of the temptations to which public men are exposed it is absolutely safe to assert that no man ever approached Mr. Randall with a suggestion in public affairs not honorable to his country and to himself.

The iron firmness he displayed in carrying out the act of Congress in the contested Presidential election of 1876 was a true index to his character. In the tumults of that period, fiercely assailed by his political friends, he did not falter a moment in the enforcement of the law. No statesman of our country has ever displayed greater fortitude in the fulfillment of a public duty.

Until the question of the tariff, which for years had been suspended by pressing demands for revenue incident to the late war, came to the front, as was inevitable sooner or later, Mr. Randall was not only the leader of the House, but, beyond that, largely influenced the course of public events. On the question of tariff as a protection to American labor, Mr. Randall was immovable; he stood firmly by his constituents and his State.

His differing with the body of his political associates on that one issue stood in the way of his reaching the first office in the gift of the Republic. It was an obstacle that could not be surmounted, although he was urged for that great office by a large body of political friends. On that issue he ceased to be Speaker of the House, yet retained by universal consent the high position of chairman of its greatest committee while his party remained in power.

While it is easy to delineate the character of Samuel J. Randall, yet it is impossible to express in words the magic power by which he influenced the opinions and conduct of great bodies of men. It can only be said Samuel J. Randall was a born leader. Men gathered around him and felt perfectly safe in following his leadership. An absolute certainty of the integrity of his purpose and soundness of his judgment perhaps explains all this. His speeches, always brief, delivered in a clear and distinct voice, were marked by positiveness and force rather than polish of expression. He made no effort at elegance of style, no embellishment and no ambiguity, but a clear, strong, and forcible statement of the matter in hand, and always addressed to the point at issue. Almost always he carried the House with him.

In domestic and social life he was all gentleness and affection. His face, perfect in its classic outline, although strong and massive, expressed kindness and benevolence; his manners were engaging; he was the very soul of magnanimity, as was often seen in his controversies in the House. Incidents that occurred in the Forty-eighth Congress illustrated his character as displayed outside of severe public duty. On the 3d day of April, 1884, General Grant for the last time entered this Hall and took a seat in the space outside of the seats on the east side of the Chamber, the Democratic side of the House. Some years had elapsed since General Grant had honored the House with his presence. Mr. Randall and other members gathered around him. It was more than a year before his death, yet in the face and deportment of General Grant there was an expression of weariness and despondency. Mr. Randall promptly moved that the House take a recess to enable the members "to take by the hand" the illustrious visitor, and Mr. Randall and Mr. CARLISLE, the Speaker of the House, escorted him to the open space in front of the Speaker's seat, and then all the members shook hands with the illustrious citizen.

How pleasant it was to see the careworn and despondent expression of his face disappear before the cordial greeting of the representatives of the people of his country! And I must recall the event later on, when on the 3d day of March, 1885, in the midst of one of the fiercest tumults I have ever witnessed in this Hall, hundreds of members at the same time fiercely demanding recognition for special measures (as at 12 o'clock the next day Congress expired), Mr. Randall, with a force absolutely irresistible, carried through the bill restoring General Grant to the head of the Army, with honorable retirement, and who of all the members of the House and of all our people, when General Grant died a few months later, did not rejoice that that was done? Who shall say how this last expression of a nation's gratitude and affection consoled the last hours of the great chieftain? And who shall say how these and countless other generous and kindly acts of Samuel J. Randall during his well employed life consoled his spirit as in his last hours the shadows gathered around him?

Mr. Randall was devoted to his home. He loved his wife and children and friends, and found his chief enjoyment in the sacred circle of his fireside. The last time I saw Mr. Randall I was impressed more than ever with this trait of his character. He was pale and emaciated, and I felt was conscious that he would never again appear on the great theater where he had won the admiration and confidence of his countrymen; yet he displayed an anxious solicitude for his country, and my heart was touched by the interest he felt and expressed in the welfare of his friends. Samuel J. Randall is dead. A great and good man is fallen. But how consoling the divine assurance that what we call death only opens to the immortal spirit of the just and the good the highway to a life immortal.

Forfeiture of Land Grants.

SPEECH

OF

HON. THOMAS R. STOCKDALE,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 16, 1890.

The House being in Committee of the Whole and having under consideration the bill (S. 2781) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes—

Mr. STOCKDALE said:

Mr. CHAIRMAN: I desire to speak briefly on this bill. The general subject of land forfeitures has been so fully discussed in this and the Fiftieth Congress in the presence and hearing of the House that I shall spend but little time upon that. In the Fiftieth Congress a bill passed the House of Representatives by a very large majority forfeiting all the lands not earned within the time prescribed by the granting acts. That bill went to the Senate and was defeated there, as many similar bills had been before. The present forfeiture bill, in its main features the same as the one introduced by the chairman of the committee to which I belong, proposes to forfeit all the lands not earned at the time of the passage of the bill. And section 7 of this bill provides as follows:

SEC. 7. That nothing in this act shall be construed to waive or release in any way any right of the United States to have any other lands granted by them, as recited in the first section, forfeited for any failure, past or future, to comply with the conditions of the grant

So that there is no good reason why we shall not forfeit what lands we can get at once and then proceed for the forfeiture of the balance about which there is a contest, if Congress so desires. When I came into the Fiftieth Congress I was very much impressed with the idea that all these lands opposite roads and parts of roads not completed within the time specified in the granting acts should be forfeited. I was impressed also with the idea, which many other gentlemen seemed to entertain, that it could be done, at least as to all the lands not earned within the periods prescribed by the granting acts. I find, however, upon examination that that proposition has failed in the Senate of the United States for several Congresses back.

I find that if the first bill of this sort introduced had passed there would have been saved to the public domain some eight or ten million acres more of these lands than can now be saved, probably far in excess of that. But the House has been pursuing a policy of passing bills that will not pass the Senate, and hence forfeiture is postponed, and in the mean time the railroad companies go on selling the lands. It is said that we have no right to know here that the Senate will not pass these bills. The answer is that the Senate has uniformly and persistently refused to pass such bills for years, and adheres now to that policy by passing a bill similar to this. On this subject I desire to quote some remarks of the gentleman from New Jersey [Mr. MCADOO], who was very severe in his strictures upon this bill. He said:

Bill after bill taking back these lands which have been forfeited by the railroads and making them again what they were, the property of the people, met with a stone wall of defiance and opposition in the United States Senate. We went again to the people on that issue. We still maintained our policy. We still remained true to the issue which we had presented. The Forty-ninth Congress came in, being elected largely on that issue. A distinguished gentleman from Indiana was the chairman of the Committee on Public Lands, Mr. Cobb. Millions of acres held improperly by the railroads were again forfeited, and the struggle went on in the House, but the Senate again stood in the path like a stone wall, refusing to make concessions to the demands of the people.

Again, he says:

We were told that there would be less acres for us to forfeit in the next Congress, and that we had better make a compromise such as is held out to us now, but refused and maintained our stand. It was, in my judgment, a wise, righteous, statesmanlike stand, to take back these lands.

Now, Mr. Chairman, upon that point I desire to say that it seems to be the unanimous opinion of all the gentlemen who speak in opposition to the forfeiture of these lands, so far as they have not been earned up to this time, that the Senate of the United States stands like a stone

wall in opposition to the forfeiture of lands out of time, and that no such legislation can be passed.

What then? Must we forever drive against that stone wall until the last acre of these lands has been disposed of by the railroads to the settlers for whom we all say they should have been reserved by the Government? And all the forfeiture bills provide, as they should, that lands sold to settlers by the railroad companies shall be confirmed to the settlers, and therefore the delay in passing this forfeiture bill suits the railroad companies well. If they can keep up this disagreement between the House and the Senate and have no forfeiture until they can sell all these lands to people who will move on them in good faith to live, that is as good a thing as the railroad companies want, for all the bills provide for confirmation of title to the bona fide settlers, which serves the same purpose as confirming it to the railroad companies if we persist in this delay.

I may be in the attitude assigned me by the criticisms upon my course by some Western journals; it may be that I am not sufficiently national and too much devoted to my own district, as those journals say. Probably I am influenced in that way to some extent; and I must say the chief topic I shall discuss at present is in connection with a road in my own district, the Gulf and Ship Island road.

In 1856, August 11, a land grant was made to the State of Mississippi for the construction of a road from the town of Brandon to the Gulf of Mexico in the State of Mississippi. That road has been graded as far as the junction with the New Orleans and Northeastern Railroad, about 70 miles; the iron has been laid upon that road a part of the way. A bill forfeiting all lands not earned within the term of the granting act would wipe that road out of existence, for the time was fixed at ten years from the date of the act—wipe it out in the county of Harrison that has already subscribed and paid $50,000 towards its construction.

The money has been expended upon it in seeking a junction with the New Orleans and Northeastern road. The Senate amendment which was put on this bill allowed to that road twelve months in which to build it to a point where it would cross the Northeastern Railroad, giving them all the land south of a line drawn east and west through that point. Under such a provision all the lands north of that line embraced in this grant will be forfeited, and that is one strong reason in my estimation for wanting a forfeiture bill passed at this session. That land has been tied up long enough and ought to be opened to homestead entry.

I am sorry to differ somewhat with my colleague [Mr. HOOKER], who favors giving the whole grant to the road, from the Gulf to Brandon. I am in favor of the forfeiture of all the lands belonging to the Ship Island Railroad grant north of the line at Hattiesburgh at least, and want it done at this session of this Congress. The company propose to depart from the grant at that point and build the road east of it. The lands in Covington and Simpson Counties will, if this road retains the grant, be given for the building of a road in a part of the State where the land is not situated and in which the people along the line of the grant will have no interest, and they will be deprived of the homestead privilege with reference to those lands to which they are entitled. I do not mean to say that people along the line of the grant have any special claim on the land. All citizens have equal rights to it, but it is unfair to appropriate lands in one county or locality to build a road in another.

Therefore I desire this bill to take effect, and to take effect now. I am not willing, Mr. Chairman, to wait until the Senate comes to our terms, because, according to the testimony of the gentleman from New Jersey [Mr. MCADOO] and my colleague on the committee, the gentleman from Missouri [Mr. STONE], there is no hope of that. We can not be expected to convert the whole Republican party; that would exhaust the plan of salvation. [Laughter.] But I want the forfeiture of these lands now from Hattiesburgh north. Then if they can show that the road will be built to that point within twelve months and that the people want it, the committee of conference can grant them twelve months within which to finish the road to the city of Hattiesburgh; and the House may approve their action, and I have no doubt will if the conference committee become satisfied that it ought to be done.

Again the gentleman from New Jersey says:

> If I thought that this bill would take back any considerable portion of arable lands for the honest people of this country I would be for it. But when you take from the small minimum amount of lands to be taken back by its operation the arable portion you will find that the arable portion is already occupied by those persons claiming title under the railroads; that it is to be sold for $1.25 an acre, and you will find there is not a thousand acres of this land capable of being entered for settlement by parties coming immediately on the ground.

Upon that declaration I claim his vote for this bill. I can show the gentleman one little grant in the State of Mississippi, lying mostly in the district I have the honor to represent and the balance in the adjoining district, represented by my colleague [Mr. HOOKER], where this bill will give back to the public domain more than a thousand acres of land "capable of being entered for settlement by parties coming immediately on the ground," and more than a hundred times that amount, even if the Gulf and Ship Island shall make such a showing as will entitle them to the land south of Hattiesburgh. There are about 90 miles of the grant north of Hattiesburgh, six sections to the mile, 345,600 acres, every acre tillable land, some of it poor, indeed, but with a subsoil capable of any degree of fertilization, and much of it the very best of timber land.

Taking this as a specimen of the gentleman's knowledge on this question, his assertions are without force.

The gentleman from New Jersey said:

> What, then, should be the policy of this side of the House under the circumstances? We can lose nothing, Mr. Chairman, by refusing to pass this bill. The men who are on the land are American citizens. They claim their title from the railroads; and the only thing we may possibly lose would be the small amount of money that would be paid into the public Treasury, supposing that we delay the taking back of the land and thus eventually put it out of our power to do so.

Again I say the gentleman is not informed, for we will, as I have shown, lose over 300,000 acres in three counties of Mississippi, and I am not willing for the people to be deprived of homesteads in that amount of land in order that the people who have failed to get any forfeiture shall maintain their stand. They can stand if they wish, but I want land for homesteads for our people, and want it now. That is not all; as soon as this forfeiture is effected the odd sections within said grant, held at $2.50 an acre by the Government, will be thrown open to homestead entry and which will add perhaps 250,000 acres more to the area open for homesteads, making in all nearly 600,000 acres of land for homesteads—3,750 homesteads. I would prefer to give that many people homesteads rather than to preserve the dignity of gentlemen who are willing to lose all the lands rather than recede from their stand.

My colleague on the committee, the gentleman from Missouri [Mr. STONE], in speaking of this bill, said:

> This bill, infamous as it is, will go upon the statute-book of the nation.

As I understand the objection which my colleague on the committee makes to this bill, it is that it will go upon the statute-book alone instead of coupled with the amendment that he proposes.

The first section of his amendment is, *verbatim et literatim*, the first section of this bill. Therefore, so far as that first section is concerned, the substitute proposed by the minority is *pari passu* equally infamous with the bill itself, which we support. The substitute proposes in the next place that these lands be forfeited by a judgment of the United States court back as far as the point to which the road was built, when the time fixed by the granting act expired. In this difference between leaving that proposition as a separate measure and putting it in this bill consists all the "infamy" of this proceeding.

The gentleman from New Jersey was pleased to denounce this measure as a sort of "compounding of a felony." Now, whether the expressions of this kind were oratorical flourishes or intended to apply in earnest I can not say; but by their own admission these gentlemen have been passing these bills knowing that the Senate will not pass them, knowing that these lands are going from the public domain year by year by sales which there is no pretense we can get under, and which these gentlemen do not ask to be set aside, but provide in every bill to confirm the title to the purchasers. The gentleman from New Jersey says it is a crime to let corporations have our lands, and in the next sentence says he would maintain his stand on the great question if all the lands be lost. There we differ. I would rather have the land for our people. The gentleman from New Jersey says truly that they were urged to accept such a bill as this years ago but, declined, seeing the railroads going ahead building roads further and further, earning lands and selling them daily, constantly lessening the amount that could be recovered by forfeiture, knowing that the Senate would defeat the House bills, just what the railroads wanted. Now, in view of these declarations of gentlemen who understand the subject of land grants and land forfeitures so well (and they do understand these questions well) I ask who has been "compounding a felony" when those whose lead we followed in the Fiftieth Congress passed bill after bill here, knowing that the Senate would not pass them and knowing that the lands were being taken away that might be returned to the public domain? And these gentlemen are trying to lead us again into the same folly. I do not charge them with trying to defeat forfeiture. I say the railroads do not want anything better than that policy until they can dispose of all their lands, and I do not propose to play into their hands and injure my own people in order to win the plaudits or escape the censure of members of this House on either side.

It is said here in this debate that the Senate can not afford to go to the country upon that sort of an issue, of not forfeiting the grants. I do not know upon what that declaration is based. As to the Senate not being able to go to the country upon an issue of that sort, I am sorry to say that they have gone to the country upon such an issue year after year until the Republicans have increased their majority there from nothing to ten, and if these gentlemen pursue the policy which they are now urging upon this House the Lord knows what their majority will reach in the next few years.

This House can not go to the country, gentlemen say, upon the issue of forfeiting what lands we can get, but must stand on the old ground. I say, sorry as I am to acknowledge it, that after issue upon issue has been raised upon your plan, and we have gone to the country upon them, the Republicans have got a majority in this House honestly of six—otherwise ten.

A MEMBER. Eighteen.

Mr. STOCKDALE. And it will soon be twenty or twenty-two. But the land-grant question is not responsible for that; but they had six to start with.

The gentleman further says:

> And I take it that the result of the election which brought into being the Democratic majority in the Forty-eighth Congress was largely owing to the failure of the Forty-seventh Congress to forfeit the public lands which had been granted to the railroad companies.

Well, if that were true, what followed? The House passed such a bill as suited my friend. The Senate stood, as he says, a stone wall in the way, but was willing to pass such a bill as this, which would then have forfeited some fifteen or twenty millions of acres. The House refused—took a stand, as my friend says.

The Democratic majority was reduced in the House from sixty in the Forty-eighth Congress to about forty in the Forty-ninth. The House again passed the same sort of bill; the Senate again stood as a wall against it, but was willing to pass a bill like this, which would have restored to the public domain a large amount of land, less, of course, than would have been restored in the Forty-eighth, but the House refused; and the next Congress, the Fiftieth, its majority was reduced from forty to fifteen. In the Fiftieth Congress the House passed the same sort of a bill; the Senate again refused, but tendered a bill like this; the House again refused, and here we are in the Fifty-first Congress with a majority of six against us—I do not count those elected here—and during the same time the Senate increased its Republican majority, as I have said.

Therefore I say by what logic can it be urged upon anybody now who wants to forfeit the lands which are left that we can not go to the public on that issue? It is not an issue against the forfeiture of lands at all. It is begging the question in the argument to put it in that way; the people are getting too intelligent to be deluded by promises and failures. The question is whether we shall have the seven millions of acres now, or whether, by pursuing the policy which has been pursued heretofore and continuing that same policy for a few years longer, we will be left without any lands to forfeit, because the acres have been constantly decreasing, as gentlemen say they have been warned of and heeded not, and thus after awhile, according to these gentlemen, we will have consistency, but the railroads will have the lands.

We will have stood by the policy which was promulgated years ago and which has been followed until now, until the public domain that should have been forfeited when it contained 20,000,000 acres or more has been whittled down to 7,000,000 acres or less. Gentlemen say, "No, let us stand on the policy heretofore adopted until it is all gone." And the railroads will have the lands and we will have the policy. That is the sum and substance of their logic.

There is no reason why a separate bill should not forfeit these lands as well as by tacking it onto the present bill. The gentleman from Missouri says, if you put it in a separate measure and let this bill go to the Senate, this bill will be sent to the committee and passed and the bill forfeiting the balance of the land will be pigeon-holed. Suppose that to be true. Then we see the policy intended by this amendment. We will send this bill to the Senate with the substitute or amendment of the gentleman from Missouri tacked onto it, and if the Senate will do what he says it will do it will pigeon-hole the forfeiting clause of that bill that sends it to the court, and this bill with it. So that the whole measure will fail again, as heretofore, and the railroad companies will go on building and selling the land for two years longer.

Gentlemen say that the people are demanding the forfeiture of these lands, and this will drive the Senate to accept such a proposition. Why, it did not drive them to accept it when we had a majority in the House and they had no majority, and later a majority of two, but stood like a stone wall in the way, as the gentleman says. Why shall it force them now when they have increased their majority to ten during the time they were refusing to pass these House bills and are a unit on the question now? It did not drive them to accept our propositions then, and it will not drive them to it now. It is simply a question, then, whether we will have 7,000,000 acres now which we have within reach or none at all.

The declarations of gentlemen on the other side that the bill to authorize the courts to forfeit the lands earned after the expiration of the time fixed by the granting act, if passed in a separate bill here, will die a natural death in the Senate only strengthen the reasons for passing this one separately, for those declarations are an admission that they want to make this bill carry that one through the Senate; but, as I have shown, the Senate will not consent to that, and the result will be, as it has been for many years, that the whole question will go over to the next Congress, and the railroads will win again. I am opposed to that and want the forfeiture now. They ought to be separate bills.

Mr. MCRAE. They have been introduced, and were reported separately and unanimously, and the gentleman himself agreed to it.

Mr. STOCKDALE. The bill introduced and urged before the committee by our colleague [Mr. STONE] provided in its first section precisely what the bill under consideration provides in its first section, to wit, the forfeiture of all lands opposite to and conterminous with roads not now completed; and it provided further that the Attorney-General be required to bring suit in the United Sates courts for the forfeiture of all lands opposite roads or portions of roads not completed within the time allowed by the granting act. The committee preferred to report the bill under consideration, and agreed, as my colleague on the committee says, that the Stone bill be reported as a separate bill, and I have no objection to its being considered in the House.

I concede the right of my colleagues on the committee to offer it as an amendment to this bill; but I do not concede that it is good policy to adopt the amendment. That would convert this bill into the Stone bill as first offered to the committee, and send it to the Senate with the two propositions coupled in the same bill, and, as I contend, in the light of the history of former proceedings, would defeat both; and my opposition to that measure being ingrafted on this bill by adding it as an amendment is not to be construed as opposition to it as a separate measure. I simply oppose its being put on this bill to ride it to death, for, as I have repeated, I want forfeiture now.

The two provisions are separate and distinct in their operations and ought to stand, each on its own merits, so that one can not delay the other. We can get the lands opposite roads not now built back into the public domain at once. Let us do that, and let the proposition to forfeit the land back to where they were built when the time in the granting act expired stand on its own merits.

Mr. PAYSON. Built out of time. That is a good technical expression.

Mr. STOCKDALE. I know that is the expression, but I never thought it a good one.

Mr. PAYSON. That makes it understood.

Mr. STOCKDALE. It makes it briefer. We will say, then, "built out of time."

The point I desire to make now, Mr. Chairman, upon this bill is that these two propositions, being separate and distinct, have no business in the same bill. They are separate bills now on the Calendar. They are entirely distinct in their effect, and there is no reason why they should be consolidated in this bill, and defeat both. There is no reason why another session or another Congress should pass without forfeiture of these lands. Here is a proposition that can be concurred in by both Houses and 7,000,000 acres of land forfeited and restored to the public domain at this session of Congress, upon a separate proposition, without an amendment to this bill. Why is it brought in as an amendment to this bill? I say that it was consented that it might be offered as an amendment, but it was understood that the majority of the committee would oppose the amendment. I am opposing it now and opposing it for the reason that I want the land forfeited, and the effect of this amendment is to oppose it. I do not say I will oppose it when it comes up as a separate bill.

Referring to the local road in which I am most interested, I say that I want the lands of the Ship Island grant forfeited, and forfeited now. If the company can show progress enough to insure the building of a road to Hattiesburgh, the conference committee can consider it. I have time and again received instructions to have this forfeiture made. I have received letters and petitions from the people in that region to have those lands forfeited and to know when it will be done. I would rather obey the instructions of the people who want homesteads than to obey the instructions of the railroads or play into their hands by delaying forfeiture or to obey the instructions of my colleagues who may denounce the bill I support. I would give more weight to the little letter written in my district by the poor man's hand stiffened with toil, asking me to get him a home, than I would to all the criticisms here.

It is no more local, no more wanting in nationality than was the position of my friend from New Jersey [Mr. MCADOO] who evoked applause when he spoke of his opposition to the Oklahoma bill, saying that he opposed it, not because he was opposed to these people out there having opportunities to get homes, but because he wanted to wait until the congested population of the Eastern States might want an outlet. He would hold all these lands until his people get ready to settle them. I say so far as the lands in Mississippi are concerned my people want them now and if my vote can do it they shall have them. The sooner that honest settlers get these lands the better. But my friend has said that the railroads have not given them the facilities they claimed. The gentleman says:

> The bleaching bones of the emigrants, the lonely unmarked graves, the wheel tires off the old wagons, the skeletons of their cattle and horses, mark the death trail of those brave and hardy men and women who carried civilization into that country long before the echoes of the Rocky Mountains were awakened by the screech of the locomotive. And when these very roads had gotten this grant of almost imperial power from Congress, which virtually gave up to them the government of that country itself when they gave this imperial heritage of our people for a mess of pottage, long before they had gotten the grant, and long after they had gotten it on the statute-book, these brave men and women, with their children and their little all, surrounded by hostile savages, in the midst of a strange and unknown country, plodded their way and painfully walked, staining their pathway with their blood, marking it with their graves, and made fertility and beauty blossom out of the wilderness long before the locomotive of the land-grant railroad had reached the West.

I have this to say about that. If it be all true I do not want the lands in Mississippi to go the same way, as they will do if this delay policy be pursued. Let us have forfeiture now.

I am sorry that the gentleman did not make his speech before my colleague [Mr. HOOKER] had made his, in which he described so beau-

tifully and eloquently the iron bands that stretched from the Atlantic to the Pacific and brought these great facilities to the people. He would have said, had the railroads been there in time, the bones of these emigrants would never have bleached there. Their oxen never would have died. There would have never been any graves along the pathway to the great West, because the dashing iron horse would have gone from the congested regions described by my distinguished friend from New Jersey [Mr. MCADOO]; it would have swept across the great valley and mounted the frowning Rocky ranges and gone careering down the western slope to the Golden Gate, and not a grave, not a bleaching bone, not a drop of blood, not a dead ox would have been on the way. Now, I am not so enthusiastic on the subject of railroads as my colleague; but he drew the picture grandly, and he is in favor of making the roads build the last mile and take the last acre of the land, and that is a heroic policy, but does not suit me exactly now. I want those lands for our people who have no homes.

If my friend from New Jersey [Mr. MCADOO] will send these people down into our country we will give them better lands than there are in the West and for about the same price that they could get them from the Government, and not a man will die and not an ox will perish.

I want this forfeiture and I want it now, a plain, straight forfeiture of the public lands, to give my own people homes upon which to live, which will be better than rhetoric and better than oratory in my judgment, and I am sure it will be in theirs.

May it be local, may it be wanting in nationality, make the most of it. I am here to represent the people who sent me, as well as to be a national Representative. I look after their interests first. Mississippi is a part of the nation, and a very considerable part, in my judgment, and I want these gentlemen to come and help us forfeit these lands for the people of Mississippi, strengthen them and strengthen the nation. Why, I am about the most national man on this floor.

Mr. Chairman, as there is but little time I do not propose to consume it further, and if I have any time remaining I will reserve it.

The CHAIRMAN. The gentleman has occupied twenty-five minutes.

The Eight-Hour Law.

SPEECH

OF

HON. THOMAS C. CATCHINGS,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 28, 1890,

On the bill (H. R. 9791) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States or by contractors doing work or furnishing material for the Government, and providing penalties for violation of the provisions thereof.

Mr. CATCHINGS said:

Mr. SPEAKER: This bill should pass without opposition. It is believed that it voices the sentiment of the great majority of the American people with regard to the hours of labor. We know that the laboring classes themselves, through their agents and representatives, have earnestly and eloquently pleaded before the Committee on Labor for such a measure as this. Indeed, the bill under consideration is substantially similar to one draughted and presented to the committee by Mr. J. L. Kennedy, president of Columbia Typographical Union, No. 101, who spoke in advocacy of it with great earnestness and intelligence.

I do not think, Mr. Speaker, that any man can claim sincerely that the workmen in this country are allowed a fair division of the fruits of their labor. We have levied high duties upon almost every commodity imported, under the pretext that it was necessary to do so if wages were to be maintained above the rates in foreign countries. These duties invariably far exceed in amount the difference between wages paid here and abroad, but the workingman, for whose benefit they were imposed, does not receive this excess. The manufacturer quietly pockets it, and continues to prate about the necessity of a high tariff in order that he may pay higher wages to his mechanics and employés.

But he not only does not pay his workmen this increased price which he obtains for his goods by reason of the duty levied to cover the difference in wages, but he does not give them credit by it in the shape of shorter time for labor. Wages and hours of labor remain the same as before, and the only man who profits by the high tariff is the manufacturer.

We can not by law regulate the price which the manufacturer shall receive for his goods nor prescribe the rate of wages that he shall adopt, for the question of prices and of the relations between employer and employé does not come within the jurisdiction of Congress except where the United States itself becomes an employer.

But, while we can not legislate so as to materially affect the question, we can lend to the cause of the laboring man the moral support of this great Government by voluntarily fixing eight hours as the limit of working time in any one day, beyond which no man shall be allowed to work for the United States except in some emergency and providing that in such emergency extra pay shall be given for the excess of time employed in labor.

The labor problem has taxed the best thought of statesmen and political economists for many years, and men have differed and do now differ as to many of the issues presented by it. But the steady drift of opinion all over the civilized world has been in favor of shorter hours of labor, and I do not at this time recall the name of any public man or student of the question who does not believe that all other propositions looking to lightening the burdens and ameliorating the condition of the laboring man are of secondary consequence compared with that which demands a reduction of the time of labor.

It has been a matter of dispute as to what number of hours should constitute a day's work, but all have agreed that there should be some fairer division than that formerly made. And very substantial gains in this respect have been made by the friends of labor, for there has been for many years a steady and progressive curtailment of the hours of labor. This has been accomplished by the organized efforts of labor associations and the intelligence upon the subject acquired by the public through its constant and thorough discussion.

We are beginning to realize that the most profitable laborer is not the cheapest, nor the one who gives the most of his time to his employer. He is the best and most economical laborer who brings with him to his day's work peace of mind, a buoyant spirit, and a sound and vigorous body. Such a man will do more work and better work in eight hours than would one lacking these qualities in a much longer time. As the hours of labor have been shortened from time to time, we have learned by experience that the output has not been at all diminished, that the employers have not had their profits cut down, and that laborers have correspondingly gained in intelligence and in contentment and comfort.

I believe that the day is rapidly approaching when in all mechanical pursuits the eight-hour limit will be universally adopted, and I do not hesitate to make the prediction that no man's business will be in the least degree injured, that prices will not be increased, and that a so much more cordial and kindly relation will be established between employé and employer that all will wonder that it had not been sooner adopted.

Mr. Wright, in speaking of the effect of the ten-hour law in Massachusetts, says:

> We have large mills, employing in the aggregate several thousand persons, which have voluntarily adopted ten hours in eleven-hour districts, bearing witness emphatically that they find the product of ten hours a day, in the long run, so nearly or quite the same as that of eleven hours that their mills are as profitable to them under the shorter as under the longer time. In addition to this fact, and as partly explaining it, may be recorded the words of great wisdom spoken by the managers:
>
> "Skill in the management and thoroughness in discipline are more important than the eleventh hour in the product of a mill; and thorough discipline is much more attainable under ten than under eleven hours; for men and women are flesh and blood, and they can not be held up to such steady work during eleven hours as during ten; and overseers are flesh and blood and can not hold them up. The question is not merely, nor even mainly, an economic question. It is chiefly a humane question. Nor yet is the mill more than a man; and, if it ever comes to be, then society will begin to die."

I have no doubt myself that the result would be even more satisfactory if eight hours instead of ten should be made the standard of a day's work.

Aside from this view of the question, another benefit of the greatest consequence would result. There are more than a million of men in this country without employment, who would willingly work if they could. Being idle, they are a direct charge upon those who do labor, and, moreover, in the very nature of things, they indirectly, if not directly, breed discontent, destroy largely that reverence and regard for our free institutions, without which they can not exist, and beget false and harmful theories of governmental and social obligations.

These men could all be given employment if the hours of labor should be sufficiently shortened, for with the mills and factories and various industries operated on full time, a greater number of employés would be needed if no one was to work longer than eight hours.

But the greatest good would come from the increased intelligence and the greater domestic happiness which would speedily manifest themselves among the laboring classes.

If a man devotes his whole time to labor, what opportunity has he for reading, studying, and acquiring that information which will enable him most intelligently to perform the duties of citizenship? In this Republic there is no distinction among men in the eye of the law. Each man is a sovereign and is expected to bear his part of the burden of maintaining the Government and to contribute his share of the intelligence needed to control and direct it.

It is to better qualify our citizens for discharging these duties that the public-school system has been established in every State and municipality of the Union.

But the education acquired in the school-room will be of little value unless in afterlife the opportunity is afforded to enlarge its scope by study and reflection. And how can the man who is required to toil ten or twelve or fourteen hours a day have this opportunity? He be-

comes a mere machine, and when his day's labor is ended, instead of sitting with his family or friends reading his paper, his magazine, or his book and exchanging thoughts and ideas with them or supervising the education and moral training of his children, he, from sheer exhaustion, is compelled to forego all these pleasures and seek in slumber rest for his weary body. The children of such a laboring man derive but little profit from his advice and experience, for he has neither time nor physical ability to give attention to them, and so they too often grow up untrained and unfitted for the best work in life.

We should pass this bill and to that extent hasten the coming of the shorter day's labor, if for no other purpose than to give our laboring men more leisure to devote to the proper rearing and training of their children, so that they may become better qualified for the duties of American citizenship.

Every sentiment of humanity, every impulse of patriotism, pleads the cause of the laboring man, and the day of his rescue is surely drawing nigh. Let this great Government, by passing this bill, give public and official evidence of its sympathy for this class of its citizens in their struggle for better and higher opportunities in life.

Compound Lard.

SPEECH

OF

HON. WILLIAM S. FORMAN,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 21, 1890.

The House having under consideration the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard—

Mr. FORMAN said:

Mr. SPEAKER: This is one of the measures reported by the Committee on Agriculture, which if passed it is believed will alleviate to some extent the difficulties under which at least one section of the country now labors.

The story of the universal depression of agricultural pursuits has been so often rehearsed upon this floor during the present session of this Congress that I shall not detain you further upon that point. I take it for granted that if there is a single member of this House who refuses to believe that agriculture is languishing, that the farmers all over the land are in real distress, it would require a miracle such as befell a noted personage at Damascus to improve the vision of such a member to such an extent that he might see the situation as it is.

This House has been in continuous session for three-fourths of a year. In this time you have passed the tariff measure, formed and fashioned by its true friends, the manufacturers of this country, whose princely contributions made it possible to inflict upon the people a Republican President and burdened the country with the present House of Representatives.

You have passed a bankruptcy bill which places an effective club in the hands of the wealthy wholesale merchants to be held over the heads of the already impoverished retail dealers for the purpose of forcing the collection of commercial debts, a bill for the protection of wealth and the accommodation of scoundrels.

You have, in answer to the demands in the West for the free coinage of silver, again demonetized it, providing for the cessation of its coinage after July 1, 1891. But in order to keep peace with the bullion-producer you have offered him a market for his product. But the bondholder still has the consolation that his debt shall be paid in gold.

You have sought to fasten upon the country an election bill taking from the States the sacred right of conducting their own elections, for the sole purpose of perpetuating your rule in spite of and against the protest of the people whose necessities you have shamelessly disregarded.

For the purpose of conciliating the prohibition element of your party, you have passed the original-package act, which, as has been boldly stated by the gentleman from Iowa, Mr. REED, authorizes the State under its police power to institute a search in every man's home upon the mere suspicion that he has therein concealed something which the State arbitrarily concludes is not for his personal benefit.

You have doubled the pay of your partisan supervisors of the census, after many had been appointed, and these positions were being diligently sought after by hungry politicians.

In violation of your solemn promise to the soldiers of the late war, you have passed a pension bill, demanded by nobody, and then refused and failed to make an appropriation for the payment of its beneficiaries. But, sir, were I to entertain this House with a description of the unwise measures to which you have given your support, it would require more time than is now at my disposal.

And now, when nine weary months have passed into the history of this House, when every member desires to shake the dust of this city from his feet, and those on this side of the Chamber wish to return to their people and give an account of the proceedings here, and you on that side are ready with apologies for the transactions of this body, when you have no quorum, except when obtained by repeated calls of the House, when everybody else has been heard and there is little hope of this or of any other bill demanded by the farmers becoming a law, then agriculture, that long-suffering, much-abused, yet important industry, is to be given her day in court, and this committee is at last grudgingly given an opportunity to be heard.

This, sir, it has been charged, is a measure growing out of a fight between the producers of compound lard and the cotton-seed-oil men on the one side and the great American hog on the other. Like the gentleman from Tennessee who has just taken his seat, my sympathies run with the hog. He is an important article of commerce of the section I represent, and I find that lard is being adulterated and counterfeited to such an extent that the animal mentioned is fast losing his prestige, both at home and in foreign countries. It seems by investigations made by the Committee on Agriculture, conducted during the sessions of the Fiftieth Congress, as well as the present, that certain manufacturers have been engaged in making a mixture of lard, beef stearine, and cotton-seed oil, which, prior to such investigation was placed upon the market under the attractive title "pure refined lard," but more recently, and since this question has been discussed, it has been branded "lard compound."

This bill proposes to compel the manufacturers of this article to brand it "compound lard;" that it shall be placed under governmental supervision and be taxed to the extent of 2 mills per pound.

These manufacturers tell us with apparent sincerity that this slight tax of one-fifth of 1 cent per pound, or 1 cent upon 5-pound packages, will ruin their business, close their doors, throw thousands of laboring men out of employment, stop the demand for cotton-seed oil, and that the cotton-seed of the Southern planter will be rendered worthless.

If I had the remotest idea, sir, that such an array of evils would follow the passage of this bill I would hesitate before giving it my support. But it will be seen by Dr. Wiley's report, No. 13, part 4, that the manufacturers of this compound have not been actuated altogether by motives of kindness and philanthropy, but have realized upon their investments a profit of at least 17 per cent. The proposed tax would be but $160,000 upon the annual output, while the profits are estimated at something near $5,000,000 per annum.

It is not my purpose to strike a single blow at the South or any other section of the country, and in advocating and voting for this measure I am not doing so, no matter what construction may be placed upon my conduct by those who represent the great cotton States. I believe the fact to be, sir, that when once placed upon a fair basis and raised to the dignity of an article of commerce this alleged delicious vegetable oil, pure, healthful, and fragrant, extracted from the seed of this wonderful plant whose every part except the leaf affords an article of profit to its producers, and which brings millions of dollars into our common country, and enables these planters of the South to buy the flour, pork, lard, mules, and horses raised by the North, causing a unity of interest and solidifying our land, once raised to the dignity of a commercial article, sold on its merits for what it is, not masqueraded, not debased, not used to adulterate butter, lard, and olive-oil, not belittled, not degraded, not dishonored, and treated as an outcast and a thing not to be sold for what it really is, but put upon the market as a commercial article, worthy to be tested, tried, and used by the housewives of America, sold to our wage-workers at a reasonable price upon its own merits—does any man with common sense doubt that once tested, if these merits be what are claimed for them, it will find a ready sale to the rich and poor alike, and that the beneficiaries will rise up and bless those who afforded them the opportunity to buy it?

Sir, one of the oldest and most conservative of all the farmer organizations is the National Grange of Patrons of Husbandry. At its national meeting at Sacramento in November, 18~9, with representatives from forty States in this Union, including Georgia, Alabama, Tennessee, North and South Carolina, Mississippi, and Texas, the following resolutions were adopted:

FOOD ADULTERATIONS.

[Resolutions of the National Grange of Patrons of Husbandry.]

Whereas the adulteration of food, drugs, and liquors exists to such an alarming extent as to invade every article of diet, drug, and drink; and

Whereas these adulterations are often harmful to health and always injurious and are frauds when sold under a deceptive title; and

Whereas one of the products of the hog, one of the largest agricultural interests, on which depends in a great measure the market for our Western corn, is adulterated to such an extent as to be excluded from several of the European markets, thereby greatly injuring one of our principal agricultural industries; and

Whereas this body did at its last session indorse two bills then before Congress, one to prevent the adulteration of lard and the other to prevent the adulteration of all food, drugs, and liquors: Therefore,

Resolved, That the National Grange, Patrons of Husbandry, in annual session assembled, do reaffirm its former resolution upon the question of adulteration; and

Resolved, That we urge upon Congress the importance and necessity of promptly enacting laws to prevent the false branding and adulteration of all food products, including liquors and drugs.

Resolved, That we urge upon various members of the Grange to present this matter to their respective State Granges and urge action thereon.

Resolved, That the Secretary be directed to send a copy of these resolutions to each Senator and Representative in Congress, with the request that said bill shall receive his support.

Mr. Brigham, the master of the National Grange and chairman of the legislative committee, appeared before the Committee on Agriculture and gave this measure his unqualified approval.

Ralph Beaumont, esq., the chairman of the legislative committee of the Knights of Labor, says the members of this order do not want cheap lard. They have tastes that require as fine food as those who are more fortunate in the possession of this world's goods, and they are in favor of legislation that will make their surroundings such that they can live off from the fat of the land, and they want the "pure and unadulterated fat at that."

Again, in a letter of later date, he says:

OFFICE OF LEGISLATIVE COMMITTEE,
ORDER OF KNIGHTS OF LABOR OF AMERICA,
Washington, D. C., February 10, 1890.

DEAR SIR: In regard to your letter requesting me to inform you as to the position of the Knights of Labor on the question of pure food and the bill now pending in favor of pure lard before Congress, I desire to say that we heartily indorse the measure. We believe that it is a measure that ought to pass, and if there is anything that this committee can do to promote its passage it shall cheerfully be done.

I remain, yours respectfully,

RALPH BEAUMONT.

A. J. WEDDERBURN, *Washington, D. C.*

The manufacturers of this compound say that this bill is unnecessary inasmuch as 90 per cent. of this product is made by Armour & Co. and N. K. Fairbank & Co., and that they brand it "lard compound." But what assurance has the American public that when this agitation shall cease the brands may not again be changed to "pure refined lard" or that other manufacturers less scrupulous may engage in this business and refuse to brand their product what it really is. If we want to use in our families this alleged unclean fat of the hog, let us have it, and let us provide the means whereby we shall know that we are getting just what we want and just what we are paying for.

It is alleged by the opponents of this bill that by this measure we are prostituting the taxing power of the Government, since by it we are raising revenue not needed for governmental purposes. At the beginning of this Congress, when it was admitted that a large surplus lay idle in the Government vaults, I confess that this argument had some force, but now, when we are confronted with a large deficit instead of a surplus, this argument is fully answered.

I feel, sir, that in supporting this bill I do no violence to that Democratic principle which holds in abhorrence the doctrine that the Government can legitimately tax one industry for the benefit of another. We propose no such thing in this bill; but we do propose to place a villainous fraud, a sham, and a counterfeit under the regulations and restrictions of the Internal Revenue Department for the prevention of imposition, and to tax it to a reasonable extent. We propose this that the farmers' product may meet this deception upon its merits, and that the consumer may not be deceived when purchasing one of the staple food products of America.

Pensions.

SPEECH
OF
HON. WILLIAM D. OWEN,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, August 8, 1890.

On the subject of pension legislation.

Mr. OWEN, of Indiana, said:

Mr. SPEAKER: In the battle of the ballots this fall pensions and honest elections will be the issues. The tariff, in spite of the politician, is passing to secondary importance. We are rapidly moving to a final adjustment of matters growing out of the war. The victories of the Union Army will never reach a full fruition until the rights of a citizen at the ballot-box in Mississippi or South Carolina are as sacredly guarded as in Indiana or Massachusetts, and the justice and generosity of the nation can not be quieted until every man who bore his life beside his musket in defense of his country is carried on her pension-roll.

I have gathered into a brief review the more important of the pension legislation of the past thirty years. It is due the House that such a collection be made, and it is proper that the soldier understand how this legislation has been enacted and how the two great parties have stood on the various votes. The straggling votes of a few men in either party count for little. The member of Congress who supports for President a man who vetoes pensions is not a safe man if his vote is to decide an important pension measure. You can only rely on his vote when the bill would pass whether he voted for it or not. One can always support a man on the general principles he holds; it is never safe to trust him on his exceptions to his party.

What has been the spirit of the two great parties on this question? Has the trend of a particular party been friendly or unfriendly to pensions? If one party were entirely absent and the other had complete control of Congress, what would it have done on this question? Let us learn the truth by going to the record and examining the pension legislation since 1861.

THE BEGINNING OF PENSIONS.

Our Government was practically without a pension system when the war came, and out of the necessities of that war was passed the foundation act of our present system on July 14, 1862. It was necessarily crude and defective, but it was a patriotic move in the right direct on. A great system of legislation is inaugurated along general lines, and by experience its inequalities are remedied and proper amendments are made, and wise adaptations are given it as unprovided-for developments may indicate.

When the Republicans turned Congress over to the Democrats on the 4th of March, 1875, after fourteen years of continuous control, in addition to countless minor acts were fifteen great measures of pension legislation on the statute-books.

Each one of these acts was to remove some friction in the law or to add a proper amendment looking to the building up and making better this patriotic department of our Government.

The great system under which the Pension Office is now run, with its army of clerks, its platoons of special examiners in the field, its payment of $100,000,000 yearly to the veterans, is all under the law which was founded by the Republican party and amended from time to time and finally codified in 1874.

The Democrats have had control of this House since 1875 until this session with the exception of one Congress. What have they done in these twelve years to broaden and liberalize these laws?

1875 TO 1885.

They broadened a law and gave a separate pension for the loss of both a hand and a foot by act of February 28, 1877. It reached two hundred and twenty-one soldiers.

By act of March 3, 1877, pensions were granted in certain cases to soldiers who had engaged in rebellion against the United States.

On March 8, 1878, they amended the Republican law of February 14, 1871, granting pensions to the survivors of the war of 1812. It reduced the term of service from 60 to 14 days. It provided that a widow's pension should cease if she should marry.

The act of June 18, 1878, makes the pension of a lieutenant-commander in the Navy the same as that of lieutenant commanding.

The act of June 20, 1878, limits the fee of claim agents to $10.

The act of June 17, 1878, increased the pensions of soldiers and sailors who had lost either both hands, both feet, or the sight of both eyes to $72 per month. These were all receiving $50 per month. It affected about two hundred pensioners.

The act of February 19, 1879, provides for paying three months' extra pay to the officers and soldiers engaged in the military service of the United States in the war with Mexico. A very large proportion of these were in the South.

The act of June 9, 1880, was intended to prevent the reduction of the pensions of certain petty officers in the Navy.

The act of 1883, making the soldier's enlistment *prima facie* evidence of soundness.

This completes the pension legislation of the Democratic Congress up to the 4th of March, 1885, except the arrears act, concerning which I speak in detail.

THE ARREARS REPEAL.

The opposition to pensions first developed in the vote on the arrears bill in 1879, when the Democrats had control of both branches of Congress. When the war broke out in 1861 such a thing as arrears of pensions was unknown. In 1862 a law was enacted giving a soldier arrears of pension back to date of injury, provided he applied within one year from date of incurrence. The following year the law was changed granting arrears, provided application was made within three years after the incurrence. In 1868 the time was extended five years longer, and then in the codification of the laws in 1874 five years further of extension was allowed, so that any soldier applying for his pension up to 1879 would receive his arrears back to the time of his service. All these bills had passed in Congresses overwhelmingly Republican. In 1878 Mr. Cummings, a Republican, introduced a bill repealing all limitations and granting the soldier arrears whenever he might apply for his pension. Congress was now Democratic and the committee having it in charge refused to report the bill, and Mr. Haskell, a Republican, moved on the 19th of January, 1879, to discharge the committee and for the House to consider and pass the bill. It passed, receiving 164 votes to 61 against it, as follows:

Democrats for the bill	48
Democrats against the bill	61
Republicans for the bill	116
Republicans against the bill	None.

This was a universal arrears bill. It was introduced by a Republican, moved by a Republican, and carried by Republican votes.

But since July, 1880, no arrears have been allowed the soldiers. How did this change in the law come about?

W. A. J. Sparks, a Democratic member of Congress, late Cleveland's Commissioner of Lands, as chairman of the subcommittee having charge of pension appropriations, brought in the pension appropriation bill and added thereto this proviso:

Provided, That the application for such pension has been or is hereafter filed with the Commissioner of Pensions prior to the 1st day of July, 1880, otherwise the pension shall commence from the date of filing the application.

This Sparks proviso repealed the Cummings act after July 1, 1880. Under the Cummings act every soldier would be receiving his arrears to-day, but the Sparks amendment on an appropriation bill repealed that law and cut him off after July 1, 1880, and that is the reason the soldiers have not received arrears for ten years.

THE WIDOWS' BILL.

The next great pension measure voted on was the widows' bill, to increase their pensions from $8 to $12 per month.

Let us get at the evidence as recorded on this bill. When the bill was up for consideration my colleague, General BROWNE, offered as an amendment the bill he had introduced to repeal the Sparks arrears limitation. A filibuster ensued which prevented the House from taking a vote on Mr. BROWNE'S amendment. On February 2, 1886, Mr. Matson moved to suspend the rules and pass the bill with an amendment relating to date of marriage and without the Browne amendment. It was not possible for General BROWNE'S motion to be voted upon, because after a motion has been made to suspend the rules and pass a bill no amendment is permitted.

The vote to increase the widows' pensions from $8 to $12 was passed by 198 yeas and 66 nays; as follows:

Democrats for the bill	80
Democrats against the bill	66
Republicans for the bill	118
Republicans against the bill	None.

Now, as two-thirds of the Democrats did not vote for the bill, under the rules of the House it could not have passed. It took Republican votes to save it, and it got them every one. If there ever was a pension measure that appealed to humanity and kindly patriotism it was the widows' bill, and yet 66 Democrats voted against it, enough to defeat it if only Democrats had been in Congress. The Republican vote saved the bill.

SUSPENDING THE RULES.

Under the rules a few members could have the roll called, move to adjourn, offer obstructing amendments, and in other ways delay and defeat legislation however meritorious. One parliamentary way of overthrowing the filibuster is to suspend the rules, as the bill can then be passed at once. So when two-thirds of the members will vote for a bill that will incur this kind of opposition it is customary to suspend the rules and pass it. Since 1875 a majority of the pension measures have been passed under a suspension of the rules.

AMPUTATION BILL.

The amputation bill of August 4, 1886, was the next important measure. It passed the House without a recorded vote. On going to the Senate it was amended, and when it came back to the House General CUTCHEON called it up and moved its passage, and Mr. Morrison, the distinguished leader of the Democratic party in the House at that time, made objection and defeated the passage of the bill. At another time Mr. Matson moved to take it up under suspension of the rules, and it was passed by the following vote:

Democrats voting for the bill	78
Democrats voting against the bill	51
Republicans voting for the bill	91
Republicans voting against the bill	None.

So two-thirds of the Democrats did not vote for the bill, and it was passed by Republican votes.

After the Democratic party casts enough votes against a measure to defeat it they can not in any fairness claim it as their legislation. If the Republicans, being in the minority, cast enough votes to overcome the defeat, and especially if all their votes are cast for the measure, then by all fairness and parliamentary usage the measure is Republican legislation. For this reason the widows' increase bill and the amputation bill belong to the Republican party.

MEXICAN BILL.

At this time a bill was passed granting a service pension to all the survivors of the Mexican war. Two-thirds of the beneficiaries under this bill lived south of Mason and Dixon's line. It passed by a substantially unanimous vote, three Democrats and two Republicans voting against it.

WIDOWS' ARREARS.

We next have the granting of arrears from the death of their husbands in cases of all widows of the late war whose pensions have been or may hereafter be granted. The question is, who is responsible for the widows' arrears bill? Although a widows' arrears act had several times been introduced in Congress, no bill had ever been reported favorably to the House. When Mr. Foran, a Democrat, having in charge the appropriation bill for pensions, asked its passage by the House, the gentleman from Iowa, [Mr. CONGER], a Republican, moved to amend by adding to the bill that "arrears of pensions from the death of their husbands be granted in all cases of widows of the late war whose pensions have been or may hereafter be granted." Mr. Foran made a point of order against the amendment, but it was so clearly germane to the bill that the Chairman held it was parliamentary. The bill as amended passed the House without a recorded vote. In the Senate, Mr. COCKRELL, of Missouri, moved to strike out the amendment, and the vote in the Senate is recorded:

Democrats for striking out the amendment	20
Democrats against striking out the amendment	1
Republicans for retaining the amendment	22
Republicans against retaining the amendment	None

And so the widows' arrears bill passed the Senate by Republican votes, and had there been no Republicans in the Senate the bill would have been defeated by a vote of 20 to 1.

I have now made an examination of the pension legislation in Congress from 1861 down to 1875, when the Republicans ceased to have a majority on this floor, and also during Democratic control on this floor, from 1875 to 1885, two years of which time the Republicans had a majority here. And, lastly, our attention has been directed to the legislation during the Cleveland Administration.

We come now to the pension legislation since 1889, that on the return of the Republican party to power in the White House and on this floor. And in this time more has been done for the soldier than in any Congress since the war; yet a distinguished Democratic soldier attacked the Administration this week, alleging that this Congress had not carried out the principles announced by the party. A good way to ascertain the correctness of this charge is to turn to the Republican national platform of 1888 and read its pension plank. Here is that plank in full:

The gratitude of the nation to the defenders of the Union can not be measured by laws. The legislation of Congress should conform to the pledge made by a loyal people, and be so enlarged and extended as to provide against the possibility that any man who honorably wore the Federal uniform shall become an inmate of an almshouse or dependent upon private charity.

Have we made good this declaration of principle? What have we done? Our disability bill presents a pension to every man who wore the blue and is to-day suffering from a disability. If it gave the pension according to the platform it would only be given to those dependent on charity; but performance has gone beyond the principles announced, for we have provided for every disabled soldier, whether dependent or otherwise. That which under the platform would have cared for 30,000 to 40,000, under the party's legislation puts 350,000 veterans on the pension-rolls. But our legislation went further; it places every father and mother of a deceased soldier if in needy circumstances on the pension-list, and it widens even this by putting the widow there whether the soldier died from his service or not, and adds to this the children under sixteen years of age.

It is the wisest, most patriotic, and most beneficent pension legislation ever enacted in our Government. How did the vote stand on this bill? It was a bill arranged by a conference committee composed of members of the two Houses, and when they came into Congress and asked us to adopt it the record discloses the following vote:

Democrats for the bill	28
Democrats against the bill	56
Republicans for the bill	117
Republicans against the bill	None.

This bill was the test of loyalty to the soldiers' interest, and twice as many Democrats voted against it as voted for it. If only Democrats had been in Congress would the bill have passed? If there had been no Republicans here how the soldier would have been slaughtered! The Democratic vote defeated this greatest of pension legislation two to one, but a hundred and seventeen Republicans were on the floor and saved the day.

The Democracy of 1890 is the Democracy of 1861 and 1875, and 1885. Whether the Republicans are in power or out of power when anything is done for the soldier we have to do it.

We have learned in this investigation that the Republican party is the author and founder of our present great system of pension legislation; that every pension measure, except one, which has passed this House, has been passed by Republican votes, and would not have passed if there had been none but Democrats in Congress, and that in all these twenty-nine years of pension legislation there has been but one Republican vote against a pension bill.

The last pension measure of general importance voted on by Congress was the prisoners-of-war bill. This bill proposed to give to soldiers who were prisoners of war for thirty days or more, $2 a day for every day they were held as prisoners of war. This bill was called up under suspension of the rules, and following is the vote:

Democrats for the bill	24
Democrats against the bill	78
Republicans for the bill	119
Republicans against the bill	None.

The Democrats voted against the bill three to one. It lacked five of having the necessary two-thirds, and was defeated.

Compound Lard.

"None the less a robbery because it is done under the forms of law and is called taxation."

A blow straight into the sweating face of the black man.

SPEECH

OF

HON. WILLIAM ELLIOTT,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 23, 1890.

The House having under consideration the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard—

Mr. ELLIOTT said:

Mr. SPEAKER: This pernicious piece of legislation is demanded because of the discovery and wonderful development of an industry most useful to mankind, and especially beneficial to the cotton-farmers of the South: that of making oil from cotton seed. Among the many uses to which this pure and wholesome product has been applied is that of making an article called and branded "lard compound."

The manufacture of this article has of late years increased enormously, consuming about one-third of the cotton-seed oil made in the South. Being not only purer and more wholesome, but cheaper than manufactured hog's lard, the manufacturers of the latter have become alarmed lest their profits be reduced, and the decree has gone forth that "lard compound" must be legislated out of existence.

FALSE PRETENSE OF RAISING REVENUE.

Our people will naturally inquire, What has the Congress of the United States to do with the encouragement of one home industry and the destruction of another? How, they will ask, does Congress acquire jurisdiction over the matter? They will be surprised to learn that it is all done under the taxing power of the Government under the clause of the Constitution that gives Congress the right "to lay and collect taxes, duties, imposts, and excises," and that the object of the bill is to raise additional revenue for the Government. That this is a mere pretense does not admit of serious question.

No member has had the hardihood to assert that we do need additional revenue. Even the title of the bill stamps it as a false pretense. It is "A bill *defining lard, also* imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard." Its primary purpose is "defining lard;" its secondary purpose is "also imposing a tax," etc. To what a depth of hypocrisy, to what degradation of our beautiful system of Government have we come when, to accomplish a purely selfish and unlawful purpose, the Congress of sixty-five millions of people is asked to descend into the arena of trade contention, and, under the great taxing power of the Government, solemnly send forth to the world its act under the imposing title, "defining lard."

Nothing is better known than that there is now, and has been for years, many millions of surplus in the Treasury. The real revenue bill for the support of the Government has long since passed this House and gone to the Senate. Its title is, "A bill to *reduce* the revenue," etc., not to increase it; and the Ways and Means Committee, in reporting it, say "the estimated surplus for the year will be $92,000,000;" that the bill "will secure a reduction of the revenue both from customs and internal-revenue sources"—"from imports at least $60,936,536, and probably more, and from internal-revenue $10,327,878, or, in the aggregate, $71,264,414."

It can not be pretended, therefore, that additional revenue is needed, and the advocates of this measure stand convicted of a pretensive and dishonest abuse of the taxing power to accomplish a purpose that can not otherwise be reached. If anything were needed to settle the matter beyond dispute it is that the bill is reported, not from the Committee of Ways and Means, but from the Committee on Agriculture.

THE REAL PURPOSE.

But we are not left to argument to determine the purpose of the bill. Its advocates on the floor of the House have not even thought it necessary to try to conceal it. They openly admit that its real purpose is to destroy one industry for the benefit of another. The gentleman from Pennsylvania [Mr. BROSIUS], who opened the debate in its favor, said:

Enough of the history of this interesting commodity. Let us now inquire what effect it has had upon honest trade.

Further on he speaks of the necessity for legislation to—

Protect * * * manufacturers and dealers in the genuine article * * * from the competition of imitators.

Again, he says:

The extent of the injury must be left to conjecture. Accessible data are not accurate enough to determine it with scientific exactness. That it is considerable is demonstrably clear. Wells, in his Recent Economic Changes, says:

"Cotton-seed oil is now equivalent to 70,000,000 pounds of lard, and it has contributed to notably reduce the price and place of that important product in the world's markets."

The statements subjoined, of intelligent men long engaged in the manufacture of pure lard, remove all doubt upon the subject. Their testimony shows that this notorious compound is ruining the pure-lard business.

And he finally asks:

Will the proposed legislation remedy the evil?

Even the majority of the Committee on Agriculture do not attempt to disguise its real purpose. At the very outset in their report they say:

The Committee on Agriculture, to whom was referred the bill (H. R. 11568) defining "lard" and regulating the manufacture and sale of compound lard, having considered the same, respectfully report, etc.

The "taxing" feature of the bill, made to play so subordinate a part in its title by being sandwiched between hog's lard and compound lard, has already slipped from its greasy and unsavory contact and disappears altogether from sight. They give as one object for passing the bill:

To relieve the manufacturers of pure lard of the unfair competition of an imitation article made of cheaper ingredients and sold at a lower price.

PROVISIONS OF THE BILL.

If any doubts could remain that the advocates of the bill intend to destroy the compound-lard industry the harsh and harassing features of the bill will quickly remove them. No person can manufacture or sell, either at wholesale or retail, compound lard without paying an internal-revenue tax to the Government. The wholesale dealer can not sell in quantities less than 50 pounds, nor the retail dealer in quantities more than 50 pounds. The following extract from the excellent report of the minority of the committee shows the wonderful ingenuity exercised, not in regulating, but destroying the industry.

Retailers are required to repack all compound lard they sell, and put the same into other than original packages. This provision practically prohibits the manufacturer from making any package of less than 50 pounds; for, as the retailer could not utilize the original package, being bound by the law to repack, he would not buy a large quantity of 3, 5, and 10 pound pails of the manufacturer for the sake of wasting his time emptying the pails and throwing them away when empty. (Section 7, lines 14-20.)

In view of the fact that lard and lard compound are now sold for domestic use almost entirely in small tin pails (original packages), it must be apparent that the effect (and object) of this law is to forever destroy the sale of lard compound. The retailer would be compelled to buy and sell only the hog-packer's lard, as he could procure that in 3, 5, and 10 pound pails (original packages), and sell it without let or hindrance in the same pails (original packages).

4. Now, suppose that a dealer takes out both licenses, *i. e.*, wholesale and retail; still it is unlawful for him to sell an original package, *i. e.*, one of the ordinary pails or tubs of lard weighing from 20 to 50 pounds, because the wholesaler's license does not permit him to sell a quantity less than 50 pounds under any circumstances and the retailer's license requires him to repack any sale of any quantity less than 50 pounds.

If the bill were really intended only to compel the honest branding of a counterfeit article, every facility would be provided so that a retailer could sell lard compound in the original package. When a manufacturer puts up a package and brands it in big letters according to the law it is in the interest of honest dealing that the package should go into the hands of the consumer with all the original marks and brands and stamps upon it. If the manufacturer puts up a 3-pound tin, or a 20-pound pail, or a 40-pound tub, all covered and plastered over with internal-revenue stamps and brands, and the consumer is allowed to buy the goods in such packages, he can not possibly be deceived about his purchase. Look, then, at the inconsistency, requiring a retailer to break open such a package and dip the lard out with a ladle, or a knife, or perhaps a stick, and take it out of this stamped package and put it into some other package in a clumsy way as best he can. These restrictions will destroy the cotton-seed-oil business absolutely if the bill is passed in its present form.

5. The manufacturer shall pack all compound lard in vessels not before used for the purpose, each containing not less than 3 pounds. (Section 7, lines 1-4.) He shall mark each separate vessel or package with the words "Compound lard" in letters not less than three-fourths of an inch in length, together with his name. (Section 7, lines 51, 52.) No compound lard shall be sold at retail or otherwise except in packages marked and branded as provided in the bill. (Section 7, lines 15-24.)

In addition to the license taxes a tax of 2 mills is placed on each pound of compound lard under the same regulations as apply to tobacco and snuff, and the other usual onerous features of the internal-revenue system are made applicable.

The criminal features of the bill are most severe and plainly stamp the legislation with its true character. Any manufacturer carrying on business without a license or one having a license who uses a material not mentioned in his license may be fined $5,000.

A wholesale dealer may be fined $2,000 and a retail dealer $500 for selling without a license. A manufacturer or dealer failing to keep books prescribed, or failing to enter each sale, may be fined $1,000 for every such failure. Every agent or officer of any railroad or other carrier failing to enter compound lard as such in his books, bills, manifests, way-bills, and bills of lading may be fined $500 for each failure. Persons selling the article in any other form than as prescribed may be punished for each offense by a fine of $1,000 and imprisonment for a year.

Each person who ships or removes the article in a package not having all the required marks, brands, and stamps, or if the same are defaced or are wholly or partially concealed from view, or ships it in any package incased in any other package whatever, may be fined $500 in addition to forfeiting the property. Every customs officer permitting imported compound lard to pass from his custody without complying with the law shall be fined not less than $1,000 nor more than $5,000 and be imprisoned from six months to three years, and any person selling the same shall be fined not less than $500 nor more than $5,000 and be imprisoned from six months to two years.

Any manufacturer who defrauds, or attempts to defraud, the United States of any tax due shall forfeit his factory and apparatus and all raw and manufactured material found on the premises, and shall be fined not less than $500 nor more than $5,000 and be imprisoned from six months to three years, and any one violating any other provision of law not specially punishable shall pay a penalty of $500 and forfeit all compound lard owned by him, if a manufacturer or dealer. These are *some* of the pains and penalties provided.

Taken in connection with the other features of the bill, they proclaim in the plainest manner the intention of its framers and advocates to be the destruction of the industry for the benefit of another by making it impossible for any merchant to engage in it. This intention is further plainly shown by the following bald sham and pretense: For years this article has been branded and sold as "lard compound," and in that time its sale has increased enormously, its consumers well knowing its character, and no deception whatever being practiced. You gentlemen denounce the use of the name "lard compound" as an outrage and enormity, and how do you propose to correct it? Why by simply declaring it to be "compound lard," and not that horrible iniquity "lard compound." You can hardly find words strong enough for denunciation of the crime of selling "lard compound," and in the same breath you declare precisely the same material, under the name of "compound lard," to be a sweet and lovely thing, and gravely legalize its sale, but under such restrictions and penalties as to destroy the industry, and you know you mean to do it if you can.

WHAT IS "LARD COMPOUND?"

Any one hearing this discussion, Mr. Speaker, and noting the punishment inflicted, would naturally conclude that "lard compound" is vile and filthy stuff. Far from it. What is it made of? Of lard, beef fat, and cotton-seed oil, all agricultural products. The minority report says:

In the process of manufacture the best obtainable grades of commercial lard are purchased, and, before mixing with the other ingredients, are thoroughly cleansed and refined.

Is it wholesome? Not even the advocates of the bill charge that it is not. The gentleman from Pennsylvania [Mr. BROSIUS] says:

That any of the ingredients used in the compound lard are deleterious does not appear.

And this is said after the manufacturers of so-called pure lard have for two years been making every attack on the industry that lavish expenditure and intense zeal could muster. Instead of the above very halting and hesitating language the gentleman may as well have candidly admitted that it had been clearly proved in the investigation that the article was perfectly pure and wholesome. The bill itself admits this, because while it is aimed solely at this product and provides that its manufacture be licensed, yet it prohibits a license being granted for any compound in which the ingredients are "deleterious to health."

But what does the testimony say? It is literally overwhelming as to its purity and wholesomeness. I will give a part of it.

Willis G. Tucker, analyst of the New York State board of health, in an official report, says:

The main question, as I understand it, is whether cotton-seed oil, properly extracted and refined, is a wholesome and nutritious article of food, and whether it is a proper substance to mingle with lard obtained from the fat of hogs, or with other fats, in the manufacture of "lard compounds," table oil, and the like, for use as food or in the preparation or manufacture of food articles.

There doubtless exists on the part of many people a prejudice that lard should be made from hog-fat alone and table or salad oil from the fruit of the olive tree solely; but this opinion is in reality based on no good or sufficient reasons. Fats obtained from a variety of animals and a great number of plants have been used from time immemorial in the preparation of food, and it is unreasonable to suppose that those particular fats and oils which we, in this country or in this part of the country, have been accustomed to use are the only suitable ones to employ. All over the world vegetable oils are obtained by the expression of the seeds or fruit of plants and used as food. From the cocoanut, Brazilian nut, walnut, almond, and a wide variety of other vegetable products, oils are extracted and employed in the preparation of food. In speaking of the vegetable oils Dr. Edward Smith, in his well known work on Foods, places cotton-seed oil at the head of the list, and says:

"There can be no doubt that we have in this product of seeds of plants, which seem otherwise to be useless, a great storehouse of most valuable nutritive material, and if we know but little of them in this climate it is because we have the olive oil at hand and are bountifully supplied with many kinds of animal fats. It is, however, probable that the cheapness of some of these vegetable oils, in addition to their delicacy of flavor, will ere long force themselves into notice and obtain a place among our foods." This was written in 1873, when the manufacture of cotton-seed oils was still in its infancy.

Professor Wiley, chemist to the United States Department of Agriculture, in Bulletin No. 13, on Food and Food Adulterants, quotes from Allen's well known and standard work on Commercial Organic Analysis, as follows: "Refined cotton-seed oil is usually very free from acid, and when properly prepared is of pleasant taste, and admirably adapted for edible and culinary purposes, for which it is now extensively employed, both with and without its nature being acknowledged."

* * * * * * *

I am clearly of the opinion that cotton-seed oil, whether used alone or commingled with other oils or fats, is a perfectly wholesome and nutritious food, and as easily digested and assimilated as any of the commonly employed fats. In support of this view the opinion of numberless writers upon the subject, and of experts in chemistry and physiology, might be adduced, but I shall content myself with citing two or three. Battershall, in his treatise on Food Adulteration, remarks:

"As a result of the publicity lately given to the subject of food adulteration, a popular impression has been produced that any substance employed as an adulterant of, or a substitute for, another is to be avoided *per se*. Perhaps the common belief that for all purposes cotton-seed oil is inferior to olive oil, and oleomargarine to butter, is the most striking illustration of this tendency. Now, as a matter of fact, pure cotton-seed oil, as at present found on the market, is less liable to become rancid than the product of the olive, and for many culinary uses it is at least quite as serviceable. * * * The sale of these products under their true name should not only be allowed, but under some circumstances even encouraged."

* * * * * * *

Professor S. P. Sharpless, State assayer for Massachusetts and a chemist who has given much time to the study of food adulteration, stated during the course of the same investigation that he knew of no property injurious to health in cotton-seed oil or the refined lards which he had examined. Professor R. Ogden Doremus, of New York City, states that refined lard made from steam lard, beef stearine, and cotton-seed oil is "pure and wholesome," and that, in his opinion, "cotton-seed oil is a wholesome article of diet;" and Professor L. M. Norton, of the Massachusetts Institute of Technology, states that the compound lard made by a well known firm "is a perfectly good food material" and "is unobjectionable in every respect, and does not contain anything which can be injurious to health."

These are the opinions which seem to be almost universally held by those who have investigated this subject from a scientific standpoint. So far as I know there is no evidence worthy of the name which even remotely tends to show that cotton-seed oil is not a wholesome and nutritious food.

* * * * * * *

Such testimony as that given above is not easily overthrown. Writers of eminence in our scientific, medical, and agricultural journals have borne similar testimony, and large numbers of people in our midst to-day use, by preference, in their households a cotton-seed-oil lard in place of one made from the fat of the hog. In my own family I have employed such a lard with perfect satisfaction, and am convinced by actual trial that it is palatable, readily digestible, and a wholesome, nutritious article.

Dr. Granville P. Conn, of Concord, N. H., professor in Dartmouth College, president of the State board of health, vice-president of the National Association of Railway Surgeons, and a member of many medical societies, says:

Beef stearine and cotton-seed oil are claimed to be adulterations, [adulterants?] neither of which, from a hygienic point of view, is harmful. Beef stearine, or suet, has been mixed with lard for years, and among farmers is considered better for summer use than the pure leaf, in consequence of the melting point being a little higher.

Cotton-seed oil within the past ten years has almost entirely taken the place of olive oil in our markets. It is still sold as olive oil, but chemical and microscopical examinations show it to be pure cotton-seed oil. The conditions, both chemical and microscopical, are so nearly alike that there is really no difference in the nutritive value. It is a well known fact that immense quantities of cotton-seed oil are sent to Italy, only to come back as olive oil. In the South and West cotton-seed oil is taking the place of all forms of lard. These are well established facts, which no one who has investigated the problem will dispute. Cotton-seed oil and beef stearine would answer all of the purposes of lard, and would be entirely unobjectionable from a sanitary standpoint.

GRANVILLE P. CONN, M. D.

Dr. Irving A. Watson, secretary of the New Hampshire State board of health, says:

I am decidedly of the opinion that the cotton-seed oil and beef stearine are either of them infinitely more healthful than any refined lard, and that the lard compound, as prepared, is more healthful than the lard before refining.

In all my professional experience I have never known and have never read of an instance where a person's health has been impaired by the use of cotton-seed oil.

I believe that cotton-seed oil is a thoroughly healthful product, as much so as olive oil.

IRVING A. WATSON.

I, John J. Berry, of Portsmouth, in the county of Rockingham and State of New Hampshire, upon oath depose and say:

That I am a practicing physician and have been for ten years; that I graduated from the University City of New York, medical department, in 1878; that I located first in New York, then in Connecticut, and now in Portsmouth, N. H., and am now a member of the New Hampshire State board of health.

I have been house surgeon in St. Francis Hospital, and assistant surgeon in Chambers Street Hospital, and Hospital for Ruptured and Crippled, New York, in all three years. I am a member of the New Hampshire State Society, American Medical Association, and American Public Health Association. Have been health officer of Portsmouth; now associate editor of New England Medical Monthly.

I have used cotton-seed oil for medical purposes ever since beginning practice, and for many years for culinary purposes. Believe it to be wholesome, easily digested, and nutritious; believe the properties of cotton-seed oil of good quality to be identical with those of olive-oil, and the former to be superior to a poor sample of the latter. In my experience no distinction is made in medical practice between the two oils, it being generally understood that many brands of olive-oil, so called, are in reality wholly or in part cotton-seed oil. Chemical tests have established the truth of this supposition.

Externally applied, it is a bland, soothing substance, which acts as a protective dressing like the olive-oil. Internally, it is used for various affections, and differs in its action in no respect from the oil of the olive; so far as I know physicians have no preference as regards the two varieties.

I have used it extensively in the preparation of salad dressings, as well as in other ways, and have invariably been pleased with it. Have eaten doughnuts fried in cotton-seed oil and have been unable to distinguish it from lard similarly used.

In four tests recently made of four samples of olive-oil (so called), bought by me, I found only one pure olive-oil; the others were cotton-seed oil partly or wholly. This I determined by chemical tests.

JOHN J. BERRY, M. D.

Dr. George W. Pierce, of Winchester, N. H., says:

The compound of lard, stearine, and cotton-seed oil as a food, in my belief, is a product that contains a greater variety of elements necessary to the maintenance of the human economy in a healthy state than either lard, beef-fat, or cotton-seed oil alone, neither being in itself a perfect food product. Of the value of lard as a food I need not speak, nor of the value of beef fat for the same purpose, but of cotton-seed oil I can say that by itself it is a valuable food product.

I have used the same in my profession as a substitute for cod-liver oil, where the latter was not well retained by the stomach of my patient, with satisfaction to myself and apparent advantage to the patient. I have used it as a substitute for fresh cream in still other cases, where the cream did not seem to be well digested, with almost invariably good results, and I have fed the same to infants suffering from wasting diseases in doses of from one-half to one teaspoonful four to six times each day, and have found the same to check the emaciating process quite as well generally as any other food to which I could resort.

I prefer pure cotton-seed oil for professional purposes to olive-oil, though

olive-oil is now believed to be largely extended by an admixture of cotton-seed oil.

As an article for many culinary uses I prefer pure cotton-seed oil to either lard or medium grade butter, having used the same (cotton-seed oil) in my own family as a butter substitute in cooking meats and fish, as well as making gravies, etc. I am also acquainted with its use for similar purposes in the families of others of my acquaintance, and in no instance has my attention been called to any objectionable results from said use.

GEORGE W. PIERCE.

This testimony, coming from scientific men far removed from any local or sectional influence and no doubt selected for that very reason, is simply overwhelming, and, considered in connection with the admissions of the advocates of this bill and the statements of the bill itself, leave no possible doubt in the mind of any reasonable person on two points: first, that this lard compound is both wholesome and pure (as far as anything can be pure which has manufactured lard in it) and, second and much more important, that cotton-seed oil is not only pure, wholesome, and nutritious, but that its discovery is a great boon to mankind, and especially to the poor.

And I have given the testimony at some length, Mr. Speaker, because the study of this question has been in the light of a revelation to me, and I believe it to be my duty to proclaim what I believe to be the solid truth to the people who have honored me as their representative, and a part of whose property is substantially confiscated by this bill. When the Congress of the United States so far forgets its duty and its constitutional jurisdiction as to descend to the destruction of one honest home industry for the benefit of another utterly dishonest and disgusting, as I will show, then the only thing left to be done by the people injured is to quietly and peaceably take the law into their own hands and refuse to have aught to do with the unclean thing, notwithstanding its attempted purification by Congress, and thereby foster and encourage their own wholesome products.

WHAT IS "PURE" LARD?

To show what the manufactured so-called pure lard, which this bill is intended to protect, is, I quote the following from the testimony taken by the committee:

Testimony of Mr. Hately, who appeared before the Senate Committee of the Fiftieth Congress as a representative of the Chicago Board of Trade, and who is himself a pork-packer.

By Senator PLUMB:

Q. From what part of the hog do you get what is called white grease?

A. There is no such thing as white grease made in the packing-house now. In the march of events the progress in packing has been just as great as it has been in almost any other industry. It has not been a great many years ago since the whole entrails as they were taken from the hog—the greater portion of the fat on them—were taken away, carried out, and buried. It has not been many years ago since some packers on the Mississippi River thought the head or feet or anything of that kind was of no value whatever. They only killed in the winter time, and one packer remarked to me: "What fools we were. We had big profits in those days if we had only known it. We used to take the heads and feet and guts and run them out on the Mississippi River and pile them up there, and when the ice broke up in the spring away they went."

Q. Then, what was called white grease now goes into the manufacture of lard?

A. Yes, sir. The lard system is now so entirely different that we could not make white grease.

Q. Then, what was formerly known as white grease now becomes lard by the process of manufacture?

A. Yes, sir. It never was really white grease at all. It was really only the lard, but not a product that would pass inspection.

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Q. Do you know how many guts go to the sausage-maker from hogs slaughtered in Chicago every day?

A. No, sir.

Q. Do you mean to say that with regard to the lard as made in Chicago, the fat is always pulled from the gut and that none of the guts go into the tank?

A. I didn't say that.

Q. Does not this process take place: Instead of the fat being pulled from the gut, is not the gut split open and the ordure pulled out, and the entire thing put into the tank?

A. There are certain guts that are cut open in that way that can not be voided. They are not used by the sausage-maker. The guts are thoroughly washed and are just as wholesome as the sausage we eat.

Q. Does the gut go into the tank?

A. Yes, sir.

Mr. FOX. That is what I understood Mr. Fairbank to say.

STATEMENT OF N. K. FAIRBANK (PAGE 291).

That process reduced the quality of prime steam lard, and it got it to such a point that the people began to complain of a bitter taste in it.

Now in the great packing-houses of the West they do not stop to clean the guts or make sausage cases of them. There are only certain particular entrails used for that purpose, and all of the gut fat. They just wash around, not thoroughly, and then throw all into the tank.

Q. Guts and all?

A. Guts, head, feet, and everything. The lard tank to-day in a packing-house is a sewer for cleaning out everything in the shape of grease. To-day there is not a packing-house that makes—I won't say a tierce—but there is no such thing as white grease from packers on the market.

Q. That is worked up into lard?

A. It all goes into the lard, all the product that we used to buy as white grease. There is no such thing as No. 1 lard any more. It all goes in, and is all prime steamed lard. The quality of it had deteriorated to such an extent that we had to get something to mitigate it, to do away with the taste and the smell.

STATEMENT OF MR. CHARLES H. S. MIXER, OFFICIAL INSPECTOR OF THE CHICAGO BOARD OF TRADE.

Q. Will you please tell me whether or not this choice lard is often seen on the market?

A. No, sir; it is not often called for.

Q. Is it ever delivered on future contracts?

A. No, sir.

Q. Prime steam lard is the lard of commerce?

A. Yes, sir.

Q. The choicest part of a hog is rendered out and sold at a higher price than prime steam lard?

A. I have not seen a lot of it in two years.

Q. As a matter of fact, is not the leaf rendered separately and sold for separate purposes? Could I, if I were a family man living in Chicago, get pure leaf lard?

A. Yes, sir; but I think you would have to go and buy the leaf yourself and have it rendered. It is not, commercially speaking, in the market. It is not made; there is no demand that calls for the making of it.

MR. W. G. BARTLE, OF ST. LOUIS.

I am now nearly sixty-one years of age, and have been engaged in the pork-packing business directly and indirectly for forty years. I succeeded John J. Roe in 1870, and have been running the house known as W. G. Bartle & Co. since 1867. Prior to that, from 1860 to 1867, it was Hamilton & Bartle.

During my experience in the business of pork-packing I have been the owner of two large farms and have been engaged in farming and shipping cattle quite extensively to the Eastern and Southern markets.

(He went to Kansas City.) I went to the stock-yards in the first place, and saw the character of the hogs that were brought there and offered for sale. From there I went to the pork-house of a certain concern there. They were cutting up hogs at the time. They commenced slaughtering at 9 o'clock. I walked up the chutes and saw the character of hogs they were slaughtering. They were what I expected to find, a great many of them diseased hogs, of which the markets of the West are now full, from what is known as cholera. Whilst looking at the hogs the foreman of the establishment came to me and we got into conversation. I said to him that I had got out of the business and that I believed that I was away behind the age.

I told him that I had been in the habit of making considerable white grease, for which I had been denounced. "Yes," he says, "there ain't much white grease made now, these days, and it is quite unnecessary to make it." He said: "I was foreman for a certain party (naming him) and one winter (that party) purchased two thousand two hundred smothered hogs, all of which I put into the tanks, and they went into prime steam lard." I have never in all my packing experience made use of smothered hogs by putting them in the lard tanks. I have made them into white grease and sold the product as white grease. Now the character of the hogs, from disease, etc., is worse than formerly.

* * * * * * * *

But the making of prime steam lard in these days I say is detestable, and there has been enough filth slung in that direction to disgust anybody. But I am sorry to say that the description given of the way it is made is the truth.

Under cross-examination by Judge Wilson, of counsel for advocates of the bill, he said: "The fact is when two or three thousand hogs are coming and going through the pens amongst other hogs, you can not tell the cholera hogs until they are gutted; then the color of the hog will show."

Q. What did you do with them?

A. They went into bacon, just the same as the rest of them, and they are doing it now. The yards are almost full of them. There is more this season than I have ever known. In Central Missouri there is scarcely a drove of cattle that has not got hogs following it simply because they have become diseased and have had to be shipped to market. I myself have had to ship several lots, and I have two hundred on hand now in Missouri.

Q. This is the kind of information that the committee ought to have.

A. Yes, sir; I want to give them a plain and unvarnished statement.

* * * * * * * *

Q. Here is what I want to get at: You stated that before you went into business on your own account you bought hogs at the stock-yards for Francis Whittaker & Sons and John J. Roe & Co.?

A. I think I bought all of Whittaker's hogs for seven years.

Q. During that time what was done with the smothered or down hogs at the stock-yards?

A. Those I bought for Francis Whittaker he rendered out. The year that there was so much loss on the Hannibal and St. Jo road, so many hogs frozen, I bought him several thousand; I had them piled up mountain high.

By Mr. WHITING:

Q. I would like to ask, for information: In the manufacture of this refined lard, they buy pure steam lard?

A. They buy pure steam lard.

Q. Do they purify that any before they put in cotton-seed oil?

A. Yes, sir.

Q. So that a large portion of what is known as Armour & Co's or Fairbank's refined lard is made of steam-refined lard which is somewhat purified?

A. Yes, sir; it goes through a process which takes out the dregs and settlings that may be in it.

Q. They think that is necessary in order to put a good article on the market?

A. I think so.

Q. And the prime steam lard, in your opinion, is not a good marketable, edible fat?

A. I say it is not.

Q. Refined steam lard which they subject to this refining process is better after that process than before, is it not?

A. I am satisfied it is.

Q. Then if the cotton-seed oil is properly refined and pure, if the pressed beef fat is of good quality, is the composition, the result, a wholesome and nutritious one?

A. I should say it was.

By Mr. OLIVER:

Q. Judge Wilson has asked you a hypothetical question as to the effect on the market of a discovery that refined lard contained the percentage of elements that he named. What would be the effect upon people if they knew that pure lard contained gut-fat, pigs'-feet grease, etc.?

A. I think if they discovered that they would not buy it.

We get a complete description of the manufacture of "prime steam" lard from Bulletin No 13 of the United States Department of Agriculture, division of chemistry, part 4, from which we quote as follows (page 406):

"*Prime steam lard.*—The prime steam lard of commerce is made as follows: The whole head of the hog, after the removal of the jowl, is used for rendering. The heads are placed in the bottom of the rendering tank. The fat is pulled off of the small intestines and also placed in the tank. Any fat that may be attached to the heart of the animal is also used. The back fat and trimmings are also used.

"This lard is passed solely on inspection, the inspector having no authority to supervise rendering establishments in order to secure a proper control of the kettles. According to the printed regulations any part of the hog containing fat can be legally used.

"Since much uncertainty exists in regard to the disposition which is made of the guts of the hog, I have had the subject carefully investigated. Following are the results of the study:

"*Guts.*—The definition of the term as used by hog-packers is everything inside of a hog except the lungs and heart, or, in other words, the abdominal viscera complete. The material is handled as follows:

"When the hog is split open the viscera are separated by cutting out the portion of flesh surrounding the anus and taking a strip containing the external

urino-generative organs. The whole viscera are thrown on a table and divided as follows: The heart is thrown to one side and the fatty portion trimmed off for lard. The rest goes into the offal tank or sausage. The lungs and liver go into the offal tank or sausage. The rectum and large intestines are pulled from the intestinal fat and peritoneum, and, along with the adhering flesh and genito-urinary organs, sent to the trimmer. All flesh and the above-mentioned organs are trimmed off and the intestine proper is used for sausage casings. The trimmings, including the genito-urinary organs, are washed and dumped into the rendering tank.

"The small intestine is also pulled from the fatty membrane surrounding it and saved for sausage casings. The remaining material, consisting of the peritoneum, diaphragm, stomach, and adhering membranes, together with the intestinal fat, constitute the 'guts,' which are seen undergoing the process of washing, which is usually conducted in three or four different tanks. As the 'guts' pass into the first tank the stomach and peritoneum are split open and also any portion of the intestines which sometimes adheres to the peritoneum. After receiving a rough wash they are passed from tank to tank, when, after the third or fourth wash, they are ready for the rendering tank. The omentum fat is cut from the kidneys, and the kidneys, with a little adhering fat, go into the rendering tank. Spleen and pancreas go into the rendering tanks, as do also the trachea, vocal chords, and œsophagus."

Such is the filthy mixture, Mr. Speaker, which the advocates of this legislation desire to protect and, by destroying a wholesome and cheaper product, compel the American people to use. In justification of our opposition to it we need not protest that we oppose legislation in the interest of pure food, because it is clear that we are on the side of pure food. Neither do we favor manufacturers being permitted to sell food products under false names. We are not only willing, but anxious, to adopt the Paddock bill, which requires that all food products shall be labeled just what they are in all cases in which Congress can take jurisdiction, so that the people may have the right to buy just what they want. If the advocates of this bill were sincere in the cause of protecting the people and preventing frauds they would support that bill, which does not harass merchants and customers with odious internal-revenue regulations and subject them to constant danger of disgracefully heavy punishment.

PRETENSE OF HELPING THE FARMER.

The most aggravating pretense of this bill is that it is intended to help the farmer. In general, it may be said that farmers are not apt to be prominent in investigations before Congress which require the presence of lawyers and witnesses from long distances at Washington year after year and session after session. We hear of no farmers combining to defray these enormous expenses and we read no testimony from farmer witnesses. But we need not deal in conjecture. The following extract from the minority report of Mr. WILSON, of Kentucky, effectually disposes of this sham:

We have alluded to the claim that this supposed 32 cents per hog benefit to accrue from the enactment of this bill (H. R. 283) would go into the hands of the farmers. Who first proposed any legislation in Congress upon the subject of lard? The earliest known bill was presented by the Hon. Mr. DAWES, in the United States Senate, December 13, 1867, Fiftieth Congress, first session (S. 650), by request of John P. Squire, a pork-packer in Boston. (See page 49 of the hearings of the Fifty-first Congress.) The proceedings before the committees of both Houses show that the prominent advocates of lard legislation appearing before said committees as promoters thereof were as follows:

Page 47, Mich. Ryan, pork-packer, Cincinnati.
Page 61, Joel A. Sperry, pork-packer, New Haven, Conn.
Pages 68 and 266, John Whittaker, pork-packer, St. Louis, Mo.
Page 101, E. A. Bartman, pork-packer, Bridgeport, Conn.
Page 230, William S. Harvey, pork-packer, Kansas City, Mo., and Philadelphia, Pa.
Page 102, U. S. Epperson, pork-packer, Kansas City, Mo.
Page 246, O. W. Thomas, pork-packer, Louisville, Ky.
Page 265, Mr. Morrison, pork-packer, Cincinnati, Ohio.
Page 247, W. W. Kimball, pork-packer, Boston, Mass.
Page 258, C. G. Cryer, pork-packer, Baltimore, Md.
Pages 119 and 227, W. L. Hill, pork-packer, Boston, Mass.
Page 330, John C. Hately, pork-packer, Chicago.
Page 348, William Kirkwood, pork-packer, Chicago.

Among the prominent petitions, letters, resolutions, statements, etc., favoring the bill we also note:

Page 8, Cincinnati Board of Trade.
Page 8, Chicago Board of Trade.
Page 15, Francis Whittaker & Sons, pork-packers, St. Louis, Mo.
Page 16, St. Louis Live-Stock Exchange, East St. Louis, Ill.
Page 107, Louisville Board of Trade.
Same page, Boston Chamber of Commerce.
Page 116, Plumb & Winton, pork-packers, Bridgeport, Conn.
Page 108, William Ryan & Sons, pork-packers, Dubuque, Iowa.
Also, John P. Squire & Co., Boston, Mass.
Des Moines, Iowa, Packing Company.
International Packing Company, New York City.
Chicago Live-Stock Exchange.
James E. Booge & Sons, pork-packers, Sioux City, Iowa, etc.

The foregoing seems to us to be as choice an assortment of pork-packers, combines, and stock-yards representatives as can be gathered in the length and breadth of these United States. These are the men, we take it, who, when they can, squeeze the last cent of money out of the hog-raiser and the hog-seller. These are the men who through their "eveners" and adjusters at the stock-yards and at the packing-houses "dock" the honest farmers most arbitrarily on every drove of hogs they buy, and these are the men who appear before the Congress of the United States as manufacturers of "prime steam" lard, as explained in the foregoing pages, which they say the Government must not touch, and as advocates for the enactment of this particular measure which they say is solely in the interest of the down-trodden farmers.

DISHONEST USE OF THE TAXING POWER.

There are so many objections to this bill, Mr. Speaker, it is difficult to know which to specify. Probably the most serious one is the dishonest use of the taxing power, the power to tax, to take from the honest, law-abiding citizen a part of his property, the fruit of his toil and labor is "the strongest, the most pervading of all the powers of government." It is justified solely upon the ground that taxation is necessary to support government for the protection and good of the people themselves. Whatever is necessary for this purpose all good citizens willingly pay, because it is in fact the people's own Government and they must support it. It is not only the duty, but the privilege, of freemen to do this. It gives them the right to control the Government because it is theirs, made for them, supported by them, and conducted by their servants for their benefit.

Whatever is taken from the people, knowingly taken, beyond the needs of the Government, is dishonestly taken. In the case of taxes on imports gentlemen defend themselves on the ground that the taxes are not paid by our people, but by foreigners. But this is a case of internal taxation and there is no escape from the inevitable result that some of our own people must pay this tax. English-speaking people have always regarded this power with the greatest jealousy, and have hedged it around with all manner of guards. In framing our Constitution our forefathers took care to provide that "all bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills." This was done solely because we are the representatives of the people, elected directly by them for short terms, and responsible to them; and the people were not willing to intrust this great power to any but their immediate representatives. We also know that under the Constitution we have no jurisdiction over the subject of this bill unless it be under this power to tax. Under these circumstances, knowing that we need no more money from the people, knowing in fact that there is now in the Treasury a surplus in the enormous sum of $90,000,000, what are we asked to do? To commit two outrages on the Constitution and on the people, to tax the people unnecessarily and for the purpose of accomplishing an unconstitutional and illegal result. Either would be bad enough in itself. What amount of money will be collected under the bill no one knows, for the committee, although it is a revenue bill, has forgotten to make even a suggestion on that point. But unless the industry in question is destroyed it will be an enormous sum, many hundreds of thousands of dollars. This of itself should be sufficient to deter us; but what shall be said of us when this is done with the express and avowed intention of usurping another power for the oppression of a part of the people themselves? If this is not a dishonest use of the taxing power the imagination can not conceive of one. And the case is worse against us because in cases of this sort, coming under the taxing power, we are subject to no control from the judicial department of the Government, and are especially put on our honor, as we are on our oaths, not to betray the people's trust and violate their Constitution. The advocates of this bill well know that while in other cases of violation of the Constitution the Supreme Court can set aside an act of Congress as unconstitutional, yet in this case the court is powerless to interfere on the ground that the act is intended for some other purpose than raising revenue, because the court can not inquire into the motives of Congress.

In his recent work on Constitutional Law, volume 1, page 280, Mr. Hare says:

It is inherent in the power of taxation that it should be for the public good, and a law taxing one set of men for the benefit of another, or in furtherance of an industrial enterprise in which they were engaged, would be regarded as confiscation in all civilized countries. As was well observed in The Loan Association vs. Topeka, 20 Wallace, 655, "to lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. Such an enactment is not legislation; it is a decree under legislative forms."

Who can doubt for a moment that if this bill, should it ever become a law, could be fully and freely passed upon by the Supreme Court, the court would declare as to it that it "is none the less a *robbery* because it is done under the forms of law and is *called taxation?*" It is a sad spectacle, Mr. Speaker, to see gentlemen led away by local interests to violate the spirit of the Constitution simply because there is no power to restrain them. If this example be set by the representatives of the people, by those specially selected by the people to represent their interests in legislation, how can we hope for the preservation of the principles of constitutional government?

DESTRUCTIVE OF LOCAL SELF-GOVERNMENT.

We all know that the fundamental principle of our Government is that of local self-government, of home rule, only such powers being given to the General Government as can by it be better administered for the benefit of the people, all other powers being reserved to the States or to the people. The manifest and admitted intention of this was that the people of the several States should administer the affairs of their every-day life in such manner as best suited their local surroundings and necessities. Should this principle ever be destroyed there will be an end of all free government in this country, because the people of one section will be subject in all respects to the arbitrary rule of those of another section having antagonistic interests.

While we would still have the *form* of free government we would, in fact, have a despotism—just as the Supreme Court of the United States declares above that what is in *form* taxation is nevertheless *robbery*. At the bottom of all good government lie knowledge of the people and their wants and interest in their welfare. Without reference to the special subject of this bill, what do the people of Iowa,

whence the bill emanates, know of the local surroundings and needs of the people of South Carolina? How many of them have ever been there? How have they qualified themselves to legislate for the local interests of that State? How would they like the conditions to be reversed and have South Carolina regulate the affairs of Iowa, and in a matter, too, in which their local interests are directly antagonistic?

All the sectional troubles of our country have sprung from the violation of this principle of home rule, coupled with ignorance. And the worst of it is, Mr. Speaker, that this danger to our institutions is in exact proportion to the territorial grandeur and the material prosperity of our country. The greater our area of territory, our variety of climate, soil, and production, the more wonderful the extent and success of our industrial pursuits, the greater is the opportunity for such legislation and the temptation to yield to it. The present case is an apt illustration.

A few years ago there was no such thing as cotton-seed oil; cotton seed commanded no price anywhere. Now a mighty industry has sprung up, in which probably $30,000,000 is invested, yielding an income of at least $12,000,000 to the people of ten great States, all of them in one section of our country. Competition has been brought about with the products of many other great States—all in another section—and immediately this sectional struggle is precipitated, in utter violation of the principles of our Government and to the great danger of good feeling between the sections. Which one of the fathers of the Constitution, when laying the corner-stone of free government by home rule, ever dreamed that the day would come when the Congress of the United States would become embroiled in a contest affecting our own people exclusively, over an animal on the one side and the seed of a plant on the other?

If this vicious system of legislation, inaugurated for the first time in the oleomargarine law, is to become permanently introduced into our legislation, where is it to stop? In our tariff laws there are said to be four thousand subjects of taxation, the large majority of them produced in this country. If we are thus at liberty to abuse the taxing power, what is to prevent Congress from passing similar laws as to each one of these articles produced in this country, and thus not only destroy the industries of one section of the country, but subject the people to all manner of harassing regulations and severe punishments in each and every thing used in their daily life? The gentleman from Pennsylvania [Mr. BROSIUS] in his speech said:

> This is paralleled by a case Professor Perry tells about in his Political Economy. The professor met the manufacturer and asked him, "What are you running on now?" "On these knit goods," he said. "I thought you worked cotton," said the professor. "I do," he said. "Are not knit goods woolen?" said the professor. "Oh," said the honest manufacturer, "we put the figure of a sheep on every piece we make, but every fiber of it is cotton."

Perhaps the gentleman meant this as a kindly warning—possibly as a threat—but what is there to hinder the gentleman and his friends, in the interest of the wool-growers of the country, to pass such a law as this and tax all cotton mixed with wool in manufactured articles? The cases are "paralleled," as he truly says: why not place them side by side in our statutes?

WAR ON COTTON.

Judging by the course of the Republican party towards the cotton industry, there is no reason to suppose that they will not burden it in every imaginable shape and form. That is what has been done heretofore and the present session displays a more rigorous policy in the same direction. Common gratitude to the cotton-planters of the South would seem to dictate a different policy. What has cotton done for our country? In the year ending June 30, 1889, we shipped to foreign countries $237,775,270 worth of cotton. Our total exports were $742,491,375, thus making our export of cotton nearly one-third of the whole. During the same year the balance of trade against us was $2,730,277; that is to say, we had to send abroad to pay for our purchases of foreign goods, over and above our merchandise exported, that sum in gold. If it had not been for our export of cotton, we would have lost in gold in that one year not $2,730,277, but the enormous sum of $240,505,547. This would have produced the most appalling financial calamities. What have you done for the cotton-planter in return? In your tariff bill, with a grand flourish of trumpets, you have increased the duties on wheat, oats, and other agricultural products, when you know that substantially none of those products is brought into this country, and hence the increased duties are a mere sham and protect nobody. But how is it with cotton? During the same year there was imported into this country from abroad 7,973,039 pounds of cotton, worth $1,194,505. Yet you do not propose placing any duty on foreign cotton, because to that extent the cotton-manufacturers of the country would be compelled to pay more for their raw material. For the year ending June 30, 1890, our exports of cotton have gone far beyond those of the year before, and amount to 5,020,913 bales, valued at $250,968,792. The cotton-planter therefore sells about five out of every seven of his bales of cotton in foreign markets, in open competition with the cheapest labor of the world.

How do you reward him for the benefits he confers on the country and compensate him for the loss of the protected market of this country? For years past you have made him pay 35 per cent. duty on cotton-ties—all of them imported—when you did not need the revenue; in fact, when the Treasury was bursting with its surplus. This would seem to be bad enough, but in your new tariff bill this duty has been increased threefold and is placed at over 103 per cent., thereby increasing the tribute forced from the planter to $878,449.80 instead of $296,454.40 annually. And this is done with the avowed intention of inducing some manufacturer to engage in the business of making cotton-ties.

As to jute bagging you have for years by a prohibitory duty given the manufacturers of it a complete monopoly of the market, by which they were enabled two years ago to rob the farmer of at least $2,400,000, and in your tariff bill you have fixed the duties precisely as they have asked for them, notwithstanding the farmer appealed to you for some relief. To sum it all up, the cotton-planter sells five out of every seven bales in a free-trade market, and the other remaining two he sells in this country at the price fixed abroad. You leave all foreign cotton to come into this country as freely as the air. You created the jute-bagging trust, which two years ago exacted just twice the value of bagging and this year you will make him pay a little—only a little—more than two prices for his cotton-ties.

"Well," some one may say, "this is pretty bad, but the poor planter now has his bagging and his ties—at double prices, to be sure—and there is nothing else he can be taxed upon, and this must be the end of it at last." Little allowance would such a person make for sectional greed and devilish ingenuity. There is still the cotton seed. A few years ago it was worthless, but by a happy discovery it is made to produce most excellent oil, cheap and wholesome, and that again goes to make cheap and wholesome lard; and, as there is nothing so abhorrent to a Republican as cheap products, cotton-seed oil must also be taxed out of use.

"But," the cotton-planter will say, "for seventy-five years you have been telling us and our fathers that your high protective duties would build up a home market for our cotton; we are still selling five out of every seven bales abroad; for the same period you have been assuring us that payment of high duties for a time would soon bring down the prices of what we buy, but we are still made to pay two prices for our bagging and ties. Again, you have been preaching to us that we must follow the example of the rich and prosperous North and build up factories in our midst and thus increase our population and create our own home markets; and now that we are doing this very thing you propose putting a new tax on us. Why should you do it? You do not need the money; this is not a foreign product, to be taxed out of the country, it is a home product and, under your theory, should be protected, not taxed. And how are you going to tax it when it is not to be imported, but is made here?" And, gentlemen, you will have to admit that every word of it is true, and that, having exhausted all the possibilities of protecting your own against foreign manufactures by a prohibitory tariff, you are now taking the bold step of protecting them against Southern manufacturers by internal-revenue taxation. To suppress a rival of one of your products you have in an instant abandoned every principle of your protective policy.

Upon first impressions—

Said Justice Field, in Powell *vs.* Pennsylvania, 127 U. S., 689—

> Upon first impressions one would suppose that it would be a matter for congratulation on the part of the State that in the progress of science a means had been discovered by which a new article of food could be produced, equally healthy and nutritious with and less expensive than one already existing and for which it could be used as a substitute. Thanks and rewards would seem to be the natural return for such a discovery, and the increase of the article by the use of the means thereby encouraged. * * *
>
> The right to procure healthy and nutritious food, by which life may be preserved and enjoyed, and to manufacture it, is among those inalienable rights which, in my judgment, no State can give and no State can take away, except in punishment for crime. It is involved in the right to pursue one's happiness.

INJURY TO THE COLORED PEOPLE OF THE SOUTH.

Mr. Speaker, there must be intense and blinding zeal at the back of this legislation. It is difficult to say whether the bill is distinguished most for its flagrant disregard of constitutional obligations and private rights or for its stupid political blundering.

It is a blow straight into the sweating face of the black man. You gentlemen proclaim from every housetop that your tariff legislation is in the interest of the laboring man. For all the years of his freedom, under this false cry, you have made the colored laborer of the South pay high prices for everything he consumes, forgetting all the time that none labors harder than he and that his muscle makes the wonderful harvest that brings each year from foreign countries $250,000,000 of gold to save you from financial ruin. Have you no sense of gratitude for the blind political devotion which he gave you for so many years? Is your legislation against him at this session prompted by revenge because he is deserting your ranks and joining the Democracy? One might well think so.

Rice and sugar are the only two articles produced by him which have received protection heretofore, and now you make sugar free and materially reduce the duty on rice. You still keep him under the heel of the jute-bagging trust to swindle him at pleasure. You have increased the duty on his cotton-ties threefold. You have defeated the Blair bill, which for years you have promised him, but with no real intention of passing. All this you have done at this session, and such is the record you have made at the first session of Congress at which for years you have had control of every department of the Government. And now you propose, by the most vicious legislation of all, to go into

every cotton field of the South and into every humble home and take from him and his family a part of their hard-earned income to increase the enormous profits of the manufacturers of the North.

It has been very easy for you when out of power to proclaim your devotion to the colored man. Now that you are in power your acts stamp your words as idle promises. It has been estimated that the annual addition to the income of the cotton farmer of the South by the discovery of cotton-seed oil is $12,000,000, and that one-third of this, or $4,000,000, goes into the manufacture of lard compound. You propose, then, to destroy just that much of the value of the cotton-grower ($4,000,000) and to check forever the enormous development of the industry in that direction. To show how much the colored man is interested in the cottou crop as a planter on his own account with the assistance of his white friends, it has been stated by a distinguished Senator, himself a cotton-planter, that the average crop of each farmer does not exceed five bales. This is the class of men at whom this bill is aimed, and its passage will put a nice finishing touch to your session's work.

Compound Lard.

SPEECH

OF

HON. HENRY P. CHEATHAM,

OF NORTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 23, 1890.

The House having under consideration the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of compound lard—

Mr. CHEATHAM said:

Mr. SPEAKER: I do not like to say a word against the report of any committee of this House, nor to differ from the leaders of my party, but I am compelled in this case, representing the constituency I do on this floor, to raise my voice against the adoption of this measure.

I wish to indicate, Mr. Speaker, in brief, why it is that the compounding of cotton-seed oil with the other ingredients that go to make up this article of commerce helps the Southern States. Ten or fifteen years ago bacon and lard sold in those States, especially in North Carolina, at prices ranging from 25 to 30 cents a pound, such enormous prices that the poor people could scarcely buy it, the reasons therefor, or at least some of them, being, first, and mainly, on account of their individual poverty and, secondly, on account of the poverty of the communities in which they lived, and, indeed, of the very air which they breathed. Money was scarce and labor had little or no market.

Now, there were two particular things that combined to produce this poverty. They are these: About the time referred to there was a fearful and disastrous epidemic prevailing among the hogs of our section, commonly known as the hog cholera, which in many ways embarrassed and destroyed the flattering and bright hopes of thousands of farmers and mechanics. It devastated the Southern farms, and especially those of the poor men who ordinarily raised their own meat and lard, but who saw their little stock of hogs entirely wiped out by this dreadful and apparently incurable disease. And yet the producers and manufacturers of pure lard, about whom we hear so much in this debate, in the North and West, took advantage of the calamity which thus befell us, and reaped a rich reward in the increased prices they forced us to pay. This, however, we all must admit, is generally the case the world over in business circles. They compelled us to buy their product at their own rates. But after Providence, in its kindness and mercy, placed us in a better shape, taking us out of that suspended and deplorable condition of things, and after the hog cholera had disappeared, when the fattening pens of the country had again been rebuilt and were filled with hogs, the farmers once more commenced to flourish and to prosper, and meat and lard fell to prices ranging from 8 to 10 cents per pound.

But this condition did not last long. A movement was soon inaugurated which led to an organization among some of the principal landowners, and a measure was lobbied and railroaded through the State Legislatures commonly known as the "no-fence law." The enactment of this law brought about a radical change in the affairs of the people, compelling the poor farmers of both races, who had hogs from which they expected to raise their meat and cows on which they depended for their milk and butter, to sell or get rid of them, and thus place their food supplies at the mercy of the men who manufactured this commodity or who raised large quantities of pork. Now, I do not think any one can deny that this class of men took the lead in the movement referred to and maneuvered and almost forced the passage of the "no-fence law."

By reason, therefore, of the hardships caused by the passage of this act, many of the poor people of the country were forced to sell out—compelled, almost, to give away their stock. The result was that as the stock of hogs was reduced the price of lard went up again to 20 and 25 cents per pound.

And go now into certain sections of the cotton belt, especially in my own State, and the disastrous effects of this harsh system are visible on all hands. There you will see the stock of hogs of the poor farmer huddled in pens or tied out on some green spot to find food as best they may, and their cows tied down in the little "meadow patch," both hogs and cows reduced to the smallest number; and few farmers have stock enough to supply their families with meat or lard during the year. In addition to this, by reason of unfortunate crop failures, which have followed each other in almost uninterrupted succession for ten years past, the Southern farmers have been thrown helplessly upon the mercies of the brokers and commission merchants of their sections, and in thousands of cases they have been compelled to mortgage everything, from the farms and stock and growing crops, even to their household and kitchen furniture, for the necessaries of life. Many of them are hopelessly involved, and by reason of the accumulation of indebtedness they have no comfort in the present or hope for the future.

Besides, owing to the disadvantages of the great mortgage and lien system existing in the South, which has brought suffering and even crime to the homes of thousands of our people, which has not been productive of improvement in the condition of the people, but which has begotten suspicions and ill-feeling at home as well as a want of confidence between the moneyed men of the North and the property-owners at the South and has impoverished our people generally, it has become almost impossible for them to get enough, through the system in vogue of the pure-lard men, to provide the necessaries of life for their families. Nevertheless, it is remarkable to see how God, in His own wise way, brought a speedy and timely relief in this new chemical discovery for the benefit of those people, producing to them a substitute from which they could get that of which they were formerly deprived by those high rates. Such was the condition of things until there was introduced in our midst this compound of the cotton-seed oil. And to-day in the Southern States you can get lard, the best and most healthful in the world, suitable for all purposes of domestic consumption, at from 8 to 10 cents per pound.

Our people are, therefore, anxiously waiting to see if their friends in the North will take away from them the last blessing they have in the form of cheap food; a blessing, let me say, which materially affects the colored people's condition at the South, four million of whom were emancipated from the curse of slavery at the close of the late war to live upon their own resources and to commence the race of life without a penny to buy food or raiment, and without even rented homes to shelter them from the heat of summer or the cold of winter. At the same time they were subjected to all kinds of fraud and rascality, perpetrated upon them, in many instances, by those who pretended to be their friends from the North and who claimed to be sent amongst them for the purpose of seeing that all differences and controversies should be settled fairly and squarely between them and their former masters. In nine cases out of every ten, however, these deceptive and heartless friends, for a few dollars and for the purpose of currying favor with their white brothers, would compromise the poor, ignorant negro's interests, to settle the demands and costs of their law courts, and, in fact, seemed determined to carry out literally the divine injunction which says:

> For unto every one that hath shall be given, and he shall have abundance: but from him that hath not shall be taken away even that which he hath.
>
> And cast ye the unprofitable servant into outer darkness: there shall be weeping and gnashing of teeth.

These gentlemen were placed at the head of what was then known as the Freedmen's Bureau, the object of which was a good one (to protect the rights of the freedmen); but in nearly every case coming before that bureau it but resulted in deplorable and unfair treatment to him. Notwithstanding all this and many other unfriendly and uncalled-for brutalities with which the colored people of the South have had to contend and to encounter, they have not at any time become wholly discouraged, nor have they allowed themselves to give up in despair. On the contrary, they have earnestly and incessantly toiled, especially in the great cotton belt of the South, in the hope of a better condition of things. And, although the grand boon of freedom brought with it many responsibilities and hardships, it was still received with hearts overflowing with fervor and gratitude to those who gave it.

The very fact that great sacrifices were necessary to secure and perpetuate the enjoyment of freedom and the rights of citizenship gave a stimulus and impetus to a determined, industrious, and self-reliant policy in business. And in order to give an idea of what the colored people have acquired through their skill, intrepidity, and industry since the war their many adversities to the contrary notwithstanding, I will here read by States the following statistics, which indicate the total wealth of the colored people in each State named:

Alabama	$9,300,125	Missouri	$8,100,340
Arkansas	5,010,315	Maryland	9,900,735
District of Columbia	5,300,033	North Carolina	11,010,652
Florida	7,900,040	South Carolina	12,500,000
Georgia	10,415,330	Texas	18,010,371
Kentucky	5,900,000	Tennessee	10,400,211
Louisiana	18,100,525	Virginia	5,006,721
Mississippi	13,400,213	West Virginia	4,900,000

The amount of property owned by the colored churches in the United States is $16,310,441 and the total amount of property owned by them in all the States is about $263,000,000, and I think there is but little doubt that the most of the wealth acquired by the colored people in the South since their emancipation is due to the success of the cotton farms, as their staple product.

The project of manufacturing lard out of cotton-seed oil, on account of its superfine qualities, has brought it in competition with the great hog's-lard market of the North and West, thereby causing a decline in those lard markets, which justly places it in the reach of even the humblest and poorest farmer everywhere. It is now one of the most essential necessaries of life, and therefore at this time ought not to be burdened with a tax.

That which most oppresses the laboring classes of the South, and which hinders their advancement more than any other cause, is the price they are compelled to pay for their food supplies. Raising as they do inadequate supplies and dependent largely upon other portions of the country, this becomes a source of no little anxiety and concern. Their food accounts are really matters of most serious import, needing, as they invariably must, their constant watchfulness and attention. And when it becomes apparent to both rich and poor that lard made of cotton-seed oil and other pure and nutritious ingredients is as palatable, serviceable, and healthful as hog's lard or any other lard, and at the same time will save the workingman at the end of the month five or ten dollars in his market accounts, he will, in nine cases out of every ten, buy the compound brand. If he is a poor man he will make a payment of that difference of five or ten dollars on his little home every month, while if he is a rich man he will have that five or ten dollars credited to his regular bank account. Thus it is clear that both classes are materially benefited by this cheap commodity.

The cotton-planter is not only benefited by these cheap rates in lard, but he likewise finds at home a ready and profitable market for his cotton seed. This part of his product, as is well known, was prior to this chemical discovery of but little value to him. In fact, it was used only for compost purposes. It has been estimated that the cotton seed from one bag of cotton will average from $5 to $6 in value, although heretofore the same quantity of cotton seed only brought about $2 per bag. Hence it will be readily seen that the difference in value of cotton seed, taken from any one of these farms in the State, will purchase for that family a quantity of lard sufficient for one year's use.

I do not object to branding all compound lards, thereby letting them show exactly what they are, but I do seriously object to the passage of any measure the sole purpose of which is to tax one commodity out of existence for the good of one whose market price is more expensive to the consumer and whose quality is in no way superior to the commodity taxed. The gentleman from Iowa [Mr. CONGER] has seen fit to put upon exhibition here samples of the compound lard in question, and although he and other gentlemen who favor this bill seek to disabuse our minds of its high reputation and actual worth, it nevertheless shows, upon a fair examination and upon its merits, that it has forced its way into the markets of the country and justly antagonizes and competes with hog's lard or any other lard compound in the markets of the world.

Up to the present time I had hoped that the tariff provisions in the platform of the Republican party meant to protect all of our home industries, especially when competing with those coming from abroad. But I did not think it was meant to discourage any home industry, no matter in what section of our country the same had been established, nor to discriminate absolutely against one section of the United States to its disparagement and commercial loss to benefit another part of it. The leading incentive of the great tariff system of America has always been to stimulate and protect home industries, and this has become the spirit of the age. If this "lard-compound" industry was flooding the markets of our country from some foreign land and on account of its nutritious and healthful composition it hindered the sale of similar commodities manufactured here, Congress would have both a legal and moral right to enact a law restricting by taxation the privilege to sell in the markets of this country. But as against two honest and lawful home industries, both contending and rivaling each other for supremacy in the markets of the United States, it is hard to satisfactorily explain to the people of this country reasons for this discrimination, unless it is for the purpose of unfairly preventing and neutralizing the existence of one of the most popular and aggressive enterprises of its kind, that the so-called pure-lard industry may have the entire and exclusive sway in the food markets of this country.

Mr. Speaker, I do not oppose this measure because I wish to injure or paralyze the pure-lard enterprise, nor simply because it is my prerogative to do so. I am actuated by a higher motive. I am pleading for the honest and hard-working and business men in the South, who have spent their time, talent, and money upon this enterprise, and for suffering and impoverished humanity everywhere, whose wants and necessities are so readily and well provided for under the operations of this great industry—lard compound. I am opposed to this bill because it can be clearly seen that it proposes to establish by legislation the standard of a product which it could not have otherwise attained, and defends the cause of an article which needs no defense, especially if the product is as pure as it is claimed to be by the gentlemen on the other side.

Now, Mr. Speaker, if these gentlemen will make careful research of the history of the large packing-houses of the cities of Chicago, New York, Cincinnati, St. Louis, Kansas City, Boston, Louisville, Omaha, Nebraska City, Sioux City, Indianapolis, Milwaukee, and others, they will find that it is not the lard compound that so seriously attacks their product or that degrades the standard of American lard.

Permit me to read from the minority report of the committee, which I think will bear me out in this statement:

From the arguments presented before the committee in favor of this bill the inference is drawn that the immediate result of its enactment will be to increase the value of every hog in the United States 32 cents in the farmer's hands.

The statements and inferences above referred to are not clear to our mind. We think, as we said in the first place, that there are exceedingly important points with reference to the lard question that have been overlooked in this controversy. We think we have stated the case of the advocates of this bill compactly and fairly. Brushing aside all the cobwebs that surround this question, let us admit that the agricultural interests of the hog-raising States are entitled to the enactment of any measure that will increase the value of their hogs, and then let us devote ourselves to a careful consideration of all the facts in regard to the lard trade of the United States, with a view to ascertaining whether the measure before us (H. R. 243) can be of benefit to our farmers in the direction indicated.

The first general knowledge of the adulteration of lard was obtained from the publication by the Chicago Board of Trade in August, 1883, of the charges and evidence in a trial before the directors of that body of the case of McGeogh, Everingham & Co. *vs.* Fowler Bros. The directors of the Chicago Board of Trade in the trial of this case had all the powers of a court in matters of administering oaths and taking evidence; and the official report of the proceedings is undoubtedly entitled to as much weight as the finding of a judicial tribunal. The testimony in this case disclosed, as we said before, for the first time to the public the presence of "agitators" of cotton-seed oil, oleo, stearine, tallow, benchcuttings, floor-scrapings, heads, feet, marrow-bones, guts, etc., in the lard-tanks of the packing-houses at the Chicago stock-yards. Circumstantial evidence indicated that lard, which was really a composition of the above-named ingredients, might be branded indiscriminately either "prime steam" or "pure refined," as the market might demand. It was further demonstrated by these proceedings that up to said date, *i. e.*, August, 1883, expert chemists were unable to determine with any degree of accuracy the presence of foreign fats in "regular" lard.

Samples drawn by Mr. C. H. S. Mixer, the official inspector of the Chicago Board of Trade, who appeared to testify before your committee here in 1888, and by his assistant, Colonel Taylor, and by these officers p aced in the hands of several distinguished chemists for analysis, elicited reports from these gentlemen of the most diverse and contrary nature. Seventeen samples being thus submitted to five experts, no three of the five agreed in their analysis of scarcely any one sample out of the seventeen. It was shown that in the packing-house of these particular defendants the tank-room where the lard was rendered contained thirty-two cooking-tanks; twenty were used for prime steam lard, two were used for tallow, six were called grease-tanks, four of these grease-tanks were used for rendering the intestines of hogs and "the refuse of the house generally," two were called "pluck" tanks and were used for rendering hearts, livers, legs, etc. (See page 52 of the published proceedings, Chicago, Knight & Leonard, printers, 1883.)

The product of these tanks was conveyed in pipes to another room, where the tierces and packages were filled. The men who conveyed the materials to the tank-room were not allowed to see into which tank any materials they conveyed thither were dumped. The men inside the room who filled the tanks were not allowed to see where the pipes led to, and consequently did not know what became of the contents; and the men who drew the different kinds of lard out of the pipes in the filling-room did not know where the pipes came from and what was mixed in said pipes, and consequently could not swear positively to the composition of the product drawn into packages for shipment. Then other employés were detailed to apply the stencils and brands. From this description of the packing-house arrangements it can be readily seen that no evidence could be procured sufficiently definite to sustain the charges; and considering also the inextricable confusion of the so-called expert scientific testimony, the directors of the Chicago Board of Trade were deprived of any alternative and were obliged to find for the defendants—in a sort of Scotch verdict, "not proven." The board of directors, however, did not refrain from annexing to their verdict a statement, which we copy, as follows page 271):

"Inasmuch, however, as these charges involve questions of the greatest concern to the members of this association and to dealers and consumers of pork products, not only throughout our own country, but in foreign lands as well, the board of directors, in view of the evidence submitted in this case, both on the part of the defendant and for the prosecution, can not, with a due regard to their responsibilities to the public and to the members of this association, refrain from expressing their unqualified disaproval of and censure upon the defendants for the remarkable methods of conducting the business of manufacturing lard in their establishment, as developed by the evidence in this case.

"It appears, and is admitted to have been the practice during at least several of recent months, that beef product in several forms has been rendered in the same tanks and with hog product, this mixed product of certain tanks being conducted through an intricate machinery and pipes, in which also prime steam lard was at times conveyed to their so-called lard refinery, wherein both prime steam lard and the mixed product used for what is called refined lard is drawn off into packages for market; and this in a manner that, by accident or design on the part of the employés of the establishment, could easily contaminate the purity of their prime steam lard, which might thus become more or less adulterated, not only with the beef product so rendered with a portion of their hog product, but also with the cotton-seed oil and other unknown substances used in the manufacture of their so-called refined lard; and this board, in view of the existing methods of manufacturing prime steam lard in that establishment, recommend that without delay the parties so readjust their lard-manufacturing arrangements that all grounds for suspicion in this respect shall be effectually removed."

The above is what the Chicago Board of Trade found to be the fact as to methods of manufacture in one of the large packing-houses of that city, not in the factory of a manufacturer of "lard compound." It is evident that if the public is to be protected against the adulteration of lard the law and its regulations must embrace all establishments where lard is produced, as well as those where it is compounded.

The price of the lard involved in this particular controversy was 12.02½ cents per pound it being of course an artificial value created by the efforts of the plaintiffs in this case to engross the market, or, in modern parlance, "run a corner on the board." But the beginning of the depression of the value of American lard dates back from this period. From the publication of these proceedings arose the first damage to our foreign trade in lard, and here were sown

the seeds of that distrust concerning the integrity of packing-house lard which seems now to have spread almost all over the civilized world.

Subsequent to these proceedings the Chicago Board of Trade adopted new rules for the manufacture of packing-house lard, making two grades, the definitions of which we quote as follows from the testimony of the official inspector, Mr. C. H. S. Mixer, already quoted herein (see page 347 of the proceedings before your committee in 1888, as aforesaid):

"Choice lard: Choice lard to be made from leaf and trimmings only, either steam or kettle rendered, the manner of rendering to be branded on each tierce.

"Prime steam lard: Standard prime steam lard shall be solely the product of the trimmings and other fat parts of hogs, rendered in tanks by the direct application of steam, and without subsequent change in grain and character by the use of agitators or other machinery, except as such change may unavoidably come from transportation. It shall have proper color, flavor, and soundness for keeping, and no material which has been salted shall be included. The name and location of the renderer and the grade of the lard shall be plainly branded on each package at the time of packing."

Mr. Mixer explained before the committee that the business of an inspector under these rules was to examine lard with three tests in mind, *i. e.*, odor, sight, and flavor, from which tests the inspector approved or rejected the lard according to his own individual expert judgment. Mr. Mixer stated that in all probability an inspector could not detect 10 per cent. of adulteration in fresh-made lard. He said that the inspectors had no control over the packing-houses; that it was "their duty to deal with the result, and not the processes;" that more than half of the lard inspected in Chicago for the preceding ten years was made outside of the State of Illinois and at points where there was no local inspection. (See Mr. Mixer's testimony, pages 244-247 of the report of 1888.)

It may be well to call attention right here to the fact that there is not even a board-of-trade inspection of lard anywhere except in Chicago, New York, Cincinnati, St. Louis, and Kansas City. Dozens of other packing-houses, as for instance, at Boston, Louisville, Omaha, Nebraska City, Sioux City, Indianapolis, Milwaukee, are operated where there is no local inspection of lard whatever. True, when lard packed at these points is sold in cities having so-called "official" inspection such lard is subjected to such inspection at the point of sale; otherwise there is absolutely no supervision of any kind over the packing-house lard of the United States.

It can be seen from Mr. Mixer's testimony that what is called "official" inspection in the so-called "pure" lard manufacture is very superficial at best; and we call especial attention to the fact that the testimony of all packers who appeared before this committee in 1888 agrees that the production of so-called "choice" lard according to the preceding definition was and is very small all through the United States, and that in fact nearly all the lard produced in our packing-houses was and now is of the grade known as "prime steam" lard. The importance of this point will be seen as we go on.

The fact is that the degrading of so-called "pure lard" by the filthy methods of some of the American packing-houses is responsible for the disturbance of our European trade in lard. This is shown by the many complaints that have come back regarding the packing-house lard. See the recent correspondence between Gebrüder Gause, large importers in Germany of American lard, and the New York Produce Exchange (Appendix B). This correspondence shows the worthlessness of the present methods of inspection applied to "pure lard," and the inferior quality of the product which can pass such inspection and still be known as "pure lard."

We get a complete description of the manufacture of "prime steam" lard from Bulletin No. 13 of the United States Department of Agriculture, division of chemistry, part 4, from which we quote as follows (page 406):

"*Prime steam lard.*—The prime steam lard of commerce is made as follows: The whole head of the hog, after the removal of the jowl, is used for rendering. The heads are placed in the bottom of the rendering tank. The fat is pulled off of the small intestines and also placed in the tank. Any fat that may be attached to the heart of the animal is also used. The back fat and trimmings are also used.

"This lard is passed solely on inspection, the inspector having no authority to supervise rendering establishments in order to secure a proper control of the kettles. According to the printed regulations any part of the hog containing fat can be legally used.

"Since much uncertainty exists in regard to the disposition which is made of the guts of the hog, I have had the subject carefully investigated. Following are the results of the study:

"*Guts.*—The definition of the term as used by hog-packers is everything inside of a hog except the lungs and heart, or, in other words, the abdominal viscera complete. The material is handled as follows:

"When the hog is split open the viscera are separated by cutting out the portion of flesh surrounding the anus and taking a strip containing the external urino-generative organs. The whole viscera are thrown on a table and divided as follows: The heart is thrown to one side and the fatty portion trimmed off for lard. The rest goes into the offal tank or sausage. The lungs and liver go into the offal tank or sausage. The rectum and large intestines are pulled from the intestinal fat and peritoneum, and, along with the adhering flesh and genito-urinary organs, sent to the trimmer. All flesh and the above-mentioned organs are trimmed off and the intestine proper is used for sausage casings. The trimmings, including the genito-urinary organs, are washed and dumped into the rendering tank. The small intestine is also pulled from the fatty membrane surrounding it and saved for sausage casings.

"The remaining material, consisting of the peritoneum, diaphragm, stomach, and adhering membranes, together with the intestinal fat, constitute the 'guts,' which are seen undergoing the process of washing, which is usually conducted in three or four different tanks. As the 'guts' pass into the first tank the stomach and peritoneum are split open and also any portion of the intestines which sometimes adheres to the peritoneum. After receiving a rough wash they are passed from tank to tank, when, after the third or fourth wash, they are ready for the rendering-tank. The omentum fat is cut from the kidneys and the kidneys, with a little adhering fat, go into the rendering-tank. Spleen and pancreas go into the rendering-tanks, as do also the trachea, vocal chords and œsophagus."

That there can be no question about the correctness of the foregoing, we refer to extracts from statements made before your committee in 1888, in the appendix hereto.

In our opinion the greatest injury to the farmer and his hog crop comes from the unscrupulous methods of the packing-houses and stock-yard buyers, methods which the honest farmer would not employ and could not if he would. A considerable proportion of the lard consumed in this country is purchased direct from the farmers and from the small butchers. Such lard is, as a rule, pure, sweet, and clean, prepared only from suitable parts of the animal, and rendered in an open kettle. But when the farmer offers it for sale he is met at once by the competition of the prime steam lard, made by the packing-houses in large tanks under high steam pressure, in which practically the whole hog is stewed up. This method of manufacture injures the farmer in at least three ways:

(1) It competes with and limits the sale and depresses the price of his home-made lard.

(2) It degrades the standard of American lard, to the injury of our foreign commerce.

(3) It transforms into so-called "lard" those portions of the animal which ought to be thrown away or sent to the glue factory, or soap factory, or fertilizer factory, or properly branded so as to enable the purchaser to know what kind of so-called lard he is purchasing.

It is evident that if lard were now made by the packers as it always used to be made, and as it is now made by the farmers, more hogs would be required to supply the present demand for lard and the price of hogs would be higher.

The bill introduced by Mr. McCLAMMY (H. R. 7346) is designed to bring about just this result and put an end to the filthy practices by which the farmer is defrauded out of the value of his swine, and by which the consumer is defrauded when he attempts to purchase "pure lard."

We next call attention to a fact not brought out in the lard testimony, but revealed by public investigations into the manufacture of oleomargarine, *i. e.*, that the leaf-fat of the hog, averaging 9 pounds per head, is all used of late years in the manufacture of so-called "neutral lard" for oleomargarine, and that it brings from 2 to 3 cents per pound more than the price of prime steam lard. Mr. Hately's estimate that the depression in the value of hog lard (from the competition of lard compound) to the aggregate of 32 cents per head is, therefore, subject to the following correction:

Total weight of lard per hog	pounds	32
Less weight of the leaf	do	9
		23
Loss on 23 pounds at 1 cent	cents	23
Gain on leaf for oleomargarine, 9 pounds at 2½ cents	do	23

If figures will not lie, it is thus evident, taking Mr. Hately's own theory for supposed depression in value of lard, amounting to 32 cents on each hog in the United States, that this depression can be disproved from his own premises.

The claim that the depreciation in the value of swine and lard is due to the manufacture of lard compound is not to our mind established. The investigation of expert and disinterested statisticians shows that such depreciation is due to very different causes. Statistics and diagrams prepared by the official statistician of the New York Produce Exchange, and printed in part 2 of the report (No. 970) on this bill (H. R. 283), show that the price of swine, and consequently the price of lard, is dependent upon the price of corn. No reference was made in that report, however, to the investigations of the United States Department of Agriculture on this subject. We therefore submit, as Appendix C, extracts from the report of the statistician of that Department for February, 1884, and from the report of the Bureau of Animal Industry for 1887-'88 to the same effect. The inevitable rule is that when there is a large crop of corn its price will be low; that more of it will be used for feeding swine; that a large increase in the production of swine will result, and that the price of swine will correspondingly decrease.

Next. If there is one argument reiterated again and again by the pork-packers in the hearings before your committee in 1888, it is the argument based upon the fact that at that time, and for several months previously, lard had been selling at less than the price of short ribs. While the opponents of the bill denied that the price of hog lard was in any way injured or damaged or depressed by the cotton-seed product, the advocates of the bill pointed persistently to the fact that lard had previously sold at more than the price for short ribs, and that legislation of the character of this bill (H. R. 283) was imperatively required because lard was selling in 1888 at less than the price of short ribs.

On the other hand, as we write this report the force of even this argument has entirely vanished. Current quotations for lard on all the prominent exchanges of this country and in all provision markets show that to-day lard is selling at 1 cent per pound more than the price of short ribs. If there is any merit in the argument previously offered by these gentlemen, it might about as well be claimed to-day that the market for meat in the form of short ribs is depressed because of the competition of cotton-seed oil, which is the *reductio ad absurdum*. At any rate, the tables seem to be turned.

We have alluded to the claim that this supposed 32 cents per hog benefit to accrue from the enactment of this bill (H. R. 283) would go into the hands of the farmers. Who first proposed any legislation in Congress upon the subject of lard? The earliest known bill was presented by Hon. Mr. DAWES, in the United States Senate, December 13, 1887, Fiftieth Congress, first session (S. 650), by request of John P. Squire, a pork-packer in Boston. (See page 49 of the Hearings of the Fifty-first Congress.) The proceedings before the committees of both Houses show that the prominent advocates of lard legislation appearing before said committee as promoters thereof were as follows:

Page 47, Mich. Ryan, pork-packer, Cincinnati.
Page 61, Joel A. Sperry, pork-packer, New Haven, Conn.
Pages 68 and 266, John Whittaker, pork-packer, St. Louis, Mo.
Page 101, E. A. Bartman, pork-packer, Bridgeport, Conn.
Page 230, William S. Harvey, pork-packer, Kansas City, Mo., and Philadelphia, Pa.
Page 102, U. S. Epperson, pork-packer, Kansas City, Mo.
Page 245, O. W. Thomas, pork-packer, Louisville, Ky.
Page 265, Mr. Morrison, pork-packer, Cincinnati, Ohio.
Page 247, W. W. Kimball, pork-packer, Boston, Mass.
Page 258, C. G. Cryer, pork-packer, Baltimore, Md.
Pages 119 and 277, W. L. Hill, pork-packer, Boston, Mass.
Page 320, John C. Hately, pork-packer, Chicago.
Page 348, William Kirkwood, pork-packer, Chicago.

Among the prominent petitions, letters, resolutions, statements, etc., favoring the bill we also note:

Page 8, Cincinnati Board of Trade.
Page 8, Chicago Board of Trade.
Page 15, Francis Whittaker & Sons, pork-packers, St. Louis, Mo.
Page 16, St. Louis Live-Stock Exchange, East St. Louis, Ill.
Page 107, Louisville Board of Trade.
Same page, Boston Chamber of Commerce.
Page 116, Plumb & Winton, pork-packers, Bridgeport, Conn.
Page 108, William Ryan & Sons, pork-packers, Dubuque, Iowa.
Also John P. Squire & Co., Boston, Mass.
Des Moines (Iowa) Packing Company.
International Packing Company, New York City.
Chicago Live-Stock Exchange.
James E. Booge & Sons, pork-packers, Sioux City, Iowa, etc.

The foregoing seems to us to be as choice an assortment of pork-packers, combines, and stock-yard representatives as can be gathered in the length and breadth of these United States. These are the men, we take it, who, when they can, squeeze the last cent of money out of the hog-raiser and the hog-seller. These are the men who through their "sveners" and adjusters at the stock-yards and at the packing-houses "dock" the honest farmers most arbitrarily on every drove of hogs they buy, and these are the men who appear before the Congress of the United States as manufacturers of "prime steam" lard, as explained in the foregoing pages, which they say the Government must not touch, and as advocates for the enactment of this particular measure, which they say is solely in the interest of the down-trodden farmers.

The object of this report is to state as distinctly and frankly as possible our mistrust and suspicious concerning the ultimate results which may accrue if this bill (H. R. 283) becomes a law. We are free to say that we hesitate to believe a bill which will benefit the agricultural interests of the United States, the farmer and the hog-raiser, can emanate from such a source. If there is any

possible chance of any lard legislation of this kind adding 32 cents to the value of every hog in the United States, we are satisfied in our own mind that that 32 cents will accrue to these gentlemen of the slaughter-houses and of the stock-yards, and not one cent of it will ever reach the farmer, in whose interests it is claimed this bill is proposed.

It will be seen, Mr. Speaker, from an examination of the expert testimony submitted with this portion of the report, that the serious injury to the hog-raisers of this country by reason of the diminished price of our pork products, arising from the exclusion of our product largely from foreign markets, is due to the filthy and nauseating processes by which much of the so-called "refined lard" is prepared, and has no connection with the "compound lard" proper, which is a pure, wholesome, and cheap food product composed of cotton-seed oil and leaf-lard.

In view of these facts, Mr. Speaker, and recognizing the importance of this product to the poor people of the Southern States, while, as I have already said, I regret to oppose the report of the able committee which presents this proposition, I shall feel compelled to vote against the bill.

Adjustment of Accounts Under the Eight-Hour Law.

SPEECH
OF
HON. CHARLES A. HILL,
OF ILLINOIS,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 28, 1890,

On the bill (H. R. 11120) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law.

Mr. HILL said:

Mr. SPEAKER: I am heartily in favor of this bill. It provides for the adjustment of the accounts of laborers, workmen, and mechanics under the eight-hour law by sending all such claims to the Court of Claims for adjudication. These claims against the Government have been pending many years and are nearly all outlawed. This bill removes the bar of the statute of limitations and permits them to be now heard. They are predicated upon a law of many years' standing.

In 1868 Congress enacted and the President approved a law of scarcely three lines in length which provided—

That eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed or who may hereafter be employed by or on behalf of the Government of the United States.

That law has never been repealed, but it has been evaded and not enforced. It speaks for itself and is plain and unambiguous. Whether employed by the day, week or month, eight hours was made a day's work for a Government employé. In May, 1869, President Grant issued his proclamation to enforce compliance with its provisions, which I will read:

Whereas the act of Congress approved June 25, 1868, constituted on and after that date eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, and repealed all acts and parts of acts inconsistent therewith:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby direct that from and after this date no reduction shall be made in the wages paid by the Government by the day to such workmen, laborers, and mechanics on account of the reduction of the hours of labor.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 19th day of May, in the year of our Lord 1869 and of the Independence of the United States the ninety-third.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

The law, however, was still evaded or misunderstood by the Government officials; and again, in 1872, President Grant issued his second proclamation on the subject, which I will also incorporate in my remarks.

THE PRESIDENT'S SECOND PROCLAMATION.

Whereas the act of Congress approved June 25, 1868, constituted on and after that date eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States; and

Whereas on the 19th day of May, 1869, by Executive proclamation, it was directed that from and after that date no reduction should be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of the reduction of the hours of labor; and

Whereas it is now represented to me that the act of Congress and the proclamation aforesaid have not been strictly observed by all officers of the Government having charge of such workmen, laborers, and mechanics:

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby again call attention to the act of Congress aforesaid, and direct all officers of the Executive Departments of the Government having charge of the employment of laborers, workmen, and mechanics, employed by or on behalf of the Government of the United States, to make no reduction in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of the reduction of the hours of labor. (U. S. Stats. at Large, volume 17, page 235.) Dated May 17, 1872.

Prior to the issue of the President's first proclamation, a period of over ten months, the law of 1868 was almost entirely disregarded by the Government officials whose duty it was to pay or employ these laborers, workmen, and mechanics; and to remedy this, Congress, in 1872, enacted a law, as follows:

ACT OF MAY 18, 1872.

SEC. 2. That the proper accounting officers be, and are hereby, authorized and required, in the settlement of all accounts for the services of workmen, laborers, and mechanics employed by or on behalf of the Government of the United States, between the 25th day of June, 1868, the date of the act constituting eight hours a day's work for all such laborers, workmen, and mechanics, and the 19th day of May, 1869, the date of the proclamation of the President concerning such pay, to settle and pay for the same without reduction on account of the reduction of the hours of labor by said act, when it shall be made to appear that such was the sole cause of the reduction of wages, and a sufficient sum for said purpose is hereby appropriated out of any money in the Treasury not otherwise appropriated. (See Statutes at Large, volume 17, page 134.)

Appropriation act, approved May 18, 1872.

It will thus be seen, Mr. Speaker, from the proclamations of the President as well as from the act of Congress, that it was the intention of the act of 1868 that a workman should receive a full day's pay for eight hour's work; or, in other words, that there should be no reduction in wages because of the reduction in the hours of labor. This conclusion is fortified by the debates in Congress when the eight-hour law was under consideration, but I will not take the time of the House in reading them.

As a rule they have not been so paid. Some of the Departments have conformed to the law, others have not. Various schemes and devices have been resorted to to compel laborers, workmen, and mechanics to work more than eight hours for a day's pay, and they have succeeded. The employés were obliged to conform to the wishes of the Government officials or lose their places. In other cases they have been compelled to sign contracts to that effect in order to obtain employment, and if such contracts were fairly and voluntarily entered into they would, no doubt, be bound by them, and in such cases this bill will furnish them no relief. But if exacted as a condition of employment it should and does give relief.

This nation is too great and ought to be too just to take advantage of the necessities of the laboring man. It ought rather to set an example not only to its own citizens and corporations, but to all nations and peoples of the world in its generous care and treatment of the wage-worker. This law of 1868 was no doubt designed for that very purpose. It said in express words that eight hours should be a day's work, and, Mr. Speaker, I believe in that declaration. It was right then, and it is right now. As a rule the American people work too many hours and take too little sleep and recreation. In the long run this will tell upon nations as well as upon individuals. It ruins individuals physically and it will ruin nations as well.

Mr. Speaker, we have heard much in this Hall and out of it of the rights of the laboring man. Here is a chance to practice what we preach. They say this bill will take $4,000,000 out of the national Treasury. What of it? It should not be there now. It ought to have been paid out to these laborers and mechanics long ago. They earned it, but by a violation or evasion of the law the money has been withheld.

Let us "do justice though the heavens fall." We have sent contractors and others who have claims against the Government to the Court of Claims for relief. Let us deal as justly by the workingmen. This nation is too great and ought to be too just not to deal honorably and fairly by even the humblest of its citizens.

I hope that the bill will pass.

The Eight-Hour Law.

SPEECH
OF
HON. DAVID B. HENDERSON,
OF IOWA,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 28, 1890,

On the bill (H. R. 9791) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States or by contractors doing work or furnishing material for the Government, and providing penalties for violation of the provisions thereof.

Mr. HENDERSON, of Iowa, said:

Mr. SPEAKER: I want to thank the Committee on Rules for helping us to get before the House for action the measures reported from the Committee on Labor, the measures so earnestly urged by the laboring men of the country. I congratulate the toilers in the shops of the land because we have a House of Representatives that is awake to the duty, the high duty of protecting the interests of those who earn their daily bread by the toiling hand.

In this country there is work for all and living compensation for the work when done. Many of us left our native lands and came here to better our conditions, and we have bettered them. But let us not content ourselves by seeing our workingmen better fed and better clothed

and better educated than they are in other lands. Let us keep in mind that the American standard of citizenship and of living is higher than that of other country, and that it must be kept higher. Let us remember that we have something else to do here than to see that workingmen are protected and well paid, and that the cheap products of other lands are not let in to rob our workingmen, but let us see to it that he has not only time for work, but time for education, time to enjoy his family and friends, and time for recreation, for without these man is a mere toiling animal, and not a man in the high sense possible in this country.

I believe that eight hours of intelligent, faithful work is all that this Government should ask of its workers, and the Government will get more from a happy, vigorous, contented worker in eight hours than it will in ten or twelve hours from men who are deprived of what life is for—health, happiness, contentment, and the proper enjoyment of life's holiest relations. I have talked with men on street-car lines who rarely saw their own little ones, leaving for their work before they were up and returning at midnight when they were sleeping, and Sunday was the severest of their working days. I have seen this done on lines where their stock was at 200 per cent. premium. This is brutality and worse than highway robbery.

The time has come for a fair division of profits between capital and labor; and the money invested will prosper better if contented with a fair share, and let the laboring partner, for in equity he is such, get his fair share. Let the Government set the example. I beg of members not to fear this legislation. It will make our people happier and our Government stronger. Let us pass this bill feeling that it is right, and let us pass the other measures before we stop the good work. Let us make the alien-contract law so strong that not a loop-hole shall be left. Our first duty as lawmakers is to our own workingmen; let the Old World look out for hers. I am unalterably opposed to letting the foreign laborer steal the work of our people either by bringing in contract labor or, what is just as bad, the product of the outside workers.

The Eight-Hour Law.

REMARKS
OF
HON. JOHN DALZELL,
OF PENNSYLVANIA.
IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 28, 1890,

On the bill (H. R. 9791) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government, etc.

Mr. DALZELL said:

Mr. SPEAKER: I am in favor of the passage of this bill. I believe it to be a measure in the direction of good health, good morals, and mental improvement. I believe that every hour that can be saved reasonably from labor in the interest of the laborer's growth socially, mentally, and morally is an hour added to the world's advance. Upon the virtue and intelligence of the citizen rest the foundations of good government; and neither virtue nor intelligence has room for growth where the whole of life is spent in the task of living.

Intelligent citizenship, useful manhood, fidelity to the requirements of the various relations of life that every man occupies, call for other training than that which only trains his muscles. The man whose daily round embraces naught but work, food, and sleep may develop into a magnificent brute; he will fall far short of the qualities requisite to a conservative American citizen. Hence I believe that legislation looking to the reduction of the working hours of our citizens who labor is legislation in the direction of the purity and the security of our institutions.

Of course this proposition must be subject to limitations. To decrease the hours of labor universally is to work a change in the economic situation far-reaching in its effect. I have not the figures at the present, but I learn from an authentic source that in 1886 there were eleven millions of our people whose hours could be affected by a reduction in the hours of labor. To make a reduction covering all these persons, involving as it does a virtual increase in wages and a probable if not necessary increase in prices, would affect society and trade to an incalculable extent. True as that is I am convinced that an eight-hour labor day is as certain to come as it is certain that a ten hour labor day years ago succeeded a twelve-hour labor day. And I am furthermore convinced that the change will be made with much less resultant shock to society and trade than is now imagined. Communities readily adapt themselves to new conditions.

But the bill under discussion does not compel us to face the problem of an universal eight-hour labor day; it relates only to Government work and Government workers, and I am persuaded that the reduction to eight hours is reasonable, feasible, and will be productive of good results.

Legislation on this subject is no experiment in the world's history. Legislation in Great Britain between 1825 and 1844 lessening the hours of labor demonstrated the fact that thereby the product was increased, wages were advanced, and the advantage to the community and to the laborer was a common one. This legislation stands by the verdict of experience as a contribution to the common weal and furnishes to us as legislators a safe guide for our footsteps.

Statistics carefully gathered in our own country add new proof to the verdict of English history. The result of Mr. Carroll D. Wright's inquiries published in 1881 shows that Massachusetts mills under a ten-hour law produced as much per man, per spindle, and per loom as the mills in adjoining States, using the same machinery and employing the same class of labor, but working eleven and eleven and a-half hours a day.

Mr. WRIGHT says:

We have large mills, employing in the aggregate several thousand persons, which have voluntarily adopted ten hours in eleven-hour districts, bearing witness emphatically that they find the product of ten hours a day, in the long run, so nearly or quite the same as that of eleven hours that their mills are as profitable to them under the shorter as under the longer time. In addition to this fact, and as partly explaining it, may be recorded the words of great wisdom spoken by the managers:

"Skill in management and thoroughness in discipline are more important than the eleventh hour in the product of a mill; and thorough discipline is much more attainable under ten than under eleven hours; for men and women are flesh and blood, and they can not be held up to such steady work during eleven hours as during ten; and overseers are flesh and blood, and can not hold them up.

"The question of ten hours is not merely, nor even mainly, an economic question. It is chiefly a human question. Not yet is the mill more than the man, and, if it ever comes to be, then society will begin to die."

In view of the results attested by experience why should not the United States assume the lead in a movement which is to result in equal advantage to the community at large and to the laborer in particular? The highest function of government is the security of the individual weal, and thereby of the commonwealth.

In advocating this bill I claim no credit on the ground that I am showing myself a friend of the laboring man. I may be permitted to express my lack of faith in those who continually pose as the special friends and champions of labor. Such men, if unselfish friends at all, are not the only friends that labor has. He loses his right to be called intelligent who fails to recognize the fact that the welfare of labor is the welfare not of a class, but of the whole. Besides, while of course there is a distinction made between those who labor with their hands and those who do not, it must be remembered that we are all laborers in one way or another. Labor is our common heritage. None are exempt from the primal curse, or the primal blessing, "In the sweat of thy face shalt thou eat bread all the days of thy life." And whether the bread be earned by the toil of muscle or the toil of brain, before open furnace doors, in the heat of the blast, tilling the soil, in the mine under the earth or on its surface, facing the storms in all the various occupations that call for exposure; whether it be in the office, behind the counter, in preaching, or teaching, or legislating, we are brothers all subject to a common experience of trial and aiming at the same result, that those who follow us should start a step in advance of where we started.

By such results, and by such only, does civilization advance.

And so it must be apparent that the cause of the laboring man is the cause of us all. Only when we are true to each other are we true to ourselves.

It is, in my judgment, for the common interest that this bill should pass.

The Tariff.

SPEECH
OF
HON. JOHN A. CALDWELL,
OF OHIO,
IN THE HOUSE OF REPRESENTATIVES.

Wednesday, May 21, 1890,

[On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.]

Mr. CALDWELL said:

Mr. SPEAKER: The Republican Administration is but eighteen months old and a Republican Congress has been in session but nine months, yet they have brought better days for farmers, notwithstanding Democratic obstruction and reckless assertions.

If free trade is good for farmers, why are British farmers so much worse off than American farmers?

Let us carefully consider the new Republican measures for the better protection of agriculture.

The attacks of free-traders on the McKinley bill have been almost entirely confined to the assertion that it will injure agricultural interests. They do not attempt to show how this is going to happen. Free-traders never allow themselves to be pinned down to facts and instances. They revel in generalizations and their stock doctrine is that protection increases the cost of farmers' supplies.

Now, this is a plain, manifest falsehood. Protection has exactly the opposite effect: it cheapens the price of farmers' supplies. To assert differently is as foolish as to deny the multiplication table. We have been living now for nearly thirty years under the protective system. If protection has oppressed the farmer by increasing his expenses, then clearly he ought to be paying more to-day for his necessaries than he paid, say, ten years ago; certainly, he would be paying more than the British farmer pays, for the British revenue system has been a free-trade system even longer than ours has been a protective system. But the fact is that the American farmer pays in the American market less money for all his supplies than he had to pay in 1880; he paid in 1880 less than in 1870, and in 1870 less than in 1860, when we were living under a free-trade revenue; and he pays to-day in the American market, protected as it is from foreign assault, less money than the British farmer pays in the British market, open though it be to the production of the whole world.

AMERICAN AND BRITISH PRICES CONTRASTED.

Here is a table showing comparatively the prices for farming implements here and in England. The English figures are taken from our consular report:

Prices of agricultural implements in America and England.

Articles.	American prices (Chicago).	Prices in England.		
		John G. Rollins.	J. & F. Howard.	Samuelson & Co.
One-horse steel plow	$10.00	$14.85	$15.60	.....
Two-horse steel plow	20.00	25.29	.....	.....
Potato-digger	11.00	12.45	13.20	.....
Two-horse mowing-machine	60.00	75.00	76.64	$72.80
Horse rake	25.00	39.49	38.40	.....
Reaper	.....	119.55	124.80	.....
Reaper and binder	130.00	.....	249.60	.....
Hay tedder	45.00	64.00	60.00	.....

This table completely destroys the free-trade argument. We have been protecting all the machines mentioned and England has not, and if protection raises prices and free trade lowers them, as the Democrats allege, how under the sun can it happen that farming implements here are cheaper than in England? In an address delivered at the Farmers' Congress in Chicago, in 1887, Hon. Thomas H. Dudley, of New Jersey, formerly our consul at Liverpool, made this pertinent statement:

Something over three years ago I attended the National Agricultural Exhibition of France. It was held in Paris, and a grand exhibition it was, quite worthy of the great nation it represented. I spent four days at the exhibition. There were 14 or 15 acres of ground covered with farming implements, tools, machinery, etc. All the exhibitors had their price-lists upon their exhibits, and I was careful to obtain copies of them. The lowest-priced horse-rake was 250 francs, or $50 of our money. You can buy one just as good in any town in the United States for $27. The lowest-priced mower was $102 in our money, and was no better than we sell for $60, if as good. The lowest-priced reaper, without the binder, was $185, no better than ours for $110. The plows, harrows, and cultivators were 20 per cent. above the price that they are selling for in the United States. There was not a hoe, fork, shovel, spade, or rake on the ground but was dearer in price and inferior in quality to ours.

I therefore repeat what I have said before, that under our protective tariff the prices of all manufactured commodities, instead of being enhanced, have actually been reduced, and that nine-tenths of all manufactured commodities now used by our farmers and laboring people in the United States are as cheap as they are in England, and in many instances cheaper.

WHAT A FREE-TRADE WITNESS SAYS.

Mr. Dudley's statements are not in the least singular. They are corroborated by a score of Mr. Cleveland's Democratic consuls in their official reports. One of these, Consul Schoenhof, a free-trader, whom President Cleveland appointed to be consul at Tunstall, England, testifies directly in support of Mr. Dudley. In speaking of prices in England, one of his official reports says:

So far as clothing and dry-goods in general are concerned, I find that cotton goods are fully as cheap in the United States as here. Shirtings and sheetings, if anything, are superior in quality for the same money with us, so far as I can judge from the articles exposed for sale in the retail stores. Articles of underwear for women, made of muslin, are far superior in workmanship and finish and cheaper in price in the United States. * * * Nor can I find that men's shirts, when chiefly of cotton, are any cheaper here. Of boots and shoes, if factory made, the same may be said.

Articles made to order, he says, are cheaper in England, owing to the low prices paid for hand labor. But he then says:

The difference in the price of ready-made things is not so marked. * * * In workmanship and finish I find corresponding articles of the wholesale process of manufacture superior in the United States. This is true of clothing as well as of collars, cuffs, and like articles.

This testimony is unanswerable. It proves beyond all cavil that the American farmer purchasing protected goods pays for them as little as or less than the British farmer pays who purchases in a free market. If, in addition to this, it can be shown that the American farmer is now paying less than he ever did before, there is nothing left for the free-trade argument. It falls, riddled with the bullets of hard fact, and the demonstration is complete that, whatever protection may do, it certainly does not prejudice the agriculturist in supplying his necessities. Consider, then, the tables presented here, showing comparatively the prices of 1880 and 1890 in the American market for goods required by farmers:

FARM IMPLEMENTS.

Articles.	Price in 1880.	Price in 1890.
Self-binder	$315	$150
Corn-planter and check-rower	80	40
Fourteen-inch steel-beam walking-plow	28	14
Riding-cultivator	45	25
Walking-cultivator	35	20
Mowing-machine	85	50
Strowbridge seeder	35	14
Wood pumps	15	6
Farm wagon	85	50
Two-seated spring-wagon	100	75

Buggies and carriages all reduced about one-half. Harrows generally reduced one-half. Corn-shellers reduced one-half.

GROCERIES.

Articles.	Price in 1880.	Price in 1890.
Sugar, granulated, per pound	$0.12½	$0.07
Sugar, standard A	.11	.06½
Sugar, C	.10	.06
Kerosene oil, 150 test, per gallon	.25	.13
Kerosene oil, 175 test, per gallon	.35	.15
Salt, per barrel	2.25	1.25
Flour, per cwt	4.50	2.50
Coffee, Java	.33	.33
Coffee, Rio	.25	.25
Canned tomatoes, per can	.15	.10
Boston butter cracker, per pound	.12½	.19
Soda crackers, per pound	.10	.06½
Soap, per cake	.07	.05
Crockery	.....	(*)
Teas	.....	(†)
Tobacco	.....	(‡)

*25 per cent. reduction. †30 per cent. reduction. ‡35 per cent. reduction.

DRY GOODS.

In dry goods we find the same downward range of prices, showing that the benefits of labor-saving machines and large production go to all consumers. Here are a few figures:

Articles.	Price in 1880.	Price in 1890.
Unbleached muslin, per yard	$0.08	$0.06
Calico, per yard	.07	.05
Gingham, per yard	.12½	.10
Worsted dress goods, per yard	.15	.12½
Do	.35	.25
Do	.65	.50
Do	1.00	.75
Laces and embroideries	.....	(*)
Silks and velvets	.....	(†)
Carpets	.....	(‡)
General reduction on stock of dry-goods store	.....	(‖)

*33⅓ per cent. reduction. ‡23 to 33 per cent. reduction.
†25 to 33⅓ per cent. reduction.

CLOTHING.

On clothing comparative figures can not well be given, because qualities vary. There has been, however, since 1880 a general reduction on ready-made clothing ranging from 30 to 50 per cent., and there has been a decided improvement in the stability of ready-made clothing.

The average reduction in the retail price of foot-wear since 1880 is 33⅓ per cent.

The old-time watch-maker has gone to join the old-time shoe-maker. Who gets the benefit of inventive genius there? The silver watch which retailed in 1880 at $20 now retails at $12. The set of knives and forks sold in 1880 at $6 now retails at $3. Everything in the store has suffered a reduction of from 33⅓ to 50 per cent.

HARDWARE.

Articles.	Price in 1880.	Price in 1890.
Barb wire, per pound	$0.10	$0.04
Fence staples, per pound	.10	.05
Iron nails, per keg	6.00	.....
Steel nails, per keg	.....	2.80
Plain wire, per pound	.06½	.03½
Wash-boiler	2.25	1.75
Stovepipe joint	.25	.20
Horseshoes, per keg	8.00	4.50
Tool steel, per pound	.20	.12½
Plow steel, per pound	.13½	.08½
Cook stove	33.00	24.00

HARDWARE—continued.

Articles.	Price in 1880.	Price in 1890.
Mattock and handle	$1.40	$0.85
Wrench	.75	.40
Blossburgh coal, per cwt.	.80	.45
Bull ring	.40	.25
Putty, per pound	.10	.05
Window-glass		(*)
Shot, per pound	.12½	.08
Iron, per pound	.05	.03
Four-tined fork	.75	.50
Rest spring, pair	1.75	1.00
Lantern	1.50	.75
Common clevis	.20	.10
Milk pans, per dozen	2.25	1.00
Buggy springs, per pound	.20	.10
Swedes iron, per pound	.12½	.06
Cartridges, per box	.35	.15
Wire cloth, per foot	.06	.03
Post auger	2.25	1.25
Cast washers, per pound	.05	.03
Slop-pail	1.00	.65
Tin-cup	.10	.05
Zinc, per pound	.15	.10
Pipe-collars	.10	.05
Door-knobs	.20	.10
Cast butts, with screws	.20	.12½
Chain, per pound	.22	.12
File	.65	.25
Tin, per sheet	.35	.20
Door-latches	.25	.10
Basket	.85	.45
Roof-saddle	1.00	.65
Door-key	.10	.05
Covered pail	.20	.10
Wheelbarrow	2.25	1.65
Oil-can	.85	.40
Plane	1.00	.60
Pie-plates, per dozen	.70	.35
Mortise lock	.90	.35
Cistern pump	4.25	2.25
Universal wringer	7.00	3.00
Pocket and table cutlery		(†)

* Reduced 25 per cent. † Reduced one-half.

WHERE THE TROUBLE REALLY LIES.

No honest or sensible person will undertake to deny the correctness of these figures, and their effect is utterly ruinous upon free-traders. They can point, it is true, to the fact that the farmers have been having a pretty hard time of it for the last three or four years, but it compels them to abandon their favorite explanation of that fact. It is an easy fact to explain and an easy one to rectify. The whole trouble is right here: Democratic hostility to silver has forced down the value of that metal and has enabled England to buy it of us at low prices for gold or its equivalent, and to sell it, coined, to India at high prices in exchange for wheat. The price of wheat during the Cleveland Administration fell heavily and bore down all agricultural values. In addition to this, the low tariff of 1883 on agricultural products resulted in the importation from Canada of an immense amount of those products, and by such importations American farmers have been undersold in their own markets. These facts account fully for the present agricultural depression, a depression which Republican measures have already checked and which the McKinley bill will effectively cure.

MORE PROTECTION NEEDED—THE SILVER BILL AND THE NEW TARIFF ACT FURNISH THE REMEDY.

Not in many years has a law been enacted so fruitful of good to the farmers as the recent silver bill. This bill remonetized the white metal, gave it a market at home, supplied it with a large and legitimate mission in our currency, and, of course, enhanced its value. As silver rose—that is, as the metal wherein English transactions with India are conducted, became scarce—wheat rose too. The values of all other cereals advanced sympathetically. Already, therefore, the condition of husbandry interests has been greatly improved by Republican sagacity.

But so long as American markets were open to the products of Canada and the Bermudas the American farmer was placed at a serious disadvantage. Mr. MCKINLEY and his Republican associates gave their most careful attention to this situation. They consulted with the farmers of almost every agricultural State. They listened to the arguments of many thoughtful men representing agricultural associations, and in the end they adopted the remedies suggested by the farmers themselves. It was ascertained from Government statistics that the importations of farm products into the United States had increased from $40,000,000 in 1850 to $256,000,000 in 1889. Canada during the last year had sent over the border eggs to the value of $2,159,725; horses, $2,113,782; sheep, $918,434; poultry, $110,793; wool, $216,918; barley, $6,454,603; beans, $435,534; hay, $822,381; malt, $105,183; potatoes, $192,756; planks and boards, $7,187,101. This little table shows some of the figures of agricultural importations in 1889:

IMPORTATIONS OF FARM PRODUCTS INTO THE UNITED STATES DURING 1889.

Horses, sheep, and cattle	$3,917,031
Barley	7,691,763
Other grains	169,199
Potato-starch and dextrine	230,000
Eggs	2,419,004
Flax	2,060,664
Hemp	2,047,927
Hay	1,082,685
Hops	1,100,408
Meats and dairy products	1,769,892
Flaxseed and seeds	4,557,198
Tobacco	8,603,168
Potatoes, vegetables, and beans	2,295,499
Lumber	9,768,644
Wool	17,432,758
Total	65,132,519

While this ever-increasing importation has been going on in general farm products, Russia and India have gradually become wheat-growers and are to-day seriously menacing our control of the wheat market. This is largely due to the greater cost of farm labor here than in those countries. The same labor that in India costs $30 per year and in Russia $60 costs in this country $220. A greater degree of protection to the American farmer is, therefore, clearly imperative, and this the McKinley bill affords. It aims, by increasing the tariff duties on farm products, to shut out all such importations as much as possible, so as to leave the American market for the exclusive advantage of our own farmers. How far it goes in this direction is witnessed by the following table:

Articles.	Imported in 1889.	Late duty.	McKinley bill.
Horses and mules	$2,146,514.50	20 per cent.	$30 per head. *a*
Cattle	542,704.71	20 per cent.	Over one year, $10 per head; under one year, $2 per head.
Hogs	4,770.80	20 per cent.	$1.50 per head.
Sheep	1,189,192.58	20 per cent.	$1.50 per head.
Barley	7,678,763.58	10 cents per bushel.	30 cents per bushel.
Buckwheat	25,469.85	10 per cent.	15 cents per bushel.
Oats	10,178.19	10 cents per bushel.	15 cents per bushel.
Oatmeal	85,905.00	½ cent per pound.	1 cent per pound.
Butter	17,689.41	4 cents per pound.	6 cents per pound.
Cheese	1,132,143.28	4 cents per pound.	6 cents per pound.
Milk	5,684.87	10 per cent.	5 cents per gallon.
Beans	759,892.28	10 per cent.	40 cents per bushel.
Beans, peas, and mushrooms prepared or preserved	(*b*)	35 per cent.	40 per cent.
Pease:			
Green or dried	(*c*)	10 per cent.	40 cents per bushel.
Split	52,738.00	30 per cent.	50 cents per bushel.
In papers, cartons, or packages		Not provided for.	1 cent per pound.
Cabbages	(*b*)	10 per cent.	3 cents each.
Eggs	2,419,004.37	Free.	5 cents per dozen.
Hay	1,082,685.50	$2 per ton.	$4 per ton.
Hops	1,100,408.00	8 cents per pound.	15 cents per pound.
Onions	(*b*)	10 per cent.	40 cents per bushel.
Plants, trees, shrubs, etc.	323,762.82	Free.	20 per cent.
Potatoes	231,120.26	15 cents per bushel.	25 cents per bushel.
Garden seeds, agricultural seeds, etc.	187,448.60	20 per cent.	40 per cent.
Vegetables:			
Prepared or preserved	289,512.42	30 per cent.	45 per cent.
Pickles and sauces	234,930.71	35 per cent.	45 per cent.
In their natural state	437,377.37	10 per cent.	25 per cent.
Straw	28,921.00	Free.	30 per cent.
Apples:			
Green or ripe	(*b*)	Free.	25 cents per bushel.
Dried or prepared in any manner	(*b*)	Free.	2 cents per pound.
Bacon and hams	45,899.51	5 cents per pound.	6 cents per pound.
Beef, mutton, and pork	14,393.09	1 cent per pound.	2 cents per pound.

Articles.	Imported in 1889.	Late duty.	McKinley bill.
Poultry:			
Live	$154,866.26	10 cents per pound	3 cents per pound.
Dressed		10 cents per pound	5 cents per pound.
Flaxseed or linseed, poppy-seed, and other oil seeds	3,969,640.00	20 cents per pound	30 cents per bushel.
Leaf-tobacco for cigar-wrappers:			
Not stemmed	1,417,302.40	75 cents per pound	$2 per pound.
Stemmed		$1 per pound	$2.75 per pound.
All other tobacco in leaf:			
Not stemmed	8,126,091.34	35 cents per pound	35 cents per pound.
Stemmed	476,679.25	40 cents per pound	50 cents per pound.
Cigars, cigarettes, cheroots, of all kinds	3,657,316.02	$2.50 per pound and 25 per cent	$4.50 per pound and 25 per cent.

a Provided that horses valued at over $150 shall pay an ad valorem duty of 30 per cent. b No data. c Included with beans.

CANADIAN FARMERS WORRIED.

Of the effect of these higher duties there can be no doubt. The Canadians themselves testify clamorously of the disadvantages they will suffer under the McKinley bill. The New York Sun, a Democratic newspaper, contained a dispatch from Ottawa on September 15, 1890, which was one long wail over the new tariff. "It will practically close the American market," said the Sun, "against $14,000,000 worth of products exported to that value annually from Canada to the United States during the past few years. This is equal to 33½ per cent. of the total yearly exports from Canada to the American market. The proposed increase in duty on agricultural products will strike a severe blow at Canada, as out of the total value of exports of agricultural products last year ($13,414,111) $9,125,707 went to the United States."

Professor Goldwin Smith, a distinguished Canadian, in a score of recent speeches has called attention to the effect upon Canadian farmers of our new agricultural schedule. He said in one of these:

They will be very much injured if the McKinley bill shall be adopted. The agricultural schedule will bear very hardly on the Canadian farmers who particularly desire to find a market in the United States for their eggs, their barley, and their horses. The European market is of little value to them for their horses. If there shall be a slow market in England all of the profits will be consumed on a cargo of horses and great loss will entail. I do not see how the Canadian farmers can export their product to the United States if the McKinley bill shall become a law.

HOW THE BRITISH FARMER FARES—THE FREE-TRADE ORGAN DECLARES THAT BRITISH AGRICULTURISTS ARE SUFFERING FEARFULLY.

The facts herein recited enable the Republican party to go to the farmers of the land confident of their approval in the ensuing elections. Everything that human wisdom could do has been done to remove the difficulties under which they have been laboring and to provide them with better, wider, and richer opportunities than they have ever before enjoyed. That these opportunities have been contracted is no fault of Republican policy. So far from being due to protection, the truth is that it has been due to the lack of protection. It has come about because of the Democratic policy degrading and cheapening silver and because the duties on agricultural importations have been lower than is fair and just. The remedy which has been provided by the Republican party in this Congress is the only remedy that American common sense can possibly approve. For what advantage is to be gained by opening the gates a foot when an opening of an inch has already proved so unfortunate?

What advantage is to be gained by invoking a policy here that has produced results in Great Britain so much worse than those with which we are afflicted? For the past two years the British press has been filled with sorrowful stories of poverty among the agricultural tenantry. Ireland is on the verge of another famine. On September 14, 1890, the regular London correspondent of the New York Times, the principal organ of the Democratic free-traders, telegraphed that the coming winter "threatens to be the worst for poor people that we have seen in a long time. Although the English wheat yield has been helped somewhat by the recent fine weather, this is hardly more than a drop in the bucket. Potatoes have gone, or are rapidly going, all to pieces throughout these islands, and the average of the other food crops is depressingly low. The price of bread in the provinces has already been advanced, and will soon be put up again, and the price of coal is higher than it has been in many years at this season. These are the two great staples of existence among the poor in the winter, and when they are dear human life is correspondingly cheap. What further complicates the outlook is the belief that, owing to the bad harvests and stringency among the farmers, there will be a larger influx than usual of agricultural laborers into London, nominally to seek employment, but really to find company in which to suffer."

This is the testimony of a free-trader to the ruinous results of free trade. It recalls the knowing words of that American Solomon, President Lincoln, who once remarked of this same free-trade company: "A political party may fool part of the people all the time and all the people part of the time, but no political party can fool all the people all the time." On the very day when the Times gave this doleful evidence of what its pet policy had done for the British farmer, it quoted spring wheat as selling in the Chicago market at $1.11, just 42 cents higher than on the day of Grover Cleveland's departure from the White House!

The Eight-Hour Bills.

SPEECH
OF
HON. AMOS J. CUMMINGS,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES.

Thursday, August 28, 1890.

The House having under consideration the bill (H. R. 9791) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, or by contractors doing work or furnishing materials for the Government, and providing penalties for the violation of the provisions thereof—

Mr. CUMMINGS said:

Mr. SPEAKER: The eight-hour law was born on June 25, 1868. It was the child of a four-year agitation among workingmen. They sought a shortening of the hours of labor without reduction of wages. The question was agitated in nearly every Northern and Western city. All mechanics were working at least ten hours a day, and some twelve hours. Others labored between sunrise and sunset. Bakers, car-drivers, and conductors frequently worked fourteen, sixteen, and even eighteen hours a day. The agitation was productive of good results. Congress finally passed an eight-hour law. The act was plain, simple, and concise. It read thus:

Be it enacted, etc., That eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed, or who may hereafter be employed, by or on behalf of the Government of the United States.

That was all there was of it. The act was silent upon the question of wages. Congress certainly meant to shorten the hours without wage reduction when it passed the bill. No one questioned it then, and no one ought to question it now. An amendment offered in the Senate reducing the wages of those who worked only eight hours was rejected. This clearly shows that the intention was to reduce the hours of labor without decreasing the pay. And after the passage of the act every mechanic and laborer in the employ of the Government was entitled to the shorter hours without wage reduction.

Men employed in the Government buildings in Washington promptly got the benefit of the new law. In other departments the officers of the Government either ignored or evaded the law. This was notably the case in navy-yards and arsenals. The men were required to work ten hours each calendar day to earn their daily wages, or to submit to a reduction to correspond with the reduction of hours. They were thus deprived of the benefits which Congress intended to confer. Instead of striking against the injustice, the men strenuously protested. They performed ten hours' work and received whatever compensation the officers saw fit to give them.

Meantime they appealed to the Government for redress. They protested against the action of the officers depriving them of a fifth of their wages. They got no satisfaction from the Secretary of the Navy. Then they appealed to Ulysses S. Grant, President of the United States. On May 19, 1869, the President issued a proclamation directing that no reduction should be made in the wages paid by the Government, by the day, to workmen, laborers, and mechanics on account of the reduction in the hours of labor.

Although this proclamation was broad enough to include all workmen in the Government employ, it had no direct effect outside of the Navy Department. The Secretary of the Navy, however, obeyed the President's mandate. For nearly nine years the employés of the Navy Department were paid full wages for eight hours' work.

Meantime mechanics in the Post-Office, War, and other Departments were deprived of the benefits of the law. They also appealed to the President. Their appeal was heard. On May 11, 1872, President Grant reiterated his first proclamation.

It was done so emphatically that the question ought to have been thoroughly settled. In it he again called attention to the act of Congress and directed all officers of the Executive Departments of the Gov-

ernment having charge of the employment of laborers, workmen, and mechanics to make no reduction in the wages paid by the Government by the day to such workmen, laborers and mechanics, on account of the reduction of the hours of labor.

Before this proclamation was issued Congress had been deluged with petitions and memorials protesting against the action of the officers of the Government. In these petitions and memorials the men asked for the payment of the money illegally and wrongfully withheld from them. Seven days after his second proclamation the President approved an appropriation act passed by Congress containing a section requiring the accounting officers of the Government to pay workmen, laborers, and mechanics the money wrongfully withheld from them under the eight-hour act between June 25, 1868, and May 19, 1869. A sufficient sum for the purpose was appropriated. The passage of this act proved that Congress meant to give the workmen the benefit of the law without reduction of wages.

This act covered only the ten months and twenty-three days between the passage of the eight-hour act and the date of the President's first proclamation. It should have covered the whole period from the passage of the eight-hour law to the date of the law granting relief. The employés of the navy-yards were paid the several amounts which were deducted from their wages. Payment, however, was not so general in the other Departments of the Government. For nearly nine years the employés in the Navy Department were required to work only eight hours a day to receive full wages.

President Grant's second term expired March 4, 1877. Then one Rutherford B. Hayes got into the Presidential chair. He was no friend of labor. Within four months a new blow was struck at the eight-hour law.

On June 30, 1877, Secretary of the Navy Thompson issued an order requiring the men to work ten hours a day. If they chose to work only eight hours a day they were to suffer a corresponding decrease of wages. The men submitted to these rules under protest. They worked thus three months and twenty-five days until October 25. Then the Secretary modified his order. He required the men to work ten hours one-half of the year, from March 21 to September 21, and eight hours a day from September 22 to March 20, without change in the rate of wages. Then he revoked both orders and directed the commandants of the several yards to hire the men on the basis of eight hours a day If they worked extra hours he promised them extra pay. Under the last order the men in all the navy-yards and naval stations in the United States worked ten hours per day one-half of the year for five years, but never received the promised extra pay.

So much for the workmen in the navy-yards. Now, let us see how the law was carried out in the arsenals. There the overzealous public officials not only violated it, but virtually compelled the workmen to give their assent to imperative orders requiring them to work ten hours a day without increase of pay under penalty of dismissal. In some of the arsenals their signatures to the alleged agreement were demanded. They protested, but signed. Their necessities alone compelled them to do so. This forced contract, it is alleged, debars them from recovering what is due them under the law. In other words, because army officers, educated at the expense of the people, saw fit to violate the law and forced those concerned to give their assent, said assent legalizes the violation of the law.

Officers educated at West Point are said to have a fine sense of honor, but was this honorable? Is it honorable to rob a man of his work and force him to assent under penalty of starvation for his family? This is what was done. R. B. Hayes's Secretary of War, to be sure, issued an order requiring the men to work ten hours per day, but the order did not require them to contract in writing to do so. The forced contract was the work of the overzealous officials in charge of the arsenals. It could have no more effect upon the legal rights of the workmen than a deed drawn from a real-estate holder under threats of violence would affect his title. No court would hold such a deed valid, and no court ought to hold such a contract valid.

Meantime Rutherford B. Hayes disappeared from the Presidential chair. With him went his Secretary of the Navy and his Secretary of War, both of whom had been conspicuous for their violations of the eight-hour act. Men of honor, who had a due regard for law, succeeded them. Robert Lincoln, the son of the great emancipator, became Secretary of War, and William Eaton Chandler, of New Hampshire, became Secretary of the Navy. Their names should live in the hearts of all workingmen employed by the Government.

On March 23, 1883, Secretary Chandler recognized the injustice of Secretary Thompson's orders. He issued an order to carry out the eight-hour act in accordance with the terms of the proclamations of Ulysses S. Grant and the acts of Congress. Secretary Lincoln was not far behind him. In December following he put a stop to the violation of the law in the arsenals. He directed his subordinates to require the men to work only eight hours per day to earn their daily wages.

From that day to this, the orders of both Secretaries Lincoln and Chandler have been obeyed. But the men have never received a dollar for the extra two hours of work they performed for half a year for nearly five years. Every four days they were robbed of a day's wages. It is for this that they are now making their claims against the Government. Secretary Thompson in his modified order expressly promised that they should be paid for the extra hours of work. The eight-hour act itself virtually requires it.

A bill for their relief was introduced in both Houses at the beginning of the Forty-eighth Congress. It was favorably reported by the committees of each House. The same course has been pursued in every Congress since. Seven committees have made favorable reports on the bill, yet no final action has been taken, except in the Senate, where a bill was passed in the last Congress.

You men of the House can not escape the responsiblity. The Government owes the money and you know it. A citizen who would act as the Government of the United States is acting in this matter would lose the respect of all honest men. No citizen could act so. The courts would not permit him. These workmen have been robbed by Government officials in the face of the act of Congress, of the President's proclamation, and of the plain promises of the Secretary of the Navy. They must receive their wages or the Government is disgraced. Overzealous Government officials for years thwarted the plain letter and spirit of the law passed by Congress. They have been forced at last to do justice to the men. It is high time that this House took action.

I care not how much money this bill takes from the public Treasury. It takes from the Treasury only what has been earned by these men and what no man can deny belongs to them. It is high time they receive it. Corporations seem to have little difficulty in getting favorable and final action on matters affecting their interests in this House. But in seven years the friends of this measure have not been able to get a vote on it. These workmen are denied the pittance that the Government owes them for honest toil under the express promise of the Secretary of the Navy and the plain intention of Congress in passing the law. It did not take the members of this House long to secure the money due them on account of the Silcott defalcation. They went into court to get it. Three months was all they had to wait.

These workingmen's claims are fully as just as, if not more just than, the Silcott claims. Yet they have been begging for a hearing in the Court of Claims for ten years and this House has failed to give it to them. All that they ask is that their claims may be presented to that court for adjudication. This House has been in session nearly nine months. It has passed bridge bills and railroad bills, public-building bills and Rock Creek Park bills, a remorseless tariff bill and a treacherous silver bill, a judicial bill and a revolutionary force bill. It has even "compounded a felony" with a railroad for an enormous steal, to use the words of my friend from New Jersey [Mr. McADOO]. It is now granting over a hog bill, but not one hour has it given to the Committee on Labor until this week to consider measures affecting these or any other workingmen. A resolution expressing the sympathy of the House with the eight-hour movement introduced six months ago still sleeps in committee.

The rules provide for a morning hour in which committees may call up for consideration any bill they have reported. But for six months the morning hour, with the call at the door of the Committee on Labor, was sunk beneath the waves of partisan and corporate legislation and the workmen are still clamoring for their pay. It is not right; it is not fair; it is not decent. Men who share the responsibility for this injustice sit upon this floor. Contractors and others have been allowed to go to the Court of Claims by the vote of this House, and the same right is now asked on behalf of these workingmen. When the vote is taken upon this bill, it will be interesting to compare the vote with the vote upon the bills allowing contractors to go to the court with their claims.

"Cursed be he that keepeth back the hire of the laborer," said the wise man.

Such, Mr. Speaker, are the plain facts as to what is known as the eight-hour back-pay bill. They speak more forcibly than words on behalf of the bill now before the House. It is drawn in the light of experience. There is nothing vague or shadowy about it. Its terms are explicit. There can be no dodging of the issue by overzealous public officials.

The bill carries pains and penalties. It expressly provides that eight hours shall constitute a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government, except in cases of extraordinary emergency. In such cases the laborers shall receive extra pay for the extra hours. It further provides that all contracts made by or on behalf of the Government for the performance of any work or the furnishing of any material manufactured within the United States shall be made on the basis of eight hours constituting a day's work.

It clinches this by providing that it shall be unlawful in such cases to require or permit any laborer to work more than eight hours per calendar day. Then come the pains and penalties for the violation of the act. Any officer of the Government, or any person acting for him, or any contractor or other person violating any of the provisions of the act shall be punished for each offense by a fine not exceeding $1,000, or imprisonment for not more than six months, or by both fine and imprisonment.

Here is something tangible—a substance, and not a shadow. Pass the bill as it is drawn, and there is no getting away from it. Amendments to this bill and to all other labor bills deserve the most careful scrutiny. These bills in the interest of workingmen, for some occult

reason, develop a crafty enmity. In the last Congress the back-pay bill was not allowed to come to a vote.

In this Congress it is still under consideration. The outcome, even now, is uncertain. Bills may be so deftly amended as to take all the life out of them. Unseen influences appear to be working against them. The session is drawing to a close and the pressure for precedence is very great. The McKinley bill and other privileged measures affecting the business interests of the country have the right of way. Hasty legislation has characterized the proceedings of this House under its exceptional rules.

Let those interested in the labor bills remember that haste is not always speed. The tariff bill went from the House to the Senate scarce half made up. It was hurried there with such speed that no action was taken upon nearly two hundred amendments proposed by the Committee on Ways and Means itself. The hasty action of the House has unsettled the business interests of the country.

Look at the state of affairs. At uncertain periods the Secretary of the Treasury is obliged to come to the relief of the financial community with the resources of the Federal Government, and at very certain periods is obliged to go into the market to buy silver.

Observe the advantages enjoyed by the speculator, or any other person who first learns when the honorable Secretary will appear with financial aid and how much will be granted. What an opportunity there is for those close to the throne to make money. Here we are, prepaying our national obligations with a premium of 25 or 30 per cent. and prepaying interest on them a year in advance. All this at a time when money is worth 20 per cent. to the people themselves. Under such action the bondholders virtually turn around and loan to the people the people's own money at these high rates of interest. In the jostle of such mighty temptations what chance has helpless labor?

We boast of the superiority of American institutions. Is there an effete despotism in Europe where such practices would be tolerated for a moment, much less borne for years? It looks as though the main purpose of a republican form of government had been changed. Instead of legislating on the broad platform of equal rights and privileges for all, it is pandering to organized wealth and making the rich richer at the expense of those not organized for selfish advancement. To this practice the present tariff legislation and the vitiating of all labor legislation may be traced. If this condition of things continues, as now seems probable, Henry George ought to supplant his Progress and Poverty by a work on the progress of poverty alone. Was there ever a Government said to be "of the people, for the people, and by the people" where the people paid so much and got so little? It has really become a Government of committees and executive tyranny. Amid this bewilderment labor has to struggle for itself. It is continually hamstrung by the piques and prejudices of those in authority, who appear to regard only the wealthy and the powerful.

Mr. Speaker, let there be no hamstringing of the just labor bills before this House. In that schedule I place the one now under consideration, and with it the eight-hour postal bill and the eight-hour back-pay bill. I know they are threatened with all the jugglery and legerdemain that canting legislation can practice, and I hope that in this instance it will be detected and exposed. Twenty-two years of executive trifling ought to be enough to arouse the most patient of laborers and demand the most explicit legislative direction. Let us see if it can be had.

Contract Labor and German Immigration.

SPEECH
OF
HON. FREDERICK G. NIEDRINGHAUS,
OF MISSOURI,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, August 30, 1890.

The House having under consideration the bill (H. R. 9632) to amend "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia"—

Mr. NIEDRINGHAUS said:

Mr. SPEAKER: I was in hopes that I would have been allowed thirty minutes, as was agreed with my colleague [Mr. WADE] on yesterday, but being cut down to fifteen minutes I shall of course have to curtail what I intended to say.

Upon the whole I am in favor of this bill, except one clause, which I consider to be an injustice to one class of our working people, and I will at the opportune time offer an amendment striking out on the tenth page, in the fifteenth line, the words "regularly ordained ministers of the gospel."

It may appear somewhat peculiar to some of my colleagues here that I make this proposition. I am not, Mr. Speaker, opposed to ministers of the gospel. They have certainly done a great deal of good in this country. They have been the main pioneers of our civilization, so to speak. They have denied themselves the home comforts and have gone forth and followed the American people over hill and dale into the very deserts of the continent, speaking words of peace and consolation.

But, Mr. Speaker, it is not more preachers or longer sermons we want, but that the preachers be better paid and that the sermons be more conscientiously carried out. [Laughter and applause.] I am therefore, as a protectionist, naturally in favor of protecting the American preacher. [Laughter.] I am sorry to differ from the committee on this point, who seem to believe otherwise, but they, perhaps, have forgotten that ministers of the gospel are not imported under contract, for if my early teachings were correct they are called by the Lord God Almighty Himself.

Mr. BUCHANAN, of New Jersey. This bill does not interfere with that call. [Laughter.]

Mr. NIEDRINGHAUS. They hear that call and they follow; they are constrained to follow; and ministers of the gospel that come in such a spirit we are willing to receive and listen to them with profit and delight. But my friend from New Jersey [Mr. BUCHANAN] says the bill is not intended for this class of people. That is just the point I was going to make. I presume it is not intended to apply to ministers of the gospel, but rather to lecturers for fashionable churches. [Laughter.] Now, I am confident that neither the German-Americans nor the Irish-Americans ask for any such provision, and consequently we have to fall back upon England. Now, the idea of sending to England for Englishmen to come over here to teach the American people the way they should go! I am opposed to fashionable churches, anyhow. [Laughter.]

Mr. BUCHANAN, of New Jersey. What kind does the gentleman frequent? [Laughter.]

Mr. NIEDRINGHAUS. Well, I will tell you an experience, if it is to go no further. I attempted to get into a fashionable church some months ago with my little family, but after waiting a long time in the corridor we utterly failed. As we left, with disappointment and disgust, my little daughter said, "Papa, didn't they know you are a member of Congress?" [Laughter.] "Well," said I, "my child, I do not think they did." So in our humiliation and suffering as a member of Congress (and if one member suffers all suffer with him) [laughter], we went our way until finally we reached a large statue with an open Bible, and I said to my wife, "We will try here; there appears to be a free gospel." [Laughter.]

I do not want to have it said in times to come, when my descendants may with pride point out the fact that one of their ancestry once occupied a seat in the American Congress, that that was during the dark days when ministers of the gospel were imported from England under contract.

Now, Mr. Speaker, the gentleman from New Jersey [Mr. BUCHANAN] has ably defended the working people generally, and my friend from New York [Mr. QUINN] has spoken a good word for his Irish kinsmen, who also make up a large and honored portion of my constituency. I consider it therefore my duty to speak a good word for my own kinsmen—for the German-American and for the German. But before I enter upon that I would like to draw the attention of the House to an expression which I find on page 5087 of the CONGRESSIONAL RECORD of May 18, uttered by my friend, the gentleman from Kentucky, whom I had not the honor of knowing at the time, never having heard his name mentioned until I saw it in the RECORD. [Laughter.]

Several MEMBERS. Who is it?

Mr. NIEDRINGHAUS. Mr. CARUTH. [Laughter.] The gentleman from Kentucky wound up his remarks on that occasion by saying, "I agree that we are paying $5,000 too much to the gentleman from Missouri," referring to me. Now, I agree with him entirely, and if he had stopped there I would not have said a word, because I know that I am drawing more money than I am worth at this sort of business [laughter], but he kept on and said: "He is, I believe, originally from Westphalia, Germany."

Now, I do not know what race my friend from Kentucky claims to be a member of. [Laughter.] He appears to have forgotten or to have overlooked the fact that, outside of the infusion of Latin blood, the American people are as purely Germanic to-day as I claim to be, and also the fact that Westphalia was the original home of the Saxon. One-third of this race to-day is Germanic, of immigration covering a period of perhaps two hundred years. In the sixteenth century a large emigration left Germany for religious reasons and for liberty, and settled in the Carolinas and in Georgia, and their descendants are to-day sitting in this House. I can recognize their German ancestry in their physiognomy, in their intelligence and force of character; and I am glad to meet them, although a little sorry that they are sitting on the other side of the aisle. [Laughter.]

About the same time some German emigrants found their way to the Hudson and to Maryland and New Jersey, the stream of immigration continuing at a more or less extent, until at the end of the forties, mostly upon political grounds, German immigration increased to a very large degree, and has continued to the present day; so that at the present time we have in this country thirteen millions of German-American citizens and their descendants of recent immigration, and among them three million American citizens who have the right of suffrage. I do not know whether my friend from Kentucky [Mr.

CARUTH] has any of that class of citizens in his district or not. If he has, perhaps he would not have put that slur upon them.

I presume that my friend from Kentucky [Mr. CARUTH] has read what is stated about me in the Congressional Directory, and that at one time I worked for $4 per week because I could not get any more.

A MEMBER. Who wrote that?

Mr. NIEDRINGHAUS. Well, now, I wrote that myself [laughter], and I did it for this reason, that at some future time some poor, discouraged, struggling young man might read it and take courage. When I looked around, as I entered this Hall, and saw on one side of me an eminent judge and on the other side an ex-governor of a State, and then again at that account of myself, it made my hair stand on end. [Laughter.] I felt that I was out of place, as my friend from Kentucky firmly believes. [Laughter.]

It is true, sir, that I came from Germany when a boy, but under the free institutions of this grand and glorious Union, which give an equal chance to all, I have been enabled to make a living, and a little over, and have at the same time succeeded in building up such a character and standing with the people among whom I have lived for the last thirty-five years that they have seen fit to send me here as their representative and for which they are responsible.

How much time have I left, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman has two minutes.

Mr. CALDWELL. I ask unanimous consent that the gentleman may be allowed to proceed.

The SPEAKER *pro tempore*. How much time does the gentleman desire?

Mr. NIEDRINGHAUS. Say ten minutes.

Mr. PAYSON. I have no objection to that, Mr. Speaker, if the bill can be discussed; but there are a good many provisions to it that ought to be considered, and while the historic allusions in which the gentleman is indulging are very entertaining, they do not go to the subject of this bill.

Mr. NIEDRINGHAUS. Well, they concern a class of people of which this nation is largely made up. [Laughter.]

Mr. PAYSON. The gentleman of course understands that I do not mean any discourtesy.

The SPEAKER *pro tempore*. The gentleman from Illinois objects.

Mr. NIEDRINGHAUS. How much time have I left then, Mr. Speaker?

The SPEAKER *pro tempore*. The time of the gentleman has expired. [Laughter.]

Mr. NIEDRINGHAUS. Give me five minutes more.

The SPEAKER *pro tempore*. The gentleman from Missouri asks unanimous consent that he be allowed to proceed for five minutes.

Mr. PAYSON. Before that question is put, Mr. Speaker, I want to make a suggestion, which I trust the gentleman will not regard as discourteous. What he has already said may necessitate some reply from the gentleman from Kentucky [Mr. CARUTH], who has already rushed to his feet in defense of his nationality [laughter], and in order to economize time I must insist that the debate shall be confined to the pending bill.

The SPEAKER *pro tempore*. Is there objection to the request that the gentleman [Mr. NIEDRINGHAUS] be allowed to proceed for five minutes?

There was no objection.

Mr. NIEDRINGHAUS. Mr. Speaker, I was going to speak of the economic influence of the German race, as well as their social influence upon this nation, but I will print what I have to say on that subject at some future day.

And now, from a political standpoint, the Germans have certainly been patriotic people. In the war of Independence they furnished as large a percentage of soldiers to the Army as any other nationality, and at the beginning of the last war they rushed to arms with a zeal and enthusiasm as is hardly ever witnessed to defend this great and glorious Union, the country of their choice, because they found here their very ideal of a country, an El Dorado such as they had dreamt and sung about in the early days of their youth. For such a Union they were ready to offer their very lives. Thousands of them have fought, bled, and died, and their bones are to-day bleaching on Southern soil.

Under the leadership of a heroic Lyon, Blair, Houser, Dr. Pretorius, the Filleys, Sigel, Stannard, Cole, Parsons, and others, who towered high above their fellow-men at that time, they saved the city of St. Louis and the State of Missouri from desolation and untold amount of bloodshed.

In moving on in the line of duty they may have trod upon soil very sensitive—I intended here to make a stronger remark, I will, however, abstain.

By their zeal and loyalty they earned the peculiar title of "D. D.," of which they were frequently reminded with emphasis!

But when, on the last morning at Appomattox, the two armies met for the last time, when the shout of joy went along the line that deliverance and peace had come, when the greatest general of this age told the belligerents to go home and take their horses with them (such an ending as the world had never seen), I thought that perhaps my kinsmen had also been forgiven. I was therefore surprised to find that a remnant of the same spirit was still lurking in the grass.

I do not, however, wish to be misunderstood by the American people, nor by my direct kinsmen, in whose defense I am speaking, and I owe it to all, under these peculiar circumstances, to say, that as a German-American citizen I have never been more cordially received and generously treated anywhere than by the members of the Fifty-first American Congress, and whether I remain in politics or not I shall forever cherish the memory of my colleagues, irrespective of party. [Applause.]

Germany has been one of the best friends America ever had, and while, during our late civil strife, this nation almost lay prostrate, bleeding out of a thousand wounds, the British lion lay waiting for the prey, Germany, and especially its people, never lost faith in this nation and doubted not for a moment the final outcome; they extended us their full sympathy and credit. When, therefore, the question comes up before the American people as to what element they can afford to extend a welcome hand, I can justly assert that upon the whole no better class of people come to these shores than the German. They have certainly been a large factor in the development of this country.

The same can also be said of the Irish people, but I will not dwell upon that point, as some of my Irish-American colleagues on this floor are more abundantly able to handle that qestion.

Now, as to the bill in the main, Mr. Speaker, allow me here to say that it is a most necessary and wise provision for the protection of honest American labor, and I am proud as a Republican that my party has always been in the lead when the security and protection of American labor has been threatened. The unlimited and unsatisfying greed of heartless corporations and individuals have at various times and would yet, without the strong arm of the National Government upon them, contract for and import an undesirable element of labor into quarters where not needed except for oppression, where the home labor fully supplies the demands; and, in consequence, the American laborer finds himself without work and the means of livelihood, and our very institutions are thereby brought into disrespect.

This degrading practice, I hold, has been carried on mainly by parties who never did a real, honest day's work, and who are therefore unable to sympathize with the honest American laborer in whatever branch he may make himself useful.

It has been truly said upon this floor, Mr. Speaker, that when we speak of labor we do not speak of a class, but of a condition which we have all either occupied or experienced, or else in which we or our descendants will be placed, sooner or later; a fact I need not here discuss, as, no doubt, Mr. Speaker, all my colleagues will agree with me. Our interest, therefore, Mr. Speaker, in the question of American labor is mutual, and the honoring and protecting of the same is our sacred duty; and if I could not leave my children one cent I still leave them a legacy in our American institutions which honor and protect labor.

From an economic standpoint, we must admit that the Germans have taken an active part in the development of this country; in every branch of industry, as well as in education, has their co-operation been felt. Many important branches of industry have been inaugurated and carried on by them, thereby largely adding to the treasure of the country. They have in many instances been satisfied with the poorest of American soil, yes, have converted the wilderness into a garden, and by industry and economy have founded thousands of happy homes.

The main question that has of recent years been agitated in private and public, and by the press in connection with immigration, is the social question. It has been claimed that the institutions so dear to every American heart are threatened by certain influences of the German element; many suggestions have been made as to how to regulate or check this tide of immigration by demanding all sorts of qualifications, the most recent being that on landing the emigrant should understand the Constitution of the United States. Now, just imagine, Mr. Speaker, if you please, a German emigrant, with his wife and children, who has perhaps saved and economized for years for the purpose of eventually casting his lot with the American people, and finally, when enabled to make the voyage, as he comes in sight of Sandy Hook, and soon the statue of Liberty, his heart beats high with joy as he puts his foot on American soil, "the land of the free and the home of the brave," just imagine Uncle Sam, in his characteristic costume, stepping up to him with a great big book, the Constitution of the United States, and demanding of him its interpretation!

Now look at him; there he stands with his wife and children, a farm hand he may be, and, if his pilgrimage occurs in winter, in order to keep his feet warm, perhaps in wooden shoes. He and his sons are ready to do the hardest kind of work, and his daughters willing to bake your bread and cook your meals. I have often reflected as to what we would eat and drink were it not for the German and Irish people. There he stands, confronted by Brother Jonathan, demanding him to fathom what at the beginning of this session the lawyers and doctors upon this floor could not solve. I am, however, glad to know that the Committee on Immigration will not inflict this hardship when they will finally report their bill.

It is true the German emigrant brings with him some customs that are, in the strict New England puritanical sense, un-American. While he is a law-abiding citizen he likes personal liberty as to eating and drinking. Although upon the whole religious, his religion may, in form and expression, differ in many respects. His idea of the Sunday may be peculiar; and I do not doubt that the Savior himself would at

one time have found New England an uncomfortable place with regard to that question!

There is still a great deal of piety in the German people. If you, Mr. Speaker, will follow me as I wander through the German quarters where they are settled around their respective churches of all denominations you will find that they are in their places in church on Sunday mornings, and if you watch them you can not but admit that they are a good and devout people. Being mostly working people, we will follow them to their homes. There we find them gathered at a plain home dinner, after which they indulge in social talk, a pipe, and perhaps, in some instances, a glass of beer or wine. If the family has grown children, sons or daughters, they are living out, but make their Sunday visit, and if after pay-day, add their mite to the family treasures, may be with the view of buying a home (home, this great Germanic ideal).

Now, Mr. Speaker, if ever you want to find a happy home, here you find it. It is true when in early spring the sun coaxes out foliage and flower the nature-loving German, like a bird after a long winter roost, feels a desire for the open air, for some grove or hamlet where he and family may spend a day of real rest. I have often seen them pass my house in all sorts of vehicles, but all full of merriment and joy for what the day might have in store for them. Still it was Sunday, when, Mr. Speaker and members of this House, you might go to Sunday-school and church, and as wagon after wagon passes with its happy load, will you stand by grudgingly, because these people enjoy what you may be able to enjoy every day of the week? I say no; follow them with your good wishes and observe them in their pleasure as they are once more being brought in contact with nature and nature's God.

It is said of our ancestry that they worshiped in groves; yes, the very oak, which is perhaps only true indirectly, which I can explain by reciting an expression of a young man in search of gold and while crossing the Sierra Nevadas on the west coast of Mexico. "On entering the dense forests I experienced," he said, "the most elevating and solemn sensation in my life here in this solitude. I felt myself as in the very presence of God, and a spontaneous longing for what is pure and good took possession of my soul."

This is the same feeling that was experienced by our German ancestry and is still felt by my kinsmen to-day, as they are brought into contact with nature. This is pure devotion, after an unwritten creed, but still true religion; and he returns home, after such a day's experience, a better man. This country need not fear any danger for its institutions from that quarter, and we may as well allow the German-American some latitude and also his choice as to his diet if he pays for it and respects the rights and peace of his fellow-men.

There is still another point in connection with German immigration very frequently discussed by the press, and that is as to how soon this element should become americanized. Steps are being taken in many localities with the view of bringing this about very speedily, which I think is a mistake. The transition should progress very slowly, so that it may be done with the least injury and greatest good to the whole nation.

In order to give the immigrant the full benefit of the advantages which this country offers, and in order to make him feel content and at home and to become acquainted with American institutions, duties, and privileges, he needs German-American friends, he needs the German press, the school, and the church, at any rate in the first generation.

As soon as a German becomes americanized his wants become greater, which should not be stimulated until he is ready to meet them. Family ties are in this way saved from disruption, and the process of americanizing the race goes on almost unobserved and still very rapidly. The application of any special method of hastening the process would, therefore, be a great mistake, and what is true of the German people is perhaps true with regard to other nationalities; but the final result will be one undivided American nation, bearing upon its face and in its character the good qualities of all the nations of the earth.

Political Murder.

SPEECH

OF

HON. CHRISTOPHER A. BERGEN,

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

September 2 and 3, 1890.

The House having under consideration the report in the investigation of the matter of Clayton *vs.* Breckinridge—

Mr. BERGEN said:

Mr. SPEAKER: The investigation of this matter was instituted on the petition of one of the first citizens of Arkansas. The resolution of the House passed upon that petition naturally divided itself into two parts, having relation to the ballots cast and to the methods of election employed. The investigation was called for from the whole country, both to determine if the present incumbent had been elected and if assassination had been employed to secure him in his seat. It was no slight matter in the judgment of the country that a man of intelligence, who had honorably contended for his seat in Congress, while he was engaged in the contest, disputing the right of the sitting member, should have been stricken down with death. That he was foully shot; that he was sneakingly assassinated; that he was stealthily stolen upon and his life taken from him is admitted by all and goes without question, and in this investigation that it was also done by the partisans of the respondent is no longer an open matter, but stands proved indubitably. Everybody who has been associated with that assassination, by every portion of the evidence that has been adduced, has been traced in one way or another to a friend of Mr. Breckinridge; and it was a pitiable sight to see in the court-room at Little Rock our brother surrounded by this coterie of suspects, constantly in association with them and constantly consulting with them evidently as to what evidence should be adduced.

The inquiry which has been made by the committee has not extended over the whole territory. That was found impracticable, and by common consent it was confined to those particular polls and districts which were brought in question by the attorneys in the case. My colleague from Missouri [Mr. WILSON] says because this is not strictly a contested-election case it is not a matter in which attorneys could be engaged and counsel could be had, or any consideration paid to the wishes of the parties most materially interested. The petitioner appeared for himself. One of the best lawyers of Arkansas and of the country, he presented the matters complained of. For the respondent there appeared Mr. Harrod, Judge McCain, and Ex-Attorney-General Garland. It is placing things on wrong bases to say that the Committee on Elections could disregard the parties in interest. Mr. Breckinridge would have resented, justly resented it, had the committee ignored his wishes, had it disregarded his counsel, had it rejected his witnesses.

At the inception of my remarks, I wish to state that the investigation was pursued with the greatest liberality to all. No one was denied a hearing. No one was shut out. Every one was allowed and encouraged to appear and testify, and the grandest scope and largest liberty was given to appearances made. Everything was done with a view to bring in witnesses. It is true that it urged them to bring in the witnesses as fast as they could, but it is not true that the committee left the city of Little Rock or the State of Arkansas with one witness unsworn who was presented for the purpose.

I enter with hesitation upon a discussion of this case. From its inception it has been unhappy and peevish, and for nineteen months has been the sensitive spot in our national life. The case involves much of personality, and is calculated to excite a great deal of animated discussion. I shrink from that because on the other side of this House are many men whom I respect, and to whom, whilst I believe the Democratic party is responsible for the situation, because they are members of that party, I would not assign a single act which would commit them to so wrong a deed. The case bristles with that life, that spirit, and that hate which brought on the most animated political discussion that has been had anywhere in the land.

This district is naturally, it is supposed, about 4,000 or 4,500 Republican. It has been represented on this floor during the three terms of its existence by a Democrat. The parties who came into this contest were well fitted to contend against each other. They were men of ability and of experience; men who were shrewd and capable in the management of political affairs, and they undertook a canvass one against the other. It was an exciting campaign. Trouble after trouble followed, and when the election was over, who was elected and what was the real and proper result were questions that were settled in no man's mind; but there was one thing that was not expected by any fair-minded person, and that was that the assassin could operate to make a seat firm and fixed. His hand, like the tyrant's, never produces peace.

Under the circumstances thrown about the case I should have great difficulty in confining my remarks to the idea that the investigation is of a contest for office principally. To do so would be to dwarf the subject in hand and belittle what is evidently the most stupendous effort yet recorded in our history if anything against the existence of this honorable body, its rights and prerogatives.

At Little Rock good feeling prevailed in the subcommittee; and I refer to this now because I am surprised to find in the minority report a reflection upon the majority, both of the subcommittee and the main committee. This course on the part of the minority is entirely uncalled for, and I believe without precedent. I suppose there is an explanation, but I doubt very much if it will ever get to the floor of this House. We of this side are in honor bound not to exact it, and the other side does not seem disposed to impart the information. I have said the subcommittee worked with unanimity and without discord. Not that there were no differences of opinion. My friends from Pennsylvania and Missouri [Mr. MAISH and Mr. WILSON] differed from the majority, no doubt, upon many matters; but that one single thing was excluded from the investigation that was sought to be proved by Mr. Breckinridge or his counsel is a statement that goes beyond the fact, and no one knows it

better than those gentlemen that were on the committee and Mr. Breckinridge and his counsel.

It is stated also that the committee went to Arkansas and there undertook an investigation, but left it, as it were, half finished. The statement is that when it returned to Washington the examination of witnesses was to be as open here as it had been in Arkansas. Let us look for a moment at the reasonableness of the suggestion. Some things need only to be stated to show how ridiculous and improbable they are. The subcommittee had gone 1,500 miles to Arkansas to take the testimony of the witnesses there. It would cost $300 apiece to bring them from there to Washington. It was evidently to avoid this expense that the House had sent the committee to Arkansas. Besides it must not be forgotten that the members of that committee claim to be honorable men and that they must have acted under a sense of responsibility to this House, to constituencies, and to the country to exert a proper watch upon the public funds; yet, in the face of all this, respondent solemnly asserts over his signature that the taking of evidence under promises from the committee was to be as open here as there, and the processes of the House equally at his disposal; nor does he show that there was a single protest from himself or the minority of the committee at the proposed waste of public treasure.

It pains me exceedingly that a question of personal veracity should have been raised between the minority and majority of this committee, and also that this question should have been brought into a matter in which Mr. Breckinridge is entitled to have no personality except his own. It is exceedingly unfortunate that what took place the last night that the committee was in Little Rock was not reported by the stenographer in full. But, whether reported or not, it does not become an honorable man, whether it involves a seat in this House or his reputation as a man of truth and of honor, to deny what actually did take place; and when a gentleman stands on this floor and, for the sake of politics, or for the sake of anything else, denies what has been established and what is true in his own conscience, he forsakes that dignity which attaches to manhood always, and his action is most unbecoming, most disrespectful to this House, and most dishonoring to himself. I can not believe that what I am about to state will be denied by my brother from Pennsylvania [Mr. MAISH] until he takes the floor and denies it here. I know, he knows—he was present—the chairman of the committee knows, and perhaps two hundred people in Arkansas know what took place. It was not done in a corner. It was done in open session of the committee, in the presence of the stenographer, in the presence of all the counsel, and in the presence of the people.

It was, if I remember right, the fifteenth day the committee had been in Little Rock, perhaps the fourteenth. It had been taking testimony on both sides from the time it arrived. There was no rule that first one side should conclude its evidence and then the other side commence, but both sides were allowed to bring in their witnesses as they could get them. Each side, therefore, had fourteen days, with the processes of this House at its command as free as the air we breathe, to bring witnesses before the committee and offer the evidence it wished to adduce. It was night, it was getting late, it had been prearranged that the committee should soon leave. Two or three days before it had been announced that it would probably leave at such a time. There was nothing new in that; everybody was expecting it to go. There were no witnesses in the court-room not sworn and an application had been made on the part of Mr. Breckinridge's counsel that the committee would authorize the taking before a notary of the testimony of some additional witnesses that they thought they had in Arkansas. The committee at first stated that all the indulgence that was reasonable and proper had been already given, and declined the proposition. Then a member of the committee said to the counsel, "How many witnesses have you got?" They said they could not tell. This member then asked, "Have you two hundred?" They could not tell. "Have you one hundred?" They could not tell. Then seventy-five and fifty were mentioned as the possible number, and finally the counsel said that they thought they had twenty-five witnesses, and named some of them, Governor Hughes among them. The member then said that he understood the committee had come to Arkansas to take this evidence, and he did not think it ought to leave till it was taken. Thereupon the chairman of the committee announced that the committee would not leave Arkansas until all the evidence in that State that was offered was taken.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. BERGEN. Yes, sir.

Mr. OUTHWAITE. I simply want to ask upon what page of the record I may find the remarkable statement the gentleman has just made. I have not seen it in the record and I would like to know the page upon which it can be found.

Mr. BERGEN. I think the gentleman will find it in the brain of Mr. MAISH, in the brain of Mr. LACEY, in the brain of Mr. Breckinridge, and in the brain of his counsel who were there.

Mr. OUTHWAITE. But I can not get into the brains of those gentlemen. I can only be guided by the record, and I should like to know whether the statement which the gentleman has just made is to be found in the record. You had control of the record. The gentleman from Iowa [Mr. LACEY] had control of the man who made it up, and I would like to know if those proceedings were put in the record, and if so, where they can be found. All of the members of the House can not get into the brains of the several gentlemen you have named, so they must be guided by the record.

Mr. BERGEN. The gentleman seems to have forgotten that there is something in the record——

Mr. OUTHWAITE. Oh, I do not care about something else in the record; I want to know whether this is in the record; and, if so, where.

Mr. BERGEN. Mr. Speaker——

Mr. BRECKINRIDGE, of Arkansas. Will the gentleman permit me just one word?

Mr. BERGEN. Certainly.

Mr. BRECKINRIDGE, of Arkansas. While I am unwilling to interrupt the gentleman, though he states matters of fact about which I may differ with him, I wish to say in this connection, as he has referred to what is "in my brain," that I think he is totally inaccurate in that respect, as about a number of other things which he has gone over, and which at the proper time will be replied to. I do not wish silence to be construed as concurrence by any means in statements as to matters of fact which I dissent from.

Mr. BERGEN. What I have referred to, Mr. Speaker, could not well be a matter of record except, as I have said, such portions of it as might have been taken down by the stenographer. I have here, however, in support of the statements which are put forth in the record and copied in the report of the majority in this case, the affidavit of the stenographer.

Mr. OUTHWAITE. That is the report by the stenographer of what occurred?

Mr. BERGEN. Yes, sir.

Mr. OUTHWAITE. Now, where is there any report of that which you were giving to the House a few minutes ago as having occurred at that time and which you stated ought to be in the brains of certain gentlemen who were there present, but which is not in the record and not in this affidavit? Where is that?

Mr. BERGEN. I am sorry that I am so incapable of making the gentleman comprehend. At the beginning I said that this was left out by the stenographer; that it was unfortunate that it was left out. The place where it would seem it ought to come in is between the answer of Mr. McClure and the answer of Mr. McCain to the question of Mr. LACEY as just cited.

Mr. WILSON, of Missouri. Allow me to ask when was that supplied—that unfortunate omission?

Mr. BERGEN. I do not know that there is any supply of any unfortunate omission.

Mr. WILSON, of Missouri. You say it was unfortunately omitted. Now when was that unfortunate omission supplied?

Mr. BERGEN. I know of no unfortunate omission supplied.

Mr. WILSON, of Missouri. You said it was unfortunately omitted; that is, that latter part you read.

Mr. BERGEN. My statement is unfortunately omitted; the conversation that was had by the committee with the counsel of Mr. Breckinridge as to the adjournment is what was unfortunately omitted. I do not consider this, which is a part of the record, certified to by the stenographer and which appears in the report of the majority, is omitted at all.

Mr. OUTHWAITE. Does the stenographer, in that certificate or affidavit which he sends here, swear that he has sent what occurred at the conclusion of the taking of the testimony there?

Mr. BERGEN. As he reported it; as much as he reported of it.

Mr. OUTHWAITE. Why did he not report it all as it occurred?

Mr. BERGEN. You have asked that question; I can not answer it.

Mr. OUTHWAITE. That stenographer came from some place in Iowa, did he not—from Mr. LACEY's district?

Mr. BERGEN. Yes, from Iowa.

Mr. ROWELL. Does that affect his credibility or his ability?

Mr. OUTHWAITE. It goes to show that he is not one of the official stenographers of the House.

Mr. BERGEN. He was the official stenographer of the subcommittee.

Mr. STRUBLE. And under oath?

Mr. BERGEN. And under oath—sworn to take down the proceedings correctly; but evidently he did not understand that what transpired between the committee and the counsel had to be reported any further than its result.

Now, Mr. Speaker, why the change? Why does the majority portion of the committee make seemingly this charge in the report? It was not entertained in Arkansas. All were good fellows together there; everything went on harmoniously and pleasantly. Nobody wanted to get out of Arkansas more than my brother from Pennsylvania; it was a perfect godsend to him when the time was fixed to go. He was as happy as the rest.

But this whole matter changed when the balance of the minority of the Elections Committee and Mr. Garland got hold of the record. Then is when this discovery—if it has ever been discovered—dawned

upon the mind of the respondent that there was some mistake made in Arkansas in regard to what ought to have been proved, and the pretense now is that he can go back there and prove anything he pleases, and because he can do that he wants this House to order that this investigation has not been made in good faith and that the committee has not finished its duties there.

Mr. Speaker, I submit this branch of the matter. It is unworthy, as I have said, of the dignity of a case managed by able men. It is unworthy the position of such gentlemen as have been engaged by Mr. Breckinridge as counsel. It is unworthy of a member of this House. If they have seen that they have made mistakes, they should admit it like men and foot the consequences, or come in and plead for consideration on that account; not come in on this floor and undertake to defame the characters of honorable members of this House having charge that they may divert the issue and bolster up a cause that is without merit.

But, Mr. Speaker, I would call attention to some of the provisions of the statutes of Arkansas in regard to elections, to wit:

SEC. 2157. The judges of election appointed by the county court or chosen by the assembled electors under the provisions of this act shall, if practicable, be of different political parties, so that each party may be represented, and they shall in addition be able to read and write.

SEC. 2668. The sheriff of each county shall appoint as deputies a suitable number of persons in the election districts in his county to attend to each election in such district, to preserve order, and to do and perform such other things in relation thereto as may be required of them by the judges.

SEC. 2675. All elections by the people shall be by ballot. Every ballot shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters opposite the name of the elector who presents the ballot.

SEC. 2676. It shall be the duty of the county court in each of the counties of this State to provide, at the expense of the county, a good and sufficient ballot-box, with lock and key, for the several townships or places of voting in their respective counties, for the safe-keeping of the ballots that may be given on the day of election held in such township.

SEC. 2677. It shall be the duty of the sheriff in the several counties in this State to deliver to one of the judges of the election in each township the ballot-boxes so provided by the county court of his county.

SEC. 2678. If any sheriff shall fail to deliver, or cause to be delivered, the ballot-boxes, as provided in the foregoing section, he shall, upon conviction thereof, before any court having competent jurisdiction, be fined in any sum not exceeding $10 for each failure.

SEC. 2682. It shall be the duty of the clerks of election to register the names of each and all electors in the order in which they may present their ballots, placing opposite each name its appropriate number, as required by section 2675.

SEC. 2683. At the closing of the polls the poll-books shall be signed by the judges and clerks, and after the signing the ballot-box shall be opened and the ballots therein contained shall be taken out, one by one at a time by one of the judges, who shall read distinctly, while the ballot remains in his hands, the name or names contained thereon; and that the same method shall be preserved as to all ballots in the box.

SEC. 2689. That the judges shall certify under their own hands the number of votes cast for each person, and the office for which such votes were given, which shall be attested by the clerks.

SEC. 2690. After canvassing the votes as aforesaid, the judges of election, before they disperse, shall put under cover one of the poll-books, seal the same, and direct it to the county clerk.

It may be said, Mr. Speaker, that it is apparent that there was a uniform purpose on the part of the county judges in making their appointments of Republican election judges to avoid the law rather than to comply with it. This appears, not only in the particular polls investigated, but at almost every poll in the district where the subject is touched upon in the evidence. Take for instance the evidence of Judge Dent, who was county judge of Woodruff County. He says he appointed but two that could read and write, and one of them did not serve. At two polls he appointed no Republicans. Now, bear in mind that they were men that could not read and write, and the judge knew it when he made the appointments. In some cases the scheme seemed to be to appoint those too ignorant to act or those so situated that they could not accept and who would therefore resign, and then fill their places by a packed posse at the polls with Democrats.

Of course it is rather laughable to the other side of the House to hear us speak of these things as discovered. What is news to some is commonplace to others, and what we might think a serious matter they might think trivial in the light of past experience.

I will next refer to the returns from the polls which the Elections Committee has advised the House to reject.

The first I wish to direct attention to are those from White River. The judges here were two Democrats and one Republican. The Republican was a colored man who could not read or write. One judge, a Democrat, was substituted without submission to the voters assembled. I do not remember reading the statute of Arkansas on that subject to the House, but it provides that when for any cause there shall be a vacancy in an election board it shall be filled by the electors present. The Republican supervisor was not allowed in the room when the election was held during the day at this poll, nor until evening, while counting. That is in violation of the United States law. This supervisor was put out of the room while trying to get in, trying to fulfill his duty as he was sworn to do. The Democratic justice of the peace used his office to misdirect the supervisor and told him that his duties were outside to keep the peace. The ballot-box was kept out of sight. The voting was through a window which was 6 feet 3 inches high, so that no one could see the ballot-box. Neither supervisor was with the box at the dinner hour, and only one clerk. There is not the same number of tickets returned as returned counted or as names appear on the poll-book. The returns were not put under cover, sealed, and so preserved. Sixty-two persons appeared before the subcommittee and swore that the tickets numbered as if their ballots by the returns were not their ballots. These were Breckinridge tickets, and they had voted for Clayton. Two also appeared and swore that they voted for Clayton who were not on the poll-books. The judges at this poll were all indicted and tried in the United States court and convicted as charged.

Mr. OUTHWAITE. With what were they charged and of what were they convicted?

Mr. BERGEN. The indictment contains six counts.

Mr. WILSON, of Missouri. What was the final result of those cases; were the men punished?

Mr. BERGEN. Well, I will read that. You need not be disappointed. I have something to say on that subject.

Mr. WILSON, of Missouri. They were there together. Tell it all.

Mr. BERGEN. I refer to page 603 of the testimony in answer to the gentleman from Ohio. I read from the sixth count of the indictment, upon which these gentlemen were convicted by the jury:

That the said Rufus J. Martin, David N. Hignight, and Robert Anthony, judges of election aforesaid, on the day and year last aforesaid, did willfully, unlawfully, and feloniously fail and neglect after the close of the polls at said election to sign the poll-books of said election, count—

I am afraid the gentleman from Ohio will omit that word in his mind. They failed to "count"—

examine, and cast up the ballots cast at said election, and cause to be enumerated the number of votes for each person as shown by the ballots, and set down the same in the list or poll-books aforesaid, and publicly proclaim the same to the people present, and to certify under their hands the number of votes given to each person and the office for which such votes were given, and to put under cover one of the poll-books, seal the same, and direct it to the clerk of the county court of said county before they dispersed, contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

Mr. OUTHWAITE. Of what were they convicted?

Mr. BERGEN. Of that.

Mr. OUTHWAITE. Of doing that before they went to supper.

Mr. BERGEN. They were convicted.

Mr. OUTHWAITE. Now, what was the penalty?

Mr. BERGEN. They were convicted of feloniously neglecting to do all those things after they closed the polls.

Mr. OUTHWAITE. But they did it all right after supper.

Mr. BERGEN. But the law prescribes that they shall do it before they disperse, before they leave. If they disperse and leave the ballot-box to be tampered with, put in the hands of third parties, what is the use of the statute? They absolutely ignored the statute, purposely ignored it. What for? They must have had a purpose. When was all this tampering done? Sixty-two witnesses swear their votes were changed. When was that done?

Mr. OUTHWAITE. It was never done at all.

Mr. BERGEN. It was done after they had gone to dinner, when the box was in the hands of third parties. That is when it was tampered with.

Mr. OUTHWAITE. Never done at all. Now, what was the penalty?

Mr. BERGEN. May I have the gentleman's word that it was not done?

Mr. OUTHWAITE. Yes.

Mr. BERGEN. Sixty-two people swear it was done.

Mr. OUTHWAITE. No; they do not.

Mr. BERGEN. And I will put sixty-two people under oath against the word of the gentleman from Ohio, much as I respect the gentleman.

Mr. OUTHWAITE. What was the nature of the penalty for that enormous offense?

Mr. CASWELL. Those sixty-two people knew the facts, and the gentleman from Ohio does not know them.

Mr. BERGEN. Yes; for he was not there. He did not see it. That is what I mean when I say I will put the testimony of these people against his word.

Mr. OUTHWAITE. What was the penalty? What did the Federal Republican judge impose upon these men in view of the enormous crime they had prepetrated?

Mr. BERGEN. Mr. Speaker——

Mr. OUTHWAITE. Well, it was $10 fine. If the gentleman can not tell, I will.

Mr. LACEY. Do you think that was enough? Do you not think it was trivial and shameful?

Mr. OUTHWAITE. I think this Federal judge, who has since been promoted by this Administration, would be likely to be severe enough.

The SPEAKER *pro tempore* (Mr. BUCHANAN, of New Jersey). Does the gentleman from New Jersey yield?

Mr. BERGEN. Oh, yes; I want these gentlemen to have all the chance that is possible. I have got something to say about the fine. The gentleman from Ohio need not be afraid about that. I am very anxious, Mr. Speaker, to tell what the fine was. It was $10 and costs.

Mr. WILSON, of Missouri. Who assessed that fine?

Mr. BERGEN. The judge of the court.

Mr. WILSON, of Missouri. Who was that? Was it not Judge Caldwell?

Mr. OUTHWAITE. Ten dollars was the limit under the law, was it not?

Mr. LACEY. No; it ought to have been the penitentiary. That is what it ought to have been.

Mr. OUTHWAITE. You know more about it than the judge does.

Mr. WILSON, of Missouri. Was that not Judge Caldwell, who is now a United States circuit judge and a Republican of very high standing?

Mr. BERGEN. I think it was Judge Shiras, if I remember right.

Mr. WILSON, of Missouri. It was Judge Caldwell.

Mr. OUTHWAITE. Was not that his opinion of the case crystallized into a fine of $10, in view of all the facts?

Mr. BERGEN. If the gentleman will keep his peace for a moment I have something to say, as I said before, on this matter of $10 fine and costs.

Mr. WILSON, of Missouri. We were there together and heard all about it. Now, tell it all.

Mr. BERGEN. In the first place, Mr. Speaker, $10, when they get down to Arkansas, in the matter of a fine against a man who has committed crimes against the ballot-box, become so big and immense to the eye that one would think it was impossible for him to make $10 there in a lifetime.

Mr. WILSON, of Missouri. Is that your opinion of Judge Caldwell?

Mr. BERGEN. But, Mr. Speaker, the gentleman tells us that there was not administered against these men adequate punishment for the crime committed. The judge at that court did not propose to visit the different parties who appeared before him with adequate punishment for the many crimes they committed.

Mr. WILSON, of Missouri. Why not?

Mr. BERGEN. It seems to have been the custom in these cases to make a man pay a fine of $10 upon every conviction. That was the most that they would stand, seemingly, in Arkansas and let live; and Judge Caldwell wanted to live. [Laughter.]

Mr. WILSON, of Missouri. Will my friend allow me to ask him another question? Did not Judge Caldwell assess that fine of $10 because he regarded the defendants as unintentionally and ignorantly doing what they were charged with doing?

Mr. BERGEN. There is nothing in the record to show that.

Mr. WILSON, of Missouri. Nothing in the record to show that?

Mr. BERGEN. I do not suppose it is true, and I do not believe it.

Mr. WILSON, of Missouri. But he assessed a fine of $10 against these men because they had done something they did not know that they ought not to have done.

Mr. BERGEN. If the gentleman wants to know why I think Judge Caldwell put it at $10 for I will tell him. He had fined a Democrat $500. It appears when he made the fine $500——

Mr. WILSON, of Missouri. Against whom?

Mr. BERGEN. That the Democrats as a party paid it, and he wanted the defendant individually to suffer something from the punishment he placed upon him. If $500 exacted sympathy he thought may be $10 would not. [Laughter.]

Mr. WILSON, of Missouri. Now, I would like to ask the gentleman if he would make an explanation as to whether that $500 fine was not in an altogether different matter?

Mr. BERGEN. It was another case. There were ten cases and eight of them were convictions.

Mr. WILSON, of Missouri. Was not that $500 fine assessed against a man on an entirely different statement of facts?

Mr. BERGEN. Certainly; there is no dispute about that. The Democrats, Mr. Breckinridge, and the chairman of the Democratic committee paid the fine.

Mr. WILSON, of Missouri. But that was not on this charge.

Mr. BERGEN. That was on another.

Mr. WILSON, of Missouri. That was where a man had brought up a shotgun and charged around and finally a negro man took care of him.

Mr. BAKER. Was that in connection with the same contest?

Mr. BERGEN. Oh, yes; it was part of the same contest. It was part of this same election. It was somebody else who had done something else in this same election of Mr. Breckinridge.

Mr. WILSON, of Missouri. Does my friend charge that in the case where this man was fined $500 (the case of this man Dansby) it affected the result one solitary vote?

Mr. BERGEN. The Dansby case?

Mr. WILSON, of Missouri. The Dansby case.

Mr. BERGEN. Why, certainly. Do not anticipate me, judge.

Mr. WILSON, of Missouri. You brought up the Dansby case in connection with these ten-dollar fellows.

Mr. BERGEN. Now, what I have stated seems in strange contrast with this, which I find in the minority report of the committee. I will read from page 12 language which is employed by the minority of the committee, signed by Mr. MAISH:

> The point is that every Democrat was, by these same juries of the Federal courts, acquitted of any offense and of every charge that involved, directly or indirectly, the corrupting of the ballot, or affecting the free casting, fair counting, and honest returning of the vote.

I have just read the indictment in one case, which conclusively proves the inaccuracy of that statement. It was put into this record at the demand, I think, of the respondent and his counsel. Perhaps it was a blunder. Would he remit the case that it may be taken out? For these reasons which I have gone through, before and after these interruptions, the returns from this White River poll were considered by the committee as unreliable, and the parties, under the practice and the law which has prevailed in this House in all cases, to be relegated to other proof of the vote cast. I do not see how it could have done otherwise.

Mr. WILSON, of Missouri. I rise to an inquiry, and I will ask the gentleman if he will state who are the parties in this case.

Mr. BERGEN. I reply that I agree with the gentleman from Missouri exactly, that this case is wrongly named Clayton vs. Breckinridge. It is a case that comes into this House on petition. It is an investigation had under a resolution of the House, and if we would have the name of petitioner and respondent, of course it would not be styled Clayton vs. Breckinridge. I suppose it would be correctly styled "In the matter of Clifton R. Breckinridge, sitting member."

Mr. WILSON, of Missouri. Now, if it does not interrupt my colleague, I would like to ask him another question. I was glad to hear the gentleman speak of the poll he mentioned. If you concluded the returns were unreliable, do you not think it was our duty to the House as its representatives to poll the whole vote of Breckinridge as much as that of Clayton?

Mr. BERGEN. We did. Did you not?

Mr. WILSON, of Missouri. Why, certainly we did not.

Mr. BERGEN. Why, you were there. Why did you not?

Mr. WILSON, of Missouri. The committee did not.

Mr. BERGEN. I was one of five and you were one of five.

Mr. WILSON, of Missouri. Read your report.

Mr. BERGEN. Nobody interfered with you.

Mr. WILSON, of Missouri. How could we do it? Could two overrule three? What figure could the minority cut there? All we did was to sit there and protest against what the majority did. I say, was it not your duty as a subcommittee to follow up the result, and when you set aside the poll, find who voted for Breckinridge as well as who voted for Mr. Clayton and report it all to this House?

Mr. BERGEN. We were not there to make findings. We were there to make an investigation. The gentleman makes an incorrect statement, and I think he will agree that it is incorrect when he says that he entered a protest. I heard of no protest from the gentleman from Missouri while the investigation was going on in Arkansas. The whole matter went on harmoniously and pleasantly so far as members of the committee were concerned. Everybody came before the committee that was subpœnaed, and the gentleman from Missouri made all the investigation he saw fit, just as I made all I desired. To say that any member of the committee did not have free opportunity to investigate fully is, I think the gentleman from Missouri will admit, to make an incorrect statement.

Mr. WILSON, of Missouri. If the gentleman will pardon me, the investigation was in charge of the majority of the committee, and the question I ask him is this: When we set aside the returns of any precinct, ought we not to have polled all the votes, those on the Breckinridge side as well as upon the other?

Mr. BERGEN. Now, the gentleman is taking a great deal of my time and is acting very unreasonably, I think, in that respect.

Mr. TRACEY. I think it would be only fair for the gentleman from New Jersey to answer that question.

Mr. BERGEN. I have answered it, and I will answer it by asking my friend another.

Mr. WILSON, of Missouri. There is a little too much of the Yankee about that. [Laughter.]

Mr. BERGEN. I will ask my friend this question: Did you cause any witnesses to come before that committee that were not examined?

Mr. WILSON, of Missouri. But was it not our duty to call the witnesses?

Mr. BERGEN. Did you call any that were not examined?

Mr. WILSON, of Missouri. It was the business of the committee to call them.

Mr. BERGEN. How could we subpœna them? We did not know them. Did not Mr. Breckinridge have two or three counsel there, and was not the room filled with his friends every day and hour?

Mr. WILSON, of Missouri. And were not we, the committee, charged with the investigation of the facts?

Mr. BERGEN. We were; but, on the theory which the gentleman undertakes to maintain here, suppose that we had gone there and discovered that fifty men whose names appeared upon the poll-books could not be found—a very likely thing under the management of the Democracy there—suppose, I say, we could not find those men, then, according to my friend's theory, we would have to stop and come home and report that we could not finish and that our investigation was therefore void.

Mr. WILSON, of Missouri. That is a violent supposition.

Mr. BERGEN. Not so; and, on the other hand, the committee did go there and did examine all the witnesses that were brought before it.

Every witness that came before it was allowed to testify fully. The examination proceeded in this way: If a witness was presented by the petitioner he examined him first, then the witness was cross-examined by Mr. Breckinridge, and afterwards by the committee. If a witness was presented on the side of Mr. Breckinridge he was examined upon that side first, then cross-examined, and then examined by the committee. That was the usual course of procedure, and if the gentleman from Missouri or his friends desired subpœnas for witnesses they were at his command.

Mr. WILSON, of Missouri. We had no friends.

Mr. BERGEN. No friends! If Mr. Breckinridge or his friends had asked for subpœnas, or had asked to have other witnesses brought in, they would have been brought in. They controlled their own subpœnas by request.

Mr. WILSON, of Missouri. We were there not representing any side, and it was our duty to make a full examination.

Mr. BERGEN. I can not allow any further interruption, Mr. Speaker. [Cries of "Regular order!" on the Republican side.]

Mr. WILSON, of Missouri. Our client was the House of Representatives. I have no friends and no enemies.

Mr. KELLEY. I would like to ask a question to clear this matter up in my own mind. I would like to ask the gentleman from New Jersey if there was any action of the committee, the majority of the committee, the whole committee, or the minority of the committee, that prevented anybody, either Mr. Breckinridge or his attorneys, from subpœnaing any witnesses that they desired to bring in to testify before the committee to prove the things they claim they had not an opportunity to prove?

Mr. BERGEN. Not at all. On the contrary, they were at liberty to bring any witnesses they pleased and to prove everything they could prove. Blank subpœnas were given to them to fill out themselves to bring in their witnesses, and there was no limitation put upon them.

Mr. WILSON, of Missouri. I want to make one other remark, but unless by the gentleman's consent I will not interrupt him.

The SPEAKER *pro tempore*. Does the gentleman from New Jersey yield?

Mr. BERGEN. I can not yield further now, much as I would like to accommodate my friend from Missouri.

Let us next turn to Cotton Plant poll. Here all the judges and the clerks were Democrats. The Republican supervisor was away prior to 1 o'clock. The township is two-thirds colored. There are four colored Democrats. The returns from that township are: Breckinridge, 186; Clayton, 132. They were never sealed. Forty-eight persons appeared before the committee and swore that they had voted at that election; that the tickets numbered to correspond with their names on the poll-books, which were for Breckinridge, had not been cast by them, and that they had voted for Clayton. Twenty-nine others, whose names were not on the poll-books, appeared and swore that they had been at the poll and voted, and had voted for Clayton.

For these reasons the committee in its report has thrown out the returns from this poll and put the parties upon original proof as to the ballots cast.

Augusta City is another poll which must be considered. All the three judges and two clerks were Democrats. There was a Republican supervisor, but he was ordered out of the room in which the election was held by the Democratic county clerk and put out by the Democratic sheriff of the county. There was great excitement and threatened riot, and for two hours the voting was partially stopped.

The supervisor was then admitted into the room with the box, but again ordered out of its presence to vote. He was not allowed to stay with it when the polls were closed; nor was it counted immediately on the closing of the polls, without separation of the officers, but was put with the Democratic county clerk, who kept it until the next morning, and it was then counted about 9 or 10 o'clock. He was separated from it in the first place till late in the morning, in the second place during the time he went to vote, and in the third place from the time he went to supper until the time it was counted the next morning—all night.

Eight persons who voted at this poll appeared before the committee and swore that the tickets claimed to have been voted by them, being Breckinridge tickets, had not been cast by them, that they had voted for Mr. Clayton; and seven others whose names were not on the poll-book appeared and swore that they had been at the election and had voted for Clayton.

The returns, ballots, and poll-book were not sealed and safely kept, as required by law, but carelessly kept so any one could get to them.

The county clerk was indicted for interfering with the supervisor; he pleaded guilty and was sentenced. The sheriff was indicted and charged in two counts. To these he pleaded guilty and was sentenced. The election judges were indicted and charged in three counts; they pleaded guilty and were sentenced.

For these reasons the committee in its report has rejected the returns from this poll and counted the ballots proved to have been cast for each candidate by original evidence.

Riverside is the fourth precinct which is to be taken into consideration. The judges were two Democrats and one Republican, a colored man who could not read or write. The two Democrats handled the tickets; the Republican was not allowed to touch them. There was an old colored supervisor. He did not understand how Democratic tickets got in for Republican. That was a mystery to him. I read from the testimony as it appears on page 126:

Q. Did you see the man record the votes and put it down as it was read?
A. I tried to see them.
Q. But you could see?
A. You see if one man had got to watch two or three judges, and when you consider how many there was there, you can see what one man has got to do. There was one colored judge and one white judge, and the colored judge was stringing the ballots as they took them out, and one of the judges was taking them out of the box.
Q. Stringing them on what?
A. Stringing with a needle. One of the white judges took them out of the box and called them off, and when he passed them to the other white judge, he called them off and the two clerks recorded them and they were passed over to the colored judge and he strung them. And you see I had got all them men to watch, and one man can't see over so many parties.
Q. You tried to?
A. Yes, sir; I tried to.
Q. You don't say this thing could not have been done, do you?
A. I tried to do my duty as well as I could.
Q. But you don't mean to say you could not have been deceived about that now?
A. No, sir.
Q. You were superintending the polls during the time, were you?
A. Yes, sir.
Q. You were superintending the polls and tried to watch the tickets as they went in. Could you swear there were no tickets went in except tickets that were handed up there and voted?
A. To the best of my knowledge.
Q. Can you swear you didn't see it?
A. I can't say just what a man didn't do, because men have got to be mighty slick nowadays. I want to give you to understand that all those men were intelligent, old men, and used to being around such places as that. I didn't see anything dark that day, but if they did, they were old hands at it, and they didn't intend for a bloke like me to catch on. That was my first time to ever be an official at an election.
Q. Who were the judges of election?
A. S. M. Jones and Mr. Jelks and Claib Penn. Penn is colored.
Q. Can he read?
A. No, sir.
Q. Can he write?
A. No, sir.

He had to do all the watching, and consequently could not see all that went on.

Twenty-nine persons appeared before the committee and swore that the tickets returned, corresponding to their numbers on the poll-list, being Breckinridge tickets, had not been voted by them, and that they had voted for Clayton. Five others appeared and swore that they had voted at that poll, although their names did not appear on the poll-book, and that they had voted for Clayton. Under these circumstances the returns have lost their reliability, and the parties are put upon original proof as to the vote cast.

This concludes the case so far as the committee has agreed upon the polls to be rejected. Nor is there any dispute as to the number of votes proved in the usual way to be counted at the several precincts. To conclude the case as made in this connection, the official returns gave Breckinridge a majority of 846; deduct the returns from the polls so rejected, and a majority of 442 still remains to him; deduct also the difference between Mr. Clayton's and Mr. Breckinridge's vote as proved before the committee and there still remains a majority of 12 for Mr. Breckinridge, without Plummerville.

Plummerville, Howard Township, is a vote which was not included in the official returns. An election was there held, and it is conceded on all hands that the box was stolen, that its contents should be added, and that it contained at least 433 majority for Clayton. Deducting from this the 12 remaining to Breckinridge as stated, and we have 421 as Clayton's actual majority. It will be noticed that this is 38 less than claimed for him in the committee's report. I think that these 38 votes were included by inadvertence; they are not proved to have been cast except as the voters' names appear on the poll-lists; and as these poll-lists have lost their probative quality, I have rejected them in my calculations.

Before I turn from this branch of the case I want to call attention to an error in calculation made by the minority of the committee on its own basis. It has counted for Plummerville box the votes produced, and in all the other cases the contents of the boxes as claimed. Now, it is admitted in the report of the minority that there was a Republican majority in that box of 547. On the basis of 433, a difference of 114, the minority arrived at the conclusion that Breckinridge was elected by 77 majority. This plain error, if corrected, would have given the difference of 37 as a majority to Clayton. Take the calculation of the minority of the committee, but pursue it on the basis which they establish for their own direction, and you elect Clayton by 37.

But the principle is all wrong. When a box is rejected only those votes which are shown to have been cast by original proof are accepted in the count. The principle on which my calculation is based is that which has been repeatedly stated by this committee and is the uniform rule of the House resting on long-established authority, Democratic as well as Republican. I refer to Paine on Elections, section 596; and as Democratic authority I refer to the case of English *vs.* Peelle in the Forty-eighth Congress, page 170.

The poll at Kingsland, Prairie Township, in Cleveland County, should

be thrown out. Dansby's intimidation of voters, with other things that took place there, justifies it. The testimony shows that the supervisor was threatened and prevented from coming to the count; that voters were threatened and went home without voting, for safety; that canvassers were forcibly deprived of party tickets; that the judges were all Democrats; that though possessed of police powers they employed no means to prevent these outrages; that many frauds were committed.

But to do so would not affect the result, and it was consequently allowed to stand by the committee.

Freeman Township is a place where no election was held. The judges appointed were two Democrats and an ignorant colored man who could neither read nor write. One of the Democratic judges had the box and did not bring it till 2 o'clock, and then without the key. But I will dismiss this on reading a brief extract from the evidence of the colored judge:

Q. What did you do at 2 o'clock, when the other judge came?
A. He come and set it down on Mayberry's table, and said to Esquire York, if he would break the lock or get the key he would hold the election.
Q. After 2?
A. Yes, sir.
Q. Why didn't you break it?
A. Well, the squire tried to get a key there in the store, and couldn't find any key to fit it, and he thought it was wrong to break a lock; didn't know whether it was a penitentiary offense or not.
Q. These men down there thought it was a penitentiary offense to break a lock?
A. That was his idea about it. He didn't know about that.
Q. There was nobody there had courage to break that lock for fear of the penitentiary?
A. It would seem so, sir.
Q. It remained locked all afternoon?
A. Yes, sir.
Q. And so there was no election held?
A. There was no election held at all.
Q. You folks were arrested for that?
A. Yes, sir.
Q. All three of you?
A. Yes, sir.
Q. And plead guilty?
A. Yes, sir; plead guilty.
Q. And paid a fine?
A. Yes, sir.
Q. And paid it up like men?
A. Yes, sir; I had to pay it; I was——
Q. Then there were two judges there from 8 o'clock until 2?
A. Yes, sir.
Q. But no ballot-box, no poll-book, no tally-sheet of no kind, and until the other judge came you couldn't do anything; the other judge thought you couldn't do anything until the ballot-box came, till Mr. Trice came with the box?
A. Yes, sir; he said he didn't think it would be legal to vote without tally-sheets.
Q. And he had been voting at that time; but that was the first time he had served?
A. I have been on that there business, but I were only one.
Q. You have got rich in valuable experience?
A. Yes; I have now.
Q. You have some experience that you never had before?
A. Yes, sir.
Q. And then, about 2 o'clock, the ballot-box and the other judge with the ballot-box appeared?
A. Yes, sir.
Q. But he had no key?
A. He had no key.
Q. And there was nobody there would venture to open it?
A. No, sir.
Q. Or to break it open?
A. Yes, sir; asked Squire York, the regular supervisor, and said if he would break it open he would hold the election.
Q. Was there anything said there about it being unlawful to break the lock?
A. I think York said he did not know. It looked, too, he might know, being a squire, whether it was a felony to break that lock or not; but I did not know.
Q. The voters had pretty largely disappeared at that time any how?
A. It seems so. It was raining pretty hard, and there was 40 or 50 come after that.
Q. And some did not come?
A. It seems they started and heard there was no election.
Q. Where they had started to come?
A. Yes, sir; and they turned back before they got there.

The SPEAKER *pro tempore* (Mr. BURROWS). The time of the gentleman has expired.

Mr. OUTHWAITE. I ask unanimous consent that the gentleman from New Jersey be permitted to continue for at least ten minutes longer.

Mr. BERGEN. Mr. Speaker, I would like to proceed without limitation, as other members of the committee were allowed to proceed.

Mr. BRECKINRIDGE, of Kentucky. I hope the gentleman will be permitted to proceed until he concludes his remarks.

Mr. OUTHWAITE. Well, I will make the request for unanimous consent that he proceed without limitation.

Mr. CRISP. To be taken out of the time on that side.

Mr. BERGEN. Of course.

The SPEAKER *pro tempore*. In the absence of objection the gentleman will be permitted to continue his remarks without limit.

There was no objection.

Wednesday, September 3.

Mr. BERGEN. Mr. Speaker, when I was interrupted yesterday I was calling attention to places at which no election had been held in the district, especially referring to Freeman Township. There are two other places at which no elections were held—Montgomery precinct, in Monroe County, and Northwest precinct, in Stone County. But I want to leave this branch of the case, and turn my attention to another.

Let me come to the 29th of January. It was two months—nearly three—after the election. Benjamin had been mobbed and was dead. The negro, Joe Smith, had been killed. His murderer was known, was there, was at large, and not indicted. Wahl, the supervisor, had been shot. Alexander, the constable, had been run out and was dead. Threats had been made on the life of Clayton and he had been warned not to go to Plummerville. He had gone to Plummerville and was engaged in taking proof as to the vote at that box. He went there under an assurance that his life would be spared. Three days had gone by in taking evidence relating to the tickets cast, and not a word was said, not an inquiry made as to the stealing of the box. All knew that it had been stolen. That was admitted by everybody. No inquiry had been made as to who did the deed. Night came and he was in his room. He had been moved from an inner room to a room in which there was a window, and where he was exposed. He had previously been forced to leave the hotel and take rooms at this cottage by the woods. He was there shot.

When Mr. Clayton was assassinated then was a supreme moment for Mr. Breckinridge. A throb of horror like an electric wave surged through the whole nation. He no longer had on his hands a contest, but he had an infinitely higher responsibility to himself and his party. I do not assume to criticise his course. It was his to do as he saw fit. By resigning he would have disowned all advantage gained. His opponent had been stricken down by one single shot. Could he be magnanimous, nay, heroic, and disown the advantage gained by resignation? One stroke of the pen would accomplish it. In doing so he would, too, have been considerate enough for the better element of his own party, not have drawn it into the position of defending and palliating the greatest stroke ever made at liberty and government as here established, next to the assassination of Lincoln and of Garfield. I am told that this was the course advised by some of the great leaders of his party. But their counsel did not prevail. An examination into the methods employed at this election shows why. To do so would have made him disown that element of his party which had reached its climax in effort to serve him at the fatal shot. It was a struggle which none may covet. On the one hand were his hopeful friends and an expectant nation—members I believe of the other side of this House—on the other hand were immediate sordid gain, the man who had fired the gun, the associates in the crime, and all that element of his party avaricious and constantly gaining in power which had counseled the deed and promoted it. They had risked their lives, their all, for him, and now was he to desert them when they most needed his help? This was the problem, and he stood with them who at death's door had stood with him.

The controversy was hopeless for Mr. Breckinridge if Mr. Clayton proved his vote according to his notice of contest. I have shown how rotten the election was. This, of course, was known to those who had worked with Mr. Breckinridge, his partisans, his friends; nobody knew better than they. They had conducted it. Many slurs have been cast against the petitioner. They are meant to divert from the issue, but are straws to the wind. What was the condition of that election in the minds of the respondent's friends? It is idle to cast slurs at this man or that who in Arkansas may have taken part in it. And what was the situation to these men? Did they fear conviction? Oh, no. There is no fear of conviction in Arkansas for offenses against Republicanism. Men there commit crime and go without accusation, without punishment, if the crime is political. Why, then, should there be any fear of a conviction for this crime? There was not a particle.

There was a deep-seated scheme. It ran back to a month before, when the attempt was made on the life of Wahl. Wahl's life was wanted. Why? Because he had testified against the ballot-box thieves? Yes; but not because of their fear of conviction for stealing the ballot-box. The only thing in the way of Breckinridge's success was the life of Clayton. Life in Arkansas is but an incident. It disappears whenever it stands in the way of something more needful.

I have said there was no fear of conviction. I have already made reference to the fact that the persons who were arraigned in the United States court were only fined $10 and costs and that those men who stood in that community subject to the accusation of murder never have been accused or indicted. With all the facts that have been laid before the country and this House relating to the subject of the different murders committed, not a single indictment has been found in the State of Arkansas in its State courts, and, of course, murder is not within the jurisdiction of the United States courts.

Mr. BRECKINRIDGE, of Arkansas. Has the gentleman communicated to the State authorities any evidence upon which indictments could be found?

Mr. BERGEN. No; but they have to me. There is plenty of evidence.

Mr. BRECKINRIDGE, of Arkansas. Has the gentleman indicated it in his report or in any other manner? If the gentleman knows of

such evidence I trust he will formulate his information and name the men, in order that the State authorities may have the benefit of that information.

Mr. BERGEN. Mr. Speaker, I have heard of the game of bluff and it is never better practiced than it is in the State of Arkansas and, I should judge from the remarks of the gentleman, never better than by himself. The State of Arkansas stands to-day with the knowledge that men in and about Plummerville committed these crimes, yet there is not an indictment against one of them.

Mr. OUTHWAITE. Can the gentleman name the men that ought to be indicted for the murder of Clayton?

Mr. BERGEN. The gentleman from Ohio calls upon me to name the men who ought to be indicted for the murder. It does not rest with me, even if I name the men, to command the courts of the State of Arkansas to pursue them. That State has her legal officers, a whole machinery of law, and everything is in the hands of her Democracy; but she does not pursue these criminals. Such pretenses as the gentleman's question suggests are mere makeshifts. The country knows some things: that murder has been committed; that the people there admit that it has been committed; that the ballot-box thieves are charged with the crime from the governor down, and yet no indictment has been found; that these thieves are Democrats, and the officers of the law are Democrats; and that this is ample proof of want of bona fides.

Mr. OUTHWAITE. I ask you again to name the men that your committee discovered to be guilty of the murder of Clayton and that ought to be indicted for the crime.

The SPEAKER *pro tempore*. Does the gentleman from New Jersey yield?

Mr. BERGEN. I do not, Mr. Speaker. I am speaking in others' time, and I want to get through.

Mr. PEEL. You can not name anybody. You have been there trying to get information, but you could not find any, and you can not name anybody.

Mr. BUCHANAN, of New Jersey. Mr. Speaker, I demand order.

The SPEAKER *pro tempore*. The gentleman from New Jersey declines to yield.

Mr. BERGEN. Success was wanted for Mr. Breckinridge, and was to be had easiest and first, in the minds of this portion of the Democracy, by the death of Mr. Clayton.

It was to be had, if necessary, at the price of blood; and it was so had. They had already threatened the life of Wahl and of Hobbs for one box. It would now take Clayton's life to capture the district. Wahl's life was wanted, because it was seen that suspicion would settle at once upon the ballot-box thieves; and Wahl knew some of them; he had already given some testimony which showed that he had knowledge who they were. There is no accuser like self. So Lady Macbeth could exclaim, "Out, damned spot, out." These men stood with this knowledge; their hands are black with blood.

This conspiracy was powerful and extensive. It embraced the sheriff, the deputy sheriffs, the clerks, and all the lower Democratic element throughout the Second district of Arkansas. It was political, exclusively Democratic. It terrorized the courts. It could command the respondent even and the governor to devise theories as to the perpetrators of the deed that were most ridiculous and mythical, and that, too, in the light of the information and belief they possessed that the ballot-box thieves were right there in their midst and had committed the murder. And the air was pregnant with like rumors.

So the governor immediately after the assassination issued his proclamation offering a reward, and the next day wrote to Sheriff Shelby, using this pleading language: "Arkansas can not afford to rest quietly under this foul stain, and it is not right that the officers should do so, nor do I believe you will in this case," hoping to make this case an exception; and again in his message the same day to the Legislature, then in session:

> At the time the deceased was thus murdered in cold blood he was engaged in taking testimony in reference to a contest for a seat in Congress, in which he was the moving party. He was, therefore, in the exercise of an inalienable right of citizenship, which none could have any disposition to *thwart*, except the most abandoned of men.

Evidently the governor then thought that Clayton was murdered to "thwart" his "contest for a seat in Congress." Is it any wonder that the people whom he specially represented—the Democratic party—should be thought responsible for the crime? If Clayton was "thwarted" the advantage accrued to that party.

Look at the theories of the murder which are set forth in the minority report. They are on page 51, and described as six in number. This is the report of the Democratic minority of the Election Committee. The first is, and therefore the most important, "that he was killed by the men who stole the ballot-box." The second, "that he was killed by men who were under indictment"—*i. e.*, the ballot-box thieves, practically the same thing. The third, "that he was killed by men who wanted to stop inquiry into the right of Mr. Breckinridge to hold his seat." Three matters of inquiry of the first importance as to the killing of Clayton are thus set forth by the Democratic minority of the Elections Committee. Yet they paid no attention to them.

Is there a particle of proof throughout this whole record that the minority of this committee gave special attention to the inquiry into these matters? Not a particle. From the beginning of this investigation until to-day it has been the part of the Democracy to excuse, extenuate, and overlook in order to find some reasons why this assassination was brought about other than upon any one of those three theories which they set out as most important to be examined, and, because the majority has adopted all three of the theories as true, more feeling has been exhibited against it than from anything else within my experience in this House.

The other three theories named by the minority of the committee are mythical, and shown to be so by the report.

Clayton did not die from an accident nor from rivalries in the Republican party.

The Hooper theory is one that has been much pressed. It was fascinating. The portals of the grave had closed on him and it could all be built in the imagination. He had lived in Arkansas. The troublous times of reconstruction could be drawn into it. He had had a grievance with somebody else there then. He must have revenged this on Clayton by mistake. He lived in California at the time of the murder, far from the scene. Was he absent from his home? He was a boastful braggart. The offer of $5,000 reward brought out that he rattled to Sater. Sater is a vagrant who wanders all over the country in search of a living. The $5,000 were tempting. Shelby, the sheriff, helped him with the thought that they could divide the sum.

The respondent, the governor, Sheriff Shelby, are happy, and they go to work. Once in a month they get a spasm and write a letter. The papers are filled with their diligence; the country is kept on the *qui vive*. Fifteen months pass and the investigation is about to begin. All is now to be made plain. The mystery is solved. The Plummerville thieves are saved. The discovery is first made known to the public that Hooper did it.

But the investigation proceeds, and it is disclosed that Hooper at the time of the murder was bedfast with dropsy and had not been out of his house for weeks.

There is a collapse.

Still the respondent can not give up his fancy. He clings to it in desperation. That there is a widow in weeds and an orphan family makes no difference—children that love their father's name, sons and daughters that will endure everything to preserve it. The scandals of this infamy he would link to them to enduring fame. But there comes an end, and he abandons it in this language to the committee: "The Hoopers had nothing to do with it (the killing of Clayton); let us admit that, and thus dispose of all suspicion relating to the militia trouble." Yet what does he insist? He insists, after abandoning this theory, that this committee has been negligent in not permitting him to examine some witnesses in the State of California or bring them from California here to give testimony in this matter. Now, here is another——

Mr. BRECKINRIDGE, of Arkansas. Will the gentleman allow me to interrupt him as to a matter of fact?

Mr. BERGEN. I will yield for a question.

Mr. BRECKINRIDGE, of Arkansas. Is the gentleman aware——

The SPEAKER *pro tempore*. Does the gentleman from New Jersey [Mr. BERGEN] yield?

Mr. BERGEN. I am anxious to get through; the gentleman will have his own time.

Mr. BRECKINRIDGE, of Arkansas. It is only on a question of fact that I desired a word; but I do not wish to interrupt the gentleman.

Mr. MAISH (to Mr. BERGEN). You will have plenty of time.

Mr. BERGEN. No, I have already taken too much time.

The SPEAKER *pro tempore*. The gentleman from New Jersey declines to yield.

Mr. BERGEN. There is another theory. It is "the widow story." Some widow—Mrs. Randolph—wrote to W. H. Howell that a man whom they both knew said he knew all about the stealing of the ballot-box and who killed Clayton. On that the governor of Arkansas undertakes an investigation. It involves a long delay. Mr. Breckinridge advises the governor. Howell is sent for four days into the country; and then this too is abandoned. All the while the ballot-box theory is avoided, the theory that the ballot-box thieves committed the murder.

What was the difficulty? Was there any difficulty in finding out who they were? Twenty deputy sheriffs, Democrats, were deputized the day before the election to go from Morrilton to Plummerville, ostensibly for the purpose of keeping peace, but, as proved, evidently to see that things were regular according to Democratic ideas. The sheriff says they were not to guard the box; that was not what they were sent for. By the law of Arkansas they were under the direction of the election judges. The judges had the right to command them into their presence for their protection, for the protection of the poll, for the protection of everything that was done there. They were subject to the absolute control of the judges of election.

The sheriff knows who these deputies were. They were at Plummerville during the day. Some were seen there just before the ballot-

box was taken. Some were seen to go away as the ballot-box went. All were gone when the ballot-box was gone. Some dropped their hats on the road in their haste. One, though he had matches in his pocket, never thought of it till he had gone a mile after he lost his hat. He was so wrapped up in the idea of getting away from Plummerville that he forgot he had matches in his pocket that would enable him to find it. They were seen to carry the box, and it went with them.

One of them during the day had gone away to Morrillton by mistake. He returned to Plummerville at night when the box was to be stolen, and he disappeared as the box disappeared. He changed his hat before he left Morrillton, before he came back to Plummerville. What for, except to disguise himself? Some went by train, some went on horseback, and the horses were seen to fly. There was a big crowd in Plummerville before dark before the ballot-box was stolen. There were no negroes there; but when the ballot-box was stolen the town was deserted. They were members of the Democratic club of Morrillton.

Mr. Speaker, I would exempt in my criticism respectable citizens of the State of Arkansas, who are Democratic, as well as Republican. There are many in the State of Arkansas, first-class gentlemen, who support the Democratic ticket. I make no charges against these gentlemen, except that it was their duty to stand up against the mob and they did not do it. There is a monster which has settled upon this State that is controlling its best elements to-day to the ruin of its vital interests. It is easy to see its power both before the election and afterwards and throughout the whole course of the history of these transactions. It is the under portion of the community dominating the upper element. When this murder had been committed, was there any one in the State that undertook to investigate or find out the facts? No. The whole official force, instead of undertaking to investigate, undertook to conceal the crime, to look away from it, to see if there were not some way in which somebody else than the real criminals, or something else could be turned to, almost to the extent of questioning the fact of the murder itself.

So even at the time of the coroner's inquest Mrs. Craven, at whose house the murder had been committed, was not sworn as a witness; she was there; she must have known something of the facts: she ought to have known something; and yet Armstrong, the attorney of Mr. Breckinridge, could not have her give her account of the affair then. Ol. Bentley, the man who had been appointed deputy sheriff, has been accused over and over again as having done the murder or being one of those who did it; he was the man who impaneled the coroner's jury. Three days afterwards he sent a constable to make an examination, and then no further examination was made by his order. He is the brother of George Bentley, who was shot—another of the departed, of the dead—in connection with the case. Sheriff Shelby was back in the county, 25 miles away, collecting taxes. He was telegraphed to, but he did not return to the scene of the murder to investigate; and he keeps Ol. Bentley as his deputy. A few of these men were prosecuted in the Federal courts, but none were prosecuted in the State courts.

The State courts are under the power of this monster. The county judges pretended ignorance of the law that they might throw bait to this under-stratum and answer its purposes. When there is a judge on the bench like Judge Cunningham, who undertakes to advise the grand jury to make an investigation, he is forced to resign and go out of the State and go to Oklahoma; the supreme court even is now under its power.

Mr. Speaker, I call attention to a recent Arkansas case, the case of Jones vs. Glidewell, just decided, a most remarkable case. By this case it was—

> Held that a wide-spread, systematic plan, whereby all negro voters in the county, under threats of * * * social ostracism and of expulsion from the community, were compelled to vote open tickets, for the purpose of disclosing to their fellows any negro who might try to vote for a Democratic candidate, will avoid the election, though there is no proof that a majority voted against their wishes by reason of the plan, and though it was also partly designed as a means of testing the returns of the election officers.

In this citation from the syllabus of the case I have left out the terms "personal violence," because they are not properly inserted. The syllabus as printed is misleading. My authority for this statement is this language from the opinion:

> There is proof here of the same spirit of intolerance, of the same efforts on the part of the blacks to enforce unanimity in politics through the influence of the church, ostracism from society, and indignities which fall little short of intimidation as defined in that case. (Patton vs. Coates, 41 Ark., 111.) But there is lacking in this case the element of threats and acts of violence, without which the judgment avoiding the election in that case would not have been reached.

This case is to be found in the thirteenth volume of the Southwestern Reporter, page 723.

This decision only applies to colored voters. The same principle applied to the white voters throughout the land would invalidate the ballot of every voter who happens to belong to a political or campaign club. Of course all such would be intolerable in such clubs if they would not agree in advance to vote the party ticket.

Mr. HILL. I did not catch the title of the case. Will the gentleman state again what decision that is?

Mr. BERGEN. Jones vs. Glidewell, reported in 13 Southwestern Reporter.

Mr. HILL. What State?

Mr. BERGEN. The State of Arkansas.

I hesitate to note that public sentiment in Arkansas is of that severe mold that the courts have had to be warped by it. Such is the fact, however, as appears by this case. All that now has to be done, according to this decision, and it is a mere suggestion to this mob power, is to order that all colored voters shall vote at a separate precinct, and then hold that race distinction was so pressed on them that they did not dare to vote the Democratic ticket, and throw all out.

Mr. OUTHWAITE. Can you give an example of that thing, any time that it has ever occurred?

Mr. BERGEN. This case of Jones vs. Glidewell did it.

Mr. OUTHWAITE. Read the testimony and show it if you can.

Mr. BERGEN. Oh, well, the gentleman is unfair to ask that in my time.

Now, Mr. Speaker, this was a political murder. It was so understood by the whole community. Mr. Beckinridge's friends as well as his enemies so understood it. The governor so understood it. The Legislature so understood it. Mr. Breckinridge himself so understood it and has so acted from the beginning. The Democratic party—its worst element—did it, and afterwards assumed the responsibility; it had to. The burden of proof was against it. It undertook to explain it away. Common sentiment demanded that it should. The chairman of its executive committee offered $200 reward.

But it has not undertaken to expose who committed the deed. It was not undertaken on its part at Little Rock; and ever since then time has been spent in its excuses in trivial matters and assignments of causes for delay. It has constantly thrown straws like this Hooper story, like this widow tale and the orphan spook to complicate the case in sentiment and turn attention from the real issue. Fines imposed by the court have been paid by its executive committee, paid by contributions from the body of the party, paid by the respondent. The officers of the law were under its command, members of it, and they have in fact avoided all investigations, have been indifferent, and have adopted every suggestion that could enter their minds to divert public attention in other directions than to those persons who everything in the case shows should have been accused of the crime.

When William the Silent was in power he was assailed. Gérard went to him secretly, stole in upon his peace without warning of purpose, aimlessly to all appearance. In that awful hour he fired the shot which cost the life of both. He had pursued his object for seven years. He wanted the life of the prince. He got it. Was it said that he had some personal animosity? Was it argued that it was a piece of revenge? Oh no; it has not so gone into history. It was a political crime, and those who prompted the assassin are the persons who are responsible in history for the commission of the deed.

Was Mr. Breckinridge in this? I trust not; I believe not. I would feel very sad to make any statement here on this floor that would be so terrible as that. But it was in his power to save the life of Clayton. Did he do it? It is said that he gave the order. I trust he did.

When Cæsar was struck by Casca there stood in the crowd one person. That person was Brutus. They had been rivals, but Cæsar trusted Brutus. Brutus had often saved Cæsar. Cæsar could not die until he saw that Brutus also aimed a dagger to his heart, and then he cried out "*Et tu, Brute?*" and died.

It is said that if Mr. Breckinridge is declared not elected he will be returned within a week. Let it be so if it be the will of the people of the district. But let it be upon a free ballot and a fair count, and that is all that is asked.

The secret of this whole contest is the race problem. I can not in the very limited time that I shall allow to myself further go into a discussion of this matter. The simple question that comes to the people of one section is whether one white man of the other shall have as much power as four of them. This will not be permitted. It can not be permitted. It is nullification as hideous and as horrible as that which reared its head in the days of Jackson, and it will be as certainly stamped down in this day as that was under his iron heel. The Constitution, which provides that the colored man may vote, will be defended until that provision, like every other in it, shall have its proper result.

I appeal to members of the other side of this House. I ask them to correct this evil, not by undertaking here or anywhere to set aside the provisions of this Constitution, but by those means which are in their power, those conciliatory measures which are always in the possession of the right-minded, to control men who naturally seek their advice and protection.

They have as a party, in this House, excused almost every crime that is in the penal code. Intimidation has been proved in election case after election case, and they have defended it. Frauds have been shown, and they have excused them. Ballot-boxes have been stuffed, have been stolen, have been broken open, have been substituted, and they have excused the deeds. Boards of election have illustrated their own perfidy by their perjury, and they have excused them. Returns have been tampered with, have been altered, have been stolen, and have been destroyed, and they have overlooked all. Murders have been committed, and they have excused them.

The question now is whether as a party they will stand in this House and solidly support a position that it is right to strike down him who is a contestant to make a seat secure.

And when the blood of thy martyr Stephen was shed, I also was standing by, and consenting unto his death, and kept the raiment of them that slew him.

May this never come from my friends of the other side of this aisle, lest they, like Saul, shall also some day first see a vision.

The Wrong and Injustice of the McKinley Bill.

SPEECH
OF
HON. JASON B. BROWN,
OF INDIANA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 8, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize the duties on imports, and for other purposes.

Mr. JASON B. BROWN said:

Mr. SPEAKER: That the present distressful condition of our country is sufficient to cause serious apprehension and alarm, no one can gainsay or deny. On every hand we see labor prostrate, all kinds of industrial, agricultural, and other business enterprises, save those that receive the fostering and protective care of the Government, on the decline. Those pursuits of life the great majority of our people are engaged in, agriculture and labor, which, for the good of the entire country ought to be the most prosperous of all, are bearing unjust burdens and meeting with untold disasters never before known in our country's history. There is no want in our natural resources, nor in the intelligence, enterprise, or industry of our people to justify this present calamitous condition of affairs. We must look elsewhere for the producing cause of this condition.

It being impossible to trace this cause to any want of natural advantages or to any defect in our system of government, if properly administered, or to any infirmity of the great body of our people, this destroying cause must be, inevitably and logically, directly traceable to some serious, if not criminal misconduct upon the part of those to whom the people have intrusted the management of the affairs of Government.

The great object of just government is to cause all of its burdens to be borne equally by all the people who owe it allegiance. As these burdens come in a large measure from the exercise of the taxing power, the Democratic party has, from the founding of our Government, demanded that that power should be so conducted that the weight and responsibility of taxation would fall upon all of the people alike in proportion to their ability to bear it; and in all cases, if such should occur, where it was inevitable that a discrimination should be made, that such discrimination should be made against the strong and in favor of the weak, against the rich and in favor of the poor.

That our Government was intended to be one of perfect equality among the people is found in the introductory portion of our Constitution, which declares that the Constitution was ordained and established to form a more perfect union, establish justice, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity. These great objects could not be attained without the people furnishing proper and necessary means for government support. The Constitution charges Congress with the duty of obtaining such means of support from the people, and directs Congress in reference to the manner in which the same shall be obtained. It provides that Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

This provision of the Constitution is put into execution by Congress passing what are called revenue bills. The Constitution provides that all bills for raising revenue shall originate in the House of Representatives, giving the Senate power to propose amendments. The giving to the House of Representatives exclusive jurisdiction to originate revenue bills undoubtedly was because the entire membership of the House of Representatives was to be elected by the people every two years, thereby making its membership more directly representative of the people and more immediately responsible to them than the Senate; that any abuse occurring in the raising of the revenue could be more easily and speedily corrected if the originating of it was exclusively with the House of Representatives than otherwise. The intention clearly was to keep the matter of raising revenue, which could only be done by some form of taxation, as nearly in the people's hands as possible. This was manifestly upon the theory that the nearer the people come to engage in the exercise of the taxing power the more justly and evenly would that power be imposed upon them.

These clauses of the Constitution, when construed together as they should be, clearly and unmistakably assert the following propositions: That the taxes, duties, imposts, excises, or money raised, no matter by what form of taxation, should be revenue for the Government, not bounty for a private use; that the power of Congress, by virtue of these constitutional provisions, is expressly limited to raising revenue for some public purpose, such as paying the debts of the United States or providing for the common defense and general welfare of the United States; but that in no instance should these provisions be employed by Congress to give any class of industry, occupation, or people an advantage over another, no matter whether it be under the guise of protection or otherwise.

Such was the almost uniform understood meaning of these provisions of our Constitution, and the practice of Congress and all the departments of the Government under them until 1861, when the present high protective tariff act which still exists, with some modifications since made, was passed. It was passed upon the statement then made that its necessity was only temporary, and upon the express promise that as soon as the necessity—which was the war—passed away it would be repealed, and the former tariff would be restored.

Twenty-five years have come and gone since the claimed necessity for the present high protective tariff law which places an average of 47 per cent. duty on foreign imports has passed away, and we now not only find this law in force, but we also find the advocates of high protection demanding more. One would naturally suppose that the beneficiaries of the present high protective tariff, who have received, and are still receiving, such great rewards from it, would be satisfied with it. A law which has so enormously enriched them at the expense of every other industry and enterprise in the country ought to quench their thirst for greed and gain.

But it is not so. The fact that the present tariff enabled them to filch from the pockets of American consumers at least four and one-half dollars of bounty, for which they paid nothing, for every dollar it put into the public Treasury—and the people having so patiently submitted to it—has incited them to demand of the Republican party a scheme by which they can carry on their system of robbery and plunder upon the agricultural and laboring people of the country upon a more enlarged scale.

In the Republican national convention at Chicago, which nominated President Harrison, the protective-tariff robbers demanded of the Republican party that it should give them a greater opportunity to satisfy their lust for gain, and compelled it to put into its platform these words:

We are uncompromisingly in favor of the American system of protection. The protective system must be maintained.

With this party pledge obtained, the protective-tariff conspirators, according to agreement, furnished the necessary funds to the Republican election managers with which to organize the floaters into blocks of five and to put each block in the hands of a trusted man, and to see that none escaped, but that all voted the Republican ticket. Having succeeded in electing the Republican ticket by the most corrupt, disgraceful, and dishonest methods ever known in American politics, these same greedy and unconscionable protectionists are now demanding the fulfillment of the political bargain and compact they made with the Republican leaders. To make that bargain and compact good, they demand the passage of "a financial monster, the McKinley bill."

Their demands have been heard by the representatives of the Republican party in the lower House of Congress who have passed this monstrous measure. The Republican party of the Senate has likewise passed it with some amendments, adding to its enormity, if such were possible. These amendments will soon be disposed of, and it will go to the Republican President, be signed and enforced by him as the law of the land, ostensibly to raise revenue, but really to pay those who made his election sure.

The people will have to submit to this great outrage, wrong, and injustice, no matter how severe the affliction may be, until the time comes when by an election they can and will rectify this wrong by restoring the Democratic party to power, and thereby bringing about a complete change in the administration of public affairs in the interest of the people.

The title of the bill is—

A bill to reduce the revenue and equalize the duties on imports, and for other purposes.

The meaning of the words "and for other purposes," mentioned in the title, can be easily and readily understood by an examination of the body of the bill, wherein its unjust and unfair discriminations in favor of all protected industries and against all unprotected industries are plainly seen. This bill ought to be entitled "A bill to increase taxes and enrich cormorants."

Upon its slightest examination it is plainly seen that its enactments place additional burdens upon all classes of people, farmers, laborers, workingmen, and all others, save those who are capital-owners of the several protected industries for whose benefit it is to become a law. It lays its hands most heavily upon all classes of our people who are not possessed of riches, but who are compelled to labor, engage in agriculture, professional life, or small business enterprises of some kind in order that they may support themselves and families.

Its extraordinary length renders it impossible for me to take it up in detail and point out its several unjust discriminations against the poorer classes, against persons of moderate means, who in many instances are compelled to buy more of the high-taxed articles mentioned in it than are those who clothe themselves in untaxed "purple and fine linen." Upon this point I will content myself by quoting somewhat at length from the minutes of the hearing which was extended to importers, manufacturers, and others by the Senate Finance Committee when it was being considered by that committee. A large delegation of gentlemen from New York, Chicago, Cincinnati, Boston, Philadelphia, and elsewhere who are engaged in the business of importing, and many of whom are also manufacturers, appeared before that committee and gave reasons why it should not be passed.

Mr. James M. Constable, chairman of the delegation, in addressing the committee and introducing the members of the delegation, said:

Gentlemen: I have been selected upon this occasion to present to your honorable body the various gentlemen who wish to be heard in regard to their interests. I believe I have been honored in that way because I am the oldest man in the importing trade, although not the oldest in years.

We come here to protest against the passage of the so-called McKinley tariff bill. The papers say, although they do not always speak the truth, that we are all from the city of New York. Gentlemen, it is not so; we are from every large importing center of this country, from Chicago, Cincinnati, Boston, Philadelphia, and New York.

We come here to protest against the passage of this McKinley bill because we think it is legislation in favor of one class of citizens against the other, namely, against the importers for the benefit of the manufacturers; we are here to protest in the name of the poor man of the country against the enormous increase in duties proposed, which will compel him to pay an increased price for every article he consumes. If this bill should go into operation a great many of the gentlemen present and the interests which they represent would have to retire from business. There was a speech made at the dinner of the Home Market Club, in Boston, the other day by Mr. Proctor. He said that he was in favor of a tariff that would give the greatest benefit to the greatest number of people. Gentlemen, we hope you are like-minded. If you are, this tariff bill will never become a law.

Mr. Henry W. Curtis said:

Senators, it was my pleasure a few weeks ago to appear before this committee or a portion of your body, and at that time one of the first questions which were put to me by the Senator from Iowa was: "Who are you?" I rise as a representative of the silk interest and I do hope that you will not feel that you are looking upon importers alone, for I represent a house (indeed all of the commission importing houses are to-day more largely interested in domestic silks than they are in foreign) which has its largest interest in domestic manufacture.

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I am a thorough-going, out and out protectionist Republican, and I do not know that there is anything more distasteful to me than a free-trader, unless it is a mugwump. I want to impress upon the gentlemen of the Senate present the fact that, while we are here as representatives of the business interests of New York in the importing of merchandise, we also represent the manufacturers of domestic goods.

We represent $500,000,000 of capital employed in domestic mills, and the employment of thousands and hundreds of thousands of operatives.

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I am going to call your attention to a few facts and figures covering the articles which have been committed to my care. I do not propose to occupy your time in reading all of these somewhat lengthy schedules. If the gentlemen of the committee so desire, it will be my pleasure to leave them with the committee. Take the matter of silk and cotton velvet, of the cheaper grade.

Silk and cotton velvet costing 93 pfennings a meter pays 50 per cent. duty at the present time, and will, under the McKinley bill, pay 118 per cent. A silk velvet costing 8 francs 25 centimes pays to-day 30 per cent., and under the McKinley bill it will pay 54 per cent. This illustrates to you the point that the McKinley bill bears the hardest upon the people who can afford it the least.

Take the item of pie e-dyed cotton-back satin, an article which is used almost entirely by the poorest classes and gives the Sunday attire to our working girls, the poor woman's luxury. You take a sixteen cotton-back satin, costing 70 centimes per meter, and to-day it pays 50 per cent. duty, while under this bill it will pay 75 per cent. That is an increase of 46⅔ per cent. in the amount of that duty.

Now, take another article in the same line, costing 1 franc 35 centimes the meter, and it pays 60 per cent. As you go up in value you go down in duty. The same is true of the 24-inch satin now paying a duty of 50 per cent., which would be raised to 73½ per cent., while the same goods, costing 1 franc 19 centimes, would pay 54½ per cent. under the McKinley tariff bill.

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You take that same article, costing $1.25 a yard, and it will pay 56 per cent. duty under the McKinley bill. So I might go on through this whole schedule. If it is the pleasure of the committee, I can in a very few minutes have prepared for them another schedule covering the higher grades of silk, running from $1.50 to $2 a yard, which will show that this bill raises, in many instances, the duty not at all, and in some cases even decreases the duty.

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Mr. VANCE. Will you allow me to ask you if you have examined all these schedules, and if the discrimination against cheaper goods runs all the way through.

Mr. CURTIS. Yes, sir.

Mr. VANCE. The higher the price of the goods the lower the duty, and the lower the price the higher the duty, all the way through?

Mr. CURTIS. Yes, sir.

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Mr. VOORHEES. What reasons of trade are there why these cheaper goods pay higher rates of duty than the higher-priced silks?

Mr. CURTIS. It is a stunner to us, sir.

Mr. VOORHEES. That is what I supposed. It was a stunner to me, and I wanted to see whether it was to you.

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Mr. HARRIS. You import about as much as you sell of the domestic product?

Mr. CURTIS. About as much as we manufacture.

Mr. CARLISLE. Do I understand you to state that the line which you import does not come into direct competition with the domestic manufacture?

Mr. CURTIS. No, sir; the foreign goods are driven out of this market by the domestic goods.

Mr. CARLISLE. That is, foreign goods of the same quality and class?

Mr. CURTIS. Yes, sir.

Mr. MCPHERSON. Then this bill forces upon the domestic manufacturer more protection than he needs and more than he wants.

Mr. CURTIS. I should say so.

Mr. VOORHEES. In other words, you have got enough.

Mr. CURTIS. As a protectionist I want to stand at the 50 per cent. duty as being all of the protection that we want. I would not have it any less than 50 per cent. I do not see how you can do anything else than retain it at that rate, in the face of the request of the American Association of Silk Manufacturers, of the importers, and of the Secretary of the Treasury.

Mr. Isador Strauss said:

It is my privilege to appear before you as the representative of at least nine-tenths of the importers of pottery and glassware of the city of New York, through whose hands probably three-fourths of the imports of this line pass.

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By the McKinley administrative bill, restoring the duty on packages, etc., these industries receive an additional protection to that which they succeeded in procuring in the former tariff bill of from 11½ to 15 per cent., or, in other words, goods paying a duty of 55 per cent. to-day will have to pay from 66½ to 70 per cent., and goods paying 60 per cent. to-day from 68 to 75 per cent., the heavier rates in every case falling on the cheaper goods used by the poorer classes.

Nothing, however, in the McKinley tariff bill brought greater consternation among the dealers in this branch than the exorbitant and in many cases prohibitive rates proposed on different articles of glassware.

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Why now a compound duty should be proposed on a line of goods where such a thing has never before existed, is inexplicable to us. In articles of woolen manufactures where compound duties have existed it was always claimed, as I understand it, that the specific duty was to reimburse the manufacturer for the duty that was exacted on the raw material, and the ad valorem duty was alone construed as protection. Why a specific duty should be levied on articles of the direst necessity which are not consumed to any extent by the richer people in cities who have gas at their disposal, but on the poorer classes in the city and the country who depend upon a lamp for their light, ranging from 72 to 450 per cent., certainly deserves explanation.

The glass-manufacturers of the country have for years been supplying at least from 80 to 85 per cent. of the entire consumption. The lowering of the tariff on glassware by the act of 1883, through adding 5 per cent. to the rate, but in reality reducing it from 10 to 25 per cent. on low-priced bulky goods through the abrogation of the duty on packages and inland freight, I am safe to say, did not add one item to the list of articles that were being imported and did not detract one dollar from the protection of domestic manufactures, simply because the domestic manufacturers have the market so completely in their control that if the duty were to-morrow reduced by one-half it could not make an inroad into their production by any appreciable percentage.

We are and have been exporting pressed glassware and chimneys to some extent to Central and South America and Germany.

There are certain articles of glassware which the whole world draws from one locality, and if you were to raise the duty to 500 per cent. it would simply result in advancing the price to the consumer or compel him to do without it.

Mr. Louis Windmüller said:

Mr. Chairman and gentlemen of the committee, it is proposed in Schedule K, 375, etc., to raise the duty on wool of the third class, when costing 13 cents and less, to 32 per cent.; when over 13 cents per pound, to 50 per cent. By the administrative bill, packing charges are to be added, so that most wool of this class will cost over 13 cents and would have to pay 50 per cent.

Present duties are:

Two and one-half cents per pound when costing 12 cents or less, equal to 24.6 per cent.; 5 cents per pound when costing over 12 cents, equal to 30.75 per cent.

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To raise the duty on carpet-wool increases the cost of an article made exclusively for our home market. There is hardly a cottage in the United States without a carpet or rug of some kind. It will add in every household to a tax which is wholly unnecessary and benefits nobody.

No wool is raised in this country for that purpose. If any is so used, when domestic wool is cheap, it will not amount to 2½ per cent. of the product, and that comes from sheep raised in Texas on the Mexican border. If you increased the duty to 100 per cent. you could not induce our farmers to raise sheep for this coarse wool. It would be tantamount to asking them to deteriorate their stock, and to act contrary to their own interests. Sheep bearing coarse carpet wool will produce 2½ to 3 pounds, worth 18 cents per pound, while merino sheep, requiring no more labor, will bring 5 to 6 pounds each, worth 35 cents per pound.

Most of the carpet wool imported into this country comes from the steppes of Russia and Asia, where civilization is unknown. To stimulate the production here, at the expense of our carpet industry, seems like fostering parasites on healthy and growing trees.

Mr. Ernest Werner said:

Gentlemen of the committee, I will not make any remarks upon this very important section of the tariff other than the few condensed statements which I have drawn up in the shape of a short brief. They will concern section 392, with regard to the woolen schedule.

Mr. HISCOCK. Are you a woolen importer?

Mr. WERNER. No, sir; I am a dealer in woolen goods, domestic and imported. My remarks refer entirely to the importation of woolen cloth, cassimeres, etc.

The proposed woolen schedules (H. R. 9416) will establish absolutely prohibitive rates on all goods for men's wear worn by the masses.

The tariff of 1883 was practically prohibitive on woolen cloths, cassimeres, etc., costing less than 80 cents per pound (rate 35 cents per pound and 35 per cent. ad valorem).

Mr. James H. Thorp said:

The article of silk plush used in the construction of furniture, upholstering purposes, box and album coverings, and in various other ways, now pays the Government a duty of 50 per cent. ad valorem. The proposed change in the McKinley bill will make the duty vary from 73 to 148 per cent., and the latter increase upon the lowest grades which are used in the cheapest work. This will be prohibitory, giving the control of prices to two or three American manufacturers.

Mr. Daniel McKeever said:

Mr. Chairman and gentleman, I desire to say a few words to you on the subject of goods for men and women's wear, Schedule K, section 394. Coat linings are one of the necessary things for people who think they have to wear a coat. I present here, and will leave with the committee, two samples, both made of the same material and both costing the same in England. They cost 10 cents a yard. They are 32 inches wide. The rate of duty is 78½ per cent at present. One of the articles they propose to raise to 102 per cent., and the other one, under the McKinley bill, to 135 per cent.; in one case 50 per cent. and the other 100 per cent. more than the present duty on precisely the same thing.

In the summer or in warm weather we wear a light coat and we want a light lining. In winter time we want a heavy lining. One of the samples here weighs 3½ ounces to the running yard and the other 3.8 ounces. The extra weight is simply to give more warmth to the poor man, because gentlemen who can afford a very fine coat will not buy a 10-cent article. This addition is made by mak-

ing goods that are over 4 ounces in weight pay 44 cents and 20 per cent. ad valorem. There is no difference whatever in the samples except a slight difference in the weight, and both cost 10 cents a running yard. One is advanced from 78½ to 102 per cent. and the other from 78½ to 155 per cent. Mr. McKINLEY has evidently made up his mind that the poor man, if he wants to wear any clothing, shall pay very heavily for it.

Mr. SHERMAN. What is this made of?

Mr. McKEEVER. Of mohair, with worsted filling and cotton warp.

I now present sample No. 2, costing 9½ cents a yard, 32 inches wide. The present rate is equal to 80 per cent. ad valorem. It is proposed to raise that to 115 per cent.

I also present another sample costing 15½ cents, the present duty being 63 per cent., and it is proposed to raise it to 122 per cent. for the reason, again, that the goods will run 4 ounces to the square yard and are used for linings in these heavy winter coats.

Mr. VANCE. Can you give us the reason why these gentlemen ask for this increased duty?

Mr. McKEEVER. I can not, sir.

Mr. VANCE. Is there any economical reason or reason of trade?

Mr. McKEEVER. The only reason is one that applies to everything in the bill, that the idea has been to make the poor consumer pay twice as much for his goods as the wealthy consumer would have to pay.

Mr. VANCE. Is not the tariff as established by the present law sufficient to enable the home manufacturers to compete successfully with the foreign manufacturers?

Mr. McKEEVER. Yes, sir; it ought to do so. The samples which I have here are protected to the extent of 78½ per cent., and that ought to be enough. But the absurdity of the proposed bill arises from the fact that in the two samples, both costing 10 cents and both made of the same material and used for the same purposes, it is proposed to raise one to 102 per cent., an increase of 30 per cent., and the other to 155 per cent., an increase of 100 per cent. The only reason given for that is that one happens to be one-fourth of an ounce more to the running yard than the other. This other sample which I submitted, costing 15½ cents per yard, pays to-day a duty equal to 63 per cent., and it is proposed to raise it to 122. I now submit samples 3 and 3 a, costing 21½ cents. You will find that these samples bear out the same argument as is shown by the others. It is raised from 60 to 72 per cent. The one costing 31½ cents is raised from 60 to 83 per cent.

The next question to which I wish to call the attention of the committee is paragraph 348, relating to cotton corduroy. Of course you gentlemen are aware that there is no duty on cotton in this country; but there is a protection in this way. Cotton has got to be shipped away and reshipped here manufactured, and that, together with the matter of freight, insurance, etc., equals a duty of 35 per cent. on those goods. It is proposed to make a specific and ad valorem duty so that an article costing 11½ cents is raised from 35 per cent. to 70 per cent., an increase of 100 per cent. ad valorem. As we go along from goods costing 15½ to 17 cents we find that the duty is raised from 35 per cent. to 64 per cent. These are cheap goods. When we come to something costing 36 cents, the rate is only increased from 35 per cent. to 41 per cent. As a matter of fact, these goods are not made in this country. I may make that statement, because the production is so small that it does not amount to enough to be worth mentioning.

I now come to section K, paragraph 413, relating to velvets, plushes, or other pile fabrics in the piece. These are goods that are used for women's cloaks. A mechanic, whose wife can not afford a sealskin garment, wants to have the next best thing she can get. Here is an article in which a garment retails for about $15 or $16. It is a very good imitation of regular seal. The completed garment retails for about $15 or $16. The cost of that in England is $2.50 a yard, and the present duty 50 per cent. It is proposed to raise that duty to 225 per cent., an increase of 350 per cent. I have been informed that there is only one mill in this country which makes this, and if any industry needs such protection as that it ought to die.

Mr. ALLISON. How many yards make a pound of that?

Mr. McKEEVER. These goods run a pound and a half in the rough to the running yard. They cost in England $2.50 a yard, and, according to the duty proposed, they would cost $5.25 by weight and 15 per cent. ad valorem, which figures are equal to a duty of 225 per cent. That is for the poor man. Now, take a better grade of these goods, worth $6.50 a yard, and the duty at present is 50 per cent. It is proposed to raise it so that it only equals 90 per cent.

Mr. VANCE. How much is the increased duty on them?

Mr. McKEEVER. The duty is increased from 50 to 90 per cent. in one case and in the other one from 50 to 225 per cent. In other words, a man or a woman who can only afford to buy a $15 cloak would be compelled to pay a 225 per cent. duty.

Mr. VOORHEES. The amount of it is that a fellow has no business to be poor.

Mr. McKEEVER. That is very true; but unfortunately the Almighty has arranged things a little differently from what we would like to have them.

Here is an article in astrakhan goods, costing 50 cents a yard. It comes under paragraph 392.

Mr. ALLISON. Is that cotton?

Mr. McKEEVER. No, sir; it is worsted. The present duty on that is 74 per cent. I understand that these goods are not made in this country.

Mr. ALLISON. Is that article known in the trade as astrakhan?

Mr. McKEEVER. Yes, sir. The present duty is 74 per cent. and they propose to raise it to 165 per cent., an advance of 123 per cent. The goods are 52 inches wide. These goods are made of the hair of the alapaca, goat, or other animals.

Mr. ALLISON. Are they made on knitting machines?

Mr. McKEEVER. No, sir; they are regular worsted cloths. These goods are used exclusively for outer coverings. The man or woman who can not afford to pay $100 for an astrakhan cloak wants a $10 or $12 article, which this represents. Here is another one of the same generic class which costs 14 cents; on it the duty at present is 72½ per cent. and it is proposed to raise it to 160 per cent.

Mr. VOORHEES. This is very generally worn?

Mr. McKEEVER. They are very generally worn by the poor consumers throughout this country where they need warm garments. They weigh from 24 to 26 ounces per yard. They are a heavy, coarse fabric. They have paid a duty heretofore, as I say, from 72½ to 74 per cent., and it is proposed to raise it to 160 and 165.

Now, when you get into finer goods costing $2.50, also a heavy goods, but used by the better class of consumers, on which the duty to-day is 61 per cent., they propose to raise it to 100 per cent., thus discriminating again against the poor consumer.

First. I respectfully submit that the rates of duty provided in bill H. R. 9416 on plushes, etc., under section 348, is unnecessary, prohibitory in many instances and discriminates against the poor consumer.

The American manufacturer of the goods covered by section 348 has his raw material free, whereas the foreign manufacturer is obliged to pay the expense of bringing it to his factory and then shipping it to this country.

At present the duty on this class of goods (section 348) is from 35 to 40 per cent. ad valorem, which, in the proposed rates, will run from 80 per cent. down to a little over 30 per cent., but here is where the discrimination comes in, because the lower rates would be assessed on the finer goods, while the higher rates would be levied on the poor man.

The samples representing goods covered by this section, which I have the pleasure of leaving with your committee, will fully, I think, exemplify this.

Second. I respectfully submit that the rates provided for under section 394 on stuff goods is equally as discriminating as section 348.

If your committee will kindly refer to the samples which I handed in they will more fully exemplify my claim.

I beg to call the committee's attention to samples of black mohair serge, marked 1 and 1 A and both costing in England 10 cents per yard, both made of exactly the same materials, both used for the same purpose, coat linings, and both to-day paying the same rate of duty, which is equal to 78½ per cent. ad valorem.

It is proposed to raise the rates on one of the samples to 102 per cent., while on the other it would be 155 per cent.

The reason of the difference between the percentage rates on these two samples is occasioned by the provisions on page 84, lines 1 to 5 of section 394, that goods weighing over 4 ounces to the square yard shall pay certain rates.

One of the samples presented weighs to a running yard one-fourth of an ounce more than the other.

This extra weight is simply put in the goods to make the winter garment, which is intended for the poor consumer, warmer, and there is no reason, right, or justice why the poor man should be compelled to pay 50 per cent. extra on an article in order to keep warm.

I would also call your attention to what is termed the dividing line between the two rates of duty on line 24 of section 394.

In this bill the dividing line is made 15 cents per square yard.

From the year 1867 (if not previous) the tariff bills have made the dividing line of this class of goods 20 cents, and there should be no question that the rates provided for by the act of 1867 are high enough for to-day.

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Third. I also call your attention to samples of astrakhan, which I submitted, covered by section 392.

These goods are not made to-day in this country, although their protection is 80 per cent., and it is proposed to increase this just 100 per cent.

This class of goods is used altogether by the laboring man, mechanic, or farmer, and the same discriminations previously referred to apply here. Hence the present rate of duty should not be increased.

Fourth. I submitted samples of a silk plush that are dutiable under section 413.

The samples I submitted show that it is proposed to raise the rates of duty on the lower grade from 50 to 225 per cent., while the finer the goods the less in proportion is the duty.

You will observe here the same discrimination against the workingman, and I would respectfully submit that the lines in this section from line 6 to line 12 be stricken out, and the words "50 per cent. ad valorem" be added to line 5, so that it would read: "Velvets, plushes, or other pile fabrics in the piece, 50 per cent. ad valorem."

Mr. P. B. Worrall said:

Mr. Chairman and gentlemen of the committee, the article of which I have to speak in the first instance is that of cotton colored velvets, paragraph 348, Schedule I. Cotton colored velvets are used almost exclusively by the laboring classes. They pay at present an ad valorem duty of 40 per cent. This duty is large enough for revenue, as the goods are not made here. There is not a single solitary piece of these goods made in this country that I know of, and there can be no reason for establishing the industry here because——

Mr. VANCE. Do you say that none of the articles mentioned in paragraph 348 are made in this country?

Mr. WORRALL. This particular article of black and colored cotton velvets are not made here and they do not require the protection which the bill proposed gives them. The goods for which we now pay 5 pence per yard in England now pay an ad valorem duty of 40 per cent. and under the proposed rate they pay 70 per cent., as the duty proposed in this bill is 10 cents per square yard and 20 per cent. ad valorem. You go along to the higher class until you get to those costing 15 pence in England. These goods absolutely pay the same rate of duty now as is proposed by this present bill. The same remarks made by Mr. McKeever with reference to the mohair goods, plushes, astrakhans, etc., will apply very well to these goods. As there is no one to take into consideration except the consumer of the goods, we do not see why the duty should be advanced, and no reason has been given for it.

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I will show you what the proposed tariff is upon goods of this character, universally made in this country. Formerly these goods were imported from England. In the last few years the American manufacturers have driven the foreign goods almost entirely out of the market.

This is what we call a cotton-warp cassimere, and the woof is made from wool which is imported largely from Australia. This is a piece of merchandise. It is 45 inches in width and at present costs 18½ cents a yard. The present duty is 68 per cent. and the proposed duty is 104 per cent. That represents a very large class of merchandise that is almost universally worn.

Mr. ALLISON. How much of that is wool?

Mr. WORRALL. The weft is wool.

Mr. VOORHEES. These tremendous increases are a surprise to me. What reason is assigned in the trade, that is, in the business, to justify them?

Mr. WORRALL. It is nothing but prohibition. It is not protection.

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Now, there is one extract that I am going to read to you, gentlemen, made by a man who is our strongest competitor in the manufacture of these articles in the United States of America. He stated to his stockholders in the latter part of March, I think—I have no hesitation in giving you the names, it is Mr. Whitman, treasurer of the Arlington Mills. At a special meeting of the stockholders, held on the 29th of March, 1890, he said:

"I have been your treasurer for a consecutive period of twenty years. During this period the average earnings have been 20.8 per cent. upon the capital. The earnings of last year were nearly three and a half times those of the year previous, and there is every indication that the coming year will be one of the most profitable in the company's history."

This is a statement of an American manufacturer to his stockholders under the present tariff.

Mr. VANCE. A manufacturer of what article?

Mr. WORRALL. He is a manufacturer of these very articles, these cotton warps, wool weft, mohair, and men's dress goods.

The duties proposed by Mr. McKINLEY in this bill are absolutely prohibitory, and I believe that if that bill were to become a law it would result in the undoing of the manufacturers of the country; in other words, I believe that they would be protected to their death.

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There is but one other article I will speak about, and that is the article of French cassimere. You will find here the samples of the goods with the classification under the present rate of duty and that under the proposed rate of duty. On the lower grade of goods they are increased 32 per cent., and on the better class the duty is increased 20 per cent., and this principle would seem to run through the entire tariff bill.

Mr. David Carlisle said:

I appear before you at the request of my fellow-members of the Linen Trade Association of New York to ask you not to disturb an existing industry by put-

ting a prohibitive duty on linens, as proposed in the bill now before you for consideration. The only offense with which we can be fairly charged is that we have sold our goods (which are necessary to every American household) at too close prices.

The new tariff bill proposes to increase the duties on our goods from 35 per cent., which is the existing rate, to rates varying from 62 to 78 per cent., which would mean an increased cost to the American consumer of $8,000,000 to $9,000,000 per annum.

This increase has been asked for by some gentlemen who say that with adequate protection they will build mills or turn idle machinery to the manufacture of linens in this country. They must desire the United States Government to guaranty them a handsome profit, as one mill has been making these goods for twenty years under the existing rate, and these gentlemen do not agree among themselves, as before previous committees they never asked for more than 50 per cent. duty.

Mr. A. M. Warner said:

Mr. Chairman and gentlemen of the Finance Committee, with your kind permission I will begin with a political disclaimer. We have been accused of being free-trade Democrats, but for myself I am proud to say that I have always been a Republican. I remember the day on which the Republican party was born, and on that day I was a Republican. In my boyish glee I erected over my father's house a flag, and on the flag I wrote a name. I remember well that it was at that time obscure and unknown. To-day it is honored and glorified above and beyond the names of all who have brought honor and glory to the Republic. It has been translated from among mortals and written in letters of unfading light among the stars.

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One of the principal materials is silk plush. Of this the larger part comes from Germany, and it costs in that country from 21 to 22 cents per yard. Many millions of yards are imported and made up here every year, furnishing employment to large numbers of people, but not a single yard is now being made or ever has been made in this country. On this article the present duty is 50 per cent., but by the House bill it is proposed to raise the rate to 100 per cent. or more. If this rate becomes a law it will entirely cut off the supply for three years or more, as it will be that length of time before the goods can be made here and delivered in any reasonable quantities, and even then only at such exorbitant prices that the trade will not use them and the common people can not buy them.

Another quality of this article comes from England and costs there about 56 cents per yard, and it is proposed to raise the rate of duty from 50 to 150 per cent. Of this quality there are three or four small makers in this country, but there is only a solitary one who is regularly in the business, and I regret to say that it is universally understood by the trade throughout the country that this enormous advance is for the personal and private benefit of this single maker.

These two changes will impose an extra expense upon every family in the United States as consumers and will benefit only the smallest possible number of producers.

Another material, from which are made large quantities of covers for stands, tables, pianos, mantels, and other articles for home use, is wool felt. This article is made in Germany at a cost of about 44 cents per yard. The present rate of duty is about 95 per cent., and by the bill now pending it will be raised to 125 per cent. There are in this country only three leading makers of wool felt, and very naturally they have formed a "combine," and I will say in passing that this particular "combine" is the most rank, radical, and rapacious "combine" in the whole category of "combines." For five years they have held the price of this article at 95 cents per yard with so tenacious a grip that houses in New York carrying $10,000,000 in capital have had to succumb to their power. This article is also used very largely for women's wear, and not a felt skirt has a poor working girl thrown around her form in five years on which she has not had to pay a round sum as tribute to these protected monopolists. This combine is not only fostered and protected by the present tariff; it is directly created by it and could not exist for one moment without it; yet the pending bill will raise the rate 30 per cent. higher.

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One more article and I shall have finished. This is an article known as embroidered or tamboured covers. They are made in various sizes from 1 yard square to 3 yards long. They have been protected by a tax of 80 or 85 per cent. for more than twenty-five years, yet during this entire time not a single dollar's worth has ever been made or ever attempted to be made in this country. Some of these goods are in the very lowest quality known to the trade, and they are scarcely fit to cover the coarse pine table in the poor man's chamber, and none but the very poorest class of people ever buy them; on this article the rate is advanced from 80 per cent. to about 105 per cent. for no reason whatever. No one desires to make them and no one has ever proposed to make them. No one wants this advance and no one has asked for it. I therefore submit that it is contrary to the existing needs of taxation, and also that it is entirely contrary to the accepted ideas of protective policy.

Mr. Ad. Rosenfeld said:

The present duty on linen collars and cuffs is 35 per cent. ad valorem. If the McKinley bill becomes a law the duty will be 35 per cent. ad valorem and 30 cents for each dozen collars and 60 cents for each dozen cuffs.

The quantity of imported collars and cuffs sold here amounts to about $200,000, while the quantity sold by domestic manufacturers amounts to at least $10,000,000, just fifty times as much; so we think that these figures prove for themselves that the domestic manufacturers are sufficiently protected under the present law.

The duty on imported shirts is at present 25 per cent. ad valorem. If the McKinley bill should become a law, the duty on them will be 50 per cent. ad valorem. The quantity of these goods imported amounts to about $15,000 a year, while the quantity made and sold by domestic manufacturers amounts to at least $25,000,000.

I might quote much more from this valuable document showing the injustice done by this bill to the consumers of such articles as cotton hosiery, window-glass, pocket and table cutlery, buttons, laces, lace curtains, embroideries, spectacles, and many other of the articles of every-day use, and show that in each instance the duty is laid heaviest on the articles the poorer classes are compelled to buy.

The foregoing uncontradicted and unquestioned statements of these very capable gentlemen show many but by no means all of the iniquities of this monstrous measure. They have clearly pointed out many of the articles of life's prime necessities which the great mass of the people, including the poorer classes, are compelled to have, upon which the duties are largely increased and placed at exorbitant rates, but they have not pointed out all of them. They have shown many instances where articles of luxury and costly and extravagant articles of various kinds which can only be obtained by the rich, those who are in affluent circumstances, are subjected to very low rates of duty, but they have not shown all of such cases.

One article of every-day use which necessarily finds its way into every household of the land, the humble homes of the poor as well as the extravagant residences of the rich, which strikingly illustrates the wicked and wrongful, if not criminal discrimination this bill makes against the great masses of the people who are not connected with protected industries, is that of tin-plate.

Tin-plate is not and never has been manufactured in the United States. All of this article that is consumed in this country is imported, and its increased price to the consumers of it, because of the duty laid on it by reason of the tariff, goes directly into the Treasury of the United States, and does not go as bonus into the coffers of some protected monopolist. With no domestic tin-plate industry to protect, with the admission everywhere that increased revenue is not needed, with the solemn declaration contained in the title of this bill that it is "to reduce the revenue and equalize duties on imports," yet, without justification or excuse, it increases the tariff tax on tin-plate from 1 cent per pound to 2.2 cents per pound, an increase of 120 per cent. over the present rate.

The pretext for this is that in some future years some protected monster may, with the assistance of this bill, give birth to an infant tin-plate industry; that preparation for the event must be made now. In order that the people may be well prepared to nurse, nurture, raise, care for, and protect this infant, when born, they now, notwithstanding they are already over-tax-ridden, must pay nearly $16,000,000 per year to give assurance that the infant will be born, and when born that they will furnish it a princely estate. The rule is that one must take care of and support his own offspring. Not so with this royal infant, "tin-plate industry," yet to be born, unless something interrupts the happening of the event. Notwithstanding he will have none of the blood of the people in him, that his parentage will not be of kin to the people, either by blood or marriage; yet they must toil and enslave themselves that he upon his coming into the world may live in royal splendor. Was ever such an outrage proposed? Was ever such an injustice demanded?

The importation of tin-plate last year amounted in value to $21,002,209, and the tax collected from the consumers of it by reason of the already high and unnecessary tariff upon it was $7,279,459. This bill instead of making a reduction of the tariff tax upon it or putting it on the free-list as ought to be done, adds about $9,000,000 more of tariff taxes to it, so that in the future the great body of the people who belong to the poorer classes, and who by either compulsion or desire use tin-plate of any kind, will pay a tariff tax upon it of about $16,000,000 a year.

But this great act of injustice in increasing burdens, and the manner in which the increase is made, does not stand alone in this measure. This bill provides for the reduction of taxes on spirituous liquors of many kinds. It seems impossible of belief, but the fact is that this bill reduces the tariff taxes to be derived from imported brandy, whisky, champagne, and other imported liquors, in the sum of nearly $220,000 per annum. The cost of these articles of luxury to the consumer is cheapened to that extent and the Government loses that amount of revenue each year.

If the outrage ended here it might be endured; but it does not. While this bill is cheapening the cost of these articles it increases the cost of wool and woolen goods in the sum of nearly $15,000,000 a year, on which there is now a tariff exorbitantly high; and in so doing it largely and wrongfully discriminates against the consumers by putting the greater share of the increase upon the coarser and cheaper articles, which are used by the poor and by the laboring people.

On chemicals, metals and their manufactures, wood and its manufactures, agricultural products and provisions, cotton goods, flax, hemp, and jute and their manufactures, wool and its manufacture, silk and silk goods, paper and books, this bill increases taxes nearly $42,000,000, while on earthenware, crockery, and glassware, wine and spirits, and a few other articles it reduces taxation only in the sum of $759,000.

It remains to be seen whether the people will longer continue the party in power who is responsible for such unjust, unwise, and unpatriotic legislation, which is the sole cause of all the grounds of complaint that the great mass of the people, farmers, workingmen, and, in fact, all except those who are the favorites of such legislation, are now so justly making.

Several attempted defenses for this unwise, unjust, and unequal system of Federal taxation have been urged by its advocates. Chief among them, and perhaps its earliest, is that it is necessary to give life and strength to our manufacturing industries and high and remunerative wages to our working people; not only to those employed in such industries, but to working people generally.

Senator FAULKNER, of West Virginia, in his very recent and remarkably able speech delivered in the Senate against this bill, has so completely shown that a high protective tariff does not benefit the laboring people that I quote from that portion of his speech. He said:

Mr. President, the advocates who seek to perpetuate this system of legislation, appreciating their inability to arouse the interest or stimulate the philanthropic sentiments of the American people in behalf of the beneficiaries of this great public wrong, endeavored to divert attention from the true methods

which prompted their zeal in behalf of protection for protection's sake, by assuming the disinterested rôle of the champions and protectors of American labor against the low-priced pauper labor of Europe.

Such an appeal, coming from the source that it does, should excite suspicion. The experience of the past has demonstrated that there are but two members that compose this partnership. Labor is not one of them.

The power of the Republican party results from the magnificent organization, the cohesive force of mutual interests, and the unlimited means of the protected manufacturers. So long as its policy is controlled by the capitalist it can not champion the cause of labor.

The value of this argument in the political market is rapidly depreciating in recent years. Education, experience, the study of these economic questions, and their practical operation, is rapidly convincing the American laborer that between him and capital there is such a conflict that, in the language of the Republican John Jarrett, before the Senate Committee on Labor and Capital, "wages of labor can only be maintained at a living standard by the workingmen belonging to labor organizations. The advance in prices did them no good; the manufacturer took it all."

The Republican party, through whose legislation these great monopolies have been enabled to concentrate the wealth of the country in a few States in one of its sections, and who are the authorized representatives of the wealthy and creditor classes, which division among the people of the United States has been the natural outgrowth of the policy enforced during the last thirty years by that party, can not convince the American laborer that his interest is safe in its keeping, by declaring that high custom-duties must be imposed upon commodities of prime necessity, that labor may be fully and justly rewarded.

The statistics of the increase of the value of labor during periods of high and low tariffs conclusively demonstrate that labor does not reap the benefits that should flow from the sacrifices made by the consumer (of which he is the largest element), and none know this better than those who cry the loudest for protection to American labor.

Mr. President, experience teaches all who will stop to reflect upon this subject there are two great questions entering into and determining the price of labor, first, the demand and supply, and, second, the efficiency of the labor.

It would be useless to consume the time of the Senate in discussing the spirit of these propositions—that the extent of the demand and the number of efficient laborers seeking employment must to a great extent be the measure of the value of the services rendered. The history of the price of labor in all the great and varied industries throughout the length and breadth of our country, from Maine to California, conclusively shows that these two elements, more than any other questions tend to establish the value of labor.

The difference in price for the same class of laborers between the North and the South, and between the East and the West, fully sustains the correctness of the first proposition.

Senator FAULKNER then proceeds to show from tables made up from the bureau of statistical information of the State of Illinois, which it is not convenient to reproduce here, that there was an average decrease of the weekly wages of employés in the following protected occupations, namely: Brush-makers, cloak-factory workers, coal-miners, confectioners, iron and steel workers, iron-molders, organ-builders, paper-mill operatives, salt-laborers, shoemakers, tinners, and zinc-factory men from the year 1880 to the year 1886 of 18 per cent.; while during the same period there was an average increase of the weekly wages of employés of the following unprotected occupations, namely: Bricklayers and stone-masons, electrotypers, hod-carriers, slate-roofers, press-feeders, stair-builders, steam-fitter helpers, stone-block-pavers, stone-cutters, street-railway employés, wooden-block-pavers, and wood-turners of 24 per cent.

Senator FAULKNER, continuing, said:

The Commissioner of Labor concurs in this view in his report of 1883, in which he states that in 1875 the per cent. of wages paid to the value of production in over two thousand establishments was 24.68, and that in 1880 it was only 20.23, a decrease of one-sixth in five years.

It is equally true that in considering the value of labor we should take into consideration its efficiency, or in other words, its capacity to increase productions.

A superficial examination of the relative cost of labor per day in America and England would at once suggest the conclusion that the price of labor is much higher in this country than abroad, but when we take into consideration the efficiency of the American laborer and compare the relative value in price, measured by the value of the product of the two, we at once realize that there is little if any difference.

Mr. EVARTS, then Secretary of State, in presenting to Congress the reports of the United States consuls in relation to the state of labor in Europe, in a letter dated May 17, 1879, sums up the information embodied in the numerous reports, and in reference to the relative value of work performed by the American and European workman, he says:

"The average American workman performs from one and a half to twice as much work in a given time as the average European workman. This is so important a point in conection with our ability to compete with the cheap-labor manufacturers of Europe, and it seems, on first thought, so strange, that I will trouble you with a somewhat lenghy quotation from the reports in support thereof."

And on page 37 he suggests the reasons for the difference in efficiency in favor of the American workmen. He says:

"There is something in the Republic which gives an individuality to the people of the United States possessed by no other people to such a degree Our inventive genius in mechanical appliances is original and at least twenty-five years ahead of Europe. Our people accept innovation, are prepared for it by anticipation. Europeans do not. One workman in the United States, as will be seen from the foregoing extracts, does as much work as two workmen in most of the countries of Europe; even the immigrant from Europe attains this progressive spirit by a few years' association with American workmen. We have no oppressed and stupid peasantry, little more intelligent than the tools they handle. All are self-thinking, self-acting, and self-supporting."

Mr. Blaine, while occupying the same position, in transmitting similar reports to Congress, refers to the subject of wages in the cotton factories in the following language:

"Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor. If this should prove to be a fact in practice, as it seems to be proven from official statistics, it would be a very important element in the establishment of our ability to compete with England for our share of the cotton-goods trade of the world."

Mr. Frelinghuysen, in transmitting a similar report, in referring to the cost of labor for weaving and printing cloths in England, remarks:

"Your readers will gather from the figures given in the foregoing table of costs that, in the matter of wages, America is as cheap as England."

The correctness of the conclusions reached by an analysis of the reports of our consuls in Europe is confirmed by an examination of the estimates as to the number of hands employed in the manufacturing industries in England and America, and the value of the product turned out by them.

The number of hands employed in the United States in such industries is 5,250,000. The number of hands employed in such industries in Great Britain is 5,140,000. The value of the product in the United States is $8,000,000,000, while the value of the product in Great Britain is but $4,000,000,000. The foregoing are estimates made by Senator FAULKNER.

Continuing, the Senator said:

The utterances upon this subject to which I have referred are the mature judgment of leaders of the Republican party after a careful investigation of the facts, and made in their official character to Congress upon a subject that would necessarily enter into its consideration in framing legislation bearing upon these economic questions.

No element that composes our great population has given more anxious and careful consideration to the effect of the tariff on wages than the laboring masses. The organizations which have sprung up throughout the whole country have tended to educate those directly interested in the subject in the practical effects of its operation. The day has passed when the American laborer can be misled by the catch-words, "Protection for American labor."

The address issued by the Workingmen's Tariff Reform Association of Philadelphia to the workmen of the United States shows a keen appreciation of their relations to a high tariff and boldly proclaims who in fact are the beneficiaries of this legislation. It declares:

"LABOR'S SHARE.

"The wages of labor in the manufactures are but little more than 17 per cent. of the product. In other words, the amount that falls to labor out of the total value of the products is only $17 out of every $100. Now, does it not stand to reason that if a tariff be at all necessary an average tariff duty of 17 per cent. would be amply sufficient to protect American labor against foreign labor, even if the latter got no wages at all? Yet the average of tariff duties now is 47 per cent., although the difference in the wages between this and other countries is not 5 per cent. calculated upon the relative productiveness of labor. Why, then, is this extra 30 per cent. put on? We see it can not protect labor. It does protect the manufacturers not merely against foreign competition, but most effectually against all our efforts to compel them to treat us justly. It is this 30 per cent. extra that secures to them all the benefit from protection and makes it impossible for us to even wring from them a share of it. It makes them free from competition and fortifies them against our just demands, and it yet leaves them free to draw their labor freely from the markets of the world, and the inevitable and natural result is cheap labor and dear goods."

Mr. President, manufacturers should not present themselves to the public as philanthropists; if they do, the facts of history would overthrow the claim. Until a Democratic House originated a law which prohibited it, they hesitated not to import the panper labor of Europe, by contracts made abroad, with mortgages upon its future earnings, place it side by side with the American labor, with no other purpose in view than to reduce its value.

Before the passage of this law, strikes were far more numerous than now. Then, the laborer was in the power of the capitalist; he could be turned out of employment, his family reduced to a state of starvation, and himself to that condition of desperation that would make him yield to the demand of his employer; for, if he refused to accept the wages offered, the markets of Europe were open, and they could be drawn on to supply his place. Thanks to a Democratic House of Representatives, this can no longer be done, and labor may now treat with capital upon a more equal footing.

The information furnished us by the Government shows that the view taken by the Workingmen's Tariff Reform Association as to the per cent. of labor in the protected manufactures is true; and those statistics further show a serious depression in the value of labor under the protection given to the manufactured commodities since the war.

The census of 1880 shows that the value of the manufactured product of this country in 1860 was $1,885,861,676, and the wages paid to produce those commodities amounted to $378,878,966, or 20 per cent. of the product. We learn from the same authority that in 1880 the value of the manufactured products was $5,369,667,706 and the value of the wages paid was $947,919,674, a fraction over 17 per cent. after twenty years of high protection. The wages in 1860 under one of the lowest tariffs this country has ever known, it being lower than the rates fixed by the revenue tariff of 1846, which, averaging under that tariff but $19 on the $100, were 3 per cent. higher than those paid during the period of twenty years when a high protective tariff was in force, the low tariff during that time enabling the manufacturers to keep wages at the higher figure.

In considering the value of wages to workmen in England and America, the question is suggested whether the higher prices paid for labor in this country are not neutralized by the increased cost of living, caused by the enhanced prices given to articles of universal use, by the high duties imposed upon their production or importation by the tariff act.

We must not forget, sir, that the laborer is a consumer, and one of the largest class of consumers, of those commodities which are highly protected. He consequently pays his full share of Federal taxation, and far beyond his equitable proportion of the bounties to the manufacturers. Every article of clothing purchased by himself or by his family, whether it consists of woolen or cotton goods, the tools of his trade, the china, crockery, and glassware used in his kitchen or placed on his table, his knives and forks, the stove on which he cooks his meals, the skillets and pots in which they are prepared, the tin bucket in which he carries his dinner, every article that adds to his comfort, is taxed from thirty-eight to eighty dollars on the $100. This necessarily reduces the value of his labor, which is sold in a free market with no assistance by artificial means of increasing its price.

In estimating therefore the value of labor between two countries the cost of living is an essential element, and between England and the United States it is one that tends largely to equalize wages.

Labor and capital are both necessary to the successful operating of almost all enterprises, agricultural, business, or otherwise. Especially is this so in conducting manufacturing enterprises. With the loss of either the capital put in or the labor employed the enterprise will stop and disaster follow. This being so, labor and capital should go hand in hand on terms of perfect equality. In the organization of manufacturing industries and in the prosecution of the business and labor necessarily employed and incident thereto, labor and capital should, so to speak, form an equal partnership, and the proceeds, profits, and revenues derived from the prosecution of the business ought to be divided between the capital put in and the labor employed as evenly as possible. That such is not and has not been the case in protected industries is apparent to every one.

The entire labor-cost of all manufactured products averages about 24 per cent. of the entire cost of the production. The average protective tariff duties laid upon like productions, imported from abroad, is 47 per cent. and this bill proposes to increase it. I will not stop to discuss the question whether the tariff increases the price of the domestic manufactured article, as well as the imported manufactured article, to the consumer or not. Everybody knows that it does.

The fact that the capital side of the manufacturing industries is here crying for more tariff is conclusive evidence to the minds of all reasonable persons that the manufacturers desire it to enable them to enhance the prices of their productions to their consumers, no matter what pretext they may offer for it. It is now admitted by the advocates of this bill that its object is to check importations, so that the American market will be reserved, as they say, from competition with the cheap productions produced abroad.

The tariff, enacted avowedly to give the labor side of manufacturing industries high wages, enables the capital side of such industries to market their productions for a price which includes the entire cost of the production and a fair profit besides, except the labor-cost; and, in addition thereto, for enough to pay the entire labor-cost of the production and 23 per cent. more. And this occurs annually. That these enormous profits and proceeds are not given to the working men and women and boys and girls who constitute the labor side of these enterprises, every intelligent person well knows.

The great wealth now enjoyed by those who invested capital in these enterprises and the luxurious manner in which they live, which is apparent to every one, while the working people connected with them are in substantially the same situation they were when they began, which is equally well known, too plainly shows that the tariff neither invites nor compels anything like a fair or even division between capital and labor of the great profits and proceeds which capital and labor united in these enterprises accumulate.

Upon the subject of tariff protection causing a decline in the prices of manufactured commodities and an increase in the wages of workingmen, and that one occupation ought not to have a guaranty upon the part of the Government over another, Senator PLUMB, of Kansas, a leading Republican member of the Senate, spoke, on the 1st of August last, so patriotically and correctly that I quote at length from his speech. He said:

Mr. President, the argument by which this increase of duty is justified is that under high protection prices have gone down, and logically, therefore, the higher the duties the lower the prices to consumers. The argument for putting up duties 300 per cent., 200 per cent., 100 per cent., 25 per cent. or 10 per cent. would, of course, be stronger if it were proposed to put them up ten times more.

The whole tendency of civilization is the reduction of the prices of everything which results from human labor, and to claim that the tariff has been the sole or the main factor in the reduction of prices of manufactured goods is to ignore all the forces of civilization. The American people are entitled to have cheap goods if competition can bring that about.

Now, these people have been making this class of goods for many years, and every time we have touched the tariff we have put up the duty for them. They have had the benefit of years of experience, of ample capital, of unrivaled natural facilities, and of the best market in the world. When is the time coming when the people at large can get some benefit out of the establishment of these industries? Just as fast as we get to that point where we may expect that natural competition will do its work and prices will go down to the consumer, these people come in and say "We need more duties," and up the duties go, whereby the progress of prices downward is arrested. I say the people of the United States ought to have their inning some time, and I think that time has come now.

These duties, Mr. President, do not strike luxuries. I know the time has been, within the recollection of all of us, when painted or decorated ware upon the table of any person except a person over-rich was a rarity. But the people have progressed in their tastes and in their ability to buy, until now the articles of chinaware which we are providing for in the schedule under consideration go of necessity upon the tables of all, rich and poor. What was once an article of luxury has become a necessity.

Therefore, whatever we add to these duties is added to the burden which the great mass of the people have to bear, and it is not a burden, I beg you to observe, to be borne in accordance with the ability to bear. It is practically a per capita tax. A man on his farm uses nearly as much chinaware of this kind as Vanderbilt in his palace. It is not imposing duties upon the theory which has been heretofore advocated in regard to these tariff duties, putting them upon the luxuries, but it is putting them upon the necessaries of life, whereby the burden is borne by all the people of the United States, while according to the further terms of this bill the men who are wealthy and who use articles which are indeed articles of luxury escape high taxes.

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Mr. President, I believe in so distributing the duties which become necessary for the purpose of raising revenue to carry on the Government as to equalize the conditions existing between the manufacturers of this country and those abroad. If I were in doubt I would resolve that doubt in favor of American manufacturers, but if I knew what the exact facts were I would put them on the same footing precisely, feeling perfectly assured that the American, with his better skill, his keener intellect, would win in the race and that, while he was winning, the people would get the manufactured goods which they were necessitated to buy at a fair and a reasonable price.

That, Mr. President, is as far as I would be willing to go; and I believe that is in the interest of the manufacturers themselves. I believe the country needs competition in manufacturing as in everything else, in order that we may have the best skill, the most enterprise contributing to bring about the best products at reasonable prices. But by putting up duties, giving the manufacturers to understand that, when their profits are slack or whenever their greed increasing with their increasing wealth they want more, all they have to do is to come to Congress and get it, what expectation or reasonable hope have we that we are ever to have the best possible application of skill and enterprise, and with commensurate results?

It is not a question of comparison between the days when crockeryware was scarce and high and the present, because, as I said before, there has been a constant downward trend of the price of everything that has been the result of skilled labor and of the use of machinery, and the people are entitled to have such lower prices than prevail to-day as a more active competition will bring.

The farmer and the merchant take their chances of the course of trade and business. The farmer takes his chances not only of the price in the market of his productions; he also takes the chances of the season. If he has a short crop he must suffer accordingly. If there is an overwhelming crop at home or abroad his prices must go down, and he has got to take what comes, whether it be ruin or prosperity.

The manufacturer is differently situated. He is not willing to take any chance. If there are large importations or other special conditions which reduce the prices of the goods he makes he comes to Congress and says, "Put up the duties in order that this emergent condition may be represented in a permanent law of the land and I may be assured good profits." He wants it to be understood, and so far he has been led to believe, that his profits are to be uniform; at all events they are not to decrease; and when they are not satisfactory he comes to Congress and asks that duties be increased, too often I fear, too often I know, for the good of the people. He may not have been wise in his methods; he may not have been skillful; he may not have been forceful; he may have been the victim of circumstances which would have borne down any man. Is the law to blame?

The law must deal with general conditions, and not with special ones. Whenever the law establishes a duty which will give to the average manufacturer equal opportunity with the foreign competitor it has done all it ought to do. Beyond that he should take his own chances, just as the farmer does, just as the merchant does. Merchants go down; farmers fail everywhere. They do not expect to be exempt from chances of this kind. The manufacturer is the one person who insists that he is never to fail so long as laws can be written and passed putting duties enough upon the articles which he manufactures to enable him to make a profit.

* * * * * * *

Every merchant who goes into business at every cross-roads takes the chances of the bankrupt stocks which may turn up in his field of competition after he has bought his regular supply. He has got to take that chance. But the manufacturer insists he will not take any chances, and so the Carnegies and Joneses, of Pittsburgh, and the Dolans and Dobsons, of Philadelphia, have prospered and grown rich beyond the dreams of avarice at the expense of the people of the United States, while they were not filling the market which we expected they would fill and had a right to expect they would fill when we gave them the duties which the present law imposes, to be increased by the bill before us, upon the articles which they produce.

An attempt is constantly being made by the capital side of a large majority of the protected industries of various kinds to show that the per annum per cent. upon the capital invested is small. In all such cases a premeditated effort to deceive is attempted by causing the original sum put in to be lost sight of. The stock it represents has been "watered" many times, and the annual per cent. is often based upon an amount three, four, or five times as large as the amount originally put in, all accumulated out of the earnings of the business. In such cases, instead of getting 6, 8, or 10 per cent. on $100,000 capital actually put into the business, that sum, by the earnings of the business, has since been made to represent three, four, or five times that amount. So that, instead of the annual interest being 6, 8, or 10 per cent. on the capital originally and actually put into the business, it is 30, 40, and 50 per cent. annually, and oftentimes more than that on the whole amount of the capital actually put in.

On the 25th day of July last, Senator MCPHERSON, of New Jersey, stated to the Senate of the United States that factory stock was selling in the State of Rhode Island for $2,050 upon the par value of $100 per share and paying 20 per cent. annual dividends upon that increased amount; that in Massachusetts factory stocks were selling from $2,000 all the way down to $600 per share upon a par value of $100 per share. No one did or could deny these truthful statements. These are some of the fruits of protection.

Let me call attention to some of the trusts that have been formed under the benign influence of a protective tariff and the protection now extended to each class of commodities manufactured by them.

Salt trust, 50 per cent.; earthenware trust, 56 per cent.; Bessemer-steel trust, 84 per cent.; plow-steel trust, 45 per cent.; general steel trust, 45 per cent.; nail trust, 45 per cent.; general iron trust, 45 per cent.; copper trust, 24 per cent.; zinc trust, 52 per cent.; tin trust, 32 per cent.; lead trust, 74 per cent.; glass trust, 55 per cent.; soap trust, 25 per cent.; linseed-oil trust, 54 per cent.; rubber-shoe trust, 25 per cent.; envelope trust, 25 per cent.; paper-bag trust, 35 per cent.; cordage trust, 25 per cent.

These are but a few specimens of the well fed children of the protective tariff.

Let us see whether the protective tariff fairly distributes the wealth of the country among all the people or whether it centers it in the hands of a favored few. The total wealth of the United States, real and personal, in round numbers is $60,000,000,000. How is this vast sum of money and property distributed among the people? During our recollection, as late as 1847, there was but one man in the United States reputed to be worth $5,000,000.

Now, according to a very carefully prepared statement by Thomas G. Shearman, a very careful and accurate gentleman, published in the September number, 1889, of The Forum, of the number of persons in the United States who own more than $5,000,000 of money and property each, there are two hundred persons worth $20,000,000 each, making $4,000,000,000. There are four hundred persons worth $10,000,000 each, making $4,000,000,000. There are one thousand persons worth $5,000,000 each, making $5,000,000,000. There are two thousand persons worth $2,500,000 each, making $5,000,000,000. There are six thousand persons worth $1,000,000 each, making $6,000,000,000. There are fifteen thousand persons worth $500,000 each, making $7,500,000,000, in all making the vast sum of $31,500,000,000 of the wealth of our country owned by less than twenty-five thousand people. We have a population of 65,000,000 of people, and more than

one-half of the entire wealth of our whole country is owned by less than twenty-five thousand of our people. Can the monarchies of the Old World make a greater boast?

Let it not be said that the high protective tariff distributes the wealth, prosperity, and happiness of the country among the larger number of the people. On the contrary, it is a demonstration that it creates classes and delivers into their hands the wealth of the country which rightfully belongs to the masses.

It is claimed by the advocates of this bill, and those who are for high protection generally, that a high protective tariff benefits the farmer in many ways, the most important of which is that it furnishes him a splendid home market in which he can sell his products for highly remunerative prices. The farmer's experience has taught him otherwise. If the statement was that the protective tariff furnishes the manufacturers a splendid home market in which they can sell their products for highly remunerative prices it would be absolutely correct.

According to the census of 1880, all persons engaged in gainful occupations numbered 17,392,099. Of this number 3,837,112 persons were engaged in manufacturing, mechanical, and mining interests. It is safe to say that this number included all persons who were engaged in protected industries of any kind. This would leave the number of persons engaged in occupations and industries not protected by the tariff at 13,554,987.

The large number of persons not engaged in protected industries would be much more likely to afford a market for the small number of persons who are engaged in protected industries than that the small number of persons engaged in protected industries would be able to furnish a market for the large number of persons not engaged in protected industries. It is readily seen that 3,837,112 people having a market of 13,554,987 people to sell their products to would be less likely to have a surplus of products than would 13,754,987 people having but 3,837,112 persons to sell their products to.

But for other and more convincing facts and reasons it is manifest that a protective tariff, no matter how high, will not furnish a home market sufficient to consume all of the products of the unprotected industries, especially those of the farm and field. Agricultural products constitute generally about three-fourths of our annual exports. We send abroad annually about $500,000,000 of the products of the farm and field. This is done after our farmers have supplied the home market. Surely this large amount of agricultural products would not be sent abroad to be sold in the open free-trade markets of the world if they could be marketed at home. This is the surplus that the farm and field produces each year, and it is dependent alone for its disposition upon the foreign markets.

There was imported into the United States during the last fiscal year $745,131,652 of foreign merchandise of all classes. The surplus of five classes of agricultural products alone, to wit, breadstuffs, provisions, raw cotton, unmanufactured tobacco, and live animals paid for $503,049,648 of it, leaving only $242,082,004 to be paid by all our other exports. The farm and field sent abroad last year of breadstuffs and provisions alone the sum of $227,998,505.

The home market will do for the manufacturers, but it will not do for the farmers.

But it is insisted by the advocates of this bill that if it is passed it will check foreign importations of agricultural products and thus save the agricultural market to our farmers. The report of the Committee on Ways and Means of the House of Representatives, speaking upon this point, says:

> The committee have given months of investigation to the existing conditions of agriculture and matters connected therewith. This great industry is foremost in magnitude and importance in our country. Its success and prosperity are vital to the nation. No prosperity is possible to other industries if agriculture languish. In so far as the fostering care of Government can be helpful, it must be faithfully and forcefully exerted to build up and strengthen agriculture.
>
> That there is widespread depression in this industry to-day can not be disputed. Every remedy within the scope of practical legislation known to your committee has been recommended in the proposed measure to meet the urgent requirements of the situation.
>
> The enemies of the protective system have no word of criticism for the real causes of agricultural depression, no suggestion of relief from the real burdens which are weighing it down to-day; but, seizing the present as a favorable time, they solemnly charge that the decline in our market is solely due to the tariff.
>
> They are pleased to ignore the fact that one of the purposes of a protective tariff is to hinder a still larger importation of foreign produce, and thus save the market from still greater depression.
>
> The friends of larger foreign importations feel no apprehension or alarm at the rapidly increasing volume of foreign agricultural produce pouring into our markets. These and all other actual perils they pass by. They are silent to this danger which offers real harm to American agriculture and clamor against its only safeguard and protection.
>
> But your committee, sensible to the importance of this industry, prompted by the single motive to lift it to the highest level of profitable employment, believe that they offer in the bill presented all the relief which tariff legislation can give to it.
>
> A critical examination of the subject will show that agriculture is suffering chiefly from a most damaging foreign competition in our home market. The increase in importations of agricultural products since 1860 has been enormous, mounting from $40,000,000 to more than $356,000,000 in 1889. This is an increase of nearly 900 per cent, while the population increased for the same period less than 300 per cent. During the past ten years this growth in importation has been most rapid and has been marked by a significant and corresponding decline in prices of the home-grown product.
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> * * * * * * *
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> We advance the rates upon the products of the soil which either do supply or can be bought to supply the home consumption. Horses, cattle, hogs, sheep, bacon, barley, beans, pease, beef, mutton, pork, buckwheat, butter, cheese, eggs, hay, hops, milk, poultry, flaxseed, vegetables, potatoes, flax, hemp, hides, wool, tobacco, and many other products are advanced with a view to save this entire market to the American farmer.

The report of the committee, in placing our agricultural imports for the past year at $356,000,000, has evidently taken the statement of Secretary Rusk of the Agricultural Department. But Mr. J. R. Dodge, statistician of that Department, only places them at $239,464,443, and Col. R. P. Porter, Superintendent of the Census, places them at $233,000,000. Which one of these gentlemen is correct, if any, is not known. But placing our agricultural imports at such figures was evidently intended to deceive. In all of these estimates sugar and molasses, rice, tea, and coffee, and many other articles which do not and can not compete with our agricultural products at all, are included. Upon this point I submit, as conclusive as to what the truth is, the following extract from the very able and accurate speech delivered in the Senate on the 28th of July last, by Senator VEST. He said:

> In order, however, to dispose of the fraudulent exhibits made by these gentlemen, so that no one can hereafter give any weight to what they have published, I call attention to Table A, page 110 of the Annual Report of the Treasury Department on Commerce and Navigation for 1889, which gives the total value of articles of food and animals imported during that year as $239,140,245, being 32.10 per cent. of our entire imports. Of this amount sugar, molasses, sugar-candy, and confectionery amounted to $93,334,511; coffee, $74,724,882; tropical fruits, including nuts, $18,746,417; tea, $12,650,640; fish, $4,809,357; spices, $3,157,866; cocoa, $2,142,061; olive oil, $696,065.
>
> It will certainly not be contended that any of these articles compete with the farm products of this country, and if their aggregate amount, $210,315,909, be deducted from the annual imports of articles of food and animals as stated above, namely, $239,140,245, the entire sum of such imports which really compete with the crops of the American farmer is $28,824,336.
>
> So that instead of exaggerating the amount of imports in 1889 competing with those of our farmers $175,000,000, as I have before stated, these official champions of a high tariff have, according to the Government reports, falsely swollen the sum more than $205,000,000!
>
> What must be thought by honest men of a cause which demands such work as this or of public officers who will lend themselves to it?

This bill provides for an increase of the tariff on corn, wheat, potatoes, hay, and many other agricultural products. Upon this point, as on almost every other, it is a fraud, a sham, a cheat, and a disreputable device, intended to deceive and mislead. Upon these false and hypocritical provisions the dishonest teacher in the Republican party will attempt to impose upon the great agricultural and labor interests of the country. But he will not, aided by these provisions of this bill, accomplish his fraudulent and dishonest purpose. When this bill and the methods of its defense by its advocates are truthfully placed before the people, as they surely will be, it will fail, as fail it must, and in its failure it will wreck and ruin its party and its advocates.

Last year we imported 2,401 bushels of corn, worth $1,216, and during the same time we exported thirty thousand times as much. In round numbers we exported during last year 70,000,000 bushels of corn. We exported 312,186 bushels of corn meal and imported 396 bushels. Last year our wheat imports were 130,649 bushels, while our exports of wheat were 46,414,129 bushels. We imported 1,155 barrels and exported 9,374,803 barrels of flour. Rye, exports, 287,252 bushels; imports, 16 bushels. Bacon and hams, exports, 400,224,646 pounds; imports, 272,130 pounds. Beef, mutton, and pork, exports, 286,991,121 pounds; imports, 215,575 pounds. Lard, exports, 318,242,990 pounds; imports 1,073 pounds. Our hay imports were 105,395 tons, but we raised at home over 50,000,000 tons of hay.

So long as our farmers have so great a surplus of their products it will be impossible to protect them in their home market from foreign competition, for they practically have none.

But, if we are to judge the future by the past, the farmer is to have hereafter a greater amount of his productions dependent upon the home market and a less amount of them taken by foreign markets than heretofore. Let a few figures state this proposition.

The Chief of the Bureau of Statistics, in his report for the year ending June 30, 1889, states that the value of our foreign commerce declined steadily, from $1,545,000,000 in 1881 to $1,314,900,000 in 1886. In 1889 it lacked $63,000,000 of being equal to that of the year 1881. And during all of this time we had constantly increasing productions.

The statistics show that in 1881 our exports were $902,000,000, while in 1889 they were but $742,000,000. This shows a decrease in the short period of eight years of $160,000,000. In 1880 we sold to France over 68,000,000 pounds of pork, but last year only 82,000 pounds, or scarcely more than $5,000 worth.

This large falling off of our exports during so short a time is almost exclusively from farm and field products, and is because of the excessive duties imposed by our tariff on foreign importations. And, if this ruinous system of tariff taxation is to continue, the tillers of the soil may well make their calculation now to lose one-third of their foreign exports in every period of seven or eight years.

The same report shows that in 1880 our exports of breadstuffs alone were not far from $288,000,000, while last year they were but $123,000,000, showing a difference in the foreign export of that farm product alone in those two years of $165,000,000.

During this time what were other countries doing? In 1880 Russia exported to the European markets but a little more than 35,000,000 bushels of wheat, while last year she sent to the same markets more

than 126,000,000 bushels. British India during the same period increased her exports in wheat in about the same proportion. The Argentine Republic in 1880 exported to the European markets the insignificant amount of 42,000 bushels of wheat, while last year she sent to the same markets 8,000,000 bushels. Our wheat exports have fallen from 144,000,000 bushels in 1880 to less than 50,000,000 last year. In 1880 we furnished nearly 70 per cent. of all the foreign wheat sold in European markets, while last year we furnished scarcely 22 per cent. of it. This is the way and manner in which the high protective tariff has benefited the farmers, and it is the manner in which it will continue to benefit them.

This unconscionable, ruinous, and criminal protective tariff, the petted child of the Republican party, has compelled the great countries in Europe who do not raise wheat, and who formerly took our surplus, to now draw largely for their supply of that article from the cheap-labor countries of Russia and British India. The Republican policy of protection has had much to do in compelling foreign countries, who were formerly the best purchasers of our surplus agricultural products, to develop cheap-labor countries and take their inferior agricultural products in preference to ours, which are known throughout the civilized world to be of the best quality.

This miserable pretense of increasing tariff duties on agricultural products for the benefit of the farmers is only in the vain hope of keeping from their sight the dreadful fact that for every dollar they have paid into the public Treasury for revenue they have by tariff compulsion paid into the pockets of protected cormorants from three and a half to four and a half dollars of bonus, wrung from them by the unjust, wrongful, and unequal tariff which is the pride and the glory of the Republican party.

During the last ten years the net profits of manufacturing establishments, railroad companies, insurance companies, national banks, and telegraph companies have been nearly $15,000,000,000.

From whom and from what industries has this vast sum of money been drawn?

According to our last published census, namely, that of 1880, the total value of our imports of all kinds for the year 1882 was $433,173,335.

The duty upon them received by the United States was $194,464,758. The value of our home products for the same year was $2,440,502,649. The increased cost of these articles to American consumers, because of the tariff, was $556,938,637.

These estimates and figures are taken from the last published census, that of 1880, and are based on the rates of duty imposed by the last tariff act, that of March 3, 1883, and the estimated price for which our manufactured articles were sold to home consumers is put upon the basis that they were sold 25 per cent. less than the tariff of 1883 increased their price. This surely is a safe basis of calculation for the owners of the protected industries.

During the ten succeeding years the United States would get as revenue on imports ten times as much, namely, $1,944,647,580, and during the same period the home manufacturers would get on the same class of articles manufactured by them a bonus of $5,569,386,370 by reason of the tariff enabling them to advance the price that much above the entire cost of production of every kind. Bear in mind that this calculation is based upon the assumption that they did not advance the price within 25 per cent. of that permitted by the tariff. If they advanced the price to the tariff limit of course they got more than $1,000,000,000.

But it has been and to some extent it is still claimed that this tariff was necessarily imposed, and is now being maintained, so that the manufacturers can give high wages to the workingmen, thereby enabling them to accumulate property, live comfortably, and not be brought into competition with the cheap labor of other countries, and that in point of fact this largely increased price of the product over the ordinary cost of production is due entirely to the American labor account and that labor receives the entire tariff increase. Let us see. By the last published census the whole number of men and women, boys and girls, counting boys under sixteen years of age and girls under 15 years of age as one-half a hand, employed in our manufacturing industries was 1,327,881 and the wages they received per annum was $463,606,049, scarcely averaging to each person employed, including high-salaried officers, $1.12½ per day.

But take the entire labor-cost per annum of $463,606,049 that manufacturers pay for labor from the yearly increase of prices for their products of $556,938,637, which the tariff has enabled them to impose upon American consumers, and it is found that each year they receive $93,332,588 more than the entire labor-cost of that year of their $2,440,502,649 of productions. During the last ten years the tariff has paid the manufacturers their entire labor account, it has reimbursed them for every dollar they have paid out for wages and labor of every kind, and has given them $933,325,880 besides.

If the tariff is for the great and exclusive benefit of the men and women and boys and girls who work in protected industries, why has not the tariff given this vast sum of money to them, instead of having enabled the owners of the enterprises in which these laboring people earned it to keep it themselves, without having given one farthing in remuneration for it?

Bear in mind that my last statement of what the manufacturers' enormous profits during the last ten years was, is on their labor account alone, their entire profits during that period, as I have already stated, being $5,556,386,370. It is safe to say that the basis upon which these calculations are made will hold good for the purpose of estimating the profits which have accrued to the owners of American manufacturing industries for the last twenty years; and, if so, we find that during that period they have received as profits exclusively more than $11,000,000,000.

From whom have these vast profits been derived and what industries, if any, have suffered because of them?

According to the last published census there were in the United States 17,392,099 persons having occupations of some kind. All of those persons engaged in manufacturing, mechanical, and mining industries were 3,837,112, or about 21 per cent., and these are all of the persons who are engaged in enterprises that receive protection from the protective-tariff laws. The remainder of our population who are engaged in occupations, including 7,670,493 persons who are employed in agriculture and a large number who are engaged in trade and transportation and professional life, are not recipients of favors bestowed by the protective-tariff system.

It can not be shown, no attempt has been made to show, that any or all of the industries that are not the recipients of protected-tariff favors have made or are making anything like the enormous profits that it must be admitted the protected industries have made and are making. Hence it must follow that the protected industries draw their support from those that are not protected.

But an answer to this may be attempted by saying that in turn the unprotected industries draw their support from the protected ones. But such an answer, if attempted, would not hold good, because it is impossible for the small number of persons engaged in protected industries to maintain the large number of persons who are engaged in other occupations.

The present deplorable condition of agriculture, labor, trade, and all occupations and business other than those protected by the iniquitous and criminal protective tariff, too plainly show that the protected industries are feeding and fattening off of those that are not protected. The continued increase in value of all investments in protected industries and the continuing decrease in value of property, labor, and all else that is invested in industries which are not protected by the high-tariff laws too plainly affirm the truth of the proposition that a protective tariff is the destroyer of all save those who are its immediate beneficiaries to admit of doubt.

Alex. J. Wedderburn gave testimony before the Ways and Means Committee of the House of Representatives while that committee was considering this bill. From information, facts, and figures furnished him on the 25th of January last by Hon. J. R. Dodge, statistician of the Department of Agriculture, he conclusively showed that during the last ten years in the six New England States, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, and the States of New York, New Jersey, and Pennsylvania, States in which the great protected industries are located, agricultural lands, farms, houses, and homes, and the product of agriculture, had all steadily declined from year to year; that the average price of agricultural lands in these States in 1870 was $50.35 per acre, while in 1880 it was but $41.24 per acre; that in 1870 these States had 62,744,384 acres of agricultural lands, suitable for cultivation, of the value of $3,159,030,197; that in 1880 these same States had 67,985,640 acres of agricultural lands suitable for cultivation; that is, these States had in 1880 of agricultural lands 5,241,256 more acres than they had in 1870. But these lands were in 1880 worth only $2,803,443,402, notwithstanding the large increase of acreage. From 1870 to 1880 the farmers of these States had increased their farming lands 5,241,256 acres; but in the total value of all their lands, including this increase of acreage, they lost during that period the sum of $355,586,795. The decline in these lands has been constantly going on from 1880 to the present time.

Mr. Wedderburn also shows with equal accuracy that, with this large increase of acreage in these States of agricultural lands, there was from 1870 to 1888, inclusive, an annual decrease in the value of the agricultural products raised upon them; that in 1870 the value of the crops raised was $869,793,467, while the value of those raised in 1888 upon these same lands, and more than 5,000,000 acres more, was but $693,917,636, making a difference in the value of the crops raised in 1870 and those raised in 1888 of $175,876,104 against the farmers.

What the loss is in value of crops for each year during the period from 1870 to 1888 is not given; but it is safe to say that the loss to the agricultural interests of these States during the period mentioned, namely, the loss in the value of lands and the loss in the value of crops from year to year raised on them, is not less than $1,000,000,000, probably more. This loss occurred in these nine Eastern agricultural States, the most of them being Republican in politics and States in which the majority of the great protected industries of the country reside, flourish, and grow fat as well as insolent and intolerant.

These agricultural lands were in close proximity to great protected industries. Surely if a protective tariff, through the agency of great manufacturing industries which it builds up, is to lend a helping hand

to agriculture it would have done so to these lands, its nearest and most convenient neighbors.

But these nine States are not more than one-fourth in number of the agricultural States of the Union, and many of them are small. They but faintly represent the great agricultural interests and enterprises of their sister States of the great Mississippi Valley and the boundless West. If these Eastern States, living in the very market-places of the great, never-failing, and all-enduring home market which it is claimed by the advocates of this bill that protection will surely afford, have suffered in loss and damage to agriculture, as I have shown, who can estimate, who can compare, who can comprehend, who can imagine the incomparable and incomprehensible loss that agriculture has sustained in the great Northwest and in the Mississippi Valley?

The agricultural people throughout the whole Union have seen their labor go unpaid, their lands, homes, and property depreciate in value; they have seen the products of their labor, farms, and fields hawked about in the market-places at home and abroad and finally sold at the lowest possible prices. They are conscious that they are compelled to buy the necessaries of life in the highest possible protected market and pay whatever prices for them the protective industries demand, while the fruits of their own labor are aimlessly drifting about in the wide open market of free trade and finally sold for whatever price the autocrat of protection is willing to pay.

The dreadful, distressful, and deplorable condition of agriculture and labor everywhere makes it a demonstration that, under the accursed power and influence of protective-tariff legislation, the enormous gains, revenues, proceeds, and incomes which the protected industries are daily accumulating are being not only cruelly but dishonestly wrung from those occupations and enterprises which are the basis of civilized life, labor and agriculture.

Although the passage of this bill, entailing, as it will, its many wrongs and injuries upon the country, is a foregone conclusion, the people who will be its greatest sufferers are not without hope. They take great encouragement from the fact that during its pendency in Congress the chief advocates of a high protective tariff have been forced to admit that an exclusive home market is not sufficient for the best interests of the many great occupations and industries which are not the beneficiaries of protective-tariff laws.

On the 14th day of July last, Secretary Blaine, the great leader of his party and its greatest protection advocate, writing to his close and intimate personal and political friend, Senator FRYE, in reference to this bill, said:

> But there is not a section or a line in the entire bill that will open a market or another bushel of wheat or another barrel of pork.
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> * * * * * * *
>
> Our foreign market for breadstuffs grows narrower. Great Britain is exerting every nerve to secure her bread supply from India, and the rapid expansion of the wheat area in Russia gives us a powerful competition in the markets of Europe.
>
> It becomes us, therefore, to use every opportunity for the extension of our market on both of the American continents.

No words can be plainer than these are, that the great agricultural interests of our country demand that the European markets shall be open to them. But if it were possible, by the use of language, to make this proposition plainer, Secretary Blaine did so in his speech delivered at Waterville, Me., on the 29th day of last month. He said:

> I wish to declare the opinion that the United States has reached a point where one of her highest duties is to enlarge the area of her foreign trade. Under the beneficent policy of protection we have developed a volume of manufactures which, in many departments, is over the demands of the home market. In the field of agriculture, with the immense propulsion given to it by agricultural implements, we can do far more than produce breadstuffs and provisions for our own people; nor would it be an ambitious destiny for so great a country as ours to manufacture only what we can consume or to produce only what we can eat. We are already, in many fabrics and in many products, far beyond that, and our great demand is expansion.
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> * * * * * * *
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> As I have already intimated, I am here to speak of the expansion of our foreign trade.
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> * * * * * * *
>
> By no figure of speech can we flatter ourselves into the belief that our trade with our American neighbors is in a prosperous condition.

Here is the broad declaration made that "the expansion of our foreign trade" is needed. The Democratic party, as well as all other advocates of tariff reform, so declare. But is this effort, if it be an effort, of Secretary Blaine and his associates in the leadership of the Republican party an honest one to expand our foreign trade or is it merely a device, a scheme by which the attention of the country is to be drawn away from a consideration of this bill?

Is it a frank, fair, and open effort to devise some just plan by which relief can be brought to our many suffering non-protected industries or is it a covering to be cast over this bill to hide its shame and disgrace from the public eye? Secretary Blaine, in his speech referred to, very nearly, if not completely, answers this question.

He said:

> What I mean to speak of briefly is a system of reciprocity—not in conflict with a protective tariff, but supplementary thereto—presenting a field of enterprise that will richly repay the effort and energy of the American people.

Secretary Blaine says that our foreign trade is to be expanded by reciprocity. Reciprocity means mutual action and reaction; such reciprocal rights, advantages, or obligations. When applied to business or trade between different powers or countries, it means that there shall be a mutual agreement and consent to the same by such powers or countries. Mutuality is the basis on which reciprocity rests. There can be no profitable interchange of commodities by two or more countries unless there is the mutual consent of each country to the same.

Secretary Blaine says that this reciprocity must not be in conflict with a protective tariff, but supplementary thereto. Why is reciprocity needed, if needed at all? It is because our high protective tariff for the last twenty-five years has destroyed the good and profitable trade relations that we formerly had with foreign countries. This being so, can it be supposed that we can restore profitable foreign trade relations by reciprocity or otherwise so long as we maintain a high protective tariff?

In answer to Secretary Blaine's declaration that reciprocity must not conflict with our protective tariff, but be supplementary thereto, Senator VOORHEES well and beautifully said:

> As well might he have announced that he was in favor of such a system of summer rains as would nourish the parched and burning fields of the husbandman, but at the same time not be in conflict with an absolutely clear, cloudless, and scorching sky overhead. The principles of reciprocity and the principles of a protective tariff can no more go together in harmony, and are no more of kin, than the sublime truths of the Declaration of American Independence and the dark edicts of Russian despotism.

But Secretary Blaine has forced his reciprocity idea upon his associates, and what is it? Within a few days of his Waterville speech Senator ALDRICH reported from the Senate Finance Committee an amendment to this bill, which the Senate afterward adopted. Here it is:

> That the exemptions from duty of sugar, molasses, coffee, tea, and hides, provided for in this act, are made with a view to secure reciprocal trade with countries producing these articles; and for this purpose, on and after the 1st day of July, 1891, whenever and so often as the President shall be satisfied that the Government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States, which in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides, the product of or exported from such designated country.

It is seen that this amendment only applies to such countries as have sugar, molasses, coffee, tea, and raw and uncured hides for sale to us. It applies to no other country whatever. And in consideration that we receive such articles, or any one of them, free of duty, that the country or countries from which we so receive them shall receive all our agricultural or other products without the imposition of duties or other exactions upon them. That perhaps would do very well if we could enforce it regardless of the wishes of countries exporting these articles, or any one of them, with which we desire to deal. But is it to be supposed that any country, having a variety of exports, will buy our agricultural and other products, and admit them to its ports free of duty, because we merely allow these articles of sugar, molasses, coffee, tea, and raw hides or any one of them to enter our ports free of duty, while we exact a duty upon everything else it brings or offers to bring to us?

It is evident that this scheme of partial reciprocity is intended to apply solely to those countries having no exports other than these mentioned or some of them. We all very well know that such countries are not, and never have been, the best purchasers of our agricultural products. Many of them raise agricultural products quite extensively and others are so connected with countries other than ours that they purchase such supplies quite extensively from them.

If this scheme, when adopted, as it will be, extends our foreign trade at all, it will not extend it in the interest of agriculture to any material extent. I fear that the underlying motive for it is to further advance the interests of protection. If we are to have reciprocity, why not have it on a broader scale? Why not, at least, extend it to France and Germany, who would furnish a market for the farmers of the West for at least $250,000,000 worth a year of our pork, wheat, flour, corn, and other agricultural productions?

But the proposition contained in the Senate committee amendment conferring on the President the exercise of power belonging exclusively to Congress is radically wrong. The Constitution provides that all legislative powers shall be vested in Congress, consisting of the Senate and the House of Representatives; that bills for raising revenue shall originate in the House of Representatives, but that the Senate may propose or concur in amendments; that Congress shall have power to lay and collect taxes, duties, imposts, and excises. Congress must exercise these powers. It can not rightfully confer the exercise of any of them upon any other department of the Government.

This amendment proposes to leave it to the President alone to say whether foreign countries are or are not imposing duties or exactions upon our exports, and when we will and when we will not lay and collect taxes, duties, imposts, and excises upon sugar, molasses, coffee, tea, and raw hides, or any of them. These powers belong exclusively to Congress. Congress has no authority to impose any of them on the President, and it would be unwise to do so if Congress had that authority.

If we are to have reciprocity let it be broader and more liberal than the plan proposed, and let it be plainly provided for by a law of Congress which is self-executing, not one depending for its enforcement upon the opinion of the President.

Sir, the people of this country well know that it is not necessary to be driven to accept either partial or complete reciprocity to relieve them from the great distress and pall of gloom which now overhangs them. The evils of high protective-tariff laws can be escaped from without resorting to experiment. The people know that complete and unlimited reciprocity is free trade, and that they do not desire. They know that partial reciprocity in the plan proposed will not reduce tariff taxation on the necessaries of life and will not cheapen the cost of living to them. They know the remedy, and they in their own good time will have it. They know that a reduction of the tariff to a revenue standard, an economic conduct of Government, the laying of the lowest duties on articles of necessity, and putting many of them on the free-list, and the laying of the highest duties on articles of luxury will bring them that substantial relief so much needed.

For the success of these and kindred measures the Democratic party, aided by good men everywhere, will contend until the last vestige of the robber tariff is gone, until the exercise of the taxing power on the broad basis of equality and justice is an assured fact, until the righteous doctrine of tariff reform, equal and exact justice for all and exclusive privileges to none, is so firmly embedded in the management of our public affairs that nothing can eradicate it.

The Tariff.

SPEECH

OF

HON. GEORGE W. ATKINSON,

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 21, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. ATKINSON, of West Virginia, said:

Mr. SPEAKER: I hold in my hand a paper on the constitutional basis of a tariff for protection, which portrays the practical effects of such a tariff in the development of the country's resources, and especially of Southern industries, under the stimulating influence of protective duties. I consider this paper a noteworthy contribution to the discussion of the subject from a liberal-minded Democrat of Southern birth and of Virginia lineage. It is a dignified, thoughtful, and instructive discussion of a subject in which farmers, mechanics, manufacturers, producers, and consumers are alike deeply concerned.

The writer of the article, Mr. George Baber, a Kentucky Democrat, has the courage of his convictions, and represents the progressive element of the Democratic party in the South. The paper should be read and dispassionately considered by Democrats throughout the South and West, where misrepresentations of the protective system are so studiously made in subserviency to reckless party aims.

The title of the paper is

PROTECTIVE DUTIES VS. TAXES.

Mr. Speaker, I ask permission to have the article referred to printed in the RECORD. It is as follows:

This paper is designed to show that a protective tariff is a constitutional policy, a part of the original purpose of the Government, and a wise measure of economy—important to the whole country, but vitally so to the Southern States of the Union; and that, properly construed, it is no part of the system of taxation for which the fundamental law provides.

I.—THE CONSTITUTIONAL BASIS OF PROTECTION.

The advocates of free trade and the opponents of protective duties allege that the tariff is solely a tax—a tax which, to the full amount of the duty laid on importations, increases the cost of such commodities to American purchasers, and, to that extent, creates a burden that is mainly, if not exclusively, borne by the consumers. This assertion was distinctly made by President Cleveland in his annual message of December, 1887, when he employed the following terms:

"But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that, while comparatively few use the imported articles, millions of our people, who never use and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles."

This quotation from Mr. Cleveland, whose authority is accorded the highest credit among the enemies of protection, contains the sum and substance of the free-trade theory. It is accepted by the advocates of that theory as a clear and accurate statement of their views. It is a primer of elementary free-trade principles, and as such will be examined in the light of the Constitution and of the actual results of the protective system. It is believed that the theory is inconsistent with sound political economy, unsupported by practical experience, and at variance with the fundamental law. So far from being solely a tax, or a burden, the tariff is neither. It creates a home market, and to that extent becomes a safeguard to the people against oppressive charges for the comforts of life, in fact, an indirect but positive measure of relief to consumers of both domestic and imported commodities, inasmuch as it multiplies and diversifies domestic industries, engenders competition among producers, and cheapens prices to purchasers, while furnishing opportunity to capital and employment to labor.

The origin of the protective system is contemporaneous with the Government, and may be easily traced. The eighth section of the first article of the Constitution, on which all tariff legislation rests, declares that "Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States." This section narrates the several things which Congress may do in framing a tariff. It discloses the discrimination which the Constitution establishes between taxes on one side, and on the other the duties, imposts, and excises that may be laid and collected by Congressional authority.

Appealing to popular prejudice against taxation, the free-traders habitually construe the words "taxes, duties, imposts, and excises" as synonymous terms, this construction being essential to their theory; but it is believed that such construction is not sustained by any fair rule of interpretation. Taxes, duties, imposts, and excises are not employed in the Constitution as synonymous words, else they would present a tautological and meaningless array of terms by no means characteristic of the learned framers of the Constitution; but the very order in which they appear is such as to indicate distinctive meanings as well as the various objects to which they relate.

The duties, imposts, and excises which Congress may lay and collect are not taxes in the accepted use of the term, nor are they levied as such upon individuals. The taxes, however, which Congress may lay and collect, being apportioned among the several States on the basis of population, are levied upon individuals. They are laid upon neither foreign manufacturers nor importers of foreign goods, nor upon property of any kind anywhere, but pro rata upon citizens of the United States. They can not be laid upon citizens of a foreign land, inasmuch as such persons being beyond the territorial limits of this country, the Federal Government possesses neither the right nor the power to collect taxes from them.

While, then, the taxes which Congress may lay and collect are assessed upon only the citizens of the United States, the duties and imposts for which provision is made are to be differently laid and otherwise procured. They are to be laid with uniformity, throughout the United States, upon foreign importations. Duties and imposts, therefore, are not taxes within the meaning of the Constitution. They are not laid upon the people. They constitute, in fact, only a commercial license collected from foreigners, which leaves the whole field absolutely free to our own citizens, but the payment of which, at ports of entry, must precede the introduction of certain foreign commodities or manufactures into American markets—upon the principle that all goods imported into the country for sale ought to bear their proportion of the revenue necessary to support the Government. They are intended to equalize two unequal, conflicting and competing conditions having reference to the comparative costs of similar productions in American and in foreign markets. They are designed to cover the difference between these two conditions, maintaining a system of living wages and thereby insuring a fair advantage to the products of American labor.

As was said by the late Samuel J. Randall, in Congress, May 18, 1888, "If a tariff does not in itself give higher wages to labor, it does preserve from destructive competition a system in which labor can and does receive better wages, or a larger share of the fruit of its own toil, than in any other system. No two industrial systems, side by side, with labor in one receiving double the wages of labor in the other, could long exist under free trade between them." Therefore, duties and imposts are laid in conformity with certain percentages enumerated in tariff schedules, based upon original costs of the imported commodities at the places of manufacture, the percentages indicating the difference between wages in America and abroad in the production of the same articles, and being practically the charges for the admission of such commodities into this market—said charges being proportioned to the ability of the commodities to afford revenue and in the ratio of their costs to the foreign manufacturer.

Duties are graded with reference to certain classifications relating at once to the value and to the character of the importations upon which they are laid, and showing the importance of this market to the importer. Imposts, whether laid with regard to any particular classification, and whether pertaining to the separate valuation or cost of commodities at places of export, or to the quality of the commodities themselves, or with regard to quantity and to weight, are, like duties, always levied with reference to relative costs of production and with a view to protecting the American market against unequal competition from abroad.

II.—MEANING AND PURPOSE OF CONSTITUTIONAL TAXES.

The taxes which Congress may lay and collect are inland taxes. Being apportioned among the several States on the basis of population, they are head taxes and can not be modified here and there, as occasion may require, to remove incidental oppression, as may be done in reference to tariff duties, by either so increasing or reducing the schedules thereof as to insure a judicious use of the constitutional power to regulate commerce with foreign nations. The taxes, when laid, must remain as unchangeable rates everywhere, and proportionately oppressive, whether higher or lower.

The excises named in the Constitution were also intended to act as inland taxes, relating to business pursuits, especially to the manufacture and sale of tobacco and of alcoholic liquors. They are a species of taxation seldom laid, and never except for purely revenue purposes, such as necessitated, in 1791, the internal-revenue system which was repealed in 1802 at the instance of President Jefferson, which was restored during the war of 1812-'15, and which, being again revived for war purposes between 1861-'65, has been fitly called a war tax.

As already indicated, the taxes on one hand and on the other, the duties, imposts, and excises which Congress in its discretion may lay and collect, differ in respect to uniformity. Unlike duties, imposts, and excises, the taxes authorized by the eighth section of the Constitution need not be uniform as regards ability to bear them, nor can they be, inasmuch as they are apportioned upon the basis of population, irrespective of the ability to pay. It is apparent, therefore, that taxes are not synonymous with duties, imposts, and excises. The constitutional discrimination between these significant terms is too obvious to be ignored. It arises from the fact that duties and imposts are external taxes, relating solely to imported commodities and not intended to be levied upon the people.

But the taxes named in the Constitution, being levied on the people or apportioned on the basis of population, are used in contradistinction to revenue derived from importations. It was never intended that customs officers should collect taxes from any portion of the American people. It was the fundamental error inculcated on this point by Mr. Calhoun, Mr. McDuffie, and Mr. Hayne, in opposition to the views of Mr. Lowndes, of the same State, that led the masses of South Carolina into the acts of nullification, whereby, in 1832-'33, they endeavored to thwart the tariff law of 1828—acts of nullification that in-

voked the proclamation of President Jackson against the free-trade rebellion of that day.

The South Carolinians, imbued with the theory of free trade, erroneously declared that duties upon importations were unconstitutional and unjust taxes upon themselves. Being an exclusively agricultural community, without facilities for manufacturing, or even a desire to procure them—maintaining a system of labor based upon slavery instead of wages, and with which manufacturing was incompatible—the people held, with Adam Smith, Richard, Ricardo, and other European philosophers of the mercantile school, that "America should become a great and sole producer of agricultural products;" and hence they believed it was their interest to exchange the surplus of their single industry for low-priced foreign goods; cheap in cost of production abroad, admitted here free of duty, and without competition or rivalry in the home market. They believed they could thus buy cheaper than they could make. They knew nothing, in fact, of the possibilities of that home market which, under the nurturing influences of the tariff, caused our forges and factories, in 1889-'90, to produce $4,000,000,000 worth of manufactured merchandise, all of which found purchasers and consumers in the United States, excepting about $200,000,000 worth, which was exported to foreign markets. Having no manufactures of their own, and being averse to educated and skilled labor, they could see no virtue in the tariff. Deluded by the theory of free trade, they regarded all duties as so much added to the price of imported manufactures, and therefore an unnecessary burden; in fact, an obstruction to commerce, and a tax to be resisted by South Carolina.

But imposts and duties had then, as now, a radically different purpose from that which the South Carolina nullifiers ascribed to them, and which, with equal error, was imputed to them by President Cleveland in his message of December, 1887, when, in terms almost identical with those used by the nullifiers, he held that "our present tariff laws are the vicious, inequitable, and illogical source of unnecessary taxation," the "primary effect of which," as contended by him, "is to raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties."

But imposts and duties are not taxes levied upon the people; and as shown every day by the prevailing prices in American markets for the necessaries of life, whether of foreign or of domestic production, imposts and duties do not "raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties," it being universally true that, as a result of the protective system, "when a domestic manufacture has attained perfection or has been established, and has engaged in the prosecution of it a competent number of persons, the marketable product invariably becomes cheaper to the consumer than the foreign article for which it is a substitute," and with which it is thrown into competition.

The reason of this is that the internal or domestic competition which arises from the multiplication of rival industries in the production of the same article, under the protective system, inevitably averts every thing like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital invested. This fact has been abundantly illustrated, inasmuch as under the auspices of the protected policy there have been developed, and there now exist in the United States, at least 300,000 manufacturing establishments as legitimate competitors in our own home market—a fact that disproves the whole free-trade theory on the subject. As said by a distinguished Democratic statesman, the late President Buchanan:

"This is the true American system. It protects all interests; it abandons none; it never arrays one against the other."

Imposts and duties contain, therefore, no element of taxation in the constitutional meaning of the term. The objects on which they are placed and the uniformity with which they are laid are such that they neither operate as taxes nor beget oppression. They operate evenly and equally upon all the imported commodities that are affected by them, and likewise upon all purchasers of such commodities, whether the purchasers be rich or poor. They operate equally because laid uniformly as parts of a system that must, in itself, be uniform and applicable alike to all custom-house regulations.

While this is true of duties and imposts, the taxes laid within the discretion of Congress may be grossly unequal, because governed by no such rule of uniformity. In the apportionment of taxation among the States objects are not taxed in accordance with any schedule of percentages based upon cost of production, but individuals are taxed, and that, too, without reference to their ability to pay.

These definitions are not merely theoretical. They are substantial. They rest upon business principles, involving essential distinctions in political economy as affected by legislation. They mark the difference between the conflicting policies of free trade and protection, demonstrating that, in the proper use of terms and as exemplified in the experience of mankind, the imposts or the duties laid upon commodities that come in competition with similar articles of American production constitute neither a tax nor a burden upon consumers.

The framers of the Constitution, when conferring upon Congress an unlimited power to lay duties and imposts, did not intend thereby to make provision for a system of taxation upon the American people. Such a purpose was foreign to their plans, duties and imposts being no part of the taxing system devised by the framers. On the contrary, they are a wise provision for raising necessary revenue from external sources, for encouraging American labor, and, therefore, a potent means for developing, diversifying, and preserving American industries, whereby the independence of the nation is maintained and its constant growth insured. This conclusion, based upon indisputable facts, destroys the rule of synonyms as applied by free-traders in construing the eighth section of the Constitution, points out a flagrant perversion of terms, and effectually exposes a fundamental fallacy of free trade.

III.—VIEWS OF THE EARLIER STATESMEN.

The power to "regulate commerce with foreign nations" by levying duties and imposts was lodged in the respective States under the old Articles of Confederation, but experience proved it to be unsusceptible of effective use. When, therefore, the Federal Constitution was framed, the delegation of this power to the General Government became, with the concurrence of all the States, a conspicuous feature of that instrument; and the history of the time, no less than the opinions frequently uttered by the statesmen of that day, may be quoted to show that the power thus delegated was intended to be applied not for purposes of revenue only, but also for the protection and encouragement of domestic industries in competition with the cheaper products of foreign labor.

The annals of the period abound with events that illustrate the transition from the old to the new system of government. For instance, among the first petitions laid before Congress in 1789 was that signed at Baltimore, Md., by a large body of tradesmen and mechanics, who, in view of the embarrassed condition of the manufacturing interests, and in view also of the lack of adequate legislation by the States under the old régime, said:

"The happy period having now arrived when the United States are placed in a new situation, when the adoption of the General Government gives one sovereign Legislature the sole and exclusive power of laying duties upon imports, your petitioners rejoice at the prospect this affords them that America, freed from the commercial shackles which have so long bound her, will see and pursue her true interest, becoming independent in fact as well as in name; and they confidently hope that the encouragement and protection of American manufactures will claim the earliest attention of the supreme Legislature of the nation, as it is a universally acknowledged truth that the United States contain within their limits resources amply sufficient to enable them to become a great manufacturing company, and only want the patriotism and support of a wise and energetic government."

In pursuance of these considerations the Baltimore petitioners besought Congress to "impose on all foreign articles which can be made in America such duties as will give a just and decided preference to their labors, and thereby discountenance the trade which tends so materially to injure them and impoverish their country," thus asserting the protective principle with clearness and force. Petitions similar in purpose and in expression to this one were addressed to Congress by mechanics, tradesmen, agriculturists, and manufacturers of Massachusetts, of Georgia, and of New York, and, in compliance with them, the First Congress enacted July 4, 1789, a law for laying duties on goods, wares, and merchandise imported into the United States, the preamble of which was in the following words, namely:

"Whereas it is necessary for the support of the Government, the discharge of the debts of the United States, and the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported."

Mr. Madison, who was recognized at the beginning of the Government, as ever thereafter, as the highest authority upon all constitutional questions, supported with zeal in the Congress of 1789 this first enactment for the "encouragement and protection of manufactures," and while the measure was under consideration he addressed that body in the following terms:

"The States that are most advanced in population and ripe for manufactures ought to have their particular interests attended to in some degree. While the States retained the power of making regulations of trade, they had the power to protect and cherish such institutions. By adopting the present Constitution they have thrown the exercise of this power into other hands. They must have done this with an expectation that these interests would not be neglected here."

This utterance was an unequivocal expression of opinion that, under the new Constitution, Congress possessed the power, and was in duty bound to exercise it, to levy duties and imposts not for revenue only, but likewise for the encouragement and protection of American industries in contradistinction to the products of foreign labor. Mr. Madison held it to be the duty of Congress to lay on such industries the "fostering hand of the Government." While this authoritative expounder of the Constitution was President he sent to Congress, soon after the war of 1812-1815, a special message in which, referring to the results of that struggle and to the legislative needs of the country, he said:

"But there is no subject that can enter with greater force and merit into the deliberations of Congress than the consideration of the means to preserve and promote the manufactures which have sprung into existence and attained an unparalleled maturity throughout the United States during the period of the European wars. This source of national independence and wealth I anxiously recommend, therefore, to the prompt and constant guardianship of Congress."

Years after his retirement from the Presidency, when, in 1828, the constitutionality of protective duties was questioned by a few gentlemen who antagonized the tariff of both the years 1824 and 1828, Mr. Madison again expressed his views in emphatic terms on the subject, using, in a letter addressed to his distinguished friend, Joseph C. Cabell, of Virginia, the following language:

"A further evidence of the constitutional power of Congress to protect and foster manufactures by regulations of trade—an evidence that ought to settle the question—is the uniform and practical sanction given to that power for near forty years."

This significant expression from Mr. Madison was in keeping with the views of all of his great contemporaries, being strikingly harmonious with the declarations which had been made by the illustrious statesman and financier, Andrew J. Dallas, who, when Secretary of the Treasury of the United States, had repeatedly offered in his official papers conclusive reasons in favor of a tariff for protection. In one of those papers Mr. Dallas said:

"There are few, if any, governments which do not regard the establishment of domestic manufactures as a chief object of public policy. The United States have always so regarded it. In the earliest acts of Congress which were passed after the adoption of the present Constitution the obligation of providing by duties on imports for the discharge of the public debts is expressly connected with the policy of encouraging and protecting manufactures."

In the same paper from which the foregoing quotation is made, evidently aiming to render more clear the reasons for encouraging and protecting manufactures by duties on imports, and thereby show their essential relation to all other industrial interests, Mr. Dallas said:

"The interests of agriculture require a free and constant access to a market for its surplus and a ready supply of all the articles of use and consumption on reasonable terms; but the national interest may require the establishment of a domestic in preference to a foreign market, and the employment of domestic in preference to foreign labor in furnishing the necessary supplies."

A more distinct assertion of the power of Congress to lay duties for the purposes of protection could not have been made by Mr. Dallas. So well understood and so fully accepted were similar views of constitutional power, repeatedly uttered by Mr. Madison, Mr. Jefferson, Mr. Dallas, Mr. Monroe, and their contemporaries, during the forty years which succeeded the First Congress, that President Jackson, in addition to his open advocacy of the protective tariffs of 1824 and 1828, assumed that the correctness of those views was established beyond dispute; and he referred to the constitutional power and duty of Congress to establish a tariff for protection in the following words, which are quoted from his famous annual message of December, 1830:

"The power to impose duties on imports originally belonged to the States. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely identical with that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government without limitation or restriction, saving the very inconsiderable reservation relating to the inspection laws.

"This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them (the States), and consequently, if it be not possessed by the General Government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industries and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case; this indispensable power, thus surrendered by the States, must be within the scope of the authority on the subject expressly delegated to Congress."

These expressions from President Jackson are clear and convincing. They appear in marked contrast to the utterances on the same subject that have come from Mr. Cleveland, from Mr. CARLISLE, from Mr. MILLS, and from Henry George, the free-trade leaders of to-day, whose theories are the same as those which inspired South Carolina's ordinance of nullification in 1832-'33, and which were formulated in the first article and eighth section of the Confederate constitution of 1861, wherein, after defining the authority of the Confederate congress over foreign commerce, there appears the following inhibition:

"Nor shall any duties or taxes on importations from foreign nations be laid to promote or to foster any branch of industry."

The inhibition thus expressly laid upon the Confederate congress is identical with that which the exponents of a tariff for revenue only, or of free trade, are now endeavoring by an illogical construction of the Federal Constitution to lay upon the Congress of the United States, a construction which was distinctly

condemned by the founders of the Government, a construction against which the Democrats who are consistent followers of Jefferson and Madison, of Dallas and Jackson, most earnestly protest, and to which the American people can never submit except at the expense of the country's prosperity and power.

IV.—SOME RESULTS OF THE PROTECTIVE POLICY.

And now the questions arise: Has the protective system been productive of beneficial results during the century that has elapsed since the establishment of it by the Congress of 1789? And has it become so interwoven with the common weal as to be an essential part of the American policy of government? Or have the results of protection verified the predictions of its enemies? The constitutionality of the system has been affirmed by Washington, by Madison, by Hamilton, by Jefferson, by Lowndes, by Monroe, by Jackson, by Richard M. Johnson, by Felix Grundy, by Martin Van Buren, by James Buchanan, and by Samuel J. Randall; nor can it be fairly questioned, in view of their frequent expressions of opinion and of the plain provisions of the Constitution itself. The only remaining problem to be considered relates to the wisdom or to the expediency of the system as illustrated during the present century; and in determining this question the results of the system furnish the surest test of its value.

The growth of American industries since 1789, when the first tariff was enacted by the American Congress for the "encouragement and protection" of American manufactures, has been simply marvelous, and that growth, as the free-traders themselves admit, has been chiefly due to the protective system; but meantime there has been no legalized nor even visible oppression inflicted under its auspices with a view to either the upbuilding or the enrichment of any particular interest to the detriment of another, nor to increasing the power of any particular class at the expense of the masses.

In fact, property is more equally and equitably distributed in America to-day than at any other period since the adoption of the Constitution. The immediate benefit conferred upon any protected article has been always conveyed either directly or indirectly to all classes of consumers and shared more or less by all kinds of domestic production. Protection has given inspiration and thrift to labor and to capital everywhere. In fact, the hand of taxation has never been laid upon the people through the tariff, nor have their energies been either cramped or restrained by hostile legislation in the adjustment of protective duties.

With the exception of a brief period, running between 1833 and 1842, and again between 1847 and 1862, the country has maintained a tariff framed with special care to subserve the policy of protection through the collection of duties and imposts. And yet, in spite of all contrary theories, what is the practical result? Has the country's progress been retarded? On the contrary, have not all the activities of the nation been developed in an extraordinary degree by the protective policy?

The answer to these inquiries is found by reference to the country's internal resources, whereby it appears that the result has been the establishment of a varied and growing home market, the extent of which can be estimated only by the consumption of home productions in supplying the wants of the American people. The recent report of the minority, signed by JOHN G. CARLISLE, R. Q. MILLS, BENTON MCMILLIN, C. R. Breckinridge, and ROSWELL P. FLOWER, of the Committee on Ways and Means of the present House of Representatives, contains, on page 25, the following statement, namely:

"The imports of merchandise into the United States during the last fiscal year amounted to the sum of $745,131,652, and we paid for them mainly by sending to other countries our surplus agricultural products. We exported and sold in other countries during that year breadstuffs worth $123,876,061, provisions worth $104,122,444, raw cotton worth $237,775,270, unmanufactured tobacco worth $18,901,068, live animals worth $18,374,805—making in all $503,049,648 for these five classes of articles, which all came from our farms. Agricultural products constitute generally about three-fourths of our annual exports, while a very large part of the other fourth consists of petroleum and other oils, coal, and manufactured goods made from free raw material, such as cotton goods, leather, etc."

These facts, which the opponents of protection must accept as correct, furnish, though not so intended by the minority report, a conclusive reply to the free-trade theory. The logical conclusion from them demonstrates the wisdom of protection. They show that our great Republic, the thriftiest land on earth, embracing a population of nearly 65,000,000, has flourished beyond measure, notwithstanding the fact that its imports for the last year amounted to only $745,131,652, and its exports of breadstuffs, provisions, raw cotton, unmanufactured tobacco, and live animals—which all came from our farms—amounted to only $503,049,648.

These facts indicate that in all matters of material wealth this country has attained the highest point of national independence yet known in the history of civilization. They point to the vast volume of unexported products derived from the employment of American labor. They show, also, the value and extent of the home market which protective duties have developed. They prove that the American people, in spite of a flood-tide of largely burdensome immigration from foreign shores, have become self-supplying and well-nigh self-supporting by reason of the development of their own resources. What these resources are may partially appear from statistics which show that the total production, in bushels, of the products of our farms, in 1861, was 2,066,029,070; in 1887, 2,460,457,000, and, last year, nearly 3,000,000,000. The value of the farm animals in the United States in 1861 was estimated at $1,721,795,243, and in 1890 at more than $2,507,050,058.

It appears, also, that the production of manufactures and of agriculture, the total of our transportation business and of all other resources that serve to magnify and enrich a free land—the quantities no less than the values—have doubled in the last ten years. Now, the difference between the extent and value of production on one hand, and the extent and value of imports and exports on the other, illustrates at once the importance of the home market, the aggregate consumption of home productions, and, consequently, the country's internal prosperity, no less than its independence of all foreign markets for supplies.

These indisputable facts vindicate the policy of protection for American industries. They show what the tariff has done and may do for American resources in competition with the products of foreign labor. It may, indeed, be truly said that "it is not in the figures of exports, but in the figures of production that we see the nation's progress." And, as a further illustration of the advantages to be derived from a thrifty home market, the observation of a profound student of political economy is pertinent, namely, that "upon the importations of any considerable period, as, for example, since the enactment of the Morrill tariff in 1861, a careful reckoning can not fail to show that the saving to the American people, by reason of the stimulated home competition in the cost of the foreign commodities consumed here, far exceeds the duties paid into the Treasury."

Contemplating the beneficent consequences of the protective system and discussing the actual conditions of material and industrial growth, North and South, East and West, Mr. Edward Atkinson, the able statistician, has, in spite of his free-trade tendencies, summarized the whole matter in the course of an article in The Century Magazine, wherein he substantially concedes that there has never been a period in this nor in any country equal to the present in America, as indicated by the following obvious facts, namely:

First. So large a production made and distributed at so low a cost in ratio to the capital invested, either in production or in the mechanism of distribution.

Second. So low a rate of profit sufficing to satisfy capital and to induce further investments in any and all arts.

Third. So high a general rate of wages earned in so small a number of hours of work per day.

Fourth. So large a purchasing power in each unit or dollar of wages or earnings when expended for the necessaries or the comforts of life.

Fifth. In no previous period has the workman received so large a proportion of the joint production of labor and capital, or its equivalent, either in money or in goods.

V.—RESULTS OF FREE TRADE AND OF PROTECTION CONTRASTED.

The most impressive argument in support of protective duties, in contradistinction to non-protective duties, is furnished by the country's experience under the free-trade tariff which prevailed between 1847 and 1861 and under the distinctively protective system which, having been based upon the Morrill bill of 1861-'62, has been ever since maintained. The condition of the Treasury and of the public credit at the expiration of the two periods illustrates the practical effect of the differing policies. For instance, Bolles's Financial History of the United States from 1861 to 1865 (pages 4 and 5), describing the financial situation at the beginning of the civil war, states the following memorable facts, namely:

"The credit of the Government had been undermined by the preceding Administration. The revenues had withered away without concern, the public indebtedness had been increased, and money could be borrowed only at very high rates. When Congress met in December, 1860, the Treasury was empty, bankrupt. There was no money to pay the public creditors who were then pressing for payment. There was not money enough even to pay members of Congress. In the middle of January, 1861, General Dix, who had been appointed Secretary of the Treasury, wrote to the chairman of the Ways and Means Committee, saying: 'Within the last few days the amount of overdue Treasury notes presented for redemption has exceeded the power of the Treasurer to place drafts in payment on the assistant treasurer at New York, where the holders desired the remittances to be made, and an accumulation of warrants to the amount of $350,000 has occurred on this account on the Treasurer's hands, which he has been unable to pay.'"

In contrast with the situation in 1861, as thus portrayed by the historian, appears the existing financial condition of the country. At the end of nearly thirty years of tariff protection and in spite of the appalling expenditures caused by the civil war between 1861 and 1865, the following undeniable statement is made by the majority report in support of the pending tariff bill as submitted by Mr. MCKINLEY, from the Committee on Ways and Means of the present House of Representatives, namely:

"We are advised from the annual report of the Secretary of the Treasury that the ordinary revenues of the Government, actual and estimated, for the fiscal year ending June 30, 1890, will be $385,000,000, and that the expenditures for the same period, actual and estimated, will be $293,000,000, leaving a surplus of $92,000,000. The estimated amount required for the sinking fund will be $48,321,116.99, leaving an estimated net surplus of $43,678,883.01. The excess of revenues over expenses estimated for the fiscal year ending June 30, 1891, we are advised from the same source, will amount to $43,569,522.30, which, with the amount of cash now on hand and available, reaching nearly $90,000,000, the committee believe will justify a reduction of the revenue in the sum contemplated by this bill."

The foregoing facts, indicating the prosperity of the country and the solidity of the public credit, may well awaken the pride of every American citizen, in contrast to that sense of humiliation which must have filled every patriot's heart in view of the bankruptcy that illustrated the free-trade experiment which culminated in 1861, when the Government, so far from having a surplus in its Treasury, was compelled not only to borrow $5,000,000, but to pay 12 per cent. interest on the loan.

VI.—SOUTHERN INDUSTRIES AND PROTECTION.

As additional illustrations of the effect of the protective system in stimulating labor, promoting investments of capital, and developing long hidden wealth in the Southern States, where has ever existed a vital need for such a stimulus, there are abundant facts and figures to be quoted in contradistinction to the imaginary evils which free-trade representatives of that section so vigorously portray when assailing the tariff, both in and out of Congress, on the hustings and in the press, where they frequently show a greater aptness for denunciation than for argument. It is authoritatively stated that in the last four years 140,000 new manufacturing and mining enterprises have been organized in the Southern States, while since 1880 the railroad mileage in that section has been increased by at least 21,000 miles.

It is estimated that since 1880 the sum of $800,000,000 has been expended in building new roads and improving old ones; and during the present year there have been established 90 flour and grist mills, 94 foundries and machine shops, 35 iron blast furnaces, 15 potteries, 65 cotton-seed mills, 16 rolling mills, 370 woodworking factories, 53 electric-light works, 50 ice factories, 100 street-railway companies, 45 water-works, and 73 mining companies. These facts are full of significance. But, furthermore, as a practical demonstration of the value of protection, see the ratio of increase for one decade that is disclosed by the following figures relating to the multiplication of cotton mills, and to the production of cotton, of iron, and of coal under the shelter of a tariff for protection.

Cotton mills in 1880		142
Cotton mills in 1889		345
Increase, 142 per cent.		
Cotton consumed in 1880	bales	180,000
Cotton consumed in 1889	bales	497,000
Increase, 174 per cent.		
Pig-iron produced in 1880	tons	211,000
Pig-iron produced in 1889	tons	1,306,000
Increase, 555 per cent.		
Coal produced in 1880	tons	1,963,374
Coal produced in 1889	tons	12,947,000
Increase, 502 per cent.		

TOTAL VALUE OF PRODUCTS.

Value of products in 1890	$3,347,445
Value of products in 1889	30,947,760
Increase, 813 per cent.	

Thus has the South been drawing inspiration from the much-abused system of protective duties. That system has multiplied investments in every field of Southern endeavor. It has drawn millions of money into the South and put it into co-operation with unshackled labor. It is turning the old into the new. President Harrison disclosed the philosophy of the situation when, in his inaugural address, discussing the effects of a tariff for protection, he said of the Southern States:

"Mill fires were lighted at the funeral pile of slavery. The emancipation proclamation was heard in the depths of the earth as well as in the sky; men were made free and material things became our better servants. The sectional element has happily been eliminated from the tariff discussion. We have no longer States that are necessarily only planting States. None are excluded from achieving that diversification of pursuits among the people which brings wealth and contentment. The cotton plantation will not be less valuable when the product is spun in the country town by operatives whose necessities call

for diversified crops and create a home demand for garden and agricultural products. Every new mine, furnace, and factory is an extension of the productive capacity of the State, more real and valuable than added territory."

Thus, rising to her feet with the aid of a tariff for protection, the new South represents the pluck, the vigor, the intelligence, and the patriotism of men who are building afresh from the ashes of a desolated fabric. Before the war the South knew but little of factories, of mills, and of furnaces. Scarcely a mine, whether of iron, of copper, of lead, or of coal, in all her borders, had been touched by the hand of toil. Immense districts, filled with great resources, were inhabited by a population that seemed content to enjoy—

> The silence that is in the starry sky,
> The sleep that is among the lonely hills.

But look now at Virginia, West Virginia, Eastern Kentucky, Tennessee, Arkansas, Alabama, Georgia, and even Florida and the Carolinas! A better life has been brought to light through trial and distress. New activities have been awakened by the vitalizing power of protective duties. The ruins of the old South have been made to enrich great fields of free and enlightened enterprise. Surely, no such results can be ascribed to measures of taxation. The effects of protection oppress no one. They burden no interest. They can be credited to no other source than a system of public beneficence. They come from neither the old condition of unpaid labor nor the theories of free trade. They are due, in fact, to that policy which has carried skill, enterprise, and capital into all the South and vindicated the wisdom of the fathers in so framing the Constitution as to authorize legislation not to tax, but to encourage, to establish, and to protect American industries. As said with singular pertinency to the South by Ellis H. Roberts, in his work on Government Revenue:

"The protective clauses of a tariff serve to recruit the armies of labor out of the listless and careless, and to make the streams which have been lazily humming the melodies of drowsiness vocal with the glad choruses of iron and steel and woolen and cotton and silk. The idle Naiads are changed into ministers of progress and the creators of every blessing of civilization."

Referring to the great development of Southern resources, not as a result of taxation, nor of oppression, but by reason of the policy of protection, it is appropriate here to quote a statement recently made by The Courier-Journal, of Louisville, Ky., an aggressive enemy of protection, which, in the course of a criticism of the alleged exclusion of the South from the tour of observation planned for the delegates to the late Pan-American Congress, said:

"The tabooed section has since 1870 increased in population from 12,000,000 to 28,000,000, more than doubled its cotton crop, selling in Europe $25,000,000 worth of the fleecy fiber in a single year, has now more than 40,000 miles of railroad, has increased the annual value of its manufactures a dozen times over in twenty years, while its advance in mining is equally great."

The foregoing statement is true. It is also a telling contribution to the argument in support of the protective system. It illustrates the character of the pending controversy between facts and theories, between maxims and markets, and shows the worthlessness of mere abstractions in contradistinction to a practical policy.

VII.—SUMMARY OF THE PROTECTIONIST'S REASONS.

Among the various reasons on which may rest the convictions of an American citizen, especially a citizen of the South, in favor of a tariff for protection may be enumerated the following, which contains a summary of the foregoing discussion of the subject:

1. The protective policy has built up towns and cities throughout the South and North.
2. It has doubled our foreign trade since 1860 and stimulated domestic production beyond calculation.
3. It has expended, diversified, and multiplied the useful industries throughout the Union.
4. It has increased our manufactures fivefold in twenty years.
5. It has vastly improved the condition of farm laborers, in respect alike to wages and to the marketable value of their products.
6. It has unlocked our natural resources, created capital, and given it opportunity for profitable investment.
7. It has applied our own labor to the development of our natural resources.
8. It has created a diversity of employments for American skilled and unskilled labor.
9. It has reduced, through home competition, the price of every manufactured article.
10. It has turned capital into ten thousand useful channels of enterprise.
11. It puts 90 per cent. of the annual product into the pockets of labor.
12. It has raised American wages to double the average wages paid in Europe.
13. It has enhanced the value of farming lands by promoting the establishment of manufactures in the vicinity of them.
14. It has made the United States the greatest workshop on the face of the earth.
15. It has increased the production and wonderfully reduced the price of steel rails in the United States, and promoted the construction of railway lines of transportation everywhere.
16. It has benefited the farmer by preventing his customers from becoming his competitors.
17. It has provided occupations or the means of livelihood for more than 8,000,000 immigrants in recent years.
18. It has saved millions of American laborers from the results of immoderate and direct competition with each other and with cheap foreign labor.
19. It has constantly diverted the energies of the American people into new pursuits and opened up new avenues to the employment of labor and to the investment of capital.
20. It has blessed labor with the ability to create a demand for more labor by being able to buy what it produces, and by the savings of wages to build homes that are owned by the laborers themselves.
21. It has prevented an inundation of foreign goods like that which swept away our manufacturing industries between 1815 and 1820.
22. It has fostered our woolen industries so that they make four-fifths of all the woolen goods used by the American people, and increased the product of American wool from 60,000,000 to 300,000,000 pounds per year, and will soon enable us to make all or nearly all of our woolen goods.
23. It has guarded American farmers from competition with India wheat, produced by laborers at one-eighth of what is paid for labor in the United States, and will soon give them a market at home for all their products.
24. It has trebled the number of hands employed in woolen industries, quintupled the aggregate wages of the country, and quintupled the capital invested therein.
25. It has opened to the industrious, enterprising, and inventive skilled workman opportunities that are presented to the laborer in no other country.
26. It has fixed the standard of comforts among workingmen immeasurably higher than it was thirty years ago in America or is to-day in any land of Europe.
27. It has reduced pauperism in America so that, as compared with what is known as pauperism in England, it is hardly known in America. With a population one-third larger than the whole of Great Britain, the United States has fewer paupers than Scotland alone.
28. It has so diffused capital by the diversification of industries and the payment of profitable wages that the working people of the United States now have on deposit, in saving-banks, building associations, and other savings institutions, not less than $6,000,000,000, a fact that can not be claimed for the working people of all Europe.
29. It is the present foundation and guaranty of security to the numerous enterprises that have awakened the resources and are infusing thrift into the States of the long prostrated South, and the chief ground of hope for the restoration of that portion of the Union to prosperity.

This policy of industrial growth and of national independence has not only developed the country's resources, but crowded the country's Treasury; and yet a full Treasury has caused no public hardship. According, in fact, to the teachings of a famous statesman, it may be easily proved that "the most productive system of finance will always be the least burdensome" to the people among whom its revenues are kept in the process of redistribution. Thus the friends of protection may feel secure in a policy that has achieved such signal results. The predictions of its enemies have utterly failed. It is crowned with triumph everywhere. It is the very bed-rock of national prosperity, and its permanency is assured.

GEORGE BABER.

WASHINGTON, D. C., *September* 1, 1890.

Benefits which have Resulted from Republican Administration.

SPEECH

OF

HON. LOUIS E. McCOMAS,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, August 30, 1890.

On the bill (H. R. 1120) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law.

Mr. McCOMAS said:

Mr. SPEAKER: The benefits which have resulted from a Republican administration of public affairs are forcibly illustrated by a comparison of the financial operations of the Treasury Department under the present and last Administrations.

The following facts are from official records:

INTERNAL REVENUE.

The largest annual increase in the receipts from internal-revenue taxes in any one year during Mr. Cleveland's Administration was $6,567,958.88.

The average annual increase during his four years was $4,618,328.28.

Without any change in the law the increase in collections for the first full year of Harrison's Administration was $11,700,262.37, with an actual decrease in the cost of collection of more than $85,000.

A gain of from $5,000,000 to $7,000,000 a year may therefore be fairly credited to Republican honesty and efficiency in this one branch of the Treasury Department.

The average cost of collections under Cleveland was 3.36 per cent., while the cost under Harrison has been only 2.9 per cent. Had the percentage of cost during the last fiscal year been as great as the average during the four years of Cleveland's Administration the expenses last year would have been increased $691,181.80.

PUBLIC DEBT AND SURPLUS—FIRST EIGHTEEN MONTHS UNDER CLEVELAND.

Prior to March 4, 1885, it had been the practice of Republican Administrations to apply the surplus revenues, from time to time, to the purchase or redemption of United States bonds, leaving in the Treasury as small a cash balance as might suffice for the current operations of the Government. As a result of this policy, there was in the Treasury March 1, 1885, an available cash balance, exclusive of fractional silver and minor coins, of only $21,631,381.67. At the same time there were outstanding bonds of the 3 per cent. loan of 1882 amounting to $194,190,500, all of which were redeemable at the pleasure of the Government, and, consequently, were subject to call and redemption at any time.

It was, therefore, entirely within the power of the incoming Democratic Administration to continue the policy of its predecessors or to accumulate the surplus revenues in the Treasury. It chose the latter course. During the eighteen months from March 4, 1885, to September 1, 1886, only $62,138,400 of the 3 per cent. bonds were called and brought to maturity, while during the same period the surplus increased from $21,631,381.67 to $76,527,561.24. These purchases were made at constantly increasing prices, 4 per cents. advancing from 125 to 129 and 4½ per cents. from 107 to 109.

FIRST EIGHTEEN MONTHS UNDER HARRISON.

The surplus March 1, 1889, was $48,096,158.50. There were no bonds of the United States which could be called for redemption, and the purchases in the latter part of the Cleveland Administration had not only greatly reduced the supply of bonds in the market available for purchase, but had so enhanced the price that the first purchases by the present Administration were at 129 for fours and 109 for four-and-a-halfs. Notwithstanding these unfavorable conditions, there were purchased during the first eighteen months $151,145,050 of the two classes of bonds, at a cost of $179,197,161.46, with a saving to maturity of the bonds of $44,025,540.72, and there were also redeemed at par

about $20,000,000 of 4½ percents, making a total reduction of the interest-bearing debt of about $171,000,000, as compared with a reduction during the corresponding period by the last Administration of about $62,000,000, and with a total expenditure of about $200,000,000 as compared with $62,000,000. At the same time the prices of the two classes of bonds purchased were reduced from 129 to 124 for fours and from 109 to 101½ for 4½ per cent. bonds. Indeed many of the fours were purchased at 121 and of the four-and-a-halfs as low as 103.

The official records show that the Republican Administration has purchased $109,000,000 more of bonds than were purchased under Cleveland during the corresponding period, thereby making a reduction in the interest charge of over $4,000,000 annually, with a total saving of interest to maturity of the bonds of more than $32,000,000. And, what is of even greater importance than the saving of interest, the money thus used has been kept in circulation among the people, instead of being hoarded in the Treasury.

The average monthly investments by the Treasury in United States bonds during the last eighteen months has been over $11,000,000, while during the corresponding period of Mr. Cleveland's Administration the monthly average was less than $3,500,000.

PUBLIC MONEYS.

In September, 1887, resort was had by the Democratic Administration to deposits of public moneys without interest in national banks, as a means of giving to the people the use of the surplus. When this plan was adopted the balances held by national banks were about $25,000,000. These balances were soon increased to $60,000,000, and were maintained at about that point for a year. Had this money been invested in United States bonds, the people would not only have had the benefit of its use, but the Government would have saved during the year about $1,500,000.

The amount of public moneys held by national bank depositaries—

On March 5, 1889, was	$43,008,587.20
On August 28, 1890, was	25,873,805.24
A reduction under Republican Administration of	17,134,781.96

This amount, being in excess of the needs of the public service with those depositaries, was withdrawn and used in payment of United States interest-bearing bonds, purchased either from the banks relinquishing the deposits or from others, and resulted in a saving to the Government by reason of the purchase of these bonds and the subsequent stoppage of interest of about $400,000 per annum. This withdrawal also increased the amount of money in active circulation, for in no case was a bank allowed to hold public funds to the amount of the market value of the United States bonds furnished as security therefor. On four-and-a-halfs a balance equal to par was allowed, and on fours a balance equal to 110 per cent., so that for each $100,000 withdrawn from the banks payment from the Treasury was made for a like amount of bonds, with premium at an average rate of 105½ for four-and-a-halfs and 127 for fours, thus returning to the channels of trade the amount of the deposit and from $5,000 to $17,000 additional on each $100,000. The increase of circulation by these operations was about $2,000,000.

INCREASE IN THE VALUE OF SILVER.

The wisdom of the Republican policy adopted both by this Administration and by the Republican party in Congress with regard to silver is already apparent in the increased prosperity of the country. The late Administration was content with denouncing the silver-coinage act and demanding its repeal without offering anything in its place. The present Administration earnestly urged the passage of measures providing for a largely increased use of silver in our circulation. The leading features of this administrative policy have since been enacted into law.

Some of the results of this friendly executive and Congressional policy towards silver, as compared with the results of Democratic hostility towards it exhibited by Mr. Cleveland's Administration, appear in the following facts:

The value of silver at the date of the passage of the Bland act (February 28, 1878) was $1.20½ per ounce, and the commercial value of the silver in the silver dollar was 93¼ cents. The price of silver fell rapidly and almost constantly from that date to the close of the last Administration.

When President Harrison was inaugurated (March 4, 1889) the value of silver was only 93.32 cents per ounce, and the bullion in the silver dollar was worth only 72.18 cents. By reason of the friendly treatment of silver by this Administration and of anticipated legislation on the subject, the price rose 3.89 cents per ounce between March 4, 1889, and December 1 of the same year.

On December 1, when the silver policy of the Administration was announced in the President's first annual message to Congress and in the report of the Secretary of the Treasury, the price of that metal was 97.27 cents per ounce, and the bullion value of the silver dollar was 75.23 cents.

From December 1, 1889, to July 14, 1890, when the new silver law was passed, the price of silver advanced 10.69 cents per ounce, reaching 1.07\frac{96}{100}$, and the bullion value of the silver dollar rose over 8 cents.

From the passage of that act to August 30 the price of silver advanced from 97.27 cents per ounce to 1.19\frac{47}{100}$ per ounce, and the bullion value of the silver dollar rose from 83½ to 92.4 cents.

Since the inauguration of President Harrison, therefore, silver has advanced 26.2 cents per ounce, and the bullion value of the silver dollar has increased 20 cents, showing that under the operation of the new law and friendly management silver has advanced about as much in seven weeks as it declined in the ten and a half years following the passage of the Bland act.

The stock of full legal-tender silver money in the United States is $374,578,266. The Republican silver policy has increased the intrinsic value of these dollars, since the inauguration of President Harrison, $74,915,653. The value of our subsidiary silver coin has also been increased $15,323,000, making a total increase in the metallic value of our silver coin of $90,238,000.

INCREASE IN VALUE OF WHEAT CROP.

When Congress met last December the price of wheat in Chicago was 79 cents per bushel. On July 14, 1890, the date of the passage of the new silver act, it had advanced to 88 cents per bushel. On August 30 it had advanced to $1.01½ per bushel, making a total advance of 22 cents per bushel since the opening of the Republican Congress.

Taking the wheat crop of 1889 (490,560,000 bushels), the value of which was a little less than 70 cents per bushel, the price has advanced 31½ cents per bushel, making a total increase in value of $154,526,400.

THE CORN AND OAT CROPS.

The corn crop for the year 1889 amounted to 2,112,892,000 bushels. The advance in price since December 2, 1889, is 17 cents per bushel, making the total increase in the value of that product, based upon last year's crop, $427,860,630.

The price of oats has advanced since December 2, 1889, about 23 cents per bushel, which, on the crop of last year, would make a total increase of $108,969,675.

The total increased value of the crops of wheat, corn, and oats since December 2, 1889, based upon the value of the crop for last year, has therefore amounted to $691,356,705.

Nearly all other farm products have advanced in value in a like manner. If to these is added the increased value of other products of industry the grand total would largely exceed $1,000,000,000.

The Revenue Law.

SPEECH

OF

HON. WILLIAM M. EVARTS,

OF NEW YORK,

IN THE SENATE OF THE UNITED STATES,

Wednesday, September 3, 1890.

The Senate having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes—

Mr. EVARTS said:

Mr. PRESIDENT: I had not intended to take any part in the general debate upon the tariff question, but some incidents have been thrown into the debate by movements among the friends of the tariff that lead me to speak somewhat, though I hope not at great length, on that topic thus introduced on the floor. This makes it quite necessary for me to explain somewhat precisely my views about the tariff, and about those who oppose the system.

Mr. President, there are some things that may be conceded as affecting the general condition of our country and the general character of the chief representatives of the great opposing parties. If we are to believe what is called out, as through a hoarse trumpet in a storm, all the imputations that are hurled in this House, and in the other House, and in the press, and at the hustings, we should have a very ill opinion of this people of ours from top to bottom. From the other side of this alley the staple of all their oratory is that the supporters of protection of American industries are robbers, and that we know it, and that we hide and skulk behind evasions, prevarications, and fraud.

Again, it may be thought upon the other side of the alley, were they to judge by some round statements on our side, that we conceived them all to be mountebanks and hypocrites on the subject of free trade, and that they had in view other results, and those political only, than protection of the people against our robberies; and that they were not entitled to a fair hearing on the principles or on the arguments which they adduce in the debate. So, too, of our people at large it would seem to be propounded on the Democratic side of the Chamber that all the manufacturers were plunderers, trampling upon industry and growing rich by filching from labor its dues, while the merchants of this country were nobles and princes full of bounty and generosity and growing rich only perforce because they could not help it.

Mr. President, neither the manufacturers nor the merchants of this land pay the slightest attention to debates of this character. If the

Senators were right they would welcome with a hearty shake of the hand only the merchant and would turn the manufacturer out of their doors. But where is there, even on the lowest plane of political debate, any such pretense or any such notion affecting the tongue or the brain of the common people of this country respecting these classes of their fellow-citizens? So, too, we have as an undercurrent in every phase of debate on the other side of the Chamber an invitation to envy and hate between different portions of this happy, prosperous, and united country.

The farmers are aroused to envy the shop-workers. These hostilities between the rich and the poor are evoked and patronized by the Democratic party in these debates as if there were such classes in this country, as if by institutions, by laws, or by the operation of laws there had been produced such relations among our people, as are described as downtrodden slaves of labor on the one side, and, on the other side, as bloated and cruel oppressors who by directing these combined industries bring out in concert with labor the immense results which are seen and known by all men, and which make our country exalted from one end of it to the other under our and their eyes.

But in contradistinction to all this disparagement by the Democratic party let us notice the estimate in other lands of this country of ours. Labor, not aristocracy, seeks its home here. And as for the wonderful advantages which have been bestowed upon our land we are pointed at as the nation that can protect its industries without aid from and without warfare towards the rest of the world, and at the same time able to gain our share of foreign commerce and our profits of that trade whenever and wherever we are ready to take the appropriate steps to enter into the competition.

Why, Mr. President, this idle talk about poverty on the one hand and wealth on the other in this country, and that the class embraced in the former is reduced by law to the position of victims to the latter, is a new doctrine and a new policy, and it seems to be the woof and warp of the politics of the Democratic party for the interests that engage their attention in the pending debates.

Mr. President, the so-called millionaires of this country are but the gilded fringe upon the garment with which the body of our people is clothed, upon the seamless garment of liberty and honor and dignity and comfort. So much for the actual condition of our country, which seems to me to furnish no possible basis for the view taken on the other side of the Chamber—not the least that I can see. Let us understand, then, what the duty, what the authority, is on the subject of the tariff. Full legislation on the tariff is vested in the two Houses of Congress. Congress has the sole authority over this question, both in all the minute details of equitable adjustment among competing and conflicting interests and also in its relation to the larger and whole interests that affect in any way the people at large, the system of our society, our separate communities, and our independence.

It has been a favorite suggestion on the other side of the alley to inquire if this boundless realm of ours, all of which is ours, has freedom of exchange among its citizens, near and distant, and if the results have been so great and good, why would it not then be a good thing to enlarge this freedom in trade to embrace foreign nations that could be touched under the operation of our laws only in this one particular of sharing our industry and leaving us to take care of our people in all the rest of their welfare the best way we could?

Why, Mr. President, the essential point in the customs duties and their arrangements is that they concern a relation of foreign affairs, our relation to the other nations of the world. An English philosopher in political writing, made more famous as a great poet, to be sure, has said that to Rome war stood for trade, overrunning province after province, expropriating directly their accumulated treasures, and pouring them bodily into the lap of the Mistress of the World. Sir, let us understand that with us, in our system and age of civilization, trade between nations stands for war in a sense never to be overlooked and never safely to be misunderstood.

If you are willing that our shores should be ravaged by foreign incursion in the guise of trade and our industries sacrificed if everything else should be spared, then allow by the change of our laws this destructive intrusion which you would invite, but do not imagine that after that incursion has been made your "government of the people, by the people, and for the people" will be the same thing in all the other ample and magnificent relations of our institutions, of education, of suffrage, of dignity, of the decencies, of the moralities, and the conduct of the state, which make up the very fabric of the life of the nation.

Mr. President, I can not dwell upon this generalization. Let us look a little at the pretensions that, under the operations of the tariff laws, inequalities are produced and classification of citizens is promoted. Is the Democratic party, are the Senators of that party now in my sight, ready to turn their backs on the civilization our age has reached by long stages and painful steps? Are they ready to forego all the triumphs of concerted labor and aggregated wealth? Are they ready to give up the results of the railroads and the manufactures and the happy homes of these industries because it does involve unquestionably the organization of labor in its own protection and the organization of industry in order that it may be carried on at all? No. We are to be treated, forsooth, to the childish imagination that we are to have all these solid good things of the earth and to reach after the moon besides.

It is not that the tariff law organizing industry draws the distinction between wealth and labor. By no means. The imperishable principles of human nature work in all the forms of human endeavor. The boast of our land is or has been until lately that all the faculties and efforts and hopes and aims implanted in man's nature were free and to remain free in this land and that thus free there could be no formation of grades in our society nor could the diversities of personal fortune create broad differences in a free people not crushed by institutions, not divided into castes, not cursed with slavery. The great praise and the crowning glory, the vital and invigorating springs of our political, social, and industrial systems as fostered and administered by the Republican party, is that it gives to every one as well as may be what Providence may design for each or the vicissitudes of life may leave for all these efforts and these energies, for these hopes and these aspirations. Who wishes to encroach upon this possession of our people?

Why, Mr. President, this question is so serious that it deserves to be debated with candor and coolness. If, when on this side of the Chamber considering with circumspection and patriotic zeal the system of commercial and industrial regulations that form the body of the tariff and the revenue laws, we are charged with being engaged in drawing lines by law between the workmen and those who direct their industries and we are guilty of this charge, let some proof be adduced to maintain this allegation. But if there has been going on an open experience not hid from observation, not narrow or fugitive, whenever the Whig or Republican party has had possession of the Government to develop all these industries by the protection of American labor, we must appeal to that testimony and with that demonstration we are satisfied. Where do you wish to go for evidence? Do you want to clip something out of the last issue of The Grocer or The Economist to teach these American people what the effect of protection upon their interest is, has been, and will be?

When, therefore, we are discussing items, let us confine ourselves to the considerations that belong to the items. A committee of the Senate is, as we all know, framed in almost equal proportions from the two sides of this Chamber. They have given a careful, a prudent, a circumspect, a resolute, a comprehensive, examination into every item of the bill that comes under discussion and have reported the result. When, therefore, we are discussing items, let us confine ourselves to the considerations that belong to items. Are we to be diverted from them and drawn into the discussion of protection and free trade on the petty scale of casual observations at the hustings or in the press?

No, Mr. President, this general topic is to be treated upon a higher plane and upon a broader scale than belong to arguments drawn from maladjustment of particular rates or special instances of uncircumspect conclusions. We are to look at the influence of protection by and large and in the ever-widening circles in which its effects are shown. We may usefully consult the views of other nations as to our wealth and prosperity. Do they think that we are growing poorer or that we are not growing rich fast enough? Is it in our interest that England advises us to go back to agriculture, for which God fitted us, as she maintains, and gave us this broad land in order that we might confine ourselves to agriculture? This is the doctrine of the English advisers. If this would not bring us to the condition contemptuously described as a people *fruges consumere nati*, it would at least place us on the level of a people *fruges producere nati!*

All this is very fine, no doubt. But, Mr. President, we have no such derogatory estimate of the farmers of our land. Nor do we draw any such lines between the pursuits of agriculture and of those who work in skilled labor or those engaged in the manifold honorable pursuits of life, but none of them more honorable than that of agriculture. Are the Senators on the other side of the Chamber able to point at any stage in the history of this country in which they think we have by institutions or by laws under them been impoverished or retarded or repressed in these aspirations of the free exercise of power and energy implanted in our people? Where is it? One might think that in the terrors and horrors and wastes of civil war this nation might have waned and withered and some who had sought its asylum have left its shores for their calmer homes abroad.

No, Mr. President, no greater lesson can be told, no firmer conviction can be burned into the American mind, no nobler or wider evidence and weight in this controversy could be imagined by the wit of man than that while the million on the one side and the million on the other were engaged in the waste of life and of treasure—waste in this economic view that I speak of, but in other aspects of glorious gain—the nation itself was pressing forward to its goal.

No, Mr. President, you can not mistake that, when the great industrial people of this country had no retarding power hanging on their flank and the war in their front, they were able to go across the continent with wealth and prosperity and to heap up an aggregation of wealth for the two decades, including the unhappy period of the war, which has not been witnessed in the prosperity of any other nation in peace or in war.

What is it then that feeds these boundless springs of the American people and renders them superior to all these entanglements and em-

barrassments of criticisms and restrictions? What but labor? It has been said, I think, by the Senator who last addressed us, that all those who are engaged in the cultivation of farms were earning their bread by the sweat of the brow, while other more favored classes were not under that injunction.

Mr. President, this relation of the first duty inculcated upon our race was not to the farmer, but it was to the whole race: "In the sweat of thy face shalt thou eat bread," and has there been any wiser lawgiver in Greece, or Rome, or England, or the United States to elevate, protect, enlarge, and dignify a nation in respect of wealth and prosperity, than that success in life turns upon labor—labor in the lot that Providence had placed men in, labor according to the skill of the brain, or the cunning and vigor of the fingers and the arm, labor on the farm, labor in the workshop, labor in the study of the clergyman and in the office of the lawyer, labor by public men, labor in art, labor in literature, labor in charity? It is all the same thing. Labor has made everything and labor will make everything.

The maxim that labor conquers all things is as true now as it ever was for all the nations of the world. What doctrine, then, is to be taught from the other side of the Chamber that can supersede this great inculcation? Give every man his due according to his honest labor and his honest strength.

Are we then so unworthy in our treatment of these practical questions—are we, as it were, to imitate the moaning of the wind and the baying of the moon, that, besides all these great glories that come from labor and from labor only, we also want them without the sweat of the brow and without the frugality, and without the thrift, and without the energy, without the persistency which builds up great nations as it builds up great and honest men?

When we come, then, to consider, as is the duty under our Constitution, the arrangements for our intercourse with foreign nations in the way of industrial exchange, we find that we can not extend our Constitution nor our duties to our people under it over the people of England and France and Germany. We can not demand that they shall have suffrage and that they shall be citizen laborersinstead of abject laborers. Our authority goes no further with our laws than to our confines. But there is one head of our relations to foreign nations which we do and must control. It is for us to determine upon what terms and to what extent our domestic labor shall be transfused with the mass of labor abroad.

But to suppose that if we only do so and so in our tariff legislation no consequences will come from this single confusion of interest about industry, and that this will not disturb the framework of our Government in regulating the general interests of our people, is a dreadful mistake.

Mr. President, did it ever occur to the votaries of free trade in this Chamber, or to those who have their faces turned that way and who go as far as they think prudent, how it happens that this market of ours is the prize, the object, the *desideratum* of all the civilized and competing nations? Why is it that they count upon the advantages from our market that they propose to themselves? Is it because there are 65,000,000 people here? Why, there are 250,000,000 in India, all under the Government of Great Britain.

There are 45,000,000 of people, I think, in the collected group of civilized nations to the south of us on this hemisphere. Is it this difference of 20,000,000 in our population—more than that—that makes our market more inviting? No; it is because under our protection of our industry and our labor, and their development, and through and through our great population we are consumers and buyers, and on a prodigious scale of expenditure, so that we would be better customers to them under the system of free trade than other nations collectively tenfold our population. And now we are asked to forego our system of protection in order that we may buy cheaper abroad with what comparatively little means we would have left. This is the doctrine, this is the logic of the Democratic party.

Where are all these draining nations that are looking upon this market to be reached at almost any cost standing upon this question? What party receives their praise and co-operation? Do they and those who approve their doctrines wish to diminish the purchasing power of our people by free trade? They certainly would do so, for our purchasing power rests on the protection that has nursed and expanded our means, but this would not be the first instance in which the greed for gold has killed the golden goose and left cupidity the victim of its own ignorance and folly.

Mr. President, what shall we then do in this matter? Those on the other side admit that tariff legislation is a prodigious power; they say it crushes, it dwarfs, it impoverishes. Very well; it is a powerful engine, then. What on the other side have they to propose in its place? If there was any credence to be put in the monstrous pretension that every burden upon imported goods was not only paid by the consumer of those goods, but that it also transferred an equal burden to the shoulders of all our countrymen that bought other things, then this Democratic party ought to turn and flee from the system of customs dues to support our Government.

If this burden be spread over all the products of our industry affected by the tax laid on the imported goods, it can not make much difference between crushing a nation with 4 cents instead of 5. No, Mr. President, this vague and general proposition will stand no examination. No one in the councils of our nation has ever dared to propose to the American people that they should avoid this imagined burden of customs duties by paying direct taxes for the support of the Government to the tax-gatherer and have him come around from door to door making levies to sustain the Federal Government, as he now does to support the State, the county, and the town exactions.

What do the Senators mean? What do they believe? If they say that they are in favor of protection up to the point of useful protection and that we are going beyond it, then the fundamental question of protection to our industries is approved and Democratic policy stultified by its advocates, and our answer must be Well, you can not agitate a country on the schedules of a tariff. The great principle agitated before this people in 1888 was whether a proper revision and adjustment of this tariff was to be trusted to the party that was in favor of protection or to a party that was in favor of free trade.

That question, and it was a great question, was agitated and passed upon by the people. The preparation of the schedules of the tariff is in the hands of the protectionists' party—the Republican party—and by them is to be performed. This is now being done in your face and under your criticisms, and under our responsibility at future elections. Upon our great body of the Republican party rest the duty and responsibility of promoting the welfare and guarding the interests of our whole country, and we do not intend either to prove unfaithful or unequal to our trust or to part with any portion of that duty reposed in us.

No. Government is carried on by parties. Under our Constitution we can pass no separate laws on the subject of customs duties to suit Northwestern farmers or Southern cotton-growers. We can pass no separate laws for the New England manufacturers or for the Western farmers or for the Pacific agriculturists. All must have one law, all one tariff, and administered in the hands either of those that love and protect our industries or of those who oppose or are indifferent to these stupendous interests.

So, too, Mr. President, it is quite right on the arena within the party or the arena within the Senate to have these doubts and difficulties, these supposed ill adjustments, these imputed injuries, all bearing upon the question of the schedules resolved and settled. But when this is over and the great fabric of protection to American industry at the hands of the Republican party is spread for the scrutiny of all the people everywhere, this party of ours, in the vote upon confirming the completed structure and in the response made to the people of delegated power, conscientiously exercised to secure and promote their prosperity and advancement, will be a united party, just as the Democratic party is a united party in this body, at the hustings, and everywhere, a party enlisted to disturb and destroy our tariff system.

I pass by as deserving of no attention, bearing on the far-reaching and essential question of remaining masters of our own resources by means of this carefully adjusted and unified fabric of protection of ours or the general unity of its support, some suggestions made here of adhesion to the policy of fostering our industries by certain communities in those particular instances which bring advantage to them and of attacking and embarrassing it in all the rest.

If my great State of New York had been pinched in a very tender point in a matter that congruity with any other arrangement for the good of the whole country rendered necessary, the State would have been heard and seen graciously making its contribution and readily yielding its fragmentary and uncertain local interests to acquire complete and stable national industrial independence for all the people of our country, and the State would have taken her part with the others in the other House and in this Chamber. Whatever is the law of the whole country, whatever is the best product of the friends of industry, for the Republic through and through, is our industry and our policy and our law.

Mr. President, it has pleased our friends on the other side of the Senate to say that they would have been delighted to see that free speech and free argument and sober argument and candid argument was made and listened to upon this side, when any part of the country represented on this side, feeling oppression under our general tariff regulations, should seek relief from such oppression by having Senators on this side introduce communications presented to them, as was done by the Senators on the other side.

Mr. President, there are no prepossessions in the Republican party except to do its duty according to that authority that is stated after an unexampled national experience and after an unexampled popular decision as to which party should have the control of this very valuable and, as it would seem, almost universal interest of the tariff.

Mr. President, we have noticed that there was a very great concurrence in European minds, especially in those of European manufacturers and European merchants, in their views with those which are expressed on the other side of this Chamber. It would not be polite, it might not be true, to say that the Democratic party was on the side of England, our great industrial rival, but it certainly is both polite and true to say that England is on the side of the Democratic party.

This distinction is obvious and valuable! I do not bring it forward for the purpose of reproaching the Democratic party in the least for

any alliance which it may seek or accept; that is not my matter; but I want it confessed, when it is understood, that the policy on the other side of this alley, if there be any policy in it, is to open our labor interests to transfusion with the ill requited and consequently degraded labor abroad. That is the inducement presented to our people, having possession of our own wages and our own expenditures and our own cost of products, with everything to match. This is the whole argument and result, the whole delusion, I should call it, sought to be practiced upon our people by the Democracy. Then, after this transfusion of our people upon the lower plane of European labor had become complete, it would be said to our wage-earners, "No doubt your wages have fallen, but why should they not fall?" If upon that query they should answer that they are not quite satisfied, that they have been accustomed to better rates of living, which required higher wages to procure accustomed comforts, then this mocking question, why should they not be satisfied with their lower wages? needs to be followed up with a little larger unfolding of the compensatory benefits that they may avail themselves of. It may then be said to them by the orators of free trade, "True, you will do much better by ridding yourselves of the extravagant superfluities that you now enjoy and think essential to your comfort; true, you will not have so much money to spend for apparel and personal gratification or adornment, but if you dress in the clothes of the Irish peasant or the Scotch Highlander you can dispense with a portion of that formerly needed. You would then be better off in the balance of your pecuniary transactions. What if you do not have enough to go to the theater, or indulge your children with the holiday attire that belongs to them, or to keep the 'gude wife' out of the field, the factory, or the mine; these are but a vain show; they do not build up a nation. Oh, let them look, and let them dress, and let them feel like the wives and the children of the laborers of Europe, and then soon they will become accustomed to their wages and satisfied with the common lot of labor, which must endure all things and find a purchaser for itself or starve."

Mr. President, I have not misstated; I have penetrated but not distorted or exaggerated the argument upon the other side. There are other things in this connection that might be added. Perhaps it was in a somewhat radical discussion of the inequalities of life that some one said he would rather have rich men in England than have riches here and rich men here. That has not been the thought and feeling and habit of the American people. They did not want to go over to England to get rich, as you and we know. They never thought of it until you put it into their heads that riches were not welcome in this country for our own people. They want to get rich here. They want to be fortunate and prosperous in this land of liberty; they wish to be able to spend and scatter the bounty reaped from fertile lands, thriving industries, and free institutions; they desire to enlarge and ennoble the common possessions of the people; build up the churches, build up the school-houses, endow the colleges, open art galleries, found libraries, establish hospitals, rear monuments, adorn and embellish towns, the little towns, the larger towns, the cities, and the great cities, and do it for love. Yes, for love of America and the glory of the Union and the Constitution and our Independence.

No, you will make no headway with these people in saying that if they wish to grow rich they must leave our shores and turn out, instead of a Chief-Justice of the United States, if they are lawyers, a lord chancellor, and if they are great merchants and great manufacturers, the cotton-spinning lords and the ale and porter lords of the House of Peers. But I was very much struck with an observation made by the Senator from Kentucky [Mr. CARLISLE] the other day, for logic sometimes will come out. He looked with concern, he read a menace, he feared a danger that somebody was coming over here with English wealth to manufacture here and take off dividends. In the language of the Senator, he said he did not like to see our wealth drained—look at it!—drained of dividends.

Well, Mr. President, money has no ear-marks. Wealth embedded in our land and in the structures upon it, and in the machinery made by our hands, and in the employment of operatives engaged in carrying on great industries, drains only from us the dividends or surplus profits to the foreign capitalist. This comes out of us only after it has paid all the tribute and served all the ends of our national welfare that any patriot or political economist could require for such enterprises. But what would the Senator who regarded with so much concern and alarm the transfer of English wealth to engage in manufacture and drain us of dividends—if our tariff was passed—what would he say if it was defeated and if the Democratic doctrine of free trade were to obtain and this same English wealth should not need to be brought here, but would be kept on the other side by the owner, who would manufacture and send his manufactures here?

What would the English manufacturer drain us of in that case? Of dividends? No, of the whole cost of the exported fabrics, the whole labor employed on them, and deprive us as well of the imported wealth that would have remained implanted in our soil, stimulated our enterprises, and contributed to our prosperity. In the one case, English money would pay our labor, bear its share of our public burdens, increase our resources, advance our institutions, promote our prosperity, extend our commerce, become an instrumentality of our own; in the other case it would serve all these great ends of England and at our own dear cost.

Mr. CARLISLE. Mr. President, I dislike to interrupt the distinguished Senator in his speech, and I shall not undertake to make any comment upon his last proposition, which assumes that if we had free trade or low rates of duty all our manufacturing and mining industries would cease in this country. But, on the other point, the inference to be drawn from what the Senator says is that there would be no injury to this country by having English capital come here and be invested in our industries and take dividends to England, because the work would all be done here and thereby employment would be given to our labor. I submit to the Senator that that is the same thing which is now taking place in Ireland. The work is all done upon the land in Ireland, but the English landlord takes the profits away and expends them in England, and that is exactly what Irish people are complaining of.

Mr. EVARTS. On the contrary, the Irish landlord is the landlord of the farmer and he takes the crop.

Mr. CARLISLE. He takes the proceeds of the crop, not the corn.

Mr. EVARTS. Well, he takes the fruits of it all and leaves——

Mr. CARLISLE. That is what they will take here.

Mr. EVARTS. The policy pursued by England with respect to Ireland has been to stifle and strangle Ireland's manufactures, in possession and in prospect, in order that English manufacturers should not only find customers, poor ones to be sure over there, but also that English labor and English industry may be built up out of this patronage of impoverished Ireland.

Mr. CARLISLE. If the Senator will allow me, we are not on the question of England's attitude towards Ireland with respect to manufactures, because we will assume what the Senator says to be true on that subject, that England by her revenue system has suppressed and destroyed the manufacturing industries of Ireland; and therefore the only industry which is allowed in Ireland in which her people can engage is the agricultural industry substantially; and all that industry upon the farm is carried on, of course, by the people of Ireland giving the employment of their labor to the English landlord, and when the crop is raised and sold he takes the proceeds to England and expends them.

Now, that is a parallel case to the one supposed by me the other day, where the labor would all be done in these manufacturing establishments in this country by American labor, but the dividends, the accretions to the wealth, that which would otherwise enter into the fixed capital of the country and become a part of the wealth of this country, would go to England in the form of dividends and become a part of the national wealth of that country.

Mr. EVARTS. That I have admitted, but I was contrasting the small measure of that drainage with the drainage that would obtain by manufacturing abroad and taking from us the price of all imported goods, with all the products, and all the English wages, and all the transportation, and all the interest, and all the profits of labor.

Mr. President, I did not misuse at all the value of the loss of dividends; but what is the loss of dividends to the loss of the plant and of the profitable employment of labor by the incursion through free trade of foreign manufacturers? That is the point; and if the Senator can find any error in that simple rule of subtraction I will say further what needs to be said about it.

Mr. President, the Senators on the other side, and perhaps some on our side, have fallen into the notion of the old Confederacy, that when anything was done or proposed to be done to strengthen the loins of the whole Confederacy, and that did not suit a neighborhood, or a State, or a border, they would not give their consent. Therefore, as we know, the old Confederacy, with its local attachments and preferences, broke up the unity of purpose in the conduct of the war that was the only means of attaining and maintaining their collective independence.

Now, Mr. President, who is there in this great Union of ours who repents of the wisdom of his forefathers in the foundation of the Union or of his own father who fought to preserve it? Who wishes to undervalue it because it bears on the Northwest or the Southwest, or on New England or California, or on the products of the mills or the mines, or the wide harvest-fields? No, we take the whole. We glory in the whole. We understand that our interchange of perfect freedom in trade in this vast community of ours rests upon the same considerations of our unity as against the rest of the world to which our fragmentary or border interests are made to bend and accommodate themselves. Union inside; independence outwardly. These are the words to conjure with to this people.

Let no one lose sight of this unity of trade within; this unity of burdens however shared; this unity of front and circumvallation towards other nations that would reduce our happiness for the sake of their own. Let no one overlook this stupendous fact that can never be impeached. If we ever depart from these foundations upon which our domestic and foreign policy rests, our condemnation will be that we do not understand our Union and do not value our independence. No doubt foreign nations would like to have found that under stress of political exigency we did not value our Union nor preserve it. They would not like so well perhaps to see, after all this loud mouthing on the other side of the ocean

on this subject has been used to its utmost to mislead and confuse and confound the suffrage of our country upon its economic policy with the calm a firmer adhesion than ever on our part to the principles of industrial independence as manifested in this tariff bill.

No, Mr. President, you can not fritter away the greatness of our constitutional rights and powers and duties over industrial questions, over commerce, and over manufactures. You can not throw down the defensive barriers and expose our people to inundation of foreign interchanges. You can not escape the demand of patriotism, of statesmanship, and of plain common sense, that, while in the nature of things some misfortunes and inequalities may befall individuals or even portions of our people, yet poverty can never overtake them by the aid of law framed under our auspices. Not for a moment can that be done in the name of either philanthropy or of economy. The arguments that favor all the industries in the world are of no value to us if they leave out all that we most value these industries for.

Why, Mr. President, we are entertained on the other side of the Chamber with these sayings, "Look at the cunning skill of our artificers, how they outstrip the skill of Europe; look at our energy; look at our pride; look at our virtue, and do you say that we can not compete with foreign industries? If you do as we advise, you will outrun Europe and Asia in industry and trade by these skillful hands, these cunning brains, these educated purposes and wills of the American people." Then when we ask what is the obstacle now between us and this prize of the cheap labor and the poverty of the world they answer, "It is high wages, high labor, and this compact of the tariff and labor and wages." They would say to us, "Only give up the one thing, high wages, well paid labor, and the tariff and you will be masters of the commerce of the world." What a satanic allurement to be laid before our people! What should it profit this nation to gain the whole world of commerce and lose its own soul, the soul of its institutions, the manhood of its laboring men, our liberty, our equality, and our fraternity? What shall it profit the Republican party if it should gain the whole possession of the suffrage and lose its own soul in parting with, now or ever, the protection of the rights of the people in all their forms before the law and under the Constitution and our duty to preserve them?

Mr. President, with these desultory observations on the general subject of protection, I approach now a topic thrown in connection in popular debate with the tariff, and which has found entrance into the discussions of the Senate upon the measure now before it, of some movements taken or to be taken towards enlarging our foreign trade. The Republican party has striven for I do not know how many years, certainly under the able guidance in this body of the Senator from Maine [Mr. FRYE] ever since he has had a seat on this floor, to extend our foreign commerce. We have been forced to accept the situation in which we find ourselves placed in regard to ocean navigation, whether the calamity of the war gave the first and greatest blow to our possession of the seas or whether it was the change of bottoms from wooden and sailing ships to iron steam-ships under the policy adopted by the great commercial nations for freighting the commerce of the world.

The situation alone concerns us. The old system by which we established commerce in remote ports and had frequent intercourse with foreign and distant nations in our sailing ships and by our articles of exchange was simpler than it now is; our opportunity for competing in the commerce of the world was more favorable to our success then than that which now prevails in the system of foreign commerce. We used to have a great American house, founded, I think, under the auspices of Baltimore people, at Rio de Janeiro, the great firm of James Burkhead & Co., one of the best houses, perhaps, in the world at that port, perhaps surpassing the strength and vigor of any English house. We had the great house of Alsop, at Valparaiso and Lima, and the great house of Russell & Co., in China. These were our merchants abroad and our exchanges were made through them. We competed with marked success, and to the disadvantage of all other competitors, for this trade.

But at that time every ship carried its own news. There was not only no postal steamer, but there was no telegraphic communication. The ship carried out its cargo, and its news, and its calculations, and its instructions. It had in its bosom a supercargo that carried the superintendent wishes of the owner.

All this was the system, and on that scheme we profited immensely by the cunning brain and the skillful and sturdy wills of our navigators. The world has changed since then. All these remote points are now reached by telegraphic communications, direct or indirect. The orders, the letters, and the advices and the instructions for future conduct are all carried now in these fleet ocean steamers or by telegraph.

Where do the ocean steamers start from? Where do they go? They start from England, from Germany, and from France, and they go all over the world. Under our weak and wicked policy as respects navigation and foreign trade, other nations have outstripped us. No steamers start from our ports. No steamers of American build or American ownership, under the American flag, penetrate any foreign port. What are we going to do about it?

Are we going, with all our wealth, with all our strength, with all our pride, with all our duty, to surrender to our victors in the race?

Mr. President, this effort to extend our foreign trade has been the persistent effort of the Republican party, and has been thwarted, has been harassed, has been ridiculed, has been denounced, and the ships have not gone out from our ports and will not go out. They do not go out solely because of this Democratic opposition. We are not responsible for it. Who hate it? Who oppose it? Who thwart it? Why, people who do not value those things.

We have built our railroads, and our system of transportation has perhaps reached its culminating point except as we progress or advance on the same lines and by the same methods through new regions. We have one great field yet before us—our own. We share it with other nations, but it is our own—the ocean. It needs no pathways to be opened. But it does need that the ships, the harbingers of trade, the forerunners of commerce, the vehicles of exchanges, should find their share of these open pathways and pursue them. That we are trying to accomplish.

Why, Mr. President, what would you think if the great cities of Rochester and Buffalo, in our State of New York, had postal communication with Boston and not with New York City? Where would the trade of those two cities go? To Boston, most certainly. Well, Mr. President, if the only mail communications with these remote and important points of commerce are with England, and not with the United States, how can commerce come here? How did it get here before, when our ships sailed the sea? Our prosperity was established by the presence of our ships upon the ocean. That is the way it was done, and that is the only way it can be done; believe me, the only way it can be done. That is the beginning.

Now, the favorite doctrine on the other side of the Chamber has been within my hearing ever since I have been in the Senate—how often?—"The way is for you to break down the tariff." How often have we heard it? "The tariff is the obstacle; open your ports to importation and against your industries. Open them; that is the way; and we will not favor this expedient of ocean commerce, because it may open trade and thus make a breach in our policy to open this country to the industries of all the world." This I have heard here year after year, and everything in the direction of increasing our navigation has been slain before our eyes in one or the other of the Houses of Congress upon this pretext.

Mr. President, I had occasion to look into this matter in my place as Secretary of State in obedience to a resolution of Congress calling upon the President for information on this very point, as to the proper method of opening our foreign commerce. I had occasion to present to the President a communication, which he transmitted with his own very interesting observations on the general subject to the two Houses of Congress. I will ask that the Secretary of the Senate do me the favor to read what I then said on this same question, which will show that these are not new ideas with me.

The Secretary read as follows:

To the President:

The Secretary of State, to whom was referred the resolution of the Senate of the 5th instant, requesting the President to transmit to the Senate "any information which may have been received by the Departments concerning postal and commercial intercourse between the United States and South American countries, together with any recommendation desirable to be adopted for facilitating and improving such intercourse," has the honor to lay before the President copies of dispatches from the diplomatic agents of the United States accredited to the governments of South America touching the subject-matter of the resolution; and also, as coming within the purview thereof, copies of a report and its annexes, presented to this Department by Mr. J. W. Fralick, upon his return from an extended journey through the leading states of South America, all of which papers are specified in the subjoined list.

With reference to the request of the Senate for "any recommendations desirable to be submitted of measures to be adopted for facilitating and improving" postal and commercial intercourse, the Secretary of State, without entering into an extended discussion of the very important and interesting topics suggested by the papers submitted, respectfully calls attention to certain manifest conclusions which all these reports tend to support.

I. It seems to be very evident that the provision of regular steam postal communication, by aid from Government, has been the forerunner of the commercial predominance of Great Britain in the great marts of Central and South America, both on the Pacific and Atlantic coasts of the continent. It is no less apparent that the efforts of other European nations, Germany, France, and Italy, to share in this profitable trade have been successful in proportion with their adoption of regular steam postal communication with the several markets whose trade they sought.

II. These papers show, also, that the enterprise and sagacity thus shown by European nations have actually reversed the advantage which our geographical position gives us in relation to this extensive commerce of the American hemisphere. The commercial correspondence of our merchants with the trading points on the east and west coasts crosses the Atlantic twice to make a postal connection in a circuit of trade which has its beginning and its end on our own continent. The statistics of our limited trade, under this extraordinary disadvantage, show that the growing preference for our products in these South American markets insists upon being gratified, even at the cost of a circuit of importation which carries our merchandise to Europe and incorporates it as a contribution to the volume and the profits of European South American trade. No stronger demonstration of the tendency of commerce to follow in the train of postal communication can be conceived than this vast and expensive circuit of importation resorted to in default of direct opportunities between the countries of demand and supply.

III. It would seem from these reports that the merchants and the communities, no less than the Government of these countries strongly desire an enlargement of direct trade with the United States. With all the advantages of foreign commerce supplied by the existing European arrangements for its prosecution, these markets perceive that this unnatural circuit, when the resources of the United States could supply a direct trade in its place, must be at the expense of the party subjected to the system and the profit of the party which administers and controls it. Everywhere there is shown a great desire to expand their

trade with the United States, and even the least prosperous exchequers of these Governments are ready to be opened to share in the expenses of steam postal communications, of whose value in promoting foreign commerce their own experience furnishes irrefragable proof.

IV. While many less immediate and less simple measures, about which judgments may not readily concur, may properly be canvassed by our people, now eager for a restoration and extension of foreign commerce, upon this one simple and first step of direct, regular, and frequent steam postal communication between the United States and the principal commercial ports of Central and South America there would seem to be no room for doubt.

If this be so, it is obviously the dictate of interest and duty, on the part of the Government, to promote by every just and appropriate means the attainment of this first and principal agency for the desired expansion of our foreign commerce. It is difficult to understand how this commencement and development of an ocean postal system, to be a forerunner of the expected trade, can be wholly trusted to the mere interests of mercantile combinations.

The governments of the foreign states with which this commerce is to be opened are ready to take their part in the public expense of this postal communication with us, and the participation or non-participation by the United States in this public expense seems to be the turning point in the acceptance or rejection of the reciprocal trade now proffered us.

WM. M. EVARTS.

DEPARTMENT OF STATE,
Washington, December 17, 1878.

Mr. EVARTS. Mr. President, the wise and patriotic ruler of Brazil, Dom Pedro, had a very earnest desire that his realm should be separated as much as possible in commercial and industrial intercourse from Europe, and that it should cling to this country for the exchanges of commodities. So strongly impressed was he with this idea that he undertook, out of the scanty coffers of his Empire, to keep on foot a subvention of $100,000 a year to support an American-built and American-manned line of vessels, under the flag of the United States, between the United States and Rio Janeiro.

This Government for a few years made a corresponding endowment. Then the Democratic party sent up the cry of "Subsidy!" against subsidies—subsidies that are helps to commerce, helps to trade, helps to navigation, helps that can not be given by individuals. The Democratic party denounced the policy. And yet this help had been taken away from the States by the Constitution and concentrated in the General Government, help which if not exerted here can be exerted nowhere. The trial was made by the Republican party, but under this incessant hammering and denunciation as "subsidy" of the opposition it came to an end. After keeping up his single donation for some years after, the Emperor's subvention failed and the ships passed away from this pathway on the seas.

Mr. President, it is seldom that sentiment and pathos find a place in the intercourse of great nations seeking each its own advantage, yet we must feel some pathetic interest in this distant nation, stretching out its arms to us in every purpose of this benign administration of that empire, seeking closer association with us in liberty, institutions, in everything that we could wish. Yet those beckoning hands, those outstretched hands, were stricken down by Democratic repugnance to our meeting half way these helps to our commerce. There is not much pathos among nations, I agree. But this picture, as it seems to me, if put on canvas, or in marble, in literature, or in law-making, is not one upon which we should delight to gaze.

Now, Mr. President, I see no reason to change my views on this topic. I expressed them in my letter at the request of Congress. There has been no departure that I know of in Republican quarters from pursuing that path. To be sure this inferior intimation was made: "Oh, you can not give subventions to ships unless you give them to some particular ships; that would involve some particular port, and that would raise a difficulty. New York is big enough; but there are Boston, Philadelphia, Baltimore, Charleston, and New Orleans. Why should not they have ships sailing all over the world, and not New York alone?" Of course they should. But it is well to have one start first, and as it must start somewhere and go somewhere, if you can not give a subvention to one ship how can you give it to twenty?

This is all idle talk that this is not one country. It is one country. There is not, I believe, from one end to the other of the State which I have the honor, with my colleague, to represent—there is not a motion or a breath in the press or in public life anywhere but that if it be a great State it is so because of the Union, and if the city of New York is great it is so because it is the great city of the United States.

But we have all sorts of what seem to me discreditable aspersions, which are not to be noted as of value but for the fact that in consequence ships lie idle, our paths on the ocean are unfrequented and our commerce unopened. And yet the cry is all the time from the Democratic side, "Break down your tariff, and then you will have trade." What shall we have trade in? And that brings me a little more closely to the notion of reciprocity. I had occasion to consider all these subjects during the four years that I had charge of foreign affairs, and I did not find it useful to encourage reciprocity, either in the shape of treaties or of responsive legislation.

I believe, Mr. President, that every country, every great country, should be the master of its revenues at all times from day to day. Commercial treaties that secure navigation, secure hospitality, secure ports of exchange, protection of life, liberty, and property, consuls, ministers, are of value to public action in the way of conventions and treaties. These secured, every country, and especially every great country that has to deal with lesser nations, should be the master, as I have said, from day to day of its own revenues.

There are many other considerations that are affected by the conduct of its revenues besides its intercourse with this or with that nation on a particular subject. I have, for these reasons, been averse to commercial treaties that affect our revenues, which should always be in the hands of the House of Representatives, under its constitutional authority, and only under such power of amendment as is open to us in the Senate.

I do not wish to see entanglements arise from an observation of only a single incident in our affairs and a neglect of a circumspect attention to connected domestic interests. Especially do I dislike this with a lesser nation that would ever be claiming that she should not be cut loose from our protection in a matter in entering into which she might have hazarded her relation with other great nations that frowned upon the transaction on her part.

These were my views then; these are my views now. I believe that we know how to make our tariff laws. I believe that we know how to conduct our navigation. I believe that we know how to obey the injunction of the great father and founder of our independence, Washington, against foreign entanglements in respect of trade, as well as in every other form.

The form of responsive legislation is less objectionable because this freedom of legislation is at the disposition, from time to time, under certain responsibilities of course, of either party. But if this responsive legislation takes the force really of the binding obligations that belong to a treaty, then it is open to the same objection as the treaty, and to another objection: that its relation, its import, and its value are not accurately measured as they would be in a treaty.

But, if it has not this stability and is open and free to our legislation, then it should be opposed by our policy, not towards a particular nation, but by our general policy towards the world. If we make new legislation in this or that particular it may be claimed to be contrary to this responsive legislation, and the corresponding party or nation will complain of ill faith, and that she has been invited upon the honor of the nation to trust in our promises, and her trust is put to naught.

I therefore do not favor these things, not on any question of policy of this or that political leader or of this or that political party, but because they are unsafe and apt to prove unprofitable and embarrassing. These are my views.

Mr. President, when we pass a law, on entering into this responsive legislation, and the corresponding nation passes its law, then the thing is done. It is done by the law-making power, at least on our side, and presumptively done by the law-making power of the other nation. The terms of this legislation are defined and precise, as belongs to law-making.

No doubt it is quite competent, under our Constitution, notwithstanding the separation of the departments of the Government, for us to perfect legislation and make it dependent under certain circumstances for its execution or non-execution upon conditions expressed in the act.

It is the duty of the Executive in all things to exercise his power under our will, absolutely defined, and thus upon an event to be ascertained and promulgated by him the operation of the law may be made to depend. Thereupon our substituted will shall take effect, with no intervention of anything but an Executive act, upon a fact to be ascertained as a fact.

Now, none of these propositions before us confine this transaction of ours, within the limits I have assigned, if it has any good foundation in prudence and value, to our interests in trade. The clause introduced by the Committee on Finance is perhaps the least objectionable of these tentative arrangements, but it has the distinct infirmity, as has been well pointed out by the Senator from Alabama [Mr. MORGAN], that the President is to pass upon a question of natural, industrial, and commercial interest; that he is to say whether the commensuration is well adjusted; that he is to deny to one nation what he is to accord to another: "You have done enough." "You have not done enough." And then we are brought, if there should be vigor in the President to execute this new duty, as he would undoubtedly do—we are brought into that awkward predicament when the one nation says, "I have done all I could, and that, you say, is not enough;" and the other says, "I have not done as much as I might, but I have done so much; and that, you say, is admitted to be enough."

But, Mr. President, although it is a familiar rule of international treaties that the favored-nation clause does not conflict with an interchange of special advantages, on which arrangements of commerce are based between particular nations, yet let me call your attention to another element in this proposition under view. The proposition is not opened to all the world. But this proposition contemplated is not open upon the ground of the mere interchange of special advantages, but is to be offered only to what are called non-competing nations. Now, here is introduced the new proposition of public law, that is to say, that notwithstanding the most-favored-nation clause you are permitted to make better accommodations with non-competing nations than competing nations.

Apply this suggestion to this very subject of sugar. The President goes around with this stock for barter, of interchanging tea, coffee, sugar, and hides. Very well. The point is that we do not produce

them; we will open these to you if you will admit free this, that, or the other equivalent.

It is all left open as to how much they are to admit or what. One says, "Yes, we will open our ports to all your commodities." So we make this agreement of reciprocal advantage. Well, Great Britain, who has already opened her ports to all our commerce without duty, says, "How is this? We are entitled to the most-favored-nation clause. You have given to one nation an advantage in commerce because that nation has given you free trade." Then this novelty in public law comes up: "Oh, we do this only with non-competing nations." Is that written in the bond of the most-favored-nation clause, that we may make this distinction between competing and non-competing nations? No publicist can stand upon that proposition.

We can, however, stand upon the proposition that it is not a violation of the most-favored-nation clause when one nation gives us something that other nations do not give or have not given us.

Now comes the question of prudence or value in these exchanges. Let us look at Brazil. Brazil is as good an instance, perhaps the best instance of all, a friendly nation, an American nation, a great nation. Now, they say, "With our bartering we will open to your exports coffee, sugar, and hides duty free, if you admit free what the President would say was a good list of our exports." Where will he find this list or how can he make it?

Under instructions from him the Secretary of State and the Secretary of the Treasury will furnish him a list, we may suppose. Then he says, "You must open to us all these articles." Well, Brazil says, as this Brazilian merchant says, "We can not do that; we can not admit them free, but we will do this: we will make the duties range a little lower than we make for England and for France." Well, should we not be jockeyed on that? What manufactures of any kind would go to Brazil under a proposition putting us on a little lower duty than that charged to England, France, or Germany? Why, Mr. President, the thought in all our debates here is that if we do not have this tariff of ours at high rates, then the British——

Mr. ALDRICH. Will it interrupt the Senator from New York if I make a suggestion?

Mr. EVARTS. Not in the least.

Mr. ALDRICH. Is not the Senator aware that with the same duties collected from the Americans as from the English, Germans, and French we send a large amount of manufactured cotton to Brazil now?

Mr. EVARTS. I have no doubt of it, and we send it by way of England largely.

Mr. ALDRICH. Unfortunately, yes.

Mr. EVARTS. Unfortunately, yes. That is true, no doubt. Our goods must stand transportation twice across the ocean to reach Brazil. We can not get in our general average under any such notion.

But suppose that Brazil should take off all its duties on our manufactures and take them off from England; could we then compete with England? I imagine not. Suppose that Brazil takes off one-half of the duty in our favor to enable us to undersell England and keeps the duty on England, what will England say to Brazil under the favored-nation clause? Why, she will say, "England has been open to your coffee, your sugar, and your hides free. How is it now that you make an under-bargain with another nation competing with ours, so that if she gives you free trade you will keep duties on against England and take them off against the United States?"

Mr. President, it is true, as I have said, that we may make the prospective action of the Executive depend upon what is properly an executive inspection of a fact of such quality and nature that it is susceptible of executive inspection; that is to say, when the month of the year comes around or when it is ascertained that there has been an act of Parliament passed and published in England. But that does not interfere with our duty as legislators at all.

It is not quite so easy to draw the line, under our distribution of powers between the great departments of the Government, between an executive power, which nobody thinks could be assumed by Congress, and a legislative power, which no one thinks can be assumed by or conferred upon the executive. But there has come about a little confusion because the executive is subject to the will of Congress. All the legislative power of this country is vested in the two Houses of Congress, together with the will of the Government; that is, the whole will of the people.

The executive is the servant of the law. The judiciary is the expounder of the law. Take the early debates, in the beginning of this century, during the time of President Jefferson, about the embargo troubles and all that. There the question was tested and it was said that the law was unconstitutional. The answer was, "No; this is not a regulation of commerce; it is an affair lodged in the Executive to execute our will expressed toward these foreign nations, not as to interchanges, but in resistance of their preying upon our commerce," and it was held constitutional.

We passed a meat bill the other day which contained provisions unquestionably for great executive authority upon commercial facts to be ascertained by the President. That law has reference to commodities that are found, under principles laid down by Congress, as taken out of commerce because they are not subject of interchange, because interdicted by health ordinances and health control. What happens, then, to these vicious subjects of import? Not the collection of duty upon them, but their destruction. That is an executive act under legislative will.

We have no right to complain of France. We never had any right to complain of France putting a duty on our pork that would exclude it from patronage and use within her borders any more then she could complain of us in regard to what we have done about her wine and silk. We said, "You are making but a pretense of health exclusion in order to give protection, and we understand it. But besides being excluded commercially you also stigmatize our product as unmerchantable. We can not submit to that. If under guises or under disguises you palter about that, we will look into your wines and your drugs and treat them as subjects to be excluded as being deleterious to human health." So much for that matter.

Mr. President, I have said more than I ought. My view on public law, my view of the expediency of these interchanges, is easily understood. Make your tariff as you think right. Let others make theirs as they think they have a right. And when you reach, as England has reached, the position where you can devour the substance of other nations better by free trade than you can protect your own substance by tariff legislation, then change your laws.

Pension Legislation—The Work of the First Session of the Fifty-first Congress, and the Record of Parties Compared.

REMARKS

OF

HON. BYRON M. CUTCHEON,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Friday, September 5, 1890,

On the subject of pension legislation during the present session.

Mr. CUTCHEON said:

Mr. SPEAKER: I have attended here regularly each Friday evening during the present session to assist in the consideration of private pension legislation. During that time I have taken very little of the time of the House with remarks, preferring that the time should be devoted to the passage of these bills for the relief of deserving soldiers, their widows, and dependents; but this evening I would be glad to occupy a few moments in referring especially to the pension legislation of the present session and what has been accomplished by the majority of the House in the interest of the soldiers, and how it has been accomplished. I am not in the habit, Mr. Speaker, of indulging in remarks of a partisan character, believing that the record of a party will speak for itself, and that the country will have no difficulty in understanding and interpreting the actions of parties.

I congratulate the House and the country that in consequence of the general legislation which has been enacted at this session of Congress private pension legislation has become to a great extent unnecessary.

I believe that under the act of June 27, 1890, every honorably discharged soldier who is really entitled to a pension, and is really in need of it, can receive such pension to the full amount provided by that act. It is only in special cases, like the pending one (granting a pension to General Henry A. Barnum), that existing laws are inadequate and it is necessary to appeal to Congress to remedy that inadequacy.

When the disability bill was under consideration it was estimated that the number of claims that would be filed under it would be about 300,000. But little more than two months have elapsed since that law became operative, and already about 390,000 claims have been filed under it. That law is vindicating its wisdom and justice day by day; and more and more the soldiers of the country are coming to understand that their Representatives have given them the most liberal and generous pension law ever enacted. There may still be some unsatisfied and disaffected because they are unable to prove any disability under that law equivalent to $6 a month, either in the service or out of it.

I would call the attention of any who may be still dissatisfied with the provisions of the present law to the following statement of facts: First, that there are already pending under the old law claims of invalids for disability contracted in the service and of widows and dependents numbering upwards of five hundred thousand; second, that under the new law, where it is not necessary to prove the origin of disability in the service, there are pending nearly four hundred thousand claims; third, that there is no soldier who has a disability, whether contracted in the service or since the service, nor any widow of a soldier who is dependent upon her personal efforts for her support, but that is already entitled to a pension.

I suppose that no one would claim for a moment that those who have no disability should have priority over those who have disabilities.

I am safe in saying that no true soldier with no disability, for the sake of a service pension, would push aside the widows or orphans of a deceased comrade left without means of support. It is clear, therefore, that all claims for disabilities contracted in the service, and all claims for widows, orphans, and dependent parents, and all claims for actual disabilities duly proved should take precedence of claims for service only, not coupled with a disability.

Supposing the adjudication of the pending claims could proceed at the average rate of five hundred a day, or one hundred and fifty thousand a year, it would occupy six years in the adjudication of those now filed, to say nothing of the additional claims that will be hereafter filed. When these claims shall have been disposed of it will be time to consider the need of further service-pension legislation.

But it was my purpose, Mr. Speaker, at this time to speak more particularly of the pension legislation of this Congress and of the record of the two great parties with reference thereto. In the last Congress, on the 12th of July, 1888, I had the honor to submit some remarks on the history of pension legislation from its origin down to that date, and in order to make the record complete and continuous I desire now to embody a part of the remarks then made and to continue the record to the close of the present session, as I presume that there will be no further general pension legislation during this session of Congress. In the speech referred to I said:

"But, Mr. Speaker, we were told by the Democratic chairman of the Committee on Invalid Pensions in the last Congress (who is also the chairman of the same committee in this) on the 7th day of July, 1886, that 'all the legislation friendly to the soldier that has amounted to anything since the war has been given by a Democratic House of Representatives.' (CONGRESSIONAL RECORD, page 6636.)

"I join issue with the distinguished gentleman from Indiana. I deny the statement in whole and in part. It is not true in substance or in fact, in letter or in spirit, in statement or in intendment.

"Now, Mr. Speaker, I propose to examine the truthfulness and accuracy of that statement. I propose from the record to settle the question who has given 'all the legislation friendly to the soldier since the war.'

"The pension system as it now exists

"THE REPUBLICAN PARTY FOUNDED;

that party has enlarged and improved it from time to time; and up to March 4, 1885, has administered it.

"We have seen, reasoning *a priori*, from the constitution of the two parties what we might expect would be their attitude on this question, and I now propose to show from the record that it has been what might have been expected. The fundamental law upon which our present pension system was based was enacted July 14, 1862, while the war was still progressing and while the Republican party had undisputed control of every department of the Government. It provided the most ample and generous system of pensions that up to that time had been enacted into law. It provided for the disabled soldier, and for the widows, children, mothers, and sisters of those who should fall. It was a broad and comprehensive foundation, upon which has been erected the entire superstructure of our present system.

"From 1862 to 1875 the Congress remained in the hands of the Republicans, and the Executive was also Republican during that period, unless the Administration of Andrew Johnson be regarded as an exception.

"The principal acts that followed the fundamental act were—

1. Act of April 9, 1864.
2. Act of July 4, 1864.
3. Act of March 3, 1865.
4. Act of June 6, 1866.
5. Act of July 25, 1868.
6. Act of July 27, 1868.
7. Act of July 7, 1870.
8. Act of July 8, 1870.
9. Act of February 14, 1871.
10. Act of June 8, 1872.
11. Act of March 3, 1873.
12. Act of June 6, 1874.
13. Act of June 6, 1874.
14. Act of June 14, 1874.

"There were a number of minor acts which I have not mentioned.

"Each and all of these acts were passed by a Republican Congress and approved by a Republican President. None of them took a backward step.

"Each of them either established some new class of beneficiaries or else increased the rate or enlarged the remedies of those already existing.

"March 3, 1873, Congress revised and consolidated all the existing pension laws and created the pension code substantially as we have it to-day in the Revised Statutes.

"To show how reckless was the statement of the chairman of the Committee on Invalid Pensions, it may be said in brief that *every law, section, line, word, and syllable relating to pensions in the Revised Statutes of 1874 was enacted by Republican Congresses, by Republican votes, and approved by Republican Presidents.*

"I will not now pause, Mr. Speaker, to give in detail the substance of each of these acts, but refer those who desire to see how our pension system has grown up to the Statutes-at-Large of the several Congresses. I will now only name a few of the more important.

"The act of July 4, 1864, extended the limitation of arrears to three years and fixed the pension for loss of both feet at $20, and for the loss of both hands or both eyes at $25 per month, a Republican law.

"The act of June 6, 1866, increased the pension for loss of both feet, both hands, or hand and foot; also, for loss of one hand or foot.

"This was also the first law granting pensions to dependent fathers and mothers. This was a Republican law.

"The act of July 25, 1868, granted to widow pensioners $2 per month for each child by the soldier under sixteen years of age, and if there were orphan children but no widow surviving, it gave the orphans what the widow would have received.

"This was one of the most beneficial pension laws ever enacted. Under it about 18,000 widows received immediate increase, and the principle of the law remains in force until now. This was a Republican law.

"The act of July 8, 1870, inaugurated a new system of paying pensions and protected the pensioner from the fraud and avarice of pension cormorants.

"No one has ever thought of repealing or dispensing with it. Another Republican law.

"The act of February 14, 1871, provided pensions for the soldiers and sailors of the war of 1812, and for their widows. Another Republican law.

"All these acts, and many not enumerated, were enacted by Republican Congresses and by Republican votes.

"But at the election of 1874 the House of Representatives

"PASSED INTO THE HANDS OF THE DEMOCRATIC PARTY,

and with the exception of the Forty-seventh Congress (1882–'83) it has remained Democratic ever since.

"I propose now to analyze the pension legislation since that time, and show what has been done and by what votes it has been done.

"The act of February 28, 1877, allows separate pensions for the loss of both a hand and a foot.

"The act of March 3, 1877, allowed pensions to disabled soldiers in certain cases, although they had engaged in rebellion against the United States.

"The act of March 9, 1878, amended the Republican law of February 14, 1871, granting pensions to the soldiers and sailors of the war of 1812. It reduced the term of service from sixty to fourteen days. It provided that a widow's pension should cease if she should remarry. But the 'milk in the cocoanut' is found in the following:

"SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-rolls the names of all persons now surviving heretofore pensioned on account of service in the war of 1812 against Great Britain or for service in any of the Indian wars, and whose names were stricken from the rolls in pursuance of the act entitled 'An act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the Government or who have in any manner encouraged the rebels,' approved February 4, 1862, and that the joint resolution 'prohibiting payment by any officer of the Government to any person not known to have been opposed to the rebellion and in favor of its suppression,' approved March 2, 1867, and section 4716 of the Revised Statutes of the United States shall not apply to persons provided for by this act.

"Section 6 provides pensions for the widows of persons stricken from the rolls, as above, and who died while their names were so stricken from the rolls. This was a Democratic act.

"The act of June 18, 1878, makes the pension of a lieutenant-commander in the Navy the same as that of lieutenant commanding.

"The act of June 20, 1878, limits the fee of claim agents to $10.

"The act of June 17, 1878, increased the pensions of soldiers and sailors who had lost either both hands, both feet, or the sight of both eyes to $72 per month. These were all receiving $50 per month. It affected about 200 pensioners.

"The act of February 19, 1879, provides for paying three months' extra pay to the officers and soldiers engaged in the military service of the United States in the war with Mexico. A very large proportion of these were in the South.

"The act of June 9, 1880, was intended to prevent the reduction of the pensions of certain petty officers in the Navy.

"With one notable exception, this embraces in detail the entire list of pension measures up to the time when the Democratic party again lost control of the House.

"It will be noted that, with the exception of the act relating to pensioners of the war of 1812 stricken from the rolls for aiding the rebellion and the three months' pay to the officers and soldiers of the Mexican war, which benefited almost entirely those residing in the South, they amounted to very little indeed.

"They affect but comparatively few cases, and those who were already drawing high rates of pension.

"But the most important act of those six years from 1875 to 1881, which constitutes the exception referred to, remains to be considered. It was the act known as

"'THE ARREARS ACT.'

"This was the most important piece of pension legislation ever enacted in this country. This act has been persistently claimed by the Democrats as a Democratic act.

"In the Forty-ninth Congress one of the Democratic leaders, Mr. Bragg, of Wisconsin, said that the Republicans enacted the arrears limitation and the Democrats repealed it.

"The only foundation for this statement is in the fact that the re-

peal was passed when the Democrats had a majority in the House; but I will show from the record—

"1. That the bill was introduced by a Republican.

"2. That it was brought up and put upon its passage by a Republican.

"3. That it was passed by Republican votes.

"4. That of the 150 votes absolutely necessary to pass it the Democrats furnished about one-third.

"Many people seem to suppose that the payment of arrears of pensions, or, in other words, the commencement of the pension from the date of discharge, was a new and unheard-of thing until the passage of the act of January 25, 1879. On the contrary, it was

"AS OLD AS THE PENSION LAW.

"By the act of July 14, 1862, a limitation of one year was fixed within which the claim should be prosecuted in order that the pension should begin from the date of discharge. This limitation continued in force until the act of July 4, 1864, extended the limitation to three years from discharge. This limitation was re-enacted by the act of June 6, 1866. Before the expiration of this three years the act of July 27, 1868, extended the limitation to five years from the date when the right to the pension should have accrued.

"This five years' limitation became incorporated into the act of March 3, 1873, in which the pension laws were codified, and thence became section 4709 in the Revised Statutes of the United States of June 22, 1874. Under each of these acts 'arrears of pensions'—that is, pensions covering periods prior to the filing of the application therefor—were granted in thousands of cases. But as the period of five years from the date of discharge elapsed the right to pension prior to date of application was lost until the limit of five years from discharge had been exceeded in all cases.

"In this connection it will be interesting to examine the facts as to the passage of the act of July 27, 1868, which established the five years' limitation. In June, 1868, this House passed an act largely extending and liberalizing the pension laws. It was an act of many sections. The fifth section provided that all pensions under that act should 'commence from the death or discharge of the person on whose account the claim has been or is hereafter granted, or from the termination of the right of the person having prior title to such pension, provided application for such pension has been or shall be hereafter filed with the Commissioner of Pensions within five years after the right thereto has accrued; otherwise the pension shall commence from the date of filing the last evidence necessary to establish the same.'

"This proviso constituted the

"'ARREARS LIMITATION.'

"At the time of the passage of that act through this House, no objection was made to this proviso on any hand. Not an amendment was offered, not a vote was given against it, so far as appears from the record.

"The simple record is that 'the bill passed.'

"The bill was taken up in the Senate on July 20, 1868. The bill was amended, new sections added, and some sections changed, but the limitation proviso was not so much as alluded to in the debate. No objection was made, no amendment was offered, and no vote recorded against it. Again, it is recorded that 'the amendments were agreed to and the bill passed."

"That was in the Fortieth Congress. In the Forty-fifth Congress an attempt was made to repeal this limitation of the arrears proviso, but it never came to final action.

"In the Forty-sixth Congress, upon the 19th of June, 1878, Mr. Haskell, of Kansas (Republican), moved to suspend the rules and pass the act introduced by Mr. Cummings, of Kansas (also a Republican). This was House bill 4234, known as the 'arrears act.' Upon this motion the rules were suspended and the bill passed by a vote of 164 to 61, distributed as follows:

Democrats for the bill	48
Democrats against the bill	61
Republicans for the bill	116
Republicans against the bill	None.

"As this bill passed under suspension of the rules it required two-thirds, or 150 yeas, of which 150 the Republicans furnished 116 and the Democrats the remainder.

"This bill was taken up in the Senate on January 16, 1879, and after brief debate it was passed by a vote of 43 to 3.

"The yeas were 27 Republicans and 16 Democrats, and the 3 nays were all Democrats.

"The arrears act was not introduced by a Democrat, was not moved by a Democrat, was not passed by Democratic votes. A majority of 13 Democrats in the House voted against it. Every vote cast against it in either House was by a Democrat.

"That act received the approval of President Hayes January 25, 1879, and became a law.

"IT REPEALED THE ARREARS LIMITATION ABSOLUTELY

and for all time. It created no new limitation. It was a measure of full relief. It was a Republican law.

"But in the closing days of that Congress an appropriation bill was reported from the Democratic committee of the House by Hon. W. A. J. Sparks (Democrat) entitled 'An act making appropriations for the payment of the arrears of pensions granted by the act of Congress approved January 25, 1879, and for other purposes.' That act contained three sections.

"Section 1 made the necessary appropriation for the payment of the arrears; then followed this general legislation.

"Section 2 first substantially re-enacts the Haskell-Cummings bill granting pensions from the date of death or discharge, and then adds these words:

"If the disability occurred prior to discharge; and, if such disability occurred after the discharge, then from the date of actual disability or from the termination of the right of the party having prior title to such pension: *Provided*, The application for such pension has been or is hereafter filed with the Commissioner of Pensions prior to the 1st day of July, 1880; otherwise the pension shall commence from the date of filing the application.

"Section 3 repealed section 4709 of the Revised Statutes, which was the five years' limitation.

"This act was approved March 3, 1879. Under this law we have been operating to the present time.

"It will be seen that the Haskell-Cummings act of January 25, 1879, repealed the limitation on arrears absolutely and that the act of March 3, 1879, created a new limitation of less than one year and four months, namely, July 1, 1880. Such is the plain record in regard to the repeal and the re-enactment of the limitation of arrears of pensions.

"The statement of the gentleman from Wisconsin was as far from the truth as the statement of the distinguished gentleman from Indiana.

"Of the

"JUSTICE AND RIGHT OF THAT REPEAL

there can be no doubt.

"As I have before said, Mr. Speaker, a pension is simply an attempt on the part of the whole people to compensate in part losses suffered by individuals in behalf of the whole people.

"This compensation should be, so far as practicable, commensurate with the loss. The service of the claimant having been established and the loss in the service, why should not the compensation begin at the same time as the disability and loss?

"Why should 60,000,000 of people ask one poor man to bear alone a loss incurred in behalf of all? Is it because the pensioner has not claimed his right? Is it then to be counted against a man that from motives of patriotic pride he has forborne to claim his right when he might have claimed it, and that he has struggled manfully for years under increasing infirmities to avoid and postpone asking help and compensation for his loss from his countrymen? God forbid.

"When we have duly adjudicated in our own constituted tribunal that the claimant has suffered a loss in serving his country, a loss for which he was entitled to a pension if he had asked for it, why should not the pension reach back to the disability? Why should one rule be applied to those who came forward promptly to claim their dues, and another applied to those who have sought to avoid the necessity of claiming the right which the law had given them? Why should we not now repeal the existing limitation, and thereby do an act of justice?

"THE FORTY-EIGHTH CONGRESS.

"With the Forty-eighth Congress the Democratic party once more returned to the control of the House of Representatives, with a majority of more than seventy.

"Bills covering almost every possible phase of the pension question were introduced and referred to the proper committees.

"There were bills to repeal the arrears limit; bills to pension soldiers in the Mexican war; bills to increase the pensions of widows and orphans; bills to pension prisoners of war; bills to waive proof of prior soundness; bills to dispense with proof of actual dependence of fathers and mothers; bills to increase rates, especially in cases of loss of limb, of sight, and of hearing.

"There was a great abundance of material went to the committee, but very little of it ever came to action in the House. But a bill to pension

"SOLDIERS OF THE MEXICAN WAR

was promptly reported, and a substitute therefor, introduced by Mr. Townshend, of Illinois, was passed granting a service pension to every soldier who served for fourteen days in the Mexican war or was even carried on a muster-roll for that length of time, without any other requirement of age or service or disability or need.

"This act repealed so much of the Revised Statutes as prohibited pensions to persons who had borne arms against the United States in the war of the rebellion, and conferred a uniform life pension upon them of $8 per month, regardless of the fact that they might have been subsequently disabled while fighting against the United States.

"This bill went to the Senate (which was Republican) and was there amended so as to confer pensions upon honorably discharged soldiers of the Union who had become disabled for self-support and who were dependent upon their own labor. The Senate amendments also provided for the increase of widows' pensions, and those of dependent parents and children.

"It embraced the most meritorious features of the so-called dependent-pension bill afterward vetoed by the President. This bill, so amended, was returned to the House, and in the closing days of the first session of the Forty-eighth Congress, July, 1884, three days before the final adjournment, it came up for consideration.

"Mr. Hewitt, of Alabama, antagonized these Senate amendments with the original Mexican pension bill, which pensioned everybody in the Mexican war and the Black Hawk war and the Seminole war, but no Union soldier.

"Upon Hewitt's motion to substitute, the yeas were 84, all Democrats, nays 126, of which 87 were Republicans and 39 were Democrats.

"The House then proceeded to consider the Senate amendments, but when the sixth amendment was reached, the Democrats, under the lead of Mr. Hewitt, of Alabama, inaugurated a filibuster, which was maintained up to the hour of final adjournment (July 5, 1884), and so the bill was killed for that session.

"A few Democrats, under the lead of Mr. Townshend, stood steadfast for the bill.

"After the reassembling of Congress (January 5, 1885), Mr. Keifer, of Ohio, moved to suspend the rules, take up the bill as amended by the Senate, and

"CONCUR IN THE SENATE AMENDMENTS.

"To do that would pass the bill. On that motion the yeas were 129, the nays were 85.

Democrats for the bill	57
Democrats against the bill	84
Republicans for the bill	72
Republicans against the bill	1

"The one Republican against the bill was Bisbee, of Florida.

"So, for the want of the requisite two-thirds to suspend the rules, the bill was lost.

"This was the great pension contest of the Forty-eighth Congress, and this most just legislation was defeated by 84 Democrats.

"The only pension legislation which became law in the Forty-eighth Congress was a petty bill which gave to those who had lost a leg at the hip the same pension as those who had lost an arm at the shoulder, and a three-line proviso on an appropriation bill, inserted by a conference committee, giving the presumption of prior soundness (*prima facie*) to pension claimants.

"This Democratic House with its more than 70 majority was a very poor place for pension legislation. The Republican Senate did much. The Democratic House undid it all.

"THE FORTY-NINTH CONGRESS.

"The Forty-ninth Congress assembled with the Republicans in control of the Senate by a narrow majority, and the Democrats in a majority of about 40 in the House.

"Again bills were introduced covering the entire field of pension legislation, including Mexican war, widows' increase, prisoners of war, dependent and disabled, and repeal of the arrears limitation.

"The first contest arose on the 'widows' increase bill.' That bill came up in the House in regular order on January 21, 1886. Mr. BROWNE, of Indiana (Republican), offered an amendment to repeal the arrears limitation. A vote on the amendment was prevented. On February 2 Mr. Matson moved to suspend the rules and pass the widows' increase bill (with an amendment relating to date of marriage) and without the Browne amendment. This motion cut off all possibility of General BROWNE'S motion being voted on, just as it was intended and designed to do. The vote was then taken on the bill (to increase widows' pensions from $8 to $12 per month) and it was passed by a vote of 198 yeas to 66 nays, as follows:

Democrats for the bill	80
Democrats against the bill	66
Republicans for the bill	118
Republicans against the bill	None.

"All but two of the Democrats who voted against this bill were from the South. The two exceptions were Bragg, of Wisconsin, and Hewitt, of New York.

"SENATE BILL 1886.

"About the same time in the Senate was passed 'Senate bill 1886,' to pension disabled dependent soldiers.

"It passed by a vote of 34 yeas to 14 nays.

Democrats for the bill	7
Democrats against the bill	14
Republicans for the bill	27
Republicans against the bill	None.

"This bill went to the House, and the Democratic majority refused to consider or even report it, and it died in the hands of the Democratic committee.

"DEPENDENT PENSION BILL.

"As I have before said, the Senate had early in the first session passed a bill in the nature of a dependent pension bill, known as 'Senate bill 1886.' Petitions poured in from all over the country asking for its passage. The leaders on the Democratic side were in a dilemma. To take up and pass the Senate bill was to give all the prestige of the legislation to the Republican Senate, and that would never do. Thus matters stood until January 10, 1887, when Mr. Matson, chairman of the Committee on Invalid Pensions, introduced House bill 10457, which, after being considered and modified in committee, was reported back to the House and put upon its passage January 17, 1887. It was passed under suspension of the rules by a vote of 180 to 76.

Democrats for the bill	66
Democrats against the bill	76
Republicans for the bill	114
Republicans against	None.
Not voting	63
Republicans	26
Democrats	38

"It will be seen that almost two-thirds of the affirmative vote was Republican, while 76 Democrats voted against it, and only 66 in favor of it, and 13 abstained from voting without pairs.

"The act now went to the President.

"On February 11 the President returned the bill with his objection, or, as it is more commonly expressed,

"VETOED.

"The veto and the bill were referred to the Committee on Invalid Pensions, and after full and mature consideration that committee reported them back to the House with the unanimous recommendation that the bill pass notwithstanding the President's objections.

"Upon this the vote was had on February 24, 1887, with the following result—yeas 175, nays, 125:

Democrats for the bill	37
Democrats against the bill	125
Republicans for the bill	138
Republicans against the bill	None.
Not voting	18
Democrats	16
Republicans	2

"Every Republican member of the House except two (who were absent, paired) voted and are recorded for the bill. Of the 125 Democrats who voted against the bill, 96 were from the former slave States and only 29 from the former free States. Of the Democrats voting

"A MAJORITY OF 88 VOTED AGAINST THE BILL;

and so, for the want of the necessary two-thirds required by the Constitution the bill was defeated, primarily by the Democratic President, secondarily by the Democratic House.

"It is not my purpose now, Mr. Speaker, to criticise this record, but only to call attention to it.

"In order that these votes may be more readily referred to, I here append them in tabulated form.

"It will be noted, first, that only in one case (that of the widows' increase bill) were there more Democrats voting for than against any bill; second, that in all these votes there was but one Republican vote against one of them, and that was from the State of Florida. This table, taken from the official record, ought to settle now and forever the attitude of the Democratic party toward pension legislation:

Tabulated statement of votes on pension bills, Forty-sixth to Fiftieth Congress.

Name of bill.	Democrats for.	Democrats against.	Republicans for.	Republicans against.
Repeal of arrears limitation, Forty-sixth Congress	48	61	116	0
Mexican pension bill, with Senate amendments, Forty-eighth Congress, first session	39	84	87	0
Mexican pension bill, with Senate amendments, Forty-eighth Congress, second session	57	84	72	1
Widows' increase, Forty-ninth Congress	80	66	118	0
"Senate bill, 1886," Forty-ninth Congress (never reported back in the House)	7	14	27	0
Dependent pension bill, Forty-ninth Congress	66	76	114	0
Dependent pension bill, Forty-ninth Congress (to pass over President's veto)	37	125	138	0
On all the bills (aggregate)	334	510	572	1

"Mr. Speaker, I do not think that any poor words of mine can add anything to the force of these figures. They are the mute, dumb mouths that speak louder and more eloquently than any human voice of the utter falsehood of the assertion that 'all the legislation friendly to the soldier that has amounted to anything since the war has been given by a Democratic House of Representatives.' That statement is worthy of a member of the Ananias fraternity."

FIFTIETH CONGRESS.

During the Fiftieth Congress the dependent-pension bill slept in the House the sleep of death. The arrears-of-pension repeal was entombed with the dependent-pension bill on the Calendar, where it could only be reached by the action of the Committee on Rules, and that action was never taken.

The Committee on Invalid Pensions was buried under a load of public bills, but none of them ever saw the light of day or breathed the breath of life.

In the second session of the Fiftieth Congress one general pension bill was passed.

It was to increase the pension of those who had lost both hands or both feet from $72 to $100 per month. It was introduced by Mr. Long, of Massachusetts. On his motion it was taken up and passed by unanimous consent.

FIFTY-FIRST CONGRESS.

The first pension legislation brought forward in the Fifty-first Congress was to correct an error or oversight in the act of June 16, 1880, by increasing the pensions of those totally helpless, allowed since that date, from $50 per month to $72 per month, in accordance with the original intent.

The bill passed both Houses without division. As it became a law it was the result of a conference, and was approved March 4, 1890.

This was a Republican measure reported by a Republican committee.

The next pension legislation of the present Congress was the dependent-parents bill, and provides for dispensing with proof of the dependence of the parents on the soldier at the date of his death. It first came up in the Senate March 31, 1890, and passed by the following vote:

Republicans for the bill	32
Republicans against the bill	0
Democrats for the bill	10
Democrats against the bill	12

On the Democratic vote alone the bill would have been defeated.

This finally became law as part of the act of June 27, 1890.

April 7 Mr. MORRILL brought up in the House what was known as the Morrill bill. It pensioned four classes:

First. All soldiers sixty-two years of age who had served in the Army, Navy, or Marine Corps in the late war for ninety days and were honorably discharged.

Second. All who have a present disability equal to $8 per month, whether contracted in the service or not.

Third. All widows of soldiers sixty-two years of age.

Fourth. All widows under sixty-two years who have no dependence except their personal labor.

This bill was liberal, simple, and easy of administration. It was a purely service bill, coupled with an age disability. It was brought up on a motion to suspend the rules, when it required a two-thirds vote to pass it. The following was the vote:

Republicans for the bill	136
Republicans against the bill	1
Democrats for the bill	34
Democrats against the bill	86

So it was defeated for the want of a two-thirds vote. It will be seen that only a little more than a quarter of the Democrats voted for it, while only one Republican voted against it.

On April 30, under a special order of the Committee on Rules, Mr. MORRILL, chairman of the Committee on Invalid Pensions, called up the same bill and put it upon its passage. After a debate of four hours, a vote was taken on the motion of Mr. CHEADLE to reduce the age limit to sixty years. The vote resulted as follows:

Republicans for the amendment	143
Republicans against the amendment	0
Democrats for the amendment	40
Democrats against the amendment	71

The Republicans solidly for it and almost two-thirds of the Democrats against it.

The vote was then (April 30) taken on the amended Morrill bill (age limit at sixty years), with the following result:

Republicans for the bill	141
Republicans against the bill	0
Democrats for the bill	38
Democrats against the bill	71

Every Republican voting for and seven-tenths of the Democrats voting against.

The Senate and House having passed different bills, a conference was had, and a compromise was agreed upon, which has since (June 27) become a law, and under which 400,000 claims are already filed.

That act pensions all who have an existing disability equivalent to $6 per month and up to $12 per month, without proof that it was contracted in the service, provided they served ninety days and received an honorable discharge.

It also pensions the widows of all such, and all soldiers' widows dependent on their labor.

This conference report came to a vote in the House June 11, 1890, and was adopted by a vote of 145 to 56, as follows:

Republicans in favor of the report	117
Republicans against the report	0
Democrats in favor of the report	28
Democrats against the report	56

Every Republican in favor and just two-thirds of the Democrats against.

This was a Republican measure.

In the Senate it came to a vote June 23, 1890, with the following result:

Republicans for	31
Republicans against	0
Democrats for	3
Democrats against	18

Every Republican for, sixth-sevenths of the Democrats against.

So this most liberal and beneficent law was passed in the two Houses by a vote of 148 Republicans for and none against; 31 Democrats for and 74 Democrats against.

The next pension measure to be considered was the "prisoners of war bill."

This bill, in addition to pensions for prisoners of war, also provides that prisoners of war who were prisoners for thirty days or more should receive a per diem allowance of $2 a day for every day they were held as prisoners of war.

This measure was brought up on a motion to suspend the rules and pass the bill, and required a two-thirds vote.

The vote resulted as follows:

Republicans for the bill	119
Republicans against the bill	0
Democrats for the bill	24
Democrats against the bill	78

So the bill was defeated, more than three-quarters of the Democrats voting against it.

This is the last general legislation that has been acted upon at this session.

I now present in tabulated form the votes upon pension legislation in the first session of the Fifty-first Congress:

Name of bill.	Date of vote.	Republicans for.	Republicans against.	Democrats for.	Democrats against.
To increase totally helpless	Feb. 21, 1890	(*)	(*)	(*)	(*)
Dependent parents' (Senate)	Mar. 31, 1890	32	0	10	12
Morrill (62-year) bill (House)	Apr. 7, 1890	136	1	34	86
Morrill bill—Cheadle (60 years) amendment	Apr. 30, 1890	143	0	40	71
Morrill (60 years) bill	Apr. 30, 1890	141	0	38	71
Conference report (House) (now law)	June 11, 1890	117	0	28	56
Conference report (Senate)	June 23, 1890	31	0	3	18
Prisoners of war bill (House)	Apr. 21, 1890	119	0	24	78
Total votes on the several bills		719	1	177	392

* No division.

There is one other thing to which I have not adverted in the foregoing, and which perhaps ought to be taken into account in speaking of the record of the present session. I refer to the vote on the substitute offered by the gentleman from Ohio [Mr. YODER] for the House bill commonly known as the Morrill bill on the 30th of April last. That substitute was never favorably reported from any committee either of the House or Senate. It was offered contrary to the understanding had and agreed upon in the Committee on Invalid Pensions, that the committee should stand by the bill reported by it. That bill never could have been satisfactory to any except those who had long service and no disability. The vote on this bill was but 48 yeas to 161 nays, not voting 118.

The gentleman who offered this amendment, Mr. YODER, was a member of the Fiftieth Congress and also a member of the Committee on Invalid Pensions in that Congress while his political party was in full control of the House of Representatives, and yet during the two years of that Congress no general-service pension bill was ever offered to the House or presented as a substitute by the gentleman from Ohio or any of his political friends. That Congress was absolutely barren of any general pension legislation whatsoever, but like its predecessor, the Forty-ninth Congress, it was exceedingly prolific of pension vetoes, both general and special. The fact that but 47 Democrats out of about 155 voted for the substitute, in connection with the ominous silence of the gentleman and his party friends in the two preceding Congresses, gives rise to the suspicion that the substitute was offered only for political effect; but the country and the soldiers are neither so credulous nor so ignorant nor so forgetful as he seems to suppose, and they will not fail to contrast this sudden and new-born zeal for a service pension with the record of his party and of his President in the Forty-ninth and Fiftieth Congresses.

There is one thing that we have greatly missed in the present Congress, and that is our weekly list of Presidential vetoes of pension bills. The present Chief Executive evidently believes now, as he believed before his election, that it is no time to weigh the gratitude of the country for its soldiers with an apothecary's scales. In the nine months since this Congress convened no veto of a pension bill, great or small, public or private, has come from the hands of Benjamin Harrison. In addition to the many hundreds of private pension bills which have become a law during this session, we have placed upon the statute-book as a monument of the fidelity of the Republican party to its promises the act of June 27, under which not hundreds but hundreds of thousands of disabled soldiers and soldiers' widows will receive the grateful bounty of the nation.

Mr. Speaker, I invite a careful scrutiny of all my old comrades and of all patriotic men to the contrast exhibited in these records in the animus and in the actions of the Democratic and of the Republican parties; and upon the judgment of all reasonable and right-thinking men of that record the Republican party is willing to rest.

Rivers and Harbors.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 28, 1890.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 9486) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. WHEELER, of Alabama, said:

Mr. CHAIRMAN: It seems remarkable that during a period of material progress like the present there should be the slightest necessity for argument as to the constitutional right of the General Government to improve the rivers that flow through our domain, or the harbors which invite and shelter the commerce which is so essential to the prosperity with which this country is blessed. That the navigable rivers of the United States are as much its property as are its public buildings I think no one will deny, and this being conceded there is no other sovereignty which has any right whatever to improve the navigation of the rivers upon which commercial products are transported from State to State.

Even if the States which are traversed by our navigable rivers had a right and also the desire to improve their navigation, it will readily be seen that for the General Government to permit certain States to enter into such enterprises would be subject to the most grave objections. Each State has special interests which frequently are adverse to the interests of another State, whose best highway upon which to market her productions may be a river which a State with rival interests is willing to improve. Would it not only be possible, but very probable, that such permission would be exercised by a State in a manner quite objectionable to other States whose interests were rival and antagonistic? The possibility of such a result would be sufficient to prove that such a plan would be extremely injudicious, so injudicious, thought our forefathers, that they placed an inhibition upon any such possible impediment to trade. I refer to the sixth clause of section 9 of the Constitution, which reads:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

The courts have often decided that an indirect infringement of the Constitution is regarded with quite the same disfavor as a positive violation of its mandates, and it would be quite apparent that for the General Government to surrender to the States the question of improving the rivers would be placing in them unquestioned power to violate the clause of the Constitution I have just quoted. In clause 3 of section 8, Article I, the Constitution says:

The Congress shall have power to regulate commerce with foreign nations, and among the several States.

And, as stated in a succeeding clause, has power—

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof.

Thus it is seen that it is an unquestionable duty for Congress to improve and maintain the water ways of the United States.

While Rutledge, Randolph, Franklin, Jay, Ellsworth, and Madison may be called the fathers of the Constitution, there can be no question that Chief-Justice Marshall was its earliest defender, and certainly all will admit that he was by far its greatest expounder, and his decisions upon the meaning and construction of the instrument have long since become a part of the jurisprudence of our country. He presided over the Supreme Court of the United States for more than a third of a century, during which period he very thoroughly impressed his great mind upon our institutions.

In McCullough *vs.* Maryland, reported in 4 Wheaton, page 415, this distinguished jurist, referring to the scope and design of the Constitution, declared that superb structure was—

Intended to endure for ages to come, and consequently to be adapted to the various crises of human affairs.

And to the same effect and in the same spirit the Supreme Court said, in deciding the case of Hunter *vs.* Martin (1 Wheaton, 104):

The instrument [the Constitution] was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter. * * * Hence its powers are expressed in general terms, leaving the Legislature, from time to time, to adopt its own means to effectuate legitimate objects, and to mold and model the exercise of its powers as its own wisdom and the public interests should require.

In The United States *vs.* The New Bedford Bridge (1 Woodbury & Minot's Reports, 421) Mr. Justice Woodbury used this expression:

For purposes of foreign commerce and of that from State to State the navigable rivers of the whole country seem to me to be within the jurisdiction of the General Government, with all the powers over them for such purposes (whenever they choose to exercise them) which existed previously in the States or now exist with Parliament in England.

In Corfield *vs.* Coryell (4 Washington Circuit Court Reports, 379) Mr. Justice Washington said:

The grant to Congress to regulate commerce on the navigable waters belonging to the several States renders those waters the public property of the United States for all purposes of navigation and commercial intercourse, subject only to Congressional regulation.

It was held in Gilman *vs.* Philadelphia (3 Wall., 724):

The power to regulate commerce comprehends the control for that purpose, and to the extent necessary, of all the navigable waters of the United States which are accessible from a State other than those in which they lie. For this purpose they are the public property of the nation and subject to all the requisite legislation of Congress. This necessarily includes the power to keep them open and free from any obstruction to their navigation, interposed by the States or otherwise; to remove such obstructions when they exist, and to provide by such sanctions as they may deem proper against the recurrence of the evil and for the punishment of offenders. For these purposes Congress possesses all the powers which existed in the States before the adoption of the national Constitution, and which have always existed in the Parliament of England. It is for Congress to determine when its full power shall be brought into activity and as to the regulations and sanctions which shall be provided.

It was distinctly asserted in 18 Howard, page 427, that—

The power of Congress to regulate commerce includes the regulation of intercourse and navigation.

Justice Story in writing upon this subject (volume 2, page 4) says that—

Commerce undoubtedly is traffic; but it is something more. It is intercourse. It describes the commercial intercourse between nations and parts of nations in all its branches, and is regulated by prescribing rules for carrying on that intercourse.

It has been said—

The river is only the instrument of commerce.

And in Gray *vs.* Clinton Bridge (reported in 16 American Law Register, 152) it is affirmed:

The power to regulate commerce is a power to regulate the instruments of commerce.

I also cite from Cooley *vs.* Board of Wardens (12 Howard, 316), which case, in referring to the power of the General Government on this subject, said it (the power)—

extends to the persons who conduct it, as well as to the instruments used.

And in 11 Wallace, pages 411 and 415, the Supreme Court says:

1. A river is a navigable water of the United States when it forms, by itself or by its connection with other waters, a continuous highway over which commerce is or may be carried on with other States or foreign countries in the customary modes in which such commerce is conducted by water.

If, however, a river is not of itself a highway for commerce with other States or foreign countries, or does not form such highway by its connection with other waters, and is only navigable between different places within the State, then it is not a navigable water of the United States, but only a navigable water of the State.

These authorities were cited by me in a speech which I made in this House nearly four years ago. It seems to me they are conclusive that the improvement of our rivers is the right, and therefore it is the duty, of the General Government to do all work which is necessary to make the rivers safe for navigation by the crafts suitable for our trade and commerce. European nations have apparently appreciated the importance of this subject. Early in this century the Seine in France was only navigable for small craft, the depth being but 2½ feet in many localities. When Napoleon Bonaparte became First Consul he directed improvements to be made. Each facility to navigation increased commerce, and that was followed by a demand for further improvements of the river, all of which have resulted in a total increase of the depth from 2½ to 10½ feet, so that to-day large ships sail up the Seine to Paris.

The improvements of the Rhone River alone cost $12,000,000, including a canal 2 miles long near its mouth and the deepening of the river below the city of Lyons. The report of the National Assembly, 1878, recommended expenditures of nearly $200,000,000 for rivers, canals, and harbors. It must be recollected that France is only three-fourths as large as Texas, and besides her facilities for inland navigation she profitably runs over 18,000 miles of railroad.

Russia has 19,000 miles of navigable water ways and 38,000 miles of raft-bearing rivers. The Volga, the Ural, and the Dnieper are together 4,506 miles long, draining 872,000 square miles of territory. Six less important rivers drain together 300,000 square miles. Notwithstanding the water ways are blocked with ice the greater part of the year, there is a vast system of artificial canals. The St. Petersburg canal cost $7,000,000, and 900 miles of other canals have been constructed.

Italy has only 1,100 miles of navigable rivers, and though formerly among the first in constructing water ways, has now only 435 miles of canal.

Austria-Hungary possesses in the Danube and its branches water courses which drain 316,000 square miles, notwithstanding which the Government has expended many millions to improve the river, $16,000,000 on one cut alone of 10 miles in length.

Germany, with an area little larger than that of France and 22,000 miles of railroad, has already spent more than $20,000,000 on a river not larger than the Clinch, upon which our Government has spent about $14,000.

Holland, with an area about as large as the State of Delaware, has expended upon three public water-works $32,000,000.

Belgium, about as large as New Hampshire, has expended $20,000,000 on dock and river improvements, besides running profitably 2,700 miles of railway.

Great Britain, with an area just half that of Texas and 19,000 miles of railway, had up to 1884 expended more than $100,000,000 to improve her inland navigation. The actual cost of transportation on all English water ways is about one-half cent per ton per mile.

The United States is more than three hundred times as large as Belgium or Holland, more than thirty times as large as Great Britain, and eighteen times as large as Germany or France, and yet our entire expenditures for rivers and harbors from the beginning of the Government until 1890, including the bill now before Congress, have amounted to only $211,270,451.69. I call attention to the following table, showing appropriations to the different States by this bill and the total amount each State has received up to this time.

Table showing the aggregate appropriations for the improvement of rivers and harbors during the century beginning 1789 *and ending* 1890, *including amount contained in this bill.*

States.	Total amount, 1890.	Total amount to date.
New York	$1,722,500	$20,621,236.28
Michigan	2,298,500	14,801,377.25
Wisconsin	428,895	6,842,436.74
Texas	893,150	6,583,850.00
Ohio	459,500	5,040,647.29
Illinois	961,000	5,001,205.00
Massachusetts	506,500	4,885,249.08
North Carolina	425,000	4,249,308.92
California	596,500	4,112,250.00
Delaware	128,100	4,086,264.69
Virginia	508,000	3,579,380.00
Maryland	403,500	3,499,592.50
Oregon	$402,100	$3,436,050.00
Georgia	532,500	3,156,705.41
South Carolina	598,000	3,061,500.00
West Virginia	561,500	3,028,175.00
Alabama	649,000	2,789,001.82
Connecticut	325,000	2,762,176.83
Maine	418,500	2,678,634.48
Florida	376,000	2,297,850.09
District of Columbia	280,000	2,146,500.00
Pennsylvania	145,000	1,973,792.23
New Jersey	178,600	1,946,638.00
Kentucky	210,500	1,818,500.00
Iowa	.....	1,770,000.00
Rhode Island	231,600	1,583,550.00
Tennessee	530,500	1,212,000.00
Indiana	57,500	1,167,453.92
Minnesota	172,350	1,023,600.00
Louisiana	256,000	920,400.00
Arkansas	43,500	878,900.00
Mississippi	111,500	831,025.00
Vermont	31,000	746,480.20
New Hampshire	88,000	482,500.00
Missouri	261,500	338,000.00
Montana Territory	.....	300,000.00
Washington	103,000	161,500.00
Idaho Territory	.....	15,000.00
Miscellaneous	9,212,000	74,019,155.90
Surveys	225,000	6,063,430.40
Repairs, etc	.....	4,107,877.12
Dredging-machines, etc	.....	1,251,257.54
Total	*25,121,295	211,270,451.69

* Includes the June appropriation.

I also call attention to the following table I have prepared, which shows the name of each river and harbor and the amount which has been appropriated for each:

Table showing the expenditures on or appropriations for certain rivers from 1789 *to date, including bill of* 1890.

Name of river or harbor, etc.	States adjacent, etc.	Date of first appropriation.	Total amount appropriated by bill of 1890.	Total amount appropriated from March 4, 1789, to date, including bill of 1890.
Mississippi River		Mar. 3, 1879	$4,567,000	$41,280,380.53
Mississippi, Missouri, Ohio, and Arkansas Rivers	Mississippi, Missouri, and Arkansas	Aug. 23, 1842	a 6,527,000	9,277,000.00
Mississippi, Missouri, and Ohio Rivers		July 3, 1832	b 6,327,000	6,550,000.00
Mississippi and Ohio Rivers		May 24, 1824	c 5,227,000	5,904,711.64
Ohio River	Ohio, Pennsylvania, West Virginia, Kentucky, Indiana, and Illinois.	Mar. 3, 1827	660,000	5,871,479.25
Mississippi and Missouri Rivers		July 2, 1836	d 5,667,000	5,767,000.00
Missouri River	Dakota, Iowa, Kansas, Missouri, Montana, and Nebraska.	Aug. 30, 1852	1,100,000	5,539,000.00
Tennessee River	Kentucky, Tennessee, and Alabama	Mar. 3, 1827	505,000	3,881,456.94
Delaware River	Delaware, New York, New Jersey, and Pennsylvania	July 4, 1836	e 455,000	2,467,000.00
Cascades of Columbia River (canal)	Oregon and Washington Territory	Aug. 14, 1876	435,000	1,877,500.00
Red River of the South	Arkansas, Louisiana, and Texas	May 23, 1828	130,000	1,643,265.50
Columbia River	Oregon and Washington Territory	June 10, 1872	f 100,000	1,430,000.00
Falls of the Ohio and Louisville Canal g		Aug. 30, 1852	60,000	1,351,562.91
Cumberland River	Kentucky and Tennessee	July 3, 1832	290,000	1,331,000.00
Coosa River	Alabama and Georgia	Aug. 14, 1876	300,000	815,000.00
Wabash River	Indiana and Illinois	May 23, 1828	65,500	681,000.00
Arkansas River	Arkansas, Indian Territory, and Kansas	July 3, 1832	200,000	572,875.00
Cumberland Sound	Georgia and Florida	June 14, 1880	112,500	517,500.00
Monongahela River	Pennsylvania and West Virginia	June 10, 1872	167,000	494,900.00
Warrior and Tombigbee Rivers	Alabama and Mississippi	June 10, 1872	h 125,000	461,000.00
Ouachita River	Arkansas and Louisiana	Mar. 3, 1871	i 15,000	342,500.00
Osage River	Missouri and Kansas	Mar. 3, 1871	55,000	255,000.00
St. John's and St. Mary's Rivers	Florida and Georgia	May 23, 1828	j 170,500	248,500.00
Menomonee Harbor	Michigan and Wisconsin	Mar. 3, 1871	54,000	229,000.00
Red River of the North	Minnesota and Dakota	Aug. 14, 1876	25,000	218,000.00
Youghiogheny River to Cumberland		June 23, 1874	.....	210,000.00
Staten Island Channel	New York and New Jersey	June 23, 1874	k 22,000	206,000.00
Chattahooche and Flint Rivers	Alabama, Florida, and Georgia	Feb. 24, 1835	40,000	185,000.00
Choctawhatchee River	Alabama and Florida	Mar. 2, 1833	12,500	124,500.00
Cypress Bayou	Louisiana and Texas	June 10, 1872	10,000	122,000.00
Yellowstone River	Dakota and Montana	Mar. 3, 1879	.....	118,750.00
New River	Virginia and West Virginia	Aug. 14, 1876	.....	112,000.00
St. Croix River	Wisconsin and Minnesota	June 18, 1878	8,000	91,500.00
Escambia River	Alabama and Florida	Mar. 2, 1833	7,500	80,000.00
Black River	Arkansas and Missouri	June 14, 1880	12,000	73,000.00
Pawcatuck River	Rhode Island and Connecticut	Mar. 3, 1871	16,600	66,600.00
French Broad River	Tennessee and North Carolina	Aug. 14, 1876	10,000	61,500.00
White, Black, and St. Francis Rivers	Arkansas and Missouri	Mar. 2, 1833	l 56,500	59,000.00
Waccamaw River	North Carolina and South Carolina	June 14, 1880	12,500	56,900.00
North Landing River	Virginia and North Carolina	Mar. 3, 1879	.....	55,500.00
Dan River	Virginia and North Carolina	June 14, 1880	.....	50,500.00
Little Narragansett Bay	Connecticut and Rhode Island	Aug. 14, 1876	.....	36,000.00
Entrance to the Dismal Swamp Canal	North Carolina and Virginia	July 4, 1836	.....	35,000.00
Bayou Bartholomew	Arkansas and Louisiana	Mar. 3, 1881	5,000	33,000.00
Norfolk to Atlantic Ocean		June 18, 1878	10,000	30,000.00
Current River	Arkansas and Missouri	June 10, 1872	.....	7,000.00

a Sum of the items for the different rivers. *b* Sum of items for the different rivers. *c* Sum of Mississippi and Ohio River items. *d* Sum of the items for the two rivers. *e* Includes Philadelphia and Marcus Hook. *f* Includes items for Upper Columbia and Snake Rivers, Cascades, Lower Willamette and Columbia, and mouth of Columbia. *g* Also included in Ohio River item. *h* Includes special appropriation for Warrior and Tombigbee and all for Tombigbee. *i* Includes $5,000 in case of condemnation proceedings. Item in act is for Ouachita and Black Rivers. *j* Includes Volusia Bar. *k* Includes item for Arthur Kill. *l* Sum of items for the different rivers.

Table showing the expenditures on or appropriations for certain rivers from 1789 to date, including bill of 1890.—Continued.

Name of river or harbor, etc.	States adjacent, etc.	Date of first appropriation.	Total amount appropriated by bill of 1890.	Total amount appropriated from March 4, 1789, to date, including bill of 1890.
Rock River	Illinois and Wisconsin	July 7, 1838		$1,000.00
Repairs and extensions of public works on rivers and harbors		July 25, 1868		3,500,000.00
Hydrographic survey of the lakes		July 3, 1841	$10,000	2,965,379.00
Purchase and management of Louisville and Portland Canal		Mar. 3, 1873		1,250,000.00
Snag-boats and dredge-boats		Aug. 30, 1852		796,000.00
Repairs of harbors on the lakes		June 11, 1844		270,000.00
Removal of sunken vessels		June 14, 1880	a 2,000	207,233.15
Steam dredging-machines for the lakes		July 2, 1836		122,682.96
Charts, etc		Mar. 3, 1849		110,000.00
Repair and contingencies	Atlantic coast	Apr. 30, 1852		110,000.00
Preservation and repair of harbors and river improvements		Mar. 3, 1841		85,000.00
Construction of an iron steamer		Aug. 5, 1854		60,000.00
Purchase of Shreve's patent		Jan. 13, 1881		50,000.00
Transportation, fuel, etc		Aug. 30, 1852		12,127.00
Surveys	Atlantic coast	June 23, 1866		
Surveys	Pacific coast	June 23, 1866		
Surveys	Northwestern lakes	June 23, 1866	225,000	2,575,334.40
Surveys	Western and Northwestern rivers	June 23, 1866		
Surveys	Atlantic and Pacific coasts, lakes, and rivers	July 11, 1870		
Total				112,935,138.28

a Provided for in act of June 14, 1880.

It will be seen that the Mississippi River has during the last eleven years had appropriated to it $41,280,380.53; and if we include appropriations of which the Mississippi was a beneficiary in conjunction with other rivers, the total amount received would exceed $50,000,000.

I invite the attention of the House to the mammoth map which I have had opened in front of the Speaker's desk, illustrating the work which has been done on Muscle Shoals, the principal obstruction of the Tennessee River. Commencing about 12 miles below Decatur, Ala., it was necessary to excavate through solid flint rock, forming an impassable reef in the bed of the river, and to remove, by blasting, more than 1,000,000 cubic feet of the hardest rock. Four miles below the initial point of the work a rock wall 2½ miles long was built to confine the water between the wall and the southern shore; then a canal, 1¼ miles long, with two locks, was constructed, which carried the work to a point where navigation could be secured for a distance of 7½ miles.

Here the main canal, 14½ miles long, begins. The fall of the river in this distance is 84½ feet; in some places the fall is 18 feet to a mile; in others as much as 40 feet to the mile.

There are eleven locks, 60 feet wide and 300 feet long between the gates. They vary in lift from 5 to 12 feet and are of the most superior and substantial workmanship.

The river below Florence is obstructed by the Colbert and Bee Tree Shoals. In its natural condition the navigation of the river is good for about eight months of the year, but from two to four months the reefs and obstructions entirely close it to all transportation. Some little work of improvement was done many years ago, but it has not proved to be of any appreciable advantage.

In 1887 I went over the work in a small row-boat and made a close personal examination of the river for some 30 miles below Florence, and particularly the obstructions at Colbert and Bee Tree Shoals. I found in one place a rock reef extending over the channel and so shaped as to give in that tremendous river but 11 inches of water at the lowest stage, which, of course, caused a complete stoppage of navigation during periods of low water. I therefore filed a petition with the War Department for a thorough survey, which petition was supported and recommended by Col. J. W. Barlow, United States Corps of Engineers, the distinguished officer in charge of the work. I am happy to say that the Chief Engineer and the Secretary of War became so impressed with the importance of the work that they recommended an appropriation of $1,000,000.

General Duane, then Chief of Engineers, in his report dated October 22, 1887, page 231, in reference to the importance of improving the Tennessee River at Colbert Shoals, says:

> The funds now available and amount asked for can be profitably expended in completing the work of opening the canal and in improving the channel at Bridgeport and Guntersville Bars, and at other points, especially at Colbert Shoals, which is urgently recommended by the engineer officer in charge as worthy of immediate consideration and action, owing to the necessity of its improvement in connection with the early opening of Muscle Shoals Canal.

Last year his successor, General Thomas L. Casey, went over the improvements in person, and he fully concurred in the views of his predecessor. In his last report (page 243) he says:

> The plans for the radical improvement of the Colbert Shoals and Bee Tree Shoals by locks and dams have been submitted, and the necessity of the work in connection with the opening of the Muscle Shoals Canal is urgently recommended.

Col. J. W. Barlow, the officer in charge, in referring to this work in his report, appended to that of Chief Engineer Duane, for 1887, page 1747, says:

> Without a corresponding improvement at Colbert and Bee Tree Shoals the costly canal and locks around the Muscle Shoals will be comparatively useless during a large share of the year.
>
> Above Colbert Shoals large iron manufacturing interests have been recently developed, which demand water transportation for their products, and this having been provided by nature in an almost perfect condition there is needed but a comparatively small improvement to make it entirely satisfactory.
>
> The force of this statement will be realized upon consideration of the fact that from the Muscle Shoals to the mouth of the river the distance is 255 miles, and with the exception of the obstructions offered by Colbert and Bee Tree Shoals the impediments to navigation are of an insignificant character; in fact, the river is navigable to the foot of these shoals throughout the entire year. The propriety, therefore, of an adequate improvement here, to connect the lower section of the river, some 235 miles in length, with the 400 miles above, seems manifest.

Colonel Barlow was quite as emphatic in his report for 1888, and in his report, on page 1829 of the last Report of the Chief of Engineers, General Casey, he says:

> An improved river from Knoxville to Paducah will make the commerce of the Tennessee to take rank among the foremost of the many tributaries of the Mississippi. The following extract from the report of last year applies in an increased degree to the conditions at this time, which predict a prospective commerce of vast magnitude, in coal and iron especially, to an extent by which this river may rightfully claim to be one of the main commercial arteries of our vast and intimately connected system of navigable Southern and Western waters.
>
> The prospective advantages to navigation as well as present benefits to the community by continuing the improvement to completion, not alone of the Muscle Shoals and the Colbert Shoals, but of the entire stream below Chattanooga, is held to be by the inhabitants of the Tennessee Valley well-nigh incalculable.
>
> The whole region is rapidly developing as one of the richest in coal and in iron and other mineral deposits, and all that seems necessary to the further development of these unquestioned resources is cheap transportation and an open river to the commercial centers of the Mississippi Valley.

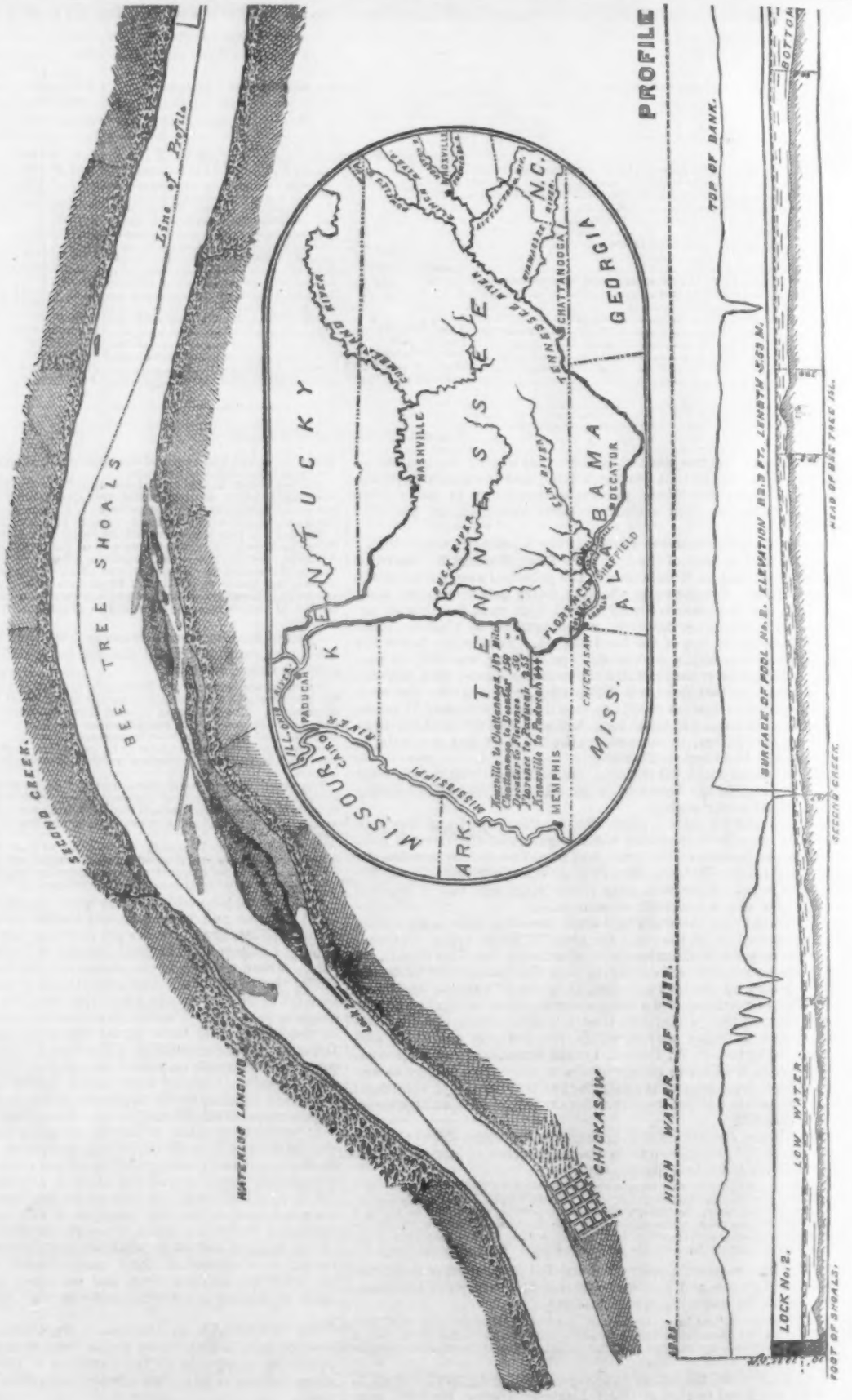
The bill we are considering proposes to appropriate for the improvement of rivers and harbors in the United States a sum which would amount to less than 40 cents per capita of our population, a very small amount compared to the great benefits to be derived from the expenditure. Those residing in the vicinity of the water ways, made navigable by the labors of our admirable Corps of Engineers, will be able to save hundreds of dollars every year by their improved facilities for shipping products. The boards of trade or chambers of commerce, and in many cases both these organizations, of the cities of Chattanooga, Decatur, Florence, Sheffield, Knoxville, Evansville, and Paducah, have petitioned Congress on the subject, urging the most liberal appropriation possible. With all these facts I appeal to Congress to amend the paragraph relating to the Tennessee River, so as to give this important improvement $500,000 for the next fiscal year.

It would be economy to the Government and it would also save one year in time, which would be of incalculable benefit to the industries in that great and growing section of our country. Iron mines are being opened; furnaces are being erected; manufactories of various kinds are being established; the tonnage on the Tennessee River is becoming immense; and, to use the language of the report of the Government engineers, the whole region is rapidly developing as one of the richest in coal and iron and other minerals, and all that seems necessary to the further development of these unquestioned resources is cheap transportation and an open river, and we appeal to this body to give this work an appropriation commensurate with its great importance.

* * * * * * *

Mr. WHEELER, of Alabama. Mr. Chairman, I move to amend by striking out, in line 10, the words "and undergo an imprisonment not exceeding two years, at the discretion of the court;" and ask unanimous consent to have two minutes to explain the object of the amendment.

It is necessary to amend the bill as suggested, or else to amend by striking out the words "owner or owners;" so that it will read, "man-


PROFILE
Line of Profile
BEE TREE SHOALS
SECOND CREEK.
WATERLOO LANDING
CHICKASAW
KENTUCKY
TENNESSEE
MISSOURI
ARK.
MISS.
ALABAMA
GEORGIA
N.C.
NASHVILLE
CHATTANOOGA
DECATUR
FLORENCE
TUSCUMBIA
SHEFFIELD
MEMPHIS
PADUCAH
CHICKASAW
MISSISSIPPI
OHIO RIVER
TENNESSEE RIVER
CUMBERLAND RIVER
ELK RIVER
DUCK RIVER
Nashville to Chattanooga 137 Miles
Chattanooga to Decatur 112 " 249 "
Decatur to Florence 40 " 289 "
Florence to Paducah 355 " 644 "
Knoxville to Paducah
TOP OF BANK.
SURFACE OF POOL No. 2. ELEVATION 88.3 FT. LENGTH 4.53 M.
BOTTOM
HEAD OF BIG TREE IS.
SECOND CREEK.
HIGH WATER OF 1858.
LOW WATER.
LOCK No. 2.
FOOT OF SHOALS.



MAP OF

COLBERT SHOALS AND BEE TREE SHOALS

OF THE

TENNESSEE RIVER

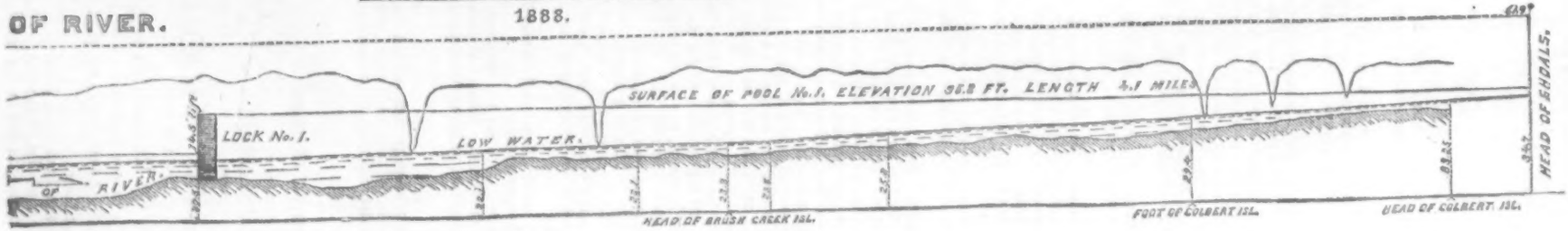
PREPARED FROM ORIGINAL SURVEYS, IN THE

ENGINEER OFFICE, CHATTANOOGA, TENN.

SCALE:

1888.

OF RIVER.



ager or managers." Either amendment will make the section more effective than it is at present.

The CHAIRMAN. The Clerk will first report the first amendment suggested by the gentleman from Alabama.

The Clerk read as follows:

Strike out, in line 10 of section 5, the words "and undergo an imprisonment not exceeding two years, at the discretion of the court."

Mr. WHEELER, of Alabama. I also move, in line 14, to strike out the word "penalties" and insert the word "fine."

Now, I ask unanimous consent to have two minutes to explain the amendment.

The CHAIRMAN. Debate has been closed by order of the committee.

Mr. GROSVENOR. The former penalties prescribed in the acts did not do any good, and these are made here so that somebody will pay attention to them.

Mr. WHEELER, of Alabama. But I want to say to my friend that the very point he is trying to reach in the section can not possibly be reached by the language as it is, and that the amendment is necessary. My object is to so frame the section as to make it effective. I can assure my friend that if he will examine the bill he will admit that we must either strike out the words "owner or owners" or else modify the clause which provides for imprisonment. If the gentleman will reflect, he will find that there would be difficulty in imprisoning the owners of railroads.

The CHAIRMAN. Is there objection to allowing the gentleman from Alabama to proceed for two minutes?

There was no objection.

Mr. WHEELER, of Alabama. Mr. Chairman, I have had some familiarity with correspondence between the Secretary of War and the managers of railroads in connection with this subject, as I have been using efforts to get such an obstruction removed, and I am convinced that the section as it now reads would not assist in hastening railroads to comply with the requirements of the Government.

Mr. HENDERSON, of Illinois. I will say to my friend from Alabama that there is no trouble about securing compliance with this provision of the law.

Mr. WHEELER, of Alabama. But I have not yet got to the point I intended to make. Now, this section provides that the "owner or owners or manager or managers of any railroad" or "bridge" shall be liable to these penalties; that is to say, shall undergo imprisonment and be fined, as prescribed in this section. I contend that with this section as it now reads there will be difficulty in determining who shall be arrested or imprisoned, who are the "managers" or "owners;" it does not define who it shall be; it does not specify who shall be arrested, and the consequence is that the railroad which fails to comply with the requirements of the act could not be reached in years in the court to determine where the liability rests.

The owners of railroads are the stockholders, which includes women, children, and corporations of all kinds, some of the corporations being universities and churches; for instance, the Johns Hopkins University is a large stockholder in the Baltimore and Ohio, and I believe Trinity Church is a stockholder in a great many railroads.

Mr. GROSVENOR. It takes in all the managers.

Mr. WHEELER, of Alabama. It says the "owners." Now, they may be the stockholders, and in case of foreclosed railroads they might be bondholders, and might represent five thousand persons. Do you want to take all of them?

Mr. BLANCHARD. The intent of the act is manifestly to apply only to the managers of such corporations.

Mr. WHEELER, of Alabama. But the bill does not so specify. It says the owner or owners or managers. Now, I say that the $10,000 fine will be a much better safeguard to insure prompt compliance with the law.

[Here the hammer fell.]

I shall attach to my remarks maps which will aid very much in giving an intelligent understanding of this noble river, which is destined to become a great and important highway of commerce.

Farmers' Alliance.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, August 1, 1890.

The House having under consideration the order of business—

Mr. WHEELER, of Alabama, said:

Mr. SPEAKER: The gentleman from New York [Mr. SAWYER] has admitted that he understands that the obstruction to pension legislation at the late Friday night sessions is due to the unwarranted action on the part of the Republican majority in violating the rules of the House with reference to the consideration of the Private Calendar on Friday afternoons. They seem to have determined that no private bills shall be considered this session, and their especial animosity seems to be directed against the bill reported from the Committee on War Claims, which appropriates a small sum of money for the payment of judgments rendered against the Government by the Court of Claims.

INJUSTICE TO SOUTHERN CLAIMANTS.

In order to illustrate how unjust it is to take such action with reference to these claims let me briefly show how they compare with claims owned by gentlemen whose homes were in the North during the war. At that time the Government needed money. For $400 in gold it gave a bond which has been drawing interest ever since, and now the interest and principal, or rather the interest already paid, when added to the market value of the bond, amounts to about $3,100. At the same time that the Government officials wanted gold they wanted supplies, and they needed the supplies even worse than they needed the gold. Federal officers went to the good, honest farmers of my district and other localities in the South and got supplies for the Army. To make a case in point, say, they got from a farmer supplies worth $400.

They have given the bondholder $3,100, but this farmer of the South has been waiting for twenty-five years, and all that he asks is that he shall be paid this $400 without interest. Is it fair or just to deny him that petition? The Government wanted supplies there where their armies were quartered more than they wanted gold in New York: and this man, in obedience to the request or demand of the Federal officers, came with his wagon and brought them supplies, and now all he asks is the $400 without interest.

SOUTHERN MEN IN ONE ARMY OR THE OTHER.

Now, Mr. Speaker, it is a matter of history that there were more men from the Southern States in the Federal Army than there were in the Confederate army. There were 391,000 white men in organized regiments in the Southern States, 100,000 (estimated) white men from the South in the Northern regiments, and 210,000 black men from the Southern States, making in all over 700,000 men from the South in the Federal Army.

Mr. ALLEN, of Michigan. Will my friend allow me a question? Is it not also true that at least three Confederate States were driven out of the Union and into the Confederacy against a vote of a majority of their people?

Mr. WHEELER, of Alabama. If that were true, how do you and your party justify your constant efforts to annoy and punish the people of these States for going out of the Union if they were driven out.

I will inform the gentleman that my district furnished, I believe, as many and possibly more than 2,500 white men to the Federal Army, and I will also inform him that the people of my country were all in one army or the other. I repeat that substantially all the able-bodied men of that section volunteered and fought either in the Federal or Confederate army.

THE SOUTHERN FARMER DEFENDED.

They were good, honest farmers, and while speaking of farmers I will take the opportunity to reply to an unwarranted charge made on yesterday. I arose at the time, as is shown by the RECORD, and appealed to the Speaker to let me reply to and deny the aspersion. He refused me recognition, but nevertheless I interjected some words of denial. I now again deny the statement made by the very distinguished gentleman from Kansas, whom I highly respect, and I regretted to hear the charge he made against the farmers of our country, in which he stated that the Farmers' Alliance were demagogues both North and South. It may be true in the North, but I assert most positively that it is not true in the South. [Laughter.] Who are the farmers of the South?

Mr. ALLEN, of Michigan. A parliamentary inquiry. Unless my friend confines himself to the question I shall withdraw the request for unanimous consent.

Mr. WHEELER, of Alabama. Well, now, Mr. Speaker, is it possible my friend does not wish to hear farmers defended against unjust attacks upon their characters?

Mr. HILL. I think the gentleman is mistaken in his quotation of what the gentleman said. I suppose he alludes to the gentleman from Kansas [Mr. PETERS].

Mr. WHEELER, of Alabama. Yes, sir.

Mr. HILL. Well, then, he is mistaken as to what the gentleman did say.

Mr. WHEELER, of Alabama. It is in the RECORD. I have the RECORD here.

Mr. HILL. I have read it in the RECORD also. He says that there are demagogues in the Farmers' Alliance.

Mr. WHEELER, of Alabama. Here is what he says:

There are certain men connected with the Farmers' Alliance who are notorious demagogues, and who are trying North and South to lead it into the political arena.

Mr. PERKINS. That is quite different.

Mr. WHEELER, of Alabama. This and similar charges were made more than once by the gentleman in his speech and certainly carried

with them the inference that demagogism is a feature of members of the Farmers' Alliance, both North and South, and that inference I emphatically deny.

Who are the farmers of our country? They are the men from whom springs substantially all the wealth of which our country boasts. We all derive our living from their labors and efforts. Our most distinguished men followed that vocation. Washington, a farmer, led the armies of the Revolution. Putnam, Wayne, Sullivan, Mercer, Lincoln, Green, Marion, and Stark were farmers. The members of the Colonial and Continental Congresses were substantially all men engaged in agriculture. The same, to a great extent, is true regarding the eminent statesman who framed our Constitution; and the conventions of the States for the ratification of that instrument were composed almost entirely of farmers, and the statesmanship and wisdom displayed by them has been the marvel of the world.

Mr. STRUBLE. Have the Alliance in your district made a nomination? [Laughter.]

Mr. WHEELER, of Alabama. No, sir. But I will inform the gentleman that the Alliances in the district I have the honor to represent are not political organizations.

I think they understand my position and my views upon all subjects. The presidents of several of the Alliances have written to me, and I have frankly replied to all their inquiries, and I do not anticipate that they will oppose my nomination. [Laughter.]

The Alliances of North Alabama include many of the most distinguished and intelligent people of that section of the State.

The Alliance men know full well that the wrongs they suffer are due to legislation forced upon the country by the Republican party.

That legislation is needed to do justice to the farmer no one can deny, and already I am glad to say that this movement on the part of the farmers has caused our Republican Representatives to think about something besides pensions for soldiers and class legislation for bankers and manufacturers.

HIGH STANDING OF SOUTHERN FARMERS.

In former times, when our Government was not controlled by a heartless plutocracy, when laws were not tolerated the purpose of which was to enrich one class of the people at the expense of another, the occupation of agriculture was conducted with profit and was desirable in all respects. It drew to it the best class of our people, and there was something in the vocation itself so near to nature and so ennobling to manhood that American farmers became types of industry, integrity, virtue, honor, and courage. Their labor changed this continent from a wilderness to a vast garden. Their minds molded and created the form of government under which we live.

Their courage won the battles which gave us victory in all the wars which have given luster to American prowess.

With few exceptions all the great men of our land spent their boyhood upon farms and worked with their fathers in the cultivation of the soil. That men who have accomplished this for civilization should be victims of vicious legislation is an outrage which I am glad to see the manhood of the nation has determined shall cease.

Is it not true that the great prosperity which has blessed this country is due almost entirely to the farmers? Is it not true that they are the best citizens of our land, the most industrious, the most law-abiding, the best debt-paying? Are they not as a class the most intelligent, the most thrifty, the most virtuous, in the broadest and most extended sense of the word, of all the citizens of our land? And yet men of this character are called demagogues simply because they venture to come and ask Congress to do them justice, or rather because they ask Congress to cease enacting laws which do them the greatest injustice.

Such a suggestion is an outrage upon a class of most excellent citizens.

Every other trade and occupation has a lobbyist at the doors of Congress. The bankers, the whisky-distillers, the copyright men, the railroad men, the manufacturers, the steam-ship-subsidy men, the French-spoliation men, and the thousand or more others are at work here pressing the consideration of all characters of claims and urging the passage of laws to aid every conceivable occupation, except that of farming, and no one calls them demagogues; but when for the first time in their lives, yes, for the first time since the beginning of our Government, the farmers ask for legislation which they think would be to their interest, they are denounced as demagogues.

GREAT POWER OF FARMERS.

The farmers have great power in their hands and I thank God for it; and I say here, as I have said before, power can not be better placed or intrusted in safer keeping. If we want the Government to go on in its purity; if we want a government based upon honor, virtue, intelligence, and hard, solid judgment, I say leave the power with the farmers; leave it in the hands of those men whose occupation is the basis of all callings and employments, and, more than all others, has built up a class of men who are the very foundation of the Government under which we live.

There are some things which Congress should do for the people without delay. We should give them an adequate money circulation. To do this we should provide for free coinage of silver, and we should also coin the ten million of trade dollars which lie useless in the Treasury.

We should also get into circulation the thirty millions of deposits in the national banks, the one hundred millions reserve for United States notes, and twenty-three millions of fractional coin.

We should also improve our rivers, and regulate railroad monopolies so as to give our farmers cheap transportation for their products, and as far as practicable bring our farmers face to face with the purchasers of their products.

There is much else that should be done in this line, but the above will do for a beginning.

MANUFACTURING AND FARMING COMPARED.

On the 9th of July, 1888, I made a speech in this Hall in which I stated that the value of farms in the United States in 1880, as shown by the census, was $10,197,096,776. The number of persons employed on these farms was 7,670,493, and the total product, including what was consumed by the farmers themselves, was $2,264,278,718, about 22 per cent. of the capital invested, and a product of about $300 per capita.

This did not include the wear and tear of implements, the cost of seeds and fertilizers, nor the value and subsistence of the working stock. Had these been taken into account the product would have been reduced to about $200 per capita.

At the same date the census informed us that the capital invested in manufacturing industries amounted to $2,790,223,506; the number of hands employed was 2,738,930, and the value of the products $5,369,667,706, or about 200 per cent. on the capital invested. Thus the profits on manufacturing industries were about nine times greater than the profits realized in agriculture and about seven times as much as the product per capita realized in farming.

But if we deduct the value of the materials used in manufacturing, which was $3,394,340,029, we have a profit of about 70 per cent. on the capital invested, more than three times the per cent. made in agricultural pursuits and about three and one-fifth times the per capita of the products of farmers.

As these statistics are highly instructive as well as interesting, I have prepared a table which shows at a glance the marked contrast between the conditions of an industry which has borne all the burdens and received none of the benefits of legislation for twenty-five years, and industries which have been developed by partial laws into powerful monopolies.

Tables showing the comparative results of our agricultural and manufacturing industries.

FARMING INDUSTRIES.

Amount of capital invested, exclusive of implements, cost of seeds and fertilizers, work-stock or cost of their subsistence	$10,197,096,776
Number of persons employed	7,670,493
Value of gross product, including consumption by farmers	$2,264,278,718
Value of product for each person engaged in farming, about	$300
Per cent. of product on capital invested	22
Product of each person after deducting cost of seeds, fertilizers, feed of work-stock, etc	$200
Per cent. of product on capital invested	14⅔

MANUFACTURING INDUSTRIES.

Amount of capital invested	$2,790,223,506
Number of persons employed	2,738,930
Value of gross product	$5,369,667,706
Value of product for each person	$2,000
Per cent. of product on capital invested	200
Value of materials used	$3,394,340,029
Product, after deducting materials used	$1,975,327,677
Product of each person, after deducting value of materials used	$720
Per cent. of product on capital invested	70

CONDITION OF FARMERS IN 1890.

Since that time the gulf between the farmer and those engaged in occupations which are favored by laws enacted by the Republican party has constantly widened.

I have not been able to procure information from the Census Office or any other source as to the status of all of these figures, but the Statistician of the Agricultural Department estimates that the number of persons employed in farming has increased from 7,670,493 to 9,588,116, and the report of the Agricultural Department and the census statistics inform us that the aggregate value of crops of the farmer, which was $2,264,278,718 in 1880, has not increased and very probably has diminished during the last ten years.

Therefore, while the average value of the production of each person engaged in farming, which was $300 in 1880, is now, under the pernicious and wicked laws of the Republican party, fallen so that the average gross value of the product of each person engaged in farming is less than $224, after deducting cost of seeds, fertilizer, feed of work stock, etc., his net income would be less than $125 per year.

Consequently farm values have decreased, and distress in farming communities has been on the constant increase.

Hon. Norman J. Coleman, who was in Mr. Cleveland's Cabinet as Secretary of Agriculture, in a recent lecture said:

The real truth in a nutshell is that the dominant power in Federal legislation is no longer in the interest of agriculture, but in the interest of the manufacturer and capitalist. Here is the cause of all our strife. Since our unfortunate civil war began the capitalists and manufacturers of the East have had complete sway in shaping legislation to their great interest, profit, and advantage, and at the expense of the farmers, the wealth-producers of the country. No intelligent investigator can deny this. The laws that have been passed prove it. The results of the application of these laws testify to it. While the manufacturing interests, by the artificial aids they have received by legislation, have grown and increased to a magnitude to startle people: while their investments have proved highly profitable, and large dividends have been derived therefrom, the farmers' investments and profits therefrom have gone down as steadily as the others have gone up, because it was from the farmers, the real wealth-producers and the consumers of their goods, that these large profits have been derived. This country can not long stand this unjust, this unnatural drain.

Here are words from a man who, as editor of the leading agricultural paper of the North and as the head of the Agricultural Department of the Government during the four years of Mr. Cleveland's Administration, has had exceptional opportunities for accurate information. He tells you, what I have for years been stating in this Hall and to the farmers of the district I represent, that their distress is owing to the vicious and unequal laws enacted by the Republican party.

DEMOCRATIC PRINCIPLES BENEFIT FARMERS.

In order to show the relative increase in the value of property in the United States from 1850 to the present time, we must deduct the value of slaves for the census years 1850 and 1860.

The census of 1850 reports the actual value of all property in the United States at $7,135,780,228, but that includes 3,204,313 slaves, the average estimated value being $500—the total value was $1,602,156,500—which would show that the value of all other property was $5,533,623,728. The census of 1860 reports the actual value of all property in the United States at that date at $16,159,616,068, which included 3,953,760 slaves, and, estimating the average value at that time at about $800, the total value of slaves was $3,163,008,000, which would place the total value of all other property at $12,996,608,068; with these changes I have arranged the following table.

Percentage of value of farms to all other property in the United States for the years 1850, 1860, 1870, *and* 1880.

	Amount, 1850.	Amount, 1860.	Amount, 1870.	Amount, 1880.
Acreage in farms	293,560,614	407,212,538	407,735,041	536,081,835
Amount of capital invested in farms, exclusive of implements, cost of fertilizers, work stock, and cost of their subsistence	$3,271,575,426	$6,645,045,007	$9,262,803,861	$10,197,096,776
Per cent. of farms to all property	50	51	31	23
Estimated actual value of all property in the United States, value of slaves in 1850 and 1860 not included	$5,533,623,728	$12,996,608,068	$30,068,518,507	$43,642,000,000
Assessed value of all property in the United States, slaves not included	$4,743,041,709	$9,316,928,605	$14,178,986,732	$16,802,993,543

We therefore see that, under Democratic rule, prior to 1850 farm values were 59 per cent. of the total value of all property, and, still under Democratic rule, in 1860 farms comprised 51 per cent. of the value of all the property in the United States.

In 1870, after ten years of Republican rule, farm values were so reduced as to be only 31 per cent. of all values, and in 1880, after ten more years of Republican high-tariff laws, farm values were reduced until they were only 23 per cent. of all values, and to-day, after ten more years of high tariff, statisticians of the Census Bureau and the Agricultural Department admit that farm values and the money value of farm products have not increased and very probably have decreased, and as the total value of all property has increased some 50 per cent. the relative value of farms to the total value of all property is now only about 15 per cent.

That is to say that under Democratic laws the value of farms was more than half the property of the United States and under Republican laws farms have been relatively reduced in value until their value is now but about one-seventh the property of the United States.

We also see that from 1850 to 1860 the farms of the United States increased in value 103½ per cent., or more than doubled, while, under Republican rule, from 1860 to 1870 they rose but 30½ per cent., and under Republican and still higher protection during the ten years from 1870 to 1880 the increase was only 10 per cent., and, under the same or rather increased protective laws, from 1880 to 1890 it is estimated there has been no increase whatever.

This shows how criminally farmers have been legislated against by Republicans, and it also admonishes us of the imperative need of a prompt and entire revision of the laws which have operated so disastrously to this great and important interest.

THE SUBTREASURY BILL.

Mr. HILL. Will the gentleman permit me to ask him another question?

Mr. WHEELER, of Alabama. Yes, sir; most certainly.

Mr. HILL. I would like to ask the gentleman if he is in favor of the subtreasury.

Mr. WHEELER, of Alabama. In reply to the question of the gentleman from Illinois [Mr. HILL], I will say that I have read the bill very carefully and considered it with reference to the Constitution and the principles of the party of which I am proud to be a member. I have also taken all measures possible to learn what I could as to its probable and possible effect upon and its advantages and disadvantages to the farming interests of the section of country from which I come.

I listened with great attention to the arguments made by Mr. Macune and by Mr Livingston before the Committee of Ways and Means.

I accepted invitations to attend meetings held at the office of the National Farmers' Alliance, where the bill was fully and ably discussed. I have also had private conversations with the officers of the Alliance and with Col. Ben. Terrell, the national lecturer, and the more I investigate the more I find these gentlemen still undetermined as to what legislation would be most beneficial, whether considered with reference to the country at large or as only adapted to the interest and welfare of farmers. We have introduced resolutions asking you to bring that bill before the House for discussion; and I will say right here that I think that nothing could be better for us than to have that subtreasury bill brought before the House and a consensus of opinion obtained upon the subject. While I do not think that the discussion of the bill could result in its passage, I am quite sure that we would be able to wake Congress up to the necessity of speedily enacting some laws in the interest of the agriculturists of the United States.

COTTON FACTORIES MUST RUN CONTINUOUSLY.

One feature in the subtreasury plan should be and is being carefully considered by the farmers of the South.

It is important to us for our cotton to get into the manufacturers' hands with as little hinderance as possible. Unless this is done the mills can not work it up, because it takes almost constant running of the spindles and looms to consume the crop of the world, and it will therefore be readily seen that if there is any material interruption in the work a considerable portion of the crop may be on hand in its raw state at the end of the year.

If we put our cotton in the subtreasury no doubt the price would rise. This would reduce consumption and stimulate production, not in the United States, alone but all over the world. Last year the entire crop of the world was estimated at 12,574,000 bales, of which 9,314,000 reached ports of entry or were reported as shipped directly to the mills.

Now if the two causes I have mentioned should reduce consumption one-third, the world would from this cause alone have on hand at the end of the year about 4,191,000 bales in excess of the usual amount, and if the enhanced price caused an increase of production throughout the world so as to make the crop of 1891 one-fourth greater than the world's crop of this year, this would make an additional increase of the stock on hand September 1, 1891, of 3,143,000 bales; and from both of these causes the excess would reach the enormous amount of 7,334,000 bales.

Mr. STRUBLE. Is not cotton superior to grain as a security for this purpose?

Mr. WHEELER, of Alabama. In some respects cotton possibly would be superior to grain as a security, but when we consider the effect of the possible enormous increase in the visible supply of cotton and its probable ultimate effect upon the price, an element is introduced regarding which we have no precedent upon which to base calculations.

On the 1st of September of each year the actual visible supply of cotton is carefully calculated, and the new season starts with that amount to be added to the crop then being marketed. It is remarkable how sensitively the price of cotton is affected by the number of bales thus reported as the visible supply.

HOARDING COTTON DETRIMENTAL TO PLANTERS.

I can not better illustrate this than by a table which I have prepared, taking the figures from Ellison's Cotton Report and Shepperson's Cotton Facts for 1889.

Table showing the visible supply of cotton on September 1, 1886, 1887, 1888, *and* 1889, *and the price in New York, Liverpool, and New Orleans at said periods.*

	1886.	1887.	1888.	1889.
Visible supply of cotton in the world September 1 ..... bales	1,162,000	1,305,000	883,000	821,000
Price in New York September 7	$0.10 1/8	$0.09½	$0.10½	$0.10⅞
Price in Liverpool September 7	.05⅞	.05⅝	.05 7/16	.05 13/16
Price in New Orleans September 7	.09⅛	.08½	.09	.09⅛

It will, therefore, be observed that the slightest difference in the number of bales overcomes all other elements which affect prices, and the market responds with a sensitive promptitude which can only be compared to the delicate vibrations of the magnetic needle.

We see here that there was an increase in the visible supply in 1887 over 1886 of 43,000 bales, less than 4 per cent. or less than 4 bales to the hundred, and we see that cotton fell thirteen-sixteenths of a cent in New York, or more than 8 per cent.

Then, on September 1, 1888, the visible supply was less by 322,000 bales than in 1887, and cotton rose to 10⅛, or seven-eighths of a cent per pound. Then, on September 1, 1889, the visible supply fell 62,000 bales, and the price rose three-fourths of a cent in New York, seven-eighths of a cent in New Orleans, four-sixteenths of a penny, equal to about half a cent, in Liverpool.

Now, with this picture before us I ask what would be the price on September 1, 1891, if the world was confronted with a stock of cotton in any way approximating such an increase as I have indicated.

That is to say, suppose we are correct in the supposition that by reason of retention of the crop in the subtreasuries and the increased price of breadstuffs and other incident causes, cotton consumption should be reduced one-third, and from the enhanced price production should be increased one-fourth, then on September 1, 1891, the stock in the world would be as follows. Lowest amount on hand September 1: Previous years, 821,000; one-third not used, 4,191,000; one-fourth increase in production, 3,143,000; total on hand September, 1891, 8,155,000.

But the above are not all the elements which would enter into this plan of withholding staple products from the market and thus inflating their market value.

The experience of the last century shows that the mass of the people can not materially curtail their purchase of provisions, but that they can and do curtail their purchase of cotton clothing when money is scarce or prices are high.

Now, as the bill provides for the storage of breadstuffs for the purpose of increasing the price, it will readily be seen that if the bill should have the effect intended the incomes or earnings of the people would be substantially consumed in procuring food, and but little would be left to purchase cotton goods, and this would be another element tending to increase the surplus and unused stock of cotton goods.

If the law of supply and demand, which generally governs prices, should hold good in this case, I would have great fears that cotton would fall to a very low figure, probably to 3 and possibly to 2 cents a pound.

The speculators and mill men would have the cotton-planter by the throat.

The law provides:

SEC. 7. That the Secretary of the Treasury shall prescribe such rules and regulations as are necessary for governing the details of the management of the subtreasuries, * * * shall provide rules for the sale, at public auction, of all cotton, corn, oats, wheat, or tobacco that has been placed on deposit for a longer period than twelve months, after due notice published.

The moneyed men of the land would know where all this cotton to be sold was located, and they would also know the date of sale and by combines and manipulations would be enabled to purchase it at the lowest possible price.

At the time these sales would take place the new inflated crop would be coming in. This crop would have been grown at excessive cost because corn, wheat, oats, and tobacco, and clothing would have been high during the period in which it was raised, and of course if these articles were high, mules, which eat corn and oats, and hogs, which eat corn, would be high also.

What bankruptcy and distress might follow the sale of such an expensively raised crop at 2 or 3 or 4 or even 5 cents a pound.

It is therefore clear that to benefit the cotton-planter we must increase the price of cotton by legislation which stimulates all the arteries of trade and creates a general prosperity among the people. This gives them more money and they buy with freer hand. Therefore in order to obtain such results the Democratic party insist upon lower tariff and lower taxes, a greater abundance of money, and a larger and more accessible market for the products of American labor.

There are 2,728 counties in the United States. The bill contemplates the expenditure by the Government of $50,000,000 for buildings, the employment of at least ten thousand men to handle and care for the articles stored, and the loan by the Government of hundreds of millions of dollars upon the stored products, and all this to attain results of, to say the least, questionable utility to the supposed beneficiaries.

Now, all this labor and expense is to be undertaken to retard the marketing and hinder the consumption of articles which the labor of the land produces. Would not this tend to retard progress, and not to hasten and advance development? It seems to me this is a step in the wrong direction.

Again, when the cotton crop is being moved and marketed the necessity arises for an increased volume of currency, but under this plan the inflation takes place when the crop is in the warehouse, and the currency is contracted the moment the movement to market commences, the very time that inflation is needed.

COTTON FACTORIES.

Why do not the advocates of this idea propose exactly the opposite plan. If the Government is to help, why not ask it to help build a cotton factory in every county in the South. Then the men instead of locking up and caring for cotton would be helpers to make it into cloth.

To work up our cotton would require the labor of about 1,000,000 men, women, and children. In one year English mills paid $112,000,000 for raw cotton and sold the manufactured product for $561,000,000. At the same rate one of our cotton crops in a manufactured state would bring us $1,750,000,000.

The immensely increased population required for this work would cause a demand for all the breadstuffs, meats, and vegetables we could raise in the South. Our farmers would become the richest and most prosperous people on earth, and if the Government will not help in this laudable effort I say let us try to combine and start in this effort ourselves, and when we do start capital and capitalist will come and beg to be permitted to join in so profitable an enterprise.

Mr. HILL. I will also ask you whether or not the farmers in your district are in favor of the subtreasury scheme.

Mr. WHEELER, of Alabama. I do not feel sufficiently informed to definitely answer that question. I can only give such information as I have.

The farmers of my district are men of very superior intelligence, and they are prompt to investigate and quick to understand any proposition which is presented for their consideration.

I am confident the farmers of North Alabama are men of so much intelligence and individuality that they can not be induced to advocate any legislation until they have given it the most careful and deliberate investigation and become assured that its advantages are such as to make the legislation expedient, advisable, and beneficial. No doubt at first they were led to believe by Alliance leaders and lecturers who visited Alabama and by The National Economist and other Alliance papers sent to them from this city that the scheme would relieve them of their burdens, but when they saw and read the bill itself and studied it with the care which such intelligent men give to so important a question, I know that a great many became doubtful as to its efficiency in obtaining for them the benefits contended for by its enthusiastic advocates, and some of them have expressed themselves as positively opposed to the measure.

The farmers of my district are honest, generous, and fair, and by an examination of the census they see that of the sixty-six counties in Alabama only twenty-three would be entitled to a subtreasury warehouse, and the forty-three counties which are proscribed by the bill are the ones which under the theory of the bill are most in need of the aid which the bill proposes to provide.

The people of the Northwest, where this idea originated, and where they raise grain, were at one time, I believe, in favor of the subtreasury scheme. They thought they would be able to apply it in that section to better advantage than in the cotton countries, because they were told that if the grain was held back the people in the manufacturing sections of this country, and, in fact, the manufacturing countries of the world, would suffer if they were unable to get the grain, and therefore they would take it at any price.

Mr. COOPER, of Ohio. Is not cotton king?

Mr. WHEELER, of Alabama. I thank my friend from Ohio for the suggestion.

DETHRONED KINGS.

The term "Cotton is king" was used during the quarter of a century prior to 1861 among the farmers where cotton was the chief product as a method of expressing a great truth, that, under the honest, economical, just, and equal Democratic government which then blessed our country, "the farmer was king." At that time "Wheat was king." It sold as high as $2.80 a bushel, and the average highest price each of those twenty-five years was over $2 per bushel, and now it is about one-third that figure. "Corn was king." It sold as high as $1.15 per bushel, and the highest price each year averaged about $1 per bushel, and now it is less than half that price. "Tobacco was king." Kentucky leaf sold as high as 20 cents, and the average highest price each year was 16 cents, and now it is but 8 cents.

Cotton was surely king. It sold during that period as high as 15 cents, and the average highest price each year was 12½ cents, and now its average is about two-thirds that amount.

While you have reduced the price of the farmer's products and narrowed and curtailed his market for their sale, you have taxed the articles he buys and done all else in your power to increase the cost of raising the articles he produces, and at the same time you have increased the expense he is compelled to incur in the maintenance of his family. You have dethroned him. The farmer is no longer king. No, nor is cotton or tobacco or wheat or corn any longer endowed with kingly attributes.

Your party has placed usurpers on their thrones, and you have made the once proud, prosperous farmer the slave of the banker, the manufacturer, and the monopolist of every kind, and these people you have clothed in purple and fine linen and you feed them on the fat of the land, while the farmer suffering and weary in toil and sweat is trying to satisfy the sheriff and mortgagee who is driving his wife and children from a home covered with debt and liens, all of which are caused by the laws enacted by your party.

But to further reply to the question of the gentleman from Illinois [Mr. HILL] and in reply to those who contend that the subtreasury

plan would benefit the grain-growers of the Northwest, I must frankly say that the objection to the plan which is urged by cotton-growers of the South does not apply with equal force to the growers of grain.

Nevertheless, I find, after having made careful inquiry of members of Congress from the Northwest, that the farmers of that section do not regard the subtreasury plan as one which would increase their prosperity, and many think that the inauguration of such a system would be to their most serious detriment, and I can not find that any of the organs of the Alliance and Grange of the North or Northwest give it any encouragement; but on the contrary all my investigations show that it is openly opposed by them. I see that many Alliances in Missouri, Virginia, and Texas report against the subtreasury plan as unwise and impracticable.

ALLIANCE AGRICULTURAL JOURNALS.

I find that the most prominent Alliance and Grange journals of the North and Northwest regard the subtreasury scheme with but little favor.

The St. Louis Journal of Agriculture is certainly a respected organ of the farmers. In an editorial upon this subject it says that this scheme was never submitted for the general consideration of farmers in their Unions and Alliances with the arguments pro and con for indorsement or rejection, but was railroaded through the tag-end of the St. Louis convention, when most of the delegates had gone home. It also says:

We want to see some financial legislation enacted of a permanent and really beneficial nature, and if the farmers of the whole country will enact it and go on demanding it, and not be put off with any humbug and pretense, we are sure they will get it. So far as the warehouse project is concerned, we do not believe that it is favored by a single member of Congress who has any national reputation for wisdom and honesty and who is anxious to advance the real welfare of the people.

The Homestead Alliance and Grange, of Des Moines, Iowa, July 13, 1890, copies this editorial from the St. Louis Journal of Agriculture in an editorial which I will read:

MACUNE'S SUBTREASURY SCHEME.

The Journal of Agriculture, of St. Louis, has been taken to task for connecting the name of Mr. Macune, of the Southern Farmers' Alliance, with the subtreasury scheme, and replies as follows:

"Some one protested against our speaking of the subtreasury project as 'Macune's scheme.' We call it that because it is that, and nothing but that. After well nigh wrecking the Alliance of Texas with one of his schemes it would seem that modesty demanded of Mr. Macune that before he set up any other project affecting the interests of farmers he should submit it for their consideration. On the contrary, however, this scheme was not only never submitted for the general consideration of farmers in their unions and alliances, with the arguments pro and con, for indorsement or rejection, but was railroaded through the tag-end of the St. Louis convention, when most of the delegates had gone home. We think whenever a bill affecting the interests of farmers is to be proposed for enactment into law by Congress, by any one connected with a farmers' organization, the least that such a person can do is to submit the proposed bill for the approval of those whom it concerns. It matters not how wise and fertile at concocting schemes any individual may be, the combined wisdom of the great body of the farmers is greater than his.

"Since Mr. Macune and his crowd have taken the liberty to disregard any such consideration as this, and appear to hold in contempt the opinions of the people, and without any general instruction by or indorsement from the people, is trying to force it to enactment at the imminent risk of other proposed plans having real merit, we call it Macune's scheme.

"We want to see some financial legislation enacted of a permanent and really beneficial nature, and if the farmers of the whole country will enact it, and go on demanding it, and not be put off with any humbug and pretense, we are sure they will get it. So far as the warehouse project is concerned, we do not believe that it favored by a single member of Congress who has any national reputation for wisdom and honesty, and who is anxious to advance the real welfare of the people."

We do not know whether Mr. Macune is the author of this scheme or not, nor does it matter. Every scheme which proposes to revolutionize the financial system of a country should stand or fall on its merits, not its authorship. We do know that it was outlined by Mr. Macune and other leaders of the Southern Alliance at the St. Louis convention, and the proposition made to the Farmers' Alliance of the North to drop all other reform measures and concentrate the whole strength of the farmers' movement in an effort to secure its adoption by the present Congress. To this the Northern members would not accede for a moment.

The Progressive Farmer, another equally prominent farmers' organ of the Northwest, has this to say in an editorial upon this subject:

THE WAREHOUSE SCHEME.

Mr. Macune and his followers have wasted some valuable effort, and, no doubt, earnest work on their warehouse scheme, or, as they call it, the subtreasury bill. This is no less than a bill requiring the Government to erect at public expense warehouses in counties most productive of staple farm products, in which to store these products, and issue to the owners or producers a certain per cent. of their market value, holding the deposited products as security therefor. Upon its very face this plan seems to us visionary in the extreme.

It is impracticable, so far as the Government is concerned, and it would be of doubtful benefit to the producer, for his product would be pawned to the Government, and his ability to redeem at a profit to himself would depend not only upon his own good and careful management, but upon the market price of the article he had deposited. This price would be subject to speculation the same as now, and the speculators would have the advantage of knowing just how much of each article of production was in quod. In fact, the nation would become a great pawnshop, and the non-producers of the articles pawned would be taxed to sustain the system, a species of class legislation just as bad or worse than any of which we complain.

The editor then proceeds to urge the importance of legislation for farmers, and says:

Had Mr. Macune and the Southern Alliance put in the work they have done for some practical measure like the free-coinage bill or Stanford loan bill, the result might have been vastly different.

Now, it seems that Mr. Macune is spoken of by these papers as a leader in the Southern Alliance, and this should assure us that his efforts would be directed to the advocacy of measures which would be of benefit to the farmer of the South.

PURITY OF COTTON-SEED OIL.

With great labor the South has commenced building up the cotton-seed-oil industry, which has become a source of profit to every cotton-planter of the South.

The purity and healthfulness of this oil have been attested over and over again by the most eminent chemical and medical scientists of the United States.

For centuries olive-oil has been regarded as a most pure and delicious delicacy, not equaled for the purpose for which it is used by any oils of that character.

Cotton-seed oil is now pronounced in all respects as good as this delicate, delicious olive-oil.

As far back as 1873 the distinguished Dr. Edward Smith placed cotton-seed oil at the head of the list of vegetable oils, and from that time to this the official reports of the distinguished medical scientists in charge of the medical laboratories of the several States who have analyzed and reanalyzed this Southern product, have repeatedly reaffirmed this opinion of Dr. Smith and declared cotton-seed oil, whether used by itself or compounded with lard, is a perfectly wholesome and nutritious food, and they assert that its sale should not only be allowed, but even encouraged.

Professor Wiley, chemist of the United States Department of Agriculture, said:

As regards the manufacture and refining of cotton-seed oil, it may be remarked that the methods employed are not materially different from the processes made use of in the preparation of olive-oil. That cotton-seed oil has for many years been exported to Italy and France, in which countries it is largely employed for mixing with olive-oil, is a well known fact.

And he quotes and indorses the following from Allen's standard work on Commercial Organic Analysis, which says:

Refined cotton-seed oil is usually very free from acid, and when properly prepared is of pleasant taste and admirably adapted for edible and culinary purposes, for which it is now extensively employed, both with and without its nature being acknowledged.

Professor Conn, of the medical faculty of Dartmouth College, after explaining that lard was improved by admixture with cotton-seed oil, goes on to testify:

Cotton-seed oil within the past ten years has almost entirely taken the place of olive-oil in our markets. It is still sold as olive-oil, but chemical and microscopical examinations show it to be pure cotton-seed oil. The conditions, both chemical and miscroscopical, are so nearly alike that there is really no difference in its nutritive value. It is a well known fact that immense quantities of cotton-seed oil are sent to Italy, only to come back as olive-oil. In the South and West cotton-seed oil is taking the place of all forms of lard. These are well established facts, which no one who has investigated the problem will dispute. Cotton-seed oil and beef stearine would answer all of the purposes of lard and would be entirely unobjectionable from a sanitary standpoint.

Professor Irving A. Watson testified:

I believe that cotton-seed oil is a thoroughly healthful product; as much so as olive-oil.

I could go on quoting similar expressions from the affidavits of the chemical inspectors of the States of New York, Massachusetts, New Hampshire, and other States of the North, but my time will not permit me to do so. But in the same line I will read from page 197 of the report of the Secretary of Agriculture, which has just been published:

Of late years the demand for olive-oil, as an article of food and for other purposes, has greatly increased. The olive-growers of this country and of Europe say that no reliance can be placed upon the so-called olive-oils of commerce, unless the buyer procures them directly from the grower, and they affirm that many samples of so-called olive-oil consist mostly of cotton-seed oil, which in Italy is poured over the olives in the crusher to thoroughly mix the two oils. Very little pure oil, it is said, is obtainable even in Italy. This Department has lately been informed by one of the leading olive-cultivators of California that, although the olive-oil of the United States is sold to dealers in its original purity, they mix with it cotton-seed oil.

It is but natural to suppose that so excellent and healthful an article of food would become in great demand and displace inferior articles of like character, and we find that last year out of 600,000,000 pounds of all kinds of lard produced in the United States 320,000,000 pounds was the compound lard, 60 per cent., or nearly two-thirds, of which is composed of pure cotton-seed oil.

HIGH ALLIANCE LEADERS AGAINST COTTON-SEED OIL.

The Northeastern lard men, having failed to beat down this formidable competitor in a fair commercial fight, now come to Congress and demand that a law be enacted which they hope will tax this purer and better article so heavily that they can induce the public to use their inferior compound lard thus destroy a business which is bringing $12,000,000 a year to the Southern cotton-planter.

This nefarious bill taxes the manufacturer $100 a year, the wholesale dealer, $25; the retail dealer, $2; and then a tax per pound is levied upon the product. They then enact a series of onerous requirements and a host of penalties, punishable with imprisonments ranging up to two years and fines running from $50 to $5,000, and in some cases both fine and imprisonment are inflicted.

This wicked bill is simply a proposition for the Government to step in and place the weight and force of its courts and its army of Federal marshals on the side of an inferior product for the purpose of retarding

and, if possible, of preventing the manufacture and sale of the superior article, for which the people have shown a decided preference.

On which side would we expect Mr. Macune to throw his weight? We certainly would say as a fair man he would be on the side of right and against such a wicked, nefarious measure. As he professes to be friendly to Southern farmers, we say again surely he will be for them and against this bill, which was concocted to injure, if not destroy, one of their greatest industries. But what is our surprise to find published in the hired organ of our enemies in every issue since February 17 a letter from Mr. Macune, which I read from the latest edition:

[National Farmers' Alliance and Industrial Union. Office of C. W. Macune, chairman of executive board.]

511 NINTH STREET, N. W., *Washington, D. C., February* 11, 1890.

DEAR SIR: In response to your request to consider the Conger lard bill, No. 283, and if I approved to ask on behalf of the National Alliance legislative committee favorable action thereon, I have to say, after examining the bill and the accompanying reports of Mr. CONGER, I cheerfully recommend that the Committee on Agriculture report the same and trust the bill may become a law.

The American people are opposed to all frauds, especially those that affect the food supply. From a knowledge of the subject, I am confident that the legislation asked in this bill will not injuriously affect the cotton-seed-raiser and that he is more injured by the sale of compound lard under a false brand than he would be benefited should the present state of affairs continue to exist by the sale of his cotton seed to a trust, which gives him as little for his product as it possibly can to secure the seed.

Yours, respectfully,

C. W. MACUNE,
Chairman Executive Board.

ALEX. J. WEDDERBURN, Esq.,
Chairman Legislative Committee, Virginia State Grange, Patrons of Husbandry.

This letter was printed and scattered broadcast throughout the entire South, and sent to all Southern Alliances, accompanied with the very deceptive petition which I will read.

It will be seen that not satisfied with recommending that cotton-seed oil be taxed, he says:

The American people are opposed to all frauds.

This is plainly denouncing cotton-seed oil as a fraud and is saying that it is a fraud to make a healthful, delicious compound composed about two-thirds of the purest of vegetable oils and about one-third of pure lard. If that is a fraud then every mixture of pure articles is a fraud. Every good housewife who mixes ingredients to make a cake for her husband and children commits a fraud, and every time she breaks an egg to improve a pone of corn bread she commits a fraud.

But Mr. Macune intimates that cotton seed must be sold to a trust. It is true a trust buys largely, but there are many mills outside of the trust which are large purchasers. He also says the trust "gives him" (the farmer) "as little for his product as it possibly can to secure the seed." This is true with regard to all commercial transactions. The buyer gets products as cheap as possible and the seller gets the most that he possibly can, but I will ask Mr. Macune if it is not true that a law like this, which will tend to lessen the demand for cotton-seed oil, will also tend to reduce the price for which it is sold.

COTTON-PRODUCERS WICKEDLY DECEIVED.

The greatest and meanest fraud in this whole matter was the action of the men who are lobbying for the bill in sending blank petitions to alliances in the South with requests that they be signed and returned to the sender for presentation to Congress.

One of these blank printed petitions reads as follows:

PURE-LARD BILL.

To the Senate and House of Representatives in Congress assembled, Washington, D. C.:

The undersigned, citizens of —— P. O., —— County, State of ——, do most respectfully urge upon your honorable body the adoption of House bill No. 11027, for the prevention of manufacture and sale of adulterated and misbranded lard, and hereby urge the passage of the same.

Another printed form with which these men flooded the country was in these words:

PETITION IN FAVOR OF PURE LARD.

To the American Congress:

The undersigned citizens of ——, in —— County (—— Congressional district), in the State of ——, would respectfully urge the earliest possible adoption of the bill to prevent lard adulteration reported favorably from the Committee on Agriculture of the Fifty-first Congress, and known as the Conger bill.

There were three editions of the Conger lard bill. In the Fiftieth Congress it was numbered 11027, and in the present Congress Mr. CONGER introduced two such bills, No. 283 and No. 11568, all of them being very similar and all about equally objectionable.

Printed headings like the above, praying for the passage of these bills, were sent broadcast throughout all the entire farming country. They were sent to every Farmers' Alliance in Alabama, accompanied with the letter from Mr. Macune which I have read.

The farmers of the South are honest and could hardly believe that any one would ask them to sign a petition the purpose of which was to tax and reduce the price of one of their principal products. It will be observed that the purpose of the bill is carefully and sedulously concealed by the deceptive wording of the petition, and the good, honest, generous cotton-farmers signed these petitions very generally until I exposed the fraud through the papers of Alabama and then the nefarious deception ceased.

I wish to be very emphatic in the assertion that I do not intimate that Mr. Macune intended to make any recommendations injurious to Southern people, or that there is any question as to his devotion to their interest, or that he is not actuated by the very best intentions, but I wish to show that he was fearfully mistaken in his views regarding the lard bill, and I think that he is also mistaken in advocating the subtreasury bill instead of devoting the energies of the Alliance to the advocacy of measures and purposes which would be of more benefit to the farmer, would be practical in their operation, and would be easy to accomplish if Representatives having farming constituencies would combine in their support. For instance, had this been done with regard to the silver bill we would now have free coinage of silver.

Mr. COOPER, of Ohio. As one who is engaged in farming, will the gentleman allow me a question?

Mr. WHEELER, of Alabama. Certainly.

Mr. COOPER, of Ohio. Are you in favor of loaning money out of the Treasury to the farmers?

Mr. WHEELER, of Alabama. In reply to the gentleman from Ohio [Mr. COOPER], I will say that I am unalterably in favor of giving farmers every privilege which is enjoyed by people of other professions, and I am in favor of an immediate change in the financial and banking laws of our country so as to decentralize money and wealth and to enable the farmers of our country to establish banks adapted to their condition, their necessities, their convenience, and methods of business.

MONEY FOR FARMERS.

That a system can be easily devised which would be of great benefit to farmers without being in any way detrimental to other interests there can be no doubt. Even under the present illy adapted banking laws plans can be devised by which the farmers can borrow money as low as the rate mentioned in the subtreasury bill.

For instance: Take a county which has, say, 8,000 farmers. Let each subscribe $25 and establish a bank with a capital of $200,000.

We see the condition of the national banks of the United States are as follows:

Capital paid in	$642,073,676
Surplus fund and undivided profits	302,469,398
Individual deposits	1,521,745,665
Deposited by United States and disbursing officers	30,577,002
Total	2,496,865,741

The loans and discounts are $1,921,357,854. In other words, the loans and discounts are three times the capital and more than twice the capital and surplus combined.

Now, supposing our farmers' bank to have deposits equal to the average and an adequate but well secured circulation, it will readily be seen that the profits a farmer stockholder would receive upon a well conducted bank of this character would far exceed the interest paid by him for money he would find it necessary to borrow. All that would be necessary for the success of such a plan would be careful management of the bank.

The question is asked, how can this system help the people and why can they not each act independently with his own means? The answer is that farmers who raise stock, and grain, and meat, and hay, and clover, and tobacco, and cotton would want money at different periods of the year and they would keep all their idle money in these banks. For instance, Mr. Johnson sells his wheat in June for $1,000. He pays up his debt to the bank and has $600 left over. Instead of hoarding it at home he deposits it in the bank, and the bank lends it to Mr. Brown, who has a cotton crop. This is sold in November for $2,000, and after paying his debt to the bank he has $1,200 left over, which in turn he deposits and it is loaned to Johnson, who is planting his wheat crop, etc. In other words, all the money belonging to the farmers who own the bank is kept employed.

Now this illustrates that a plan can be devised to help the farmers, and the knowledge on the part of the farmer that some such plan as the above has aided all other vocations causes him to desire something similar for his benefit. That plans will be matured by which banking laws can be modified so as materially to benefit them, there can not, in my mind, be a particle of doubt.

Mr. COOPER, of Ohio. Are you in favor of the Government taking charge of the railroads?

Mr. WHEELER, of Alabama. I would prefer to discuss that when you gentlemen on the other side of the House bring in a bill for that purpose.

Mr. COOPER, of Ohio. I am asking you the question as a farmer. [Laughter.]

Mr. WHEELER, of Alabama. Well, then, I will answer as a farmer and say that I advocated and voted for the interstate-commerce law and am certainly in favor of the Government taking such supervision over railroads as is necessary to prevent combination, consolidation, and extortion by which the people could be oppressed and charged in excess of proper and reasonable rates, but I am not in favor of the Government acquiring ownership of the railroads by purchase and taking charge of them in that sense, and I am quite confident the people I represent do not advocate any such innovation.

GOVERNMENT OWNERSHIP OF RAILROADS.

The statements of the railroad managers of the United States reported the cost of the railroads a year ago at $10,205,493,050, and, though this may be an extravagant estimate, we all know that the railroads are stocked and bonded at about that figure, and if a law was passed directing their purchase the Republican party would be very apt to pay every cent that was demanded.

To raise such a sum of money you would issue bonds, and you know that one very important element in fixing the value of bonds is the amount issued. When our issue was less than $2,800,000,000 of 6 percents, United States bonds sold below par, and we could not expect to get more than 75 cents on a dollar by the sale of enough bonds to raise sufficient money to pay such a sum for the railroads.

This would make an annual drain upon the Government far beyond the resources of the people.

The income the Government would derive from these railroads would not be much.

Under the present management their entire income last year after paying expenses and interest on bonds was $101,388,736, and under Government management it would certainly be less and possibly be nothing at all. We would therefore find ourselves burdened with a fearful debt, the interest alone amounting to possibly $900,000,000 a year, and to meet this you would levy a direct tax which would be very hard upon the poor South, as the Constitution requires direct taxes to be levied according to population, and not according to wealth and value of property. The effect upon the people of my State would be terrible.

The population of Alabama is $\frac{1}{14}$ of all the population of the United States; therefore it is possible that $\frac{1}{14}$ of the $900,000,000 would be collected by direct taxation from the people of this State, which would require an annual tax upon the people of Alabama for this item alone of $22,000,000. Last year that State collected from the people $1,468,727. This was hard enough to pay, but an additional tax of fifteen times that amount to pay the Government would finally bankrupt nearly every man in the State.

Imagine a man whose State tax is $100 being required in addition to pay an annual direct tax to the Federal Government of $1,500.

A year ago there were 704,743 persons in the employ of railroads in the United States. For all these men to be transformed into Government employés, their tenure of office being subject to political caprice, would work a fearful change in our Government.

It would no doubt be satisfactory to the Republican party, as it would go far toward the consummation of their idea of centralized imperialism, but Democrats love purity, freedom, and liberty, and they oppose such measures as adverse to the American idea of government, and almost certain to result in financial and political disaster, besides being a long stride towards changing this Government from a republic to a centralized despotism.

Compound Lard.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES.

Thursday, August 21, 1890.

The House having under consideration the bill (H. R. 11568) defining "lard," also imposing a tax upon and regulating the manufacture and sale, importation, and exportation of compound lard—

Mr. WHEELER, of Alabama, said:

Mr. SPEAKER: I shall not attempt, in the short time allotted to me to speak upon this important measure, to even allude to the many evils which will certainly follow this character of legislation, nor shall I be able to discuss its flagrant assault upon the doctrine of democracy.

So violative is this bill of the ideas of free government which were handed down to us by our fathers that already it is stirring up bad blood in many gentlemen on the Republican side of the House who are unwilling to go so far in the violation of the principles of our Government as is attempted in this bill and as are some gentlemen who are willing to advocate legislation which they seem to think may be of temporary advantage to their constituents.

There was something said, Mr. Speaker, in regard to the fact that 90 per cent. of compound lard was manufactured by a few people.

For God's sake, if the monopolists have got 90 per cent. of the manufacture in their hands, why not leave 10 per cent. of it in the hands of the people? The trouble in this matter, Mr. Speaker, is that the South—God bless that country—is raising a vegetable product superior to all other vegetables in purity, outstripping and successfully competing with other ingredients which are used for food. This is not surprising. God has blessed that country. The sun shines brighter there, the soil is more fertile, the minerals are richer, and they do raise everything that is drawn from the soil cheaper in that country than in any other; and it is but natural that it should do what it has done and is doing, driving more than half of the American hog lard out of the market.

It is God's country and it obeys God's precepts. [Laughter.] And this Congress is attempting here to pass a law directly against the statutes of Almighty God. [Renewed laughter.] I read from Leviticus xi, 7, 8:

> And the swine * * * he is unclean to you.
> Of their flesh shall ye not eat, and their carcass shall ye not touch; they are unclean to you.

Mr. CONGER. Does the gentleman read from the new revision?

Mr. WHEELER, of Alabama. I read from God's Bible. [Laughter.] I revere all editions of the Bible, the old version and the new revision. They all contain the eternal truths of religion.

Mr. BUCHANAN, of New Jersey. May I ask the gentleman where he borrowed the book? [Laughter.]

Mr. WHEELER, of Alabama. I am surprised the gentleman asked that question, because this book has been in the House of Representatives ever since he has been a member and he has never found it out until now. [Laughter.]

Mr. BUCHANAN, of New Jersey. I used it four years ago in a silver speech. [Laughter.]

Mr. WHEELER, of Alabama. Worse and worse. The gentleman admits that his attention was called to the Bible four years ago, and yet he has been so indifferent regarding it that he has entirely forgotten there is a copy of the sacred volume in the Capitol building. Perhaps the existence of such a book has escaped his memory.

Now I shall read you what God tells us to eat. I read from Genesis ii, 9:

> And out of the ground made the Lord God to grow every tree that is pleasant to the sight and good for food.

Mr. CONGER. He does not say that you are to call it lard, though. [Laughter.]

Mr. WHEELER, of Alabama. No, the Lord does not say that we shall call it lard, and I admit it is doing so pure and healthful an article great injustice to give it the name of so impure a product as hog lard; and doubly aggravated do we find that wrong to be when we read the evidence before Congress showing the impurity of all hog-lard products, an article which the advocates of this bill are endeavoring to force upon the people.

In the Bible we frequently read of the ownership of flocks and herds of almost all kinds of animals except hogs or swine; but swine were considered and referred to more as unclean pests, as we now regard reptiles. So intense was the aversion to swine that they were associated with the idea of evil spirits or devils. And how often throughout the Holy Book do we see the fruits of the earth referred to as gifts of God for the subsistence of his creatures.

Mr. HOUK. Has the Constitution been lost, that my friend has to resort to the Bible? [Laughter.]

Mr. WHEELER, of Alabama. The Constitution has been trampled under foot by your party, and if it had not been for the Democratic party it would have been lost by this time. [Laughter.]

Democrats revere the Constitution because it is the foundation upon which this free and independent Government of the people has been erected.

Mr. HOUK. I asked the question because I never knew a Democrat to use the Bible before; it was always the Constitution.

Mr. WHEELER, of Alabama. But I have known the Republicans to trample the Constitution under foot. Even if Democrats did not use the Bible as much as you desire, they nevertheless revere it because it contains in its precious pages God's teaching of eternal wisdom, purity, and truth. I wish your party would take the teachings of the Bible as your guide and cease your constant encroachments and strains upon the Constitution of our country. The application of the "higher-law" doctrine to both the Bible and the Constitution is a Republican heresy as old as the party itself.

Now, Mr. Speaker, what is cotton-seed oil? I have not time in the brief space allotted me to read the numerous affidavits of some of the most distinguished scientific gentlemen of the United States upon that subject, but I will state that every one of those affidavits, whether made by Professor Wiley, of the Department of Agriculture, or by the distinguished professor of Dartmouth College, or by the equally distinguished professor of the New Hampshire board of health, testifies that there is no article of food existing that is as pure, healthful, and beneficial to life as cotton-seed oil. [Laughter.] And now, when God tells us to eat the fruits of the earth and when it is proved that this is the purest, best, and most healthful of all the fruits of the earth, Congress comes up and, as a fit ending to the career of the Republican party after twenty-five years of improper legislation, undertakes to say that this pure food shall be legislated out of existence or out of use. [Laughter.]

Cotton-seed oil has been subjected to most severe tests and criticism and every effort possible has been exerted to disparage it as an article of food, but the result has always been the reverse of what was intended, and every test has added proof to its excellence and healthfulness.

I will read a few extracts from the report of the New York board

of health which happens to be before me. Professor Tucker, the analyst of the board, says:

All over the world vegetable oils are obtained by the expression of the seeds or fruit or plants and used as food. From the cocoa-nut, Brazilian nut, walnut, almond, and a wide variety of other vegetable products, oils are extracted and employed in the preparation of food. In speaking of the vegetable oils Dr. Edward Smith, in his well known work on Foods, places cotton-seed oil at the head of the list, and says:

"There can be no doubt that we have, in this product of seeds of plants, which seem otherwise to be useless, a great storehouse of most valuable nutritive material, and if we know but little of them in this climate it is because we have the olive-oil at hand."

The report quotes from Professor Wiley, chemist of the Department of Agriculture, who says:

As regards the manufacture and refining of cotton-seed oil, it may be remarked that the methods employed are not materially different from the processes made use of in the preparation of olive-oil. That cotton-seed oil has for many years been exported to Italy and France, in which countries it is largely employed for mixing with olive-oil, is a well known fact.

I am clearly of the opinion that cotton-seed oil, whether used alone or commingled with other oils or fats, is a perfectly wholesome and nutritious food.

Professor Wiley also said:

"That it was very easily acted upon by the intestinal juices," and "very easily assimilated," and he added that "it seems to act on the digestive organs like olive-oil precisely." In response to the question "Are the nutritive qualities of cotton-seed oil equal to the nutritive qualities of pure lard?" he replied, "I should say there would be little difference as far as nutritive properties are concerned."

Further on in his testimony—

In reply to the question, "What would you say of cotton-seed oil when used alone as an article of food?" he answered, "I should say that it was perfectly wholesome," and he gave it as his belief that it was as wholesome as olive-oil or hog lard or beef fat.

Professor Tucker also quotes, as I will read:

Professor S. P. Sharpless, State assayer for Massachusetts and a chemist who has given much time to the study of food adulteration, stated during the course of the same investigation that he knew of no property injurious to health in cotton-seed oil or the refined lards which he had examined. Professor R. Ogden Doremus, of New York City, states that refined lard made from steam lard, beef stearine, and cotton-seed oil is "pure and wholesome," and that, in his opinion, "cotton-seed oil is a wholesome article of diet."

Professor Tucker then says:

These are the opinions which seem to be almost universally held by those who have investigated this subject from a scientific standpoint.

Throughout the cotton-growing States it has been for a long time very largely used, and the medical faculty of the Arkansas University state that it is preferred to other fats in many respects, "agreeing with the most delicate stomachs, whether used in baking or frying," and that "not one instance has ever been given of health being in any manner impaired by the use, however free, of cotton-seed oil in food. They state that "thousands of hands employed in the cotton-seed-oil mills are in the habit of making their dinners on the crude oil by dipping their bread in it, and some of them actually drink it, and yet from this free use of it nothing has ever resulted but the best of health."

Such testimony as that given above is not easily overthrown. Writers of eminence in our scientific, medical, and agricultural journals have borne similar testimony, and large numbers of people in our midst to-day use this oil from preference.

This distinguished chemist, in concluding this official report, states that such—

Cotton-seed-oil products as I have examined or of which I have knowledge are wholesome and nutritious articles of food.

I could go on indefinitely with citations of like character.

This and abundant other like evidence prove the superiority of cotton-seed oil as an article of food.

Gentlemen tell us that the demand for cotton-seed-oil butter has increased tenfold since it was subjected to a tax. This is true, but what caused it?

The tax did not do it. That has added to its cost and been a deadweight on the industry, but the discussion and agitation of this subject has brought cotton-seed oil prominently before the people, and its great purity and excellent qualities have become known, and that, I admit, has had an effect to increase the demand for it.

The American hog stuck his nose into Congress and has got it pretty badly bruised. He tried to root out cotton-seed oil, and besides failing to accomplish that he is getting rooted out of use himself.

I have in my hand a paper by J. H. Kellogg, M.D., descriptive of the hog of the present day, which certainly indicates that hog meat is hardly a proper article of food.

The doctor is an eminent physician of Massachusetts.

Gentlemen on the other side of the House in arguing this question have attempted, as far as possible, to secrete the purpose of this bill; yet that purpose would crop out and they could not conceal it. The gentleman from North Carolina [Mr. McCLAMMY] said that he would not follow the speech of the distinguished gentleman from Pennsylvania [Mr. BROSIUS] because he had lost his sleep last night, but I will endeavor to make some allusion to that speech. First, the gentleman from Pennsylvania says:

It is easily seen that the manufacturers and dealers, together aggregating a large per cent. of our population, have a deep stake in any legislation which protects them from competition.

All that this bill seeks is to protect the hog of the North from the competition of the purer and better and more healthful cotton-seed of the South. The gentleman from Pennsylvania commenced his speech by saying that—

Legislation which imposes unequal burdens can only be tolerated upon grounds of the clearest necessity, supported by a wise public policy, the demands of justice and right, and the advancement of the common weal.

That is good Democratic doctrine; but after announcing that sound Democratic principle the gentleman goes on to advocate this bill. To show what his purpose is he goes on to say—

That this steady decline in the swine market was due, in part at least, to the invasion of imitation compound can not be doubted by any intelligent observer and practical student of our markets.

Then, speaking of the extent of this injury, he says:

The extent of the injury must be left to conjecture.

Then he says, quoting from an authority (Wells in his Recent Economic Changes):

Cotton-seed oil is now equivalent to 70,000,000 pounds of lard, and it has contributed to notably reduce the price and place of that important product in the world's markets. The statements subjoined of intelligent men long engaged in the manufacture of pure lard remove all doubt upon the subject.

Mr. Speaker, this removes all doubt that the purpose of this bill is for a Congress, which happens to be sectional, to make its dying effort for sectional legislation to destroy an industry which a struggling people have sought to build up.

Mr. SAWYER. Will the gentleman permit a question?

Mr. WHEELER, of Alabama. Yes, sir.

Mr. SAWYER. I have read the bill, and I want to ask the gentleman whether there is anything in this bill which regulates, or places any tax upon, or requires any license for the sale of cotton-seed oil?

Mr. WHEELER, of Alabama. There is if it happens to be mixed with that impure article, lard. [Laughter.]

Mr. SAWYER. Then the tax is not upon the "pure" article, cotton-seed oil, but upon the mixture of the "impure" article, lard, with the "pure" cotton-seed oil.

Mr. WHEELER, of Alabama. It is true that cotton-seed oil in its raw state is not taxed by this bill, but the moment it is refined and prepared for table use and put in the form of lard a tax is imposed upon it. Its superiority is such that it is driving the hog lard out of the market, and now you propose to drive the pure article out by taxing it. If you will tax all lard we will not object. Tax the impure lard and we will submit to a tax on the pure cotton-seed oil.

Mr. CONGER. But pure cotton-seed oil, put up by itself, is not taxed.

Mr. WHEELER, of Alabama. The reason why you do not tax pure cotton-seed oil is that it does not come into competition with any Northern product. The serious objection to the bill is its un-American tendency, the enactment of laws to give one industry an advantage over another. Another anti-American tendency is that the numerous restrictions and penalties provided for in the bill will of necessity drive out all the small dealers and confine the business to large monopolies. As proof of this let me remind the House that in this very speech the gentleman admits that the law passed two years ago putting a tax on oleomargarine had the effect first to throw that manufacture entirely within the control of a monopoly and to reduce it from 200,000,000 pounds two years ago to 34,000,000 pounds to-day.

[Here the hammer fell.]

I will append Dr. Kellogg's paper, which should be read by every member of this House before voting on this bill:

In this country pork-raising is one of the great industries and one of the most prolific sources of wealth. And since the supply is wholly regulated by the demand it may be taken as a proper index of the prodigious quantities of swine's flesh which are daily required to satisfy the gustatory demands of the American people. No other kind of animal food is so largely used as is pork in its various forms of preparation. The Yankee makes his Sunday breakfast of pork and beans, besides making the same article a prominent constituent of at least two meals each day during the rest of the week. Pork and hominy is almost the sole aliment of the Texan farmer, while in the Western States pork and potatoes constitute the most substantial portion of the farmer's bill of fare. The accompanying dish may be hominy, beans, or potatoes, but the main reliance is pork in each case.

In the case of no other animal is so large a portion of the dead carcass utilized as food. Pork seems to be considered such a delicacy that not a particle should be wasted. The fat and lean portions are eaten fresh or carefully preserved by salting or smoking, or both. The tail is roasted, the snout, ears, and feet are pickled and eaten as souse; the intestines and lungs are eaten as tripe or made into sausages; black pudding is made of the blood; the liver, spleen, and kidneys are also prized; the pancreas and other glands are considered great delicacies, while even the skin is made into jelly. In fact, nothing is left of the beast but the bristles, which the shoemaker claims. Surely it must be quite an important matter, and one well deserving attention, if it can be shown that an animal which is thus literally devoured, and that in such immense quantities, is not only unfit for food, but one of the prime causes of many loathsome and painful maladies. Let us examine the hog a little, and see what can be determined respecting his real nature and his office in the economy of nature, if he has any.

A LIVE HOG EXAMINED.

Look at that object in a filthy mud-hole by the roadside. At first you distinguish nothing but a pile of black, slimy mud. The dirty mass moves. You think of a reptile, a turtle, some uncouth monster reveling in his Stygian filth. A grunt. The mystery is solved. The sound betrays a hog. You hasten by, avert your face, and sicken with disgust. Stop, friend; admire your savory ham, your souse, your tripe, your toothsome sausage, in its native element. A dainty beast, isn't he?

Gaze over into that sty, our pork-eating friend. Have you done so before; and would you prefer to be excused? Quite likely. But we will show you a dozen things you did not observe before. See that contented brute quietly reposing in the augmented filth of his own ordure. He seems to feel quite at home, doesn't he? Look a little sharper and scrutinize his skin. Is it smooth and healthy? Not exactly so. So obscured is it with tetter and scurf and mange that you almost expect to see the rotten mass drop off as the grunting creature rubs it against any projecting corner which may furnish him a convenient scratching place. As you glance around the pen you observe that all such conveniences have been utilized until they are worn so smooth as too be almost inefficient.

Stir up the beast and make him show his gait. See how he rolls along, a mountain of fat. If he were human he would be advised to chew tobacco for his obesity, and would be expected to drop off any day of heart disease. And so he will do, unless the butcher forestalls nature by a day or two. Indeed, not long ago a stout neighbor of his was quietly taking his breakfast from his trough, and grunting in infinite satisfaction, when, without a moment's warning or a single premonitory symptom, his swinish heart ceased to beat, and he instantly expired without finishing his meal, much to the disappointment of the butcher, who was anticipating the pleasure of quietly executing him a few hours later and serving him up to his pork-loving patrons. Suppose his death had been delayed a few hours, or rather suppose the butcher had got the start of nature a little, as he generally contrives to do.

But we have not half examined our hog yet. If you can possibly prevail upon yourself to sacrifice your taste in the cause of science, pork-loving friend, just clamber over into the reeking sty and take a nearer view of the animal that is destined to delight the palates of some of your friends, perhaps your own. Make him straighten out his fore-leg. Now observe closely. Do you see an open sore or issue, a few inches above his foot, on the inner side? And do you say it is a mere accidental abrasion? Find the same on the other leg; it is a wise and wonderful provision of nature. Grasp the leg high up and press downward. Now you see its utility, as a mass of corruption pours out. That opening is the outlet of a sewer; yes, a scofulous sewer; and hence the offensive ichorous matter which discharges from it. Should you fill a syringe with mercury, or some colored injecting-fluid, and drive the contents into this same opening, you would be able to trace all through the body of the animal little pipes communicating with it.

What must be the condition of the body of an animal so foul as to require a regular system of drainage to convey away its teeming filth? Sometimes the outlets get closed by the accumulation of external filth. Then the scrofulous, ichorous stream ceases to flow, and the animal quickly sickens and dies unless the owner speedily cleanses the parts and so opens anew the feculent fountain and allows the festering poison to escape.

What dainty morsels those same feet and legs make! What a delicate flavor they have, as every epicure asserts! Do you suppose the corruption with which they are saturated has any influence upon their taste or healthfulness?

Perhaps you are thoroughly disgusted now and would like to leave the scene. Pause a moment. Now let us look at the inside of this wonderfully delicious beast.

A DEAD HOG EXAMINED.

Do you imagine that the repulsiveness of this loathsome creature is only on the outside; that within everything is pure and wholesome? Vain delusion. Sickening, disgusting as is the exterior, it is, in comparison with what it covers, a fair cloak, hiding a mass of disease and rottenness which grows more superlatively filthy as we penetrate deeper and deeper beneath the skin.

WHAT IS LARD?

Just under the foul and putrid skin we find a mass of fat from 2 to 6 inches in thickness, covering a large portion of the body. Now, what is this? Lard, says one; animal oil; an excellent thing for consumptives; a very necessary kind of food in cold weather. Lard, animal oil, very truly; and we will add, as synonyms, disease, scrofula, torpid liver.

Where did all that fat come from or how happened it to be heaped up around that poor hog so prodigiously? Surely it is not natural, for fat is only deposited in large quantities for the purpose of keeping the body warm in winter. This fat is much more than is necessary for such a purpose and is much greater in amount than ever exists upon the animal in a state of nature. It is evidently the result of disease. So gross have been the habits of the animal, so great has been the foulness of its body, that its excretory organs—its liver, lungs, kidneys, skin, and intestines—have been entirely unable to carry away the impurities which the animal has been all its life accumulating. And even the extensive system of sewerage, with its constant stream, which we have already described, was insufficient to the task of purging so vile a body of the débris which abounded in every organ and saturated every tissue. Consequently this great flood of disease, which made the blood a black, turbid current, was crowded out of the veins and arteries into the tissues, and there accumulated as fat. Delectable morsel, a slice of fat pork, is it not? Concentrated, consolidated filth.

Then the fatter a hog, the more diseased he is? Certainly. A few years ago there were on exhibition at the great cattle show in England a couple of hogs which had been stuffed with oil-cake until they were the greatest monsters of obesity ever exhibited. Of course they took the first premium; and if a premium had been awarded for those animals capable of producing the most disease, it is quite probable they would have headed the list still.

Lard, then, obtained from the flesh of the hog by heating, is nothing more than extract of a diseased carcass. Who that knows its character will dare to defile himself with this "broth of abominable things?"

DISGUSTING DEVELOPMENTS.

Now let us take a little deeper glance, prepared to find disease and corruption more abundant the deeper we go. Observe the glands which lie about the neck. Instead of their being the ordinary size and composed of ordinary structure, we find them enlarged masses of scrofulous tissue. Perhaps tuberculous degeneration has already taken place. If so, the soft, cheesy, infectious mass is ready to sow broadcast the seeds of consumption and premature death; for, according to some excellent medical authorities, tuberculous disease is capable of communication by means of tubercles. If the animal is of sufficient age, the further process of ulceration will have occurred.

Now, take a deeper look still, and examine the lungs of this much prized animal. If he is more than a few months old, you will be likely to find large numbers of tubercles if you make a careful examination. If he is much more than a year of age, you will more than likely as not find a portion of the lung completely consolidated. Yet all of this filthy diseased mass is cooked as a delicious morsel and served up to satisfy fastidious tastes. If the animal had escaped the butcher's knife a few years he would have died of tuberculous consumption.

But what kind of a liver would you expect such an animal to have? Is not excessive fatness one of the surest evidences of a diseased and inactive liver? Infallibly. Then a fat hog must have a dreadfully diseased bile manufactory. Make a cut into its substance. In seventy-five cases out of a hundred you will find it filled with abscesses. In a larger percentage still will be found the same diseased products which seem to infest every organ, every tissue, and every structure of the animal. Yet these same rotten, diseased, scrofulous livers are eaten and relished by thousands of people who can not express their contempt for the Frenchman who eats a horse or the Chinaman who dines upon fricasseed puppy.

Now just glance at the remaining contents of the abdomen. In every part you notice evidences, unmistakable, of scrofula, fatty degeneration, and tuberculous accumulations.

WHERE SCROFULA COMES FROM.

The word "scrofula" is derived from the Latin *scrofa*, which means a sow. The ancient Romans evidently believed that scrofula originated with the hog, and hence they attached the name of the beast to the disease. Saying that a man has scrofula, then, is equivalent to saying that he has the hog disease. After we have seen that the hog is the very embodiment of scrofulous disease, can any one doubt the accuracy of the conclusion of the Romans who named the disease?

ORIGIN OF THE TAPE-WORM.

We shall not attempt to trace the history of this horrid animal, which frequently attains the length of 30 to 100 feet in the intestines of human beings, only so far as concerns its introduction into the human system.

With this end in view, let us glance again at that diseased liver. Upon closer inspection it will be no uncommon thing if we discover numberless little sacs or cysts about the size of a hemp-seed. These do not present a very formidable appearance, certainly; but as soon as they are taken into the stomach by eating the flesh containing them, the gastric juice dissolves off the membranous sac and liberates a minute animal which had been lurking there for months, perhaps awaiting this very opportunity. This creature, although quite minute, is furnished with a head and four suckers. With the latter it attaches itself firmly to the wall of the intestine and begins to grow. In a short time it produces an addition to the body, which is attached like a joint behind. Soon a duplicate of this is produced, and then another and another, until a body three or four rods in length is formed.

Under some circumstances, the eggs of the tape-worm may find entrance into the body, when the disease is developed in another form. The embryonic worms consist of a pair of hooklets so shaped that a twisting motion will cause them to penetrate the tissues after the fashion of a corkscrew. Countless numbers of these may be taken into the system, since a single tape-worm has been found to contain more than 2,000,000 eggs. By the boring motion referred to, which seems to be spontaneous in the young worm, the parasites penetrate into every part of the body. Penetrating the walls of the blood-vessels, they are swept along in the life-current, thus finding their way even to the most delicate structures of the human system. They have been found in all the organs of the body, even the brain and the delicate organs of vision not escaping the depredations of this destructive parasite.

When this lively migrating germ gets finally settled in the tissues, it soon becomes enveloped in a little cell, and remains quiet until taken into the stomach of some other animal, when it is liberated and speedily develops into a full-grown tape-worm, as already described. But although quiet, the imprisoned parasite is by no means harmless. The cysts which are formed often attain such a size as to endanger life. When developed in the eye, they of course occasion blindness. When occurring in the lungs or other organs, they interfere with their proper function. In the liver, which is the most frequent rendezvous of these destructive creatures, a most serious and commonly fatal disease known as hydatis is occasioned by the extraordinary development of the cysts, which are ordinarily not larger than a pea, but by excessive growth assume enormous proportions. The same disease may occur in any other part of the body in which the germs undergo development.

In Iceland this disease has become extremely common; and it is not very uncommon in this country. We have in our microscopical cabinet specimens of the embryonic worms taken from hydatid tumors of the liver of a patient who died of the disease in Bellevue Hospital, New York.

The poor victim who is forced to entertain this unwelcome guest suffers untold agonies, and finally dies if he can not succeed in dislodging the parasite.

The germs of these dreadful animals are found not only in the liver, but in the other organs as well. Pork containing them is said to be measly. Sometimes it is discovered; but that such is by no means always the case is evidenced by the fact that tape-worm is every year becoming more and more frequent in this country. It has long been common in Germany.

Some time since we received from a friend in the South a specimen of pork which was so densely peopled with the germs of this dreadful parasite that every cubic inch of flesh contained more than a score of them.

In Abyssinia the occurrence of the tape-worm has become so frequent, owing to the bad dietetic habits of the people, that it has been said that every Abyssinian has a tape-worm. In this country the parasite is most common in pork-butchers and cooks.

THE TERRIBLE TRICHINÆ.

Now, my friend, assist your eyesight by a good microscope, and you will be convinced that you have only just caught a glimpse of the enormous filthiness, the inherent badness, and the intrinisic ugliness of this loathsome animal. Take a thin slice of lean flesh, place it upon the stage of your microscope, adjust the eye-piece, and look. If you are fortunate, you will find displayed before your eyes hundreds of voracious little animals each coiled up in its little cell waiting for an opportunity to escape from its prison walls and begin its destined work of devastation. A gentleman of eminence in Louisville has made very extensive researches upon the subject, and asserts that in at least one hog out of every ten these creatures may be found. A committee appointed by the Chicago Academy of Medicine to investigate this subject reported that they found in their examination at the various packing-houses in the city at least one hog in fifty infested with trichinæ. Other investigations have shown a still greater frequency of the disease.

A few years ago we obtained a small portion of the flesh of an individual that had died from trichinæ poisoning. Upon subjecting it to a careful microscopical examination with a good instrument we discovered multitudes of the worms. The animal was seen inclosed in a little cyst, or sac, which is dissolved by the gastric juice when taken into the stomach of any animal. The parasite, being then set at liberty, immediately penetrates the thin, muscular walls of the stomach, and gradually works its way throughout the whole muscular system. It possesses the power of propagating its species with wonderful rapidity; and a person once infected is almost certain to die a lingering death of excruciating agony.

In Helstad, Prussia, one hundred and three persons were poisoned and twenty of them died within a month.

It is doubtless not known how many deaths are really due to this cause; for many persons die of strange, unknown diseases, which baffle the doctor's skill both as to cure and diagnosis. Trichinosis also very much resembles some other diseases in some of its stages, and may be attributed to other than its true cause. It is thought by many medical men of considerable eminence that hundreds of people die of the disease without its true nature being suspected.

PORK UNCLEAN.

Have we not seen that a hog is nothing better than an animated mass of physical defilement? Few that have seen the animal will dispute that his filthiness is a most patent fact. How wise and sanitary, then, was the command of God to the ancient Jew: "It is unclean unto you. Ye shall not eat of their flesh nor touch their dead carcass."

Although it may not be said that this law still exists and is binding upon all mankind as a moral obligation, it is quite plain that the physical basis upon which the law is founded is as good to-day as at any previous period. Could it be proved that the hog had kept pace with advancing civilization and had improved his habits, we might possibly find more tolerance for him; but he is evidently just as unclean as ever and just as unfit for food.

Adam Clarke, when once requested to give thanks at a repast of which pork constituted a conspicuous part, used the following words: "Lord, bless this bread, these vegetables, and this fruit, and if Thou canst bless under the gospel what Thou didst curse under the law, bless this swine's flesh."

The Mohammedans, as well as the Jews, abstain entirely from the use of pork. Such is also the case with some other tribes of Asia and Africa.

EVIL EFFECTS OF PORK-EATING.

At the head of the list we place scrofula. How almost universally it abounds. How few are untainted by this ugly disease. The chronic sore eyes, glandular

enlargements, obstinate ulcers, disfigured countenances, unsightly eruptions, including a long list of skin diseases, all proclaim the defilement of the blood with this vile humor. So, too, do the vast army of dwarfed, strumous, precocious children tell the same story. Erysipelas, too, a dreadful scourage, owes more to pork than to any other predisposing cause. That terrible disease leprosy, so common in Eastern countries and now beginning to show itself upon our shores, is thought by many to be largely attributable to pork-eating.

"Biliousness," a name which covers nearly every bad condition for which no other appropriate name can be found, is notoriously the result of pork-eating. This is the main reason why so many people complain of "biliousness" in the spring, after gorging themselves with fat pork all winter. The liver is overworked in attempting to remove from the system such a mass of impurity as is received in the eating of pork. It consequently becomes clogged, congested, torpid. Then follow all the ills consequent upon the irritating effects of biliary matters in the blood. The skin becomes tawny, jaundiced. The kidneys are overworked. Perhaps a fever results. A partial clearing out then occurs which enables the individual to pass along for a time again, until some epidemic or contagious disease claims him as a lawful victim.

Consumption is another disease which is not easily separated from pork-eating. In fact scrofula is its great predisposing cause. The narrow chests, projecting shoulders, thin features, and lank limbs of so many young boys and girls are evidences of the consumptive tendency, of which a scrofulous diathesis is the predisposing cause.

Dyspepsia, that malady of many forms, is a frequent result from the use of pork, especially when fat and salted or smoked pork is one of the most indigestible of foods, requiring between five and six hours for its digestion, when wholesome food will digest in half that time. This is the reason for the notion that salt pork is an excellent thing to "stick by the ribs."

Tape-worm we have already mentioned as the result of eating measly pork. It is a very difficult disease to cure, and often baffles the best medical skill for many years. Few ever detect the cysts in the flesh of the hog unless their attention has been directed to the matter.

Trichinæ produce in man an incurable disease. No remedy can stay the ravages of the parasite. All pork-eaters are in constant danger; for the worm is too small to be seen without the aid of the microscope. However, this disease is not nearly so formidable as the others named; for it is not so common, neither does it entail any weight of suffering upon posterity.

APOLOGIES FOR PORK-EATING EXAMINED.

On every hand we are met by all sorts of excuses for continuing to make swine's flesh an article of diet in spite of the striking evidences of its dangerous character. Let us examine a few of the most common of these apologies and test their value.

PORK IS NECESSARY AS A HEAT-FORMING FOOD IN WINTER.

Are there not plenty of more healthy animals than hogs to supply all the animal fat necessary? Certainly there are. And, better still, we have the various grains and farinaceous vegetables, which are abundantly sufficient to furnish all the heat required by man in any latitude.

OUR FATHERS AND GRANDFATHERS ATE PORK AND YET LIVED TO VERY OLD AGE.

Ah, yes, my good friend, and you are suffering the penalty of their transgressions. You may not be well aware of it as yet, but more than likely as not your old age will not be so free from ills as was theirs. And quite as probably you may even now see in your children the results of your own as well as your father's disregard of the dictates of sound sense in feasting upon the hog. Their frequent sore eyes, sore mouths, tetter, erysipelas, and other eruptions are all evidences of the scrofula which they have inherited.

Neither can you urge the plea "pork does not hurt me." No man ever became a drunkard who did not make the same excuse for liquor. You may not feel it now, but the future will expose your delusion.

THE HOG IS CLEANLY IF YOU GIVE HIM A CHANCE TO BE SO.

It is surprising to us that any person who knows anything of the real nature of a hog can make such an assertion. Who has not seen many a hog wallowing in the foulest mire right in the middle of a green, fragrant clover pasture? The dirty creature will turn away from the nicest bed of straw to revel in a stagnant, seething mud-hole. If one of his companions dies in the lot or pen he will wait until putrefaction occurs, and then greedily devour the stinking carcass. The filthy brute will even devour his own excrement, and that when not unusually pressed by hunger.

The hog is by nature a scavenger, and is especially adapted for that purpose. Let him pursue his natural calling.

SUFFICIENT HEAT WILL KILL TRICHINÆ AND INCIPIENT TAPE-WORMS.

Surely dead worms can not kill any one; but it must be delightful for the pork-eater to contemplate his ham or sausage with the reflection that he will find it a diet of worms. The Frenchman sometimes eats earth-worms, the African relishes lizards, and one philosopher so far overcame his natural prejudices as to eat spiders. "How disgusting," you say, and yet shut your eyes and swallow a million monsters at a meal because they are cooked, and so can not bite. The louse-eating Patagonian can not equal that. But it should be remembered that in order that the parasites shall be killed, every part of the meat must be subjected to a heat of at least 212°, which is quite difficult to do, and is seldom accomplished. A whole family were poisoned by eating pork-chops which were well cooked upon the outside.

WHAT SHALL WE DO WITH THE HOG?

Stop raising him. Turn him loose. He will soon find his place, like the five thousand which ran down into the sea in the days of Christ. If he must be raised, use him for illuminating-our halls and houses. Lubricate our car and wagon axles with his abundant fat. Do anything with him but eat him. It would be dangerous to adopt the principle that we must devour everything which is in the way or which can not be otherwise utilized. Adam Clarke thought of one appropriate use to make of him. He said that if he was going to make an offering to the devil he would employ a hog stuffed with tobacco.

Reader, what will you do? Can you continue to use as food such an abominable article as pork, and in so doing run so many risks as you must do? And if you decide that the animal is unfit to claim a place upon your own table, can you conscientiously raise and sell him, to your neighbor's injury?

CASES OF TRICHINA POISONING.

The reported cases of death from this terrible cause have become so frequent that we are no longer startled by them. Ten years ago the description of the death of a person literally infested with worms and tortured to death by their inroads upon the system would have excited feelings of the deepest horror; but now these accounts have become so common that little interest is shown in them, and death from this cause is one of the regular causes of additions to the mortuary list. Nevertheless, the disease is divested of none of its real horrors by its common occurrence. No one is safe; any one who uses swine's flesh as food in any form is liable to the disease. Salting, smoking, and the other ordinary means of curing pork do not destroy the parasite.

A few years ago Dr. Germer, health officer of Erie, Pa., was sent for in haste to see a patient who was supposed to be suffering from the cholera. He hastened to the bedside and found a whole family sick with symptoms much resembling those of cholera, though the season was then midwinter. Suspecting the possible cause, he secured a specimen from the pork barrel and hastened to his office. Upon making a careful microscopic examination he found myriads of the loathsome parasites in every part of the flesh examined. We prepared numerous microscopic specimens of the worm in various aspects from a portion of the infected meat kindly sent us by the doctor, and have shown them to hundreds of persons who were skeptical respecting the existence of such a pest, so terrible are the effects attributed to it.

In this case the hog had been fattened on the premises, having been purchased when quite young by the owner, a German, from a drove of hogs which passed through the city. It was known that previous to the purchase of the hog two of the drove had died on the road, and had been devoured by their scavenger companions. No doubt the deaths were the result of trichinosis, and by devouring the victims the whole herd became infected. It would be difficult to estimate what an amount of suffering and death was entailed by the consumption of this great herd of trichinous hogs. Several members of the German family died, together with several of the neighbors. Those who survived the acute stages of the disease only escaped to linger out a painful existence in the chronic and incurable state of the malady.

Some three years later we received a specimen of pork from a gentleman in Wisconsin who requested an examination of the same, stating that he procured it from the pork barrel of a neighbor whose family were suffering from a disease which the doctors called cholera infantum. Several of the children had died, and other members of the family were still dangerously ill. The pork had been suspected and examined, but no trichinæ were found by the observers, though several physicians had inspected it. Upon making a careful microscopical inspection of the specimen we found it alive with young trichinæ.

Many cases of poisoning from this source are never detected, when symptoms of the disease resemble those of several others so closely that most of the cases are treated for other diseases.

Federal Election Law.

Whenever Congress controls elections, farewell to the rights of the people even to elect their own representatives.—*Vice-President Elbridge Gerry.*

The Federal Election bill is infamy in its most insolent shape, an insult to the common sense and honor of every loyal and right-minded citizen.—*New York Herald.*

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

June 30, and July 1 and 2, 1890.

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. WHEELER, of Alabama, said:

Mr. SPEAKER: The bill known as the election bill, No. 10958, was introduced on June 14 1890.

On the 17th, printed copies, each containing 76 pages, were ready for distribution.

It passed through the process of reference to the Committee on Election of President, Vice-President, and Representatives in Congress, and on the 19th that committee reported to the House a bill numbered 11045, as a substitute. This was printed and made available to members of this House on the 21st, and on the 26th its consideration was commenced under orders from the Committee on Rules.

It will readily be seen that no committee of this House has been able to give this measure the study and consideration that so important a law merits, nor has any member of this body been able to investigate the intricate expressions which this lengthy election code contains.

The Committee on Rules has directed that the bill be voted upon at 3 o'clock on July 2.

To force a measure of this magnitude and character through Congress with such precipitate speed is a flagrant outrage and little less than a fearful, atrocious, I might say diabolic, crime.

This bill makes an entire and radical change in our system of government.

It takes the election of members of Congress as thoroughly out of the hands of State officers as if those officials ceased to exist. It is true it allows them to remain at the polls and report the results of the election to the State officials, but these reports are not received, considered, or accorded any significance by Congress even as *prima facie* evidence of the statements they contain.

Federal officers are appointed by Federal officials, who invade sovereign States, register the votes, pass upon their qualification and eligibility, receive and count the ballots, and certify the returns to a Federal election board, who then transmit the result to the Clerk of the House of Representatives.

PRINCIPLES OF LIBERTY OVERTHROWN.

The system of conducting elections which has been in successful and satisfactory operation for one hundred years is overthrown, governors of sovereign States are ignored and insulted, and the States themselves placed on a plane with reference to the Federal Government almost as degrading as the relation a conquered province bears to an imperial power to which its allegiance is due.

From the time that our forefathers planted their feet on the shore of this continent up to the present day elections by the people have been

regarded as a sacred right upon which the principles of a government of the people, by the people, and for the people, paramountly, solely, and I might almost say alone depended. [Applause.]

The people of each election precinct are generally known to each other, and this is especially true in the rural sections of our land.

Their views and opinions upon political and other public questions are understood, and the result of the vote is often predicted with surprising accuracy before the election takes place.

In every community there are certain men who during their long lives have earned the respect and confidence of the people as persons of capacity, judgment, and sterling integrity.

These men are selected as managers of the election, care being always taken that the opposing candidates have representatives on the board.

With rare exceptions the voters are known to at least one of the election officers and in probably a large majority of cases to the entire board.

The ballots are received, counted, and returned, and the integrity of the election is not questioned by any one.

Such an election complies with both the letter and spirit of the Constitution that election shall be "by the people."

Gentlemen on the other side of the House, instead of dicussing the constitutionality and advisability of the bill, have devoted their time to denouncing the section of country from which I am proud to come and which with its noble people I love with every impulse of my heart. They talk of unfair elections and charge that all elections in the South are conducted by violence and fraud; but when individual Republican members of Congress from that section are put upon their *voir dire* they all admit that Democrats conduct elections in their districts with perfect fairness. Mr. COLEMAN of Louisiana, Mr. EWART of North Carolina, Mr. TAYLOR, Mr. HOUK, and Mr. EVANS of Tennessee have all borne testimony to the perfect fairness with which elections were conducted by Democrats in the districts they represent.

I do not speak for the whole South, because I do not know and could not possibly know what occurs in all parts of that vast extent of country, comprising as it does nearly a million square miles of territory, nearly three times the extent of the thirteen original States and more than twelve times the size of all the New England States put together; but so far as I know, and my information is very general, I assert that there is not even an idea of fraud tolerated by the Democracy of the section from which I come; and in the absence of evidence to the contrary, it is but fair and just to presume that what is true of one part of the South is equally true of all others; and I assert that if the people of my district believed that I would accept an illegal vote or tolerate a fraud they would not elect me as their representative in Congress. The votes are quietly cast and correctly counted; and in the five elections by which I have been sent to this body, my opponents will not charge that there was a single unfair vote cast for me.

Mr. BUCKALEW. How large a majority have you?

Mr. WHEELER, of Alabama. My majority is over 4,300.

Mr. BUCKALEW. What was your majority in the other elections?

Mr. WHEELER, of Alabama. In my first election, in 1880, my majority was but 43; it was a very warmly contested election; my opponent was Mr. Lowe, the then sitting member, a very able man and skillful politician. The election was contested and a vast amount of evidence was taken, all of which thoroughly refutes the charge that Democrats are guilty of fraud and violence. In one election my majority was 1,350, and in the other two it was between three and four thousand.

Mr. BUCKALEW. You are a hero. [Laughter.]

Mr. WHEELER, of Alabama. No; the people of my district are heroes. It is a pleasure and a great honor to be the representative in Congress of people of their intelligence, integrity, chivalry, and honorable character, and the developments now taking place in that section are giving it an enviable prominence and will make it the most prosperous country on earth.

This bill overturns this accurate, honest, and excellent system, conducted by such people as I have described, and strangers, of whom the people have little or no knowledge and in whom they have less confidence, are sent to this quiet community, backed by paid deputy marshals, and, if desired by unscrupulous candidates, also backed by armed soldiers.

Some of the Federal officers of election will no doubt be men of education, standing, and character, but all persons who know the condition of the Southern States will admit that many of them will be persons unqualified for the office, without character to lose or to gain in the locality where they serve.

They will hardly have much fear of violating laws, offenses to which are tried in the Federal court, as this bill virtually provides that they may select the jurors who serve in that tribunal.

BILL IS AT VARIANCE WITH THE THEORY OF OUR GOVERNMENT.

But, supposing that none of these fears should be realized, the bill is objectionable because it is entirely at variance with American principles and theories of government.

The advocates of the bill are outspoken in their assertions that it is only intended to operate in those States and districts where there is a large negro population.

The advocates of the bill assume and assert that a large majority of the people in those localities are Republican, and that a minority of the people in those districts, by reason of superior education, intelligence, and manhood, so control the elections as to in many cases give Democratic majorities.

If the honorable, non-partisan people of the United States wish proof as to the falsity of the general charge made on this floor that elections in the South are fraudulently conducted it is abundantly supplied by the records of the facts which have been developed during the two years which have elapsed since the election in November, 1888.

The defeated Republican candidates in the South have been urged to furnish evidence that they were defeated by fraud. They have been tendered aid, urged to accept aid, and even had aid thrust upon them, and in addition to this have had committees of Congress sent South with unlimited power, money, and resources in the hope that something could be developed to sustain these allegations; and this, too, has been done by the agencies of a great and powerful Government.

They have also had Republican Federal officials in all these localities, and, if fraud or violence had existed as charged, indisputable proof would certainly have been placed before this body; and with all this, after seven months of investigation, they have only succeeded in unseating Mr. Turpin, of Alabama, and Mr. Cate, of Arkansas, their action in both cases being so unwarranted by evidence as to shock the conscience and excite the indignation of many of the fairer-minded Republicans.

I have not referred to the cases from Maryland and the Virginias, as it is not charged by any one that the pretended evils which it is claimed this bill will correct exist in those localities. But even if their assumptions and statements were true, which I do not admit, but emphatically deny, the plan they propose to adopt is an assumption on their part that our system, which is a government for the people, is a mistake and failure. For years the people of the South have deplored the want of education among the colored people. They have contributed a larger percentage of their own means to correct this evil than was ever before contributed by people of the Caucasian race for such a purpose under such circumstances since the world began.

In a recent speech in Congress Senator BLAIR said it would not do to assert that Southern Senators and Southern people had—

> A desire to keep the colored child in ignorance in face of the fact that 985,000 of them are attending the public schools in the South and that the burden of the expense is mainly defrayed by the white people of the South. This is marvelous progress.

I also beg to call attention to a speech by Ex-Governor Chamberlain, of South Carolina. He was a Northern man; was elected governor of South Carolina as a Republican. The speech was delivered at Boston February 8, 1890:

> I come from the South to-night. A business errand has again taken me to the State which was my home for twelve years. I have mingled again during the last four months with the people whom I then knew so well. What do I find? I find that since 1876 both races in South Carolina have prospered. I find the prosperity of the negro has advanced *pari passu*, more than *pari passu*, with the white man. I find the negro more self-respecting, better provided with schools, far better, acquiring property more rapidly, more industrious, more ambitious for education and property than he ever was before 1876; and I have come here to-night, at not a little inconvenience, to proclaim this in the ear of Boston's philanthropy and Boston's patriotism. [Cheers.] I proclaim it because it is true and because, if any man living owes it to himself and to the country to proclaim the truth in this matter, I am that man. [Great applause.]
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> What, then, is the duty of the North in respect to this problem; what is Boston's and Massachusetts' duty; what is the duty of all patriotic men? I answer with my whole mind and conscience, their duty is to let the negro alone. [Tremendous cheering.]

A few days ago General Longstreet, who has been a Republican for twenty-four years, during which time he has been a resident of the South, was interviewed by one of the editors of the St. Louis Globe-Democrat, a prominent Republican paper.

General Longstreet said:

> The negro is getting along quite well, and would do much better if it were not for the politicians. It does not follow that because a man is black he is a Republican.

This distinguished soldier continued:

> A negro is like almost any other man. He will vote for the advancement of his own interests. He will vote against a negro who has gone to the front simply as a politician, in favor of a respectable Southern white man any time. He will vote for a Southern white man that he knows against a politician of the North every time. Schools are working out the problem of the colored man in the South. The development of the country is giving him new avenues of employment. What he is gradually getting is better wages, and what he needs is less politics and less meddling from politicians.

You will all recollect the remarks of Vice-President MORTON on his recent return from the South. The whole tenor of his expressions was that the people, both black and white, were doing well, and that Congressional interference would be unfortunate for the entire country.

They have appealed to Congress to pass an educational bill to aid in this work, and the Democratic Representatives from the South have voted for and advocated such a bill almost unanimously, and now they see an Administration, with every branch Republican, refusing to pass a bill to contribute $7,000,000 a year for ten years for this great aid to the colored people, while at the same time they see this Congress hasten to enact this law which, it is estimated, will cost $12,000,000 a year for all time, although Southern Republicans tell them it will be a seri-

ous injury to all the people of the South and that the colored people will be the greatest sufferers.

If the Republican party was sincere in its statement that its purpose and desire is to secure to the negro the right to intelligently exercise the right of suffrage they would answer the universal prayer of that race and give them the education they so much desire and covet. This, and this alone, would attain the object which Republican orators assert with so much emphasis they desire. The enforcement or the attempted enforcement of the right of suffrage by marshals and bayonets will do more towards turning back the wheels of civilization than can be corrected by years of effort on the part of those who devote their best endeavors to secure a free and pure ballot and an advanced and progressive civilization.

BILL UNCONSTITUTIONAL.

That this bill is entirely outside the pale of the Constitution, I do not think there can be the slightest doubt, and that its operation would contravene the tenets and principles of our system of government, no fair-minded man of ordinary education and intelligence will deny.

In discussing the unconstitutionality of the bill I shall endeavor to show—

First. That expounders of constitutional law lay it down as a rule that in construing a constitution we must consider the situation of the country antecedent to and at the time the constitution was framed.

Second. That the history of those times and of the people of those times utterly negatives the assumption of the advocates of the bill that our constitutional fathers ever intended such a construction as is contended for by them.

Third. That the proceedings and debates in the constitutional convention forbid such an interpretation.

Fourth. That the proceedings and debates in the conventions held by the States to ratify the Constitution, with equal emphasis refute the construction for which they contend.

Fifth. That contemporaneous writers on the Constitution also deny the position which is assumed by the advocates of the bill.

Sixth. That the discussions in Congress during the hundred years which have elapsed since the Constitution was adopted most thoroughly prove that the view presented by Mr. LODGE has never been entertained and will never be tolerated by the American people.

Seventh. That even though not intended and not so expressed in the bill, it will be impossible to carry it into execution without doing acts the unconstitutionality of which no one will question.

I will not burden the House by reading the numerous authorities from Cooley and from Story and others, but will invite attention to only a portion of a single page.

I read from the chapter on "Constitutional interpretation," in Potter on Statutes and Constitutions, page 657:

It is regarded as appropriate for the courts and as a matter entitled to their most careful consideration in giving construction to the Constitution to look back at the situation of the country at the time and antecedent to the time of its adoption; to look at its then existing institutions, at the existence and operations of the then State governments, at the powers and workings of the old Confederation, and at all other circumstances which had a tendency to produce or obstruct its formation and ratification (Story, § 405); and it is also held that contemporary history and contemporary interpretation may be called in to aid in arriving at just conclusions.

These principles of constitutional construction are fully elaborated in the following decisions: Bigg *vs.* Commonwealth of Pennsylvania, 16 Peters. R., 610; Cohens *vs.* Virginia, 6 Wheat., 418, per Marshall, Ch. J.

I will also read from the same commentator, page 657:

The safest rule of interpretation will be found to be to look into the nature and object of the particular powers, duties, and rights, with all the lights and aids of contemporary history, and to give to the words of each just such operation and force consistent with their legitimate meaning as may fairly secure and attain the ends proposed.

PURPOSE OF OUR FOREFATHERS.

These authorities, as well as the numerous decisions I have before me, show that in order to understand the Constitution of the United States we must always keep in mind the purpose which our forefathers sought to attain and the evils they sought to avert by its adoption.

The preamble is in these words:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

There must have been some great necessity for this action by the people who were to be affected thereby.

During a period of nearly two centuries prior to the adoption of this constitution, Europeans had been coming to America.

They had established colonies until their aggregate population had reached three millions of people.

The colonies were protected from foreign enemies by the parent country.

Difficulties and conflicts between each other were prevented or adjusted by authority from the same source, and while each colony was independent of the other they all acknowledged a certain limited dependence upon the parental government.

The attempts on the part of the British Government as far back as 1754 to levy contributions and by various means to encroach upon the rights of the colonists brought about a meeting of deputies from many of the colonies, and the feeling then engendered culminated twenty-one years later in the armed conflicts between the colonists and British troops at Lexington, Concord, and Bunker Hill.

DECLARATION OF INDEPENDENCE.

The following year, July 4, 1776, thirteen colonies declared themselves independent States, all of which had joined for mutual protection against the war waged upon them by their mother country.

Finally Articles of Confederation were formed, in which it was especially provided that—

Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.

The purpose of this Confederation was expressed in these words:

The said States hereby severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

After the termination of the war of the Revolution the question of establishing a better system of government was agitated.

In May, 1785, a committee of Congress made a report recommending such action by a change in the Articles of Confederation.

On January 21, 1786, the Legislature of Virginia adopted Mr. Tyler's resolution providing for the appointment of commissioners from that State to meet commissioners from other States.

I read from Elliot's Debates, volume 5, page 113:

To take into consideration the trade of the United States; to examine the relative situations and trade of said States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act, relative to this great object, as, when unanimously ratified by them, will enable the United States in Congress effectually to provide for the same.

Pursuant thereto, on September 11, 1786, at Annapolis, Md., Edmund Randolph, St. George Tucker, and James Madison met commissioners from the States of New York and Pennsylvania, Delaware, and New Jersey.

The commissioners from New York and Pennsylvania came with almost precisely the power conferred upon its commissioners by the State of Virginia.

Delaware had similarly empowered her commissioners with this difference, that the act to be framed by virtue thereof is required to be reported (*ibid.*, 115)—

to the United States in Congress assembled, to be agreed to by them, and confirmed by the Legislature of every State.

ANNAPOLIS CONVENTION.

The States of Maryland, Connecticut, South Carolina, and Georgia did not appoint any commissioners, and those appointed by the States of New Hampshire, Massachusetts, Rhode Island, and North Carolina did not attend.

A resolution and address prepared by Alexander Hamilton was adopted, which recited their meeting and the reasons why they believed that a general convention of all the States should be held, and recommended (I read from page 116)—

The exercise of endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States; to devise such further provisions as shall appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled, as, when agreed to by them, and afterwards confirmed by the Legislature of every State, will effectually provide for the same.

On February 21, 1787, Congress adopted a resolution in favor of the convention, and Virginia was the first State to comply.

The enactment of the Legislature of Virginia, after reciting several preambles, was in these words, page 117:

That seven commissioners be appointed to meet such deputies as may be appointed and authorized by other States, to assemble in convention at Philadelphia, as above recommended, and to join with them in devising and discussing all such alterations and further provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union, and in reporting such an act for that purpose to the United States in Congress, as, when agreed to by them, and duly confirmed by the several States, will effectually provide for the same.

George Washington, Edmund Randolph, and James Madison were among the commissioners appointed. All the other States except Rhode Island followed the example of Virginia, and on May 25 the body which framed our Constitution met in the city of Philadelphia.

MEMBERS OF CONSTITUTIONAL CONVENTION ON ELECTIONS.

George Washington was unanimously elected president of the convention, the nomination being made by Robert Morris and seconded by John Rutledge. Benjamin Franklin was to have nominated George Washington, but he was too ill to be present.

On May 29 Mr. Randolph opened the business of the convention. I read from page 126:

He expressed his regret that it should fall to him, rather than those who were of longer standing in life and political experience, to open the great subject of their mission. But as the convention had originated from Virginia and his colleagues supposed that some proposition was expected from them, they had imposed this task on him.

He then proposed, as conforming to his views, a series of resolutions

which embodied his ideas of a plan of government, the one referring to the election of members of Congress being in these words (page 127):

Resolved, That the members of the first branch of the National Legislature ought to be elected by the people of the several States every —— for the term of ——, to be of the age of —— years at least.

Mr. Charles Pinckney proposed a draught which said (page 129):

The members of the House of Delegates shall be chosen every —— year by the people of the several States; and the qualification of the electors shall be the same as those of the electors in the several States for their Legislatures.

Each State shall prescribe the time and manner of holding elections by the people for the House of Delegates; and the House of Delegates shall be the judges of the elections, returns, and qualifications of their members.

But on June 6 he, according to previous notice and rule obtained, moved (page 160)—

That the first branch of the National Legislature be elected by the State Legislatures, and not by the people.

ROGER SHERMAN AND ALEXANDER HAMILTON.

Mr. Roger Sherman, of Connecticut, advocated this proposition of Mr. Pinckney. I read his remarks (page 161):

If the State governments are to be continued it is necessary, in order to preserve harmony between the national and State governments, that the elections to the former should be made by the latter. The right of participating in the National Government would be sufficiently secured to the people by their election of the State Legislatures. The objects of the union, he thought, were few: First, defense against foreign danger; secondly, against internal disputes and a resort to force; thirdly, treaties with foreign nations; fourthly, regulating foreign commerce and drawing revenue from it. These and perhaps a few lesser objects alone rendered a confederation of the States necessary. All other matters, civil and criminal, would be much better in the hands of the States.

Mr. Gorham also proposed a plan for the Constitution, its reference to the Lower House of Congress being in these words (page 189):

Resolved, That the members of the first branch of the National Legislature ought to be elected by the people of the several States for the term of three years.

On June 18, Alexander Hamilton made a beautiful speech and proposed a plan of constitution.

His recommendation regarding Congress was as I will read, page 205:

I. The supreme legislative power of the United States of America to be vested in two different bodies of men; the one to be called the Assembly, the other the Senate; who, together, shall form the Legislature of the United States, with power to pass all laws whatsoever, subject to the negative hereafter mentioned.

II. The Assembly to consist of persons elected by the people, to serve for three years.

III. The Senate to consist of persons elected to serve during good behavior; their election to be made by electors chosen for that purpose by the people. In order to this, the States to be divided into election districts.

Mr. Hamilton prepared another draught, but did not submit it to the convention. Its election clause reads (Elliot, page 585):

The Legislature shall provide for the future elections of Representatives, apportioning them in each State, from time to time, as nearly as may be to the number of persons described in the fourth section of the seventh article, so as that the whole number of Representatives shall never be less than one hundred nor more than —— hundred.

PLANS REFERRED TO COMMITTEE OF DETAIL.

On July 23 it was unanimously resolved (I read from Journal of the Convention as filed by the Secretary of State, page 199):

That the proceedings of the convention for the establishment of a national government, except what respects the supreme executive, be referred to a committee for the purpose of reporting a constitution, conformably to the proceedings aforesaid.

On the 24th (page 201) the convention chose this committee on detail by ballot. It consisted of Hons. John Rutledge, of South Carolina, afterward Chief Justice; Edmund Randolph, of Virginia, afterward Washington's Attorney-General and Secretary of State; Nathaniel Gorham, of Massachusetts; Oliver Ellsworth, of Connecticut, afterward Senator, Chief-Justice and envoy to France; and James Wilson, of Pennsylvania, afterward on the Supreme Bench. On the 26th, the proceedings and the resolution were referred. The clause affecting the election of members of Congress, as shown by the Journal, page 207, and by Elliot, vol. 5, page 375, was:

Resolved, That the members of the first branch of the Legislature ought to be elected by the people of the several States for the term of two years.

The plans proposed to the convention by Mr. C. Pinckney on May 29 and by Mr. Patterson on June 15 were also referred to the committee on detail, after which the convention adjourned until August 6. (Journal, page 214, and Elliot, page 376.) The articles in Mr. Pinckney's plan with regard to elections of members of Congress were (Elliot, page 129, and Journal, pages 72 and 73):

ARTICLE III. The members of the House of Delegates shall be chosen every —— year by the people of the several States, and the qualification of the electors shall be the same as those of the electors in the several States for their Legislatures.

* * * * * * *

ARTICLE V. Each State shall prescribe the time and manner of holding elections by the people for the House of Delegates, and the House of Delegates shall be the judges of the elections, returns, and qualifications of their members.

Mr. Patterson's plan is on page 191 of Elliot and 123 of the Journal. It has no provision for the election of Congressmen, but it authorizes Congress to elect a Federal Executive. None of the plans presented conferred any power upon Congress to either make or alter any regulations affecting the election of members of Congress, and no suggestions of that character had been made to the convention. On August 6 Mr. Rutledge delivered in the report of the committee of detail.

FIRST SUGGESTION OF CONGRESSIONAL INTERFERENCE.

The article we are discussing was in these words (Elliot, page 377):

ARTICLE VI.

SECTION 1. The times, and places, and manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State; but their provisions concerning them may, at any time, be altered by the Legislature of the United States.

This was the first utterance of a member of the convention giving Congress any power to alter regulations of States regarding elections.

On August 9 this article was reached, and as it is an important subject I will endeavor to review the entire discussion which pertains thereto.

I read from page 401, Elliot, volume 5:

(Article VI, section 1, was then taken up.)

Mr. Madison and Mr. Gouverneur Morris moved to strike out "each House" and to insert "the House of Representatives," the right of the Legislatures to regulate the times and places, etc., in the election of Senators being involved in the right of appointing them; which was disagreed to.

A division of the question being called for, it was taken on the first part down to "but their provisions concerning," etc.

The first part was agreed to *nem. con.*

UNANIMITY AS TO PRIMARY RIGHTS OF STATES.

We therefore see that the convention were unanimous in adopting so much of the article as is contained in these words:

The times and places and manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State.

Now, it has been contended that at that time many persons insisted that the General Government ought to have the full control of the election of the members of the National Legislature. This vote shows that no such contention existed.

It shows that every member was satisfied to leave this question originally and primarily with the States.

No one argued against it. No one voted against it. No one even lisped one word or syllable against the proposition, but when it was proposed to strike out the paragraph which gave permissive and contingent power to Congress to alter the provisions concerning the times, places, and manner of holding elections for members of Congress it was contended that the legislators of States ought not to have the exclusive right; but I will give the exact words as reported in the proceedings:

Mr. Pinckney and Mr. Rutledge moved to strike out the remaining part, namely: "But their provisions concerning them may at any time be altered by the Legislature of the United States." The States, they contended, could and must be relied on in such cases.

Mr. GORHAM. It would be as improper to take this power from the National Legislature as to restrain the British Parliament from regulating the circumstances of elections, leaving this business to the counties themselves.

Please observe that Mr. Gorham, of Massachusetts, spoke of this as "regulating the circumstances of elections." This ignores and refutes the idea of taking absolute control by the General Government.

I will now proceed to give the remarks of Mr. Madison, which are quoted by Mr. LODGE and other advocates of this bill as justifying a law which does not make or alter such regulations as States have made regarding the times, places, and manner of holding elections, but actually takes absolute control of said elections by appointing officers to manage and take control of the same and certify the results to Congress.

REAL POINT THEN AT ISSUE.

Before reading Mr. Madison's remarks I beg to call the attention of the House to the fact that Mr. LODGE in his report and speech has carefully abstained from informing this body as to the real point of Mr. Madison's remarks. Mr. LODGE, as well as all other advocates of the bill, hides the fact that five minutes before this much quoted speech of Mr. Madison was made the convention had by unanimous vote adopted that part of the proposed Constitution which is in these words:

The times and places and manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State.

This left the question entirely with the States. If they failed or refused to prescribe the time, place, and manner there could be no Congress, and the committee on detail had therefore proposed the addition of the following words:

But their provisions concerning them may at any time be altered by the Legislature of the United States.

It was these words which Mr. Pinckney and Mr. Rutledge proposed to strike out.

This was the provision which Mr. Pinckney, Mr. Rutledge, and Mr. Roger Sherman argued should be stricken from the Constitution. Mr. Madison, Mr. King, Mr. Morris, and Mr. Gorham, each having just voted to place the power originally and permanently with the States, seemed to feel that in case the States did not exercise it a contingent and secondary power should be given to Congress, and in reading their remarks we must keep this important fact in our minds.

I will now read Mr. Madison's remarks, from page 401, Elliot, volume 5:

Mr. MADISON. The necessity of a General Government supposes that the State Legislatures will sometimes fail or refuse to consult the common interest at the expense of their local conveniences or prejudices. The policy of referring the appointment of the House of Representatives to the people, and not to the Legislatures of the States, supposes that the result will be somewhat influenced by the mode. This view of the question seems to decide that the Legislatures of the States ought not to have the uncontrolled right of regulating the times, places, and manner of holding elections. These were words of great latitude.

It was impossible to foresee all the abuses that might be made of the discretionary power. Whether the electors should vote by ballot or *viva voce*; should assemble at this place or that place; should be divided into districts or all meet at one place; should all vote for all the Representatives or all in a district vote for a number allotted to the district—these and many other points would depend on the Legislatures and might materially affect the appointments.

MADISON'S REAL MEANING.

We see here that Mr. Madison speaks of the time, place, and manner of holding elections. He says "whether the electors should vote by ballot or *viva voce*," that means manner; "should assemble in this place or that place;" "should be divided into districts or all meet at one place." Here Mr. Madison refers to the place of voting: "Should all vote for all the Representatives, or all in a district vote for a member allotted to the district." I suppose Mr. Madison meant by this expression to submit the question as to whether members of Congress would be elected by districts or upon a general ticket. All these suggestions referred to place and manner of holding elections, but it does not mean that the Constitution authorizes Congress to appoint the officers of election to register the votes, count the ballots, and certify the results. Anything said by Mr. Madison about exercising controlling power meant controlling the time, place, and manner, as indicated and explained by him.

Mr. Madison then says, pages 401 and 402:

Whenever the State Legislatures had a favorite measure to carry they would take care so to mold their regulations as to favor the candidates they wished to succeed. Besides, the inequality of the representation in the Legislatures of particular States would produce a like inequality in their representation in the National Legislature, as it was presumable that the counties having the power in the former case would secure it to themselves in the latter. What danger could there be in giving a controlling power to the National Legislature? Of whom was it to consist? First, of a Senate to be chosen by the State Legislatures. If the latter, therefore, could be trusted, their representatives could not be dangerous. Secondly, of Representatives elected by the same people who elect the State Legislatures. Surely, then, if confidence is due to the latter it must be due to the former. It seemed as improper in principle, though it might be less inconvenient in practice, to give to the State Legislatures this great authority over the election of the representatives of the people in the General Legislature as it would be to give to the latter a like power over the election of their representatives in the State Legislature.

I have been careful to give every word which the advocates of the force bill quote from Mr. Madison, and I insist, even taken as fixed by them, there is nothing in these remarks to justify their assumption, and when we complete Mr. Madison's remarks by adding the words which Mr. LODGE and the other advocates of the bill always omit, there is no ground whatever for the position taken by these gentlemen. The words which explain the previous remarks of Mr. Madison are these. I continue, on page 402:

This was meant to give the National Legislature a power not only to alter the provisions of the States, but to make regulations in case the States should fail or refuse altogether.

The only other expressions uttered in the convention which are relied on by Mr. LODGE are sentences from Mr. King and Mr. Morris. They are found on page 402 Elliot's Debates, volume 5, and in Madison's Papers, volume 3, pages 1280 and 1281. They are as I will read:

Mr. KING. If this power be not given to the National Legislature, their right of judging of the returns of their members may be frustrated. No probability has been suggested of its being abused by them. Although this scheme of erecting the General Government on the authority of the State Legislatures has been fatal to the Federal establishment, it would seem as if many gentlemen still foster the dangerous idea.

Mr. Gouverneur Morris observed that the States might make false returns and then make no provisions for new elections.

Mr. LODGE and his associates quote these remarks of Mr. King and Mr. Morris, but they do not tell this House that they were made ten minutes after they, together with Mr. Madison and the entire convention, had agreed upon the clause which gave the general, original, and primary power of prescribing the time, place, and manner of holding elections to the States.

SECONDARY POWER OF CONGRESS.

That question was therefore settled and the subject of discussion was as to the propriety of striking out the latter part of the clause, which, if done, would have deprived Congress of the secondary and contingent power even in case the States should fail or refuse altogether to make any regulations by which elections could be held.

The great apprehension was that the States would fail to send representatives to Congress, and for that reason Mr. Madison and Mr. King and Mr. Morris wished to preserve this contingent and secondary power to Congress. That was the question before them. It was not, shall Congress have all the power? but it was that, having given the power to the States, shall we, in the event they refuse or fail to exercise it, give the power to Congress? That was the question, and to understand what is meant by the words used by them one must keep in mind the point upon which their arguments were directed, and with this in view there is nothing to justify any such conclusion as is contended for by the framers of this bill. There is no room for argument that they even meant that Congress could take the power of making regulations from the States, much less that they could take entire control of the elections.

It will be observed that Sherman of Connecticut and Pinckney and Rutledge of South Carolina all spoke in favor of leaving this question irrevocably with the States, and not allowing Congress to in any way alter regulations made by States, and Madison of Virginia, Morris of Pennsylvania, and Gorham and King of Massachusetts were the only ones who spoke against them, a bare majority of one, and yet Mr. LODGE informs us that—

The motion was lost, apparently without a division, and, if we may judge from Mr. Madison's notes, had no serious support in the convention.

Mr. LODGE does not mention Roger Sherman's support of the motion made by Pinckney and Rutledge, and unfortunately Mr. Madison fails to give the speeches of any one of these gentlemen, although he gives his own very fully. He says, however (page 402):

Mr. SHERMAN did not know but it might be best to retain the clause, though he had himself sufficient confidence in the State Legislatures.

ELECTION CLAUSE FINALLY AGREED UPON.

Mr. Madison then continues to recite the proceedings of the convention. I read from page 402:

The motion of Mr. Pickney and Mr. Rutledge did not prevail.

The word "respectively" was inserted after the word "State."

On the motion of Mr. Read, the word "their" was struck out, and "regulations in such cases," inserted in place of "provisions concerning them," the clause then reading, "but regulations in each of the foregoing cases may at any time be made or altered by the Legislature of the United States." This was meant to give the National Legislature a power not only to alter the provisions of the States, but to make regulations in case the States should fail or refuse altogether.

Article VI, section 1, as thus amended was agreed to *nem. con.*

The clause, as adopted, was then in these words:

ARTICLE VI.

SECTION 1. The times and places and manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State, respectively, but regulations in each of the foregoing cases may at any time be made or altered by the Legislature of the United States.

On pages 535 and 536 we see that, on September 10, the Constitution was referred to a "committee for revising the style and arrangement of the articles."

On September 12 Mr. Johnson, from the committee on style, made his report.

The clause referring to elections was changed so as to read:

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by law, make or alter such regulations.

On September 14 I find this entry. I read from page 542:

Article I, section 4, "except as to the places of choosing Senators" was added, *nem. con.*, to the end of the first clause, in order to exempt the seats of government in the States from the power of Congress.

This completed the article as it now stands in the Constitution. On September 16, Mr. Elbridge Gerry, of Massachusetts, announced, page 553, that he would withhold his name from the Constitution, giving as one of his reasons—

The power of Congress over the places of election.

For half a century Mr. Elbridge Gerry possessed in an eminent degree the confidence, esteem, and admiration of the American people. He was a graduate of Harvard, member of both the Colonial and Continental Congresses, member of the constitutional convention of 1787, and after this was twice elected to the United States Congress as a Federalist; was also elected governor of Massachusetts and Vice-President of the United States.

Mr. Gerry feared to give Congress even the power to fix the places of election.

What would that statesman have thought had he been told that a century from that time a member of Congress from Massachusetts would insist upon Congress taking the entire control from the States?

On September 13, Dr. Johnson reported the following, together with another resolution to be substituted for articles 22 and 23. I read from page 541:

Resolved, That the preceding Constitution be laid before the United States in Congress assembled; and that it is the opinion of this convention that it should afterwards be submitted to a convention of delegates chosen in each State by the people thereof, under the recommendation of its Legislature, for their assent and ratification; and that each convention assenting to and ratifying the same should give notice thereof to the United States in Congress assembled.

The Journal of Congress, September 28, 1787, volume 4, page 781, informs us that these resolutions were adopted by the convention on September 17, immediately after the signing of the Constitution, which instrument was reported to Congress. Conventions were held in the several States, and I have before me the proceedings of the conventions held in Massachusetts, Pennsylvania, New Hampshire, New York, North Carolina, South Carolina, Virginia, and Rhode Island, and I find in conventions of these eight States the great objection to the Constitution was this clause which allowed Congress in certain events to make or alter, etc., and the Constitution was only ratified upon assurance being given that this authority would not be exercised.

I will now call the attention of the House to the language used in the debates on this clause in the conventions of the States I have mentioned, and will also invite attention to the demands made by these States that this clause be stricken from the Constitution.

MASSACHUSETTS STATE CONVENTION.

First, we will examine Massachusetts. I would like to review the various speeches of the able men who composed that body, but I shall be compelled to content myself with calling attention to the report of the committee.

I read from page 176, Elliot's Debates, volume 1:

The convention having impartially discussed and fully considered the Constitution for the United States of America, * * *

Do, in the name and in behalf of the people of the Commonwealth of Massachusetts, assent to and ratify the said Constitution for the United States of America.

And, as it is the opinion of this convention that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this Commonwealth, and more effectually guard against an undue administration of the Federal Government, the convention do therefore recommend that the following alterations and provisions be introduced into the said Constitution:

That Congress do not exercise the powers vested in them by the fourth section of the first article but in cases when a State shall neglect or refuse to make the regulations therein mentioned or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeably to the Constitution.

And finally, as an admonition which it seems incredible that any one would neglect, the people in the convention enjoined upon their Representatives in Congress to at all times exert all their influence and use all reasonable and legal methods to obtain said alteration in the Constitution.

The language used by this great body of men was as follows (I read from page 178):

And the convention do, in the name and in behalf of the people of this Commonwealth, enjoin it upon their Representatives in Congress, at all times, until the alterations and provisions aforesaid have been considered agreeably to the fifth article of the said Constitution, to exert all their influence and use all reasonable and legal methods to obtain a ratification of the said alterations and provisions in such manner as is provided in the said article.

Notwithstanding this admonition and notwithstanding the fact that prominent among those who invoked this admonition were Hon. George Cabot, of Beverly, and Hon. Francis Cabot, of Essex, those distinguished patriots and lovers of the principles of liberty are now looking from another world and seeing their own blood not only disobeying their command, but foremost among those who seek to carry out measures referring thereto which violate the principles loved and fought for by these people, to a degree and extent far exceeding any apprehension they entertained.

To further show the fear the people of Massachusetts had with regard to even giving a little power to the Federal Government, upon the vote for ratification 168 voted against it and only 187 for ratification, and in the cultivated county of Worcester the vote was only 7 for and 43 against the Constitution.

NEW YORK STATE CONVENTION.

The New York State convention convened at Poughkeepsie on June 17, 1788, and George Clinton was elected president. Mr. John Jay, afterwards Chief-Justice of the United States, was a Federalist, and, like Alexander Hamilton, advocated a strong government.

In his speech in the New York convention, June 23, 1788, he said (I read from page 252):

The Hon. Mr. JAY. Sir, it seems to be on all sides agreed that a strong, energetic Federal Government is necessary for the United States. It has given me pleasure to hear such declarations come from all parts of the house.

If gentlemen are of this opinion, they give us to understand that such a government is the favorite object of their desire; and also that it can be instituted; that, indeed, it is both necessary and practicable.

Notwithstanding this, Mr. Jay expressed views quite contrary to those enumerated here by the advocates of this bill regarding the scope and design of the constitutional provision.

On June 25 Mr. Samuel Jones, a member of the committee on rules, said (I read from page 289):

He did not think it right that Congress should have the power of prescribing or altering the time, place, and manner of holding elections.

He apprehended that the clause might be so construed as to deprive the States of an essential right, which, in the true design of the Constitution, was to be reserved to them.

He therefore wished the clause might be explained, and proposed for the purpose the following amendment:

"*Resolved*, As the opinion of this committee that nothing in the Constitution now under consideration shall be construed to authorize the Congress to make or alter any regulations in any State respecting the times, places, or manner of holding elections for Senators or Representatives, unless the Legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and then only until the Legislature of such State shall make provision in the premises."

CHIEF-JUSTICE JAY DEFINES POWERS OF CONGRESS.

Mr. Jay replied to these remarks. I read from pages 289 and 290:

The Hon. Mr. Jay said that, as far as he understood the ideas of the gentleman, he seemed to have doubts with respect to this paragraph and feared it might be misconstrued and abused. He said that every Government was imperfect unless it had a power of preserving itself. Suppose that by design or accident the States should neglect to appoint Representatives; certainly there should be some constitutional remedy for this evil. The obvious meaning of the paragraph was that if this neglect should take place Congress should have power, by law, to support the Government and prevent the dissolution of the Union. He believed this was the design of the Federal convention.

Hon. Richard Morris, Governor Clinton, and Mr. Jay continued the argument, but not one word was suggested indicating the possibility of such a constitutional interpretation as is insisted upon by the advocates of this bill.

Mr. Smith then proposed that the Constitution should provide that each State should be divided into districts.

Mr. Duane replied, expounding some good Democratic principles. I read from page 291:

If the proposed mode of election be the best, the Legislature of this State will undoubtedly adopt it. * * * Sir, how do we know the proposal will be agreeable to the other States? Is every State to be compelled to adopt our ideas or all subjects? If the gentleman will reflect, I believe he will be doubtful of the propriety of these things. Will it not seem extraordinary that any one State should presume to dictate to the Union? As the Constitution stands it will be in the power of each State to regulate this important point.

While the Legislatures do their duty, the exercise of their discretion is sufficiently secured. Sir, this measure would carry with it a presumption which I should be sorry to see in the acts of this State. It is laying down as a principle that whatever may suit our interest or fancy should be imposed upon our sister States. This does not seem to correspond with that moderation which I hope to see in all the proceedings of this convention.

On July 11, 1788 (I read from pages 355 and 356), Mr. Jay moved the following resolutions:

Resolved, as the opinion of the committee, That the Constitution under consideration ought to be ratified by this convention.

Resolved further, as the opinion of the committee, That such parts of the said Constitution as may be thought doubtful ought to be explained, and that whatever amendments may be deemed useful or expedient ought to be recommended.

Mr. Jay was supported by Mr. Chancellor Livingston and Mr. Chief-Justice Morris, and opposed by Mr. Melancthon Smith. The debates on this motion continued till Tuesday, the 15th of July, when Mr. Smith moved, as an amendment, to add to the first resolution proposed by Mr. Jay, so that the same, when amended, should read as follows:

"*Resolved, as the opinion of this committee*, That the Constitution under consideration ought to be ratified by this convention, upon condition, nevertheless, that until a convention shall be called and convened for proposing amendments to the said Constitution * * * the Congress will not make or alter any regulation in this State respecting the time, places, and manner of holding elections for Senators or Representatives, unless the Legislature of this State should neglect or refuse to make laws or regulations for the purpose, or from any circumstances be incapable of making the same; and that in those cases such power will only be exercised until the Legislature of this State shall make provision in the premises."

I now read from pages 357 and 358:

On July 23 Mr. Jones moved that the words "on condition" in the resolution should be obliterated and the words "in full confidence" substituted, which was carried.

The vote was 31 to 29, and on July 26 the Constitution was thus conditionally ratified by a vote of 30 to 27.

After ratifying the Constitution the convention adopted a resolution, which I will read from volume 11, part 2, page 321, Twenty-seventh Congress, April, 1842:

And the convention do, in the name and on behalf of the people of the State of New York, enjoin it upon their Representatives in Congress to exert all their influence and use all reasonable means to obtain a ratification of the following amendments to the said Constitution, in the manner prescribed therein.

And among the amendments the representatives from New York were enjoined to secure was the following:

That the Congress shall not make or alter any regulation in any State respecting the times, places, and manner of holding elections for Senators or Representatives unless the Legislature of such State shall neglect or refuse to make laws or regulations for the purpose or from any circumstance be incapable of making the same; and then only until the Legislature of such State shall make provision in the premises.

NORTH CAROLINA CONVENTION.

In North Carolina there was a stormy time, very largely due to the fear that improper use would be made of this permissive and conditional power given to Congress with reference to the time and manner of electing Senators and Representatives.

The convention met July 21, 1788, and elected Samuel Johnson its president after much discussion and debate. I read from Debates in Convention in North Carolina, page 210. It was finally—

Resolved, That a declaration of rights * * * ought to be laid before Congress, and the convention of the States that shall or may be called for the purpose of amending the said Constitution, for their consideration, previous to the ratification of the Constitution aforesaid on the part of the State of North Carolina.

They included proposed amendments to the Constitution, and prominent among these was the following, which I will read from page 214:

17. That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for Senators and Representatives, or either of them, except when the Legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same.

On August 2 (I read from page 216)—

Mr. IREDELL moved that the report be amended to read:

"That this convention having fully deliberated on the Constitution * * * they do therefore, on behalf of the State of North Carolina and the good people thereof, and by virtue of the authority to them delegated, ratify the said Constitution on the part of this State; and they do at the same time recommend that as early as possible the following amendments to the said Constitution may be proposed for the consideration and adoption of the several States in the Union, in one of the modes prescribed by the fifth article thereof."

But the feeling against Federal encroachments was so strong that the vote really amounted to a rejection of the Constitution, 184 being against it and 84 for it.

It is true that after the people of North Carolina had read the proceedings of conventions of other States, and had by this and other means become convinced that the Federal Government would not attempt to regulate the manner of conducting elections in States, on November 21, 1789, they, in convention assembled, ratified the Constitution.

PENNSYLVANIA CONVENTION.

The Pennsylvania convention met November 21, 1787, and elected Frederick Augustus Muhlenberg president.

Mr. Wilson and Mr. McKean discussed the clause of the proposed constitution which referred to elections.

They were both earnest advocates of the establishment of a Federal Government. On page 296 Mr. Wilson says:

The times, places, and manner of holding elections for Representatives may be altered by Congress. This power, sir, has been shown to be necessary, not only on some particular occasions, but even to the very existence of the Federal Government. I have heard some very improbable suspicions indeed suggested with regard to the manner in which it will be exercised. * * * When the power of regulating the time, place, or manner of holding elections is exercised by the Congress it will be to correct the improper regulations of a particular State.

On pages 313 and 316 Mr. McKean enumerates objections which had been urged against the Constitution, and particularly dwells upon apprehensions which had been expressed—

That the Congress may by law deprive the electors of a fair choice of their representatives by fixing improper times, places, and modes of election.

Mr. McKean said (page 316):

Annual Congresses are expressly secured; they have only a power given to them to take care that the elections shall be at convenient and suitable times and places and conducted in a proper manner; and I can not discover why we may not intrust those particulars to the representatives of the United States with as much safety as to those of the individual States.

In some States the electors vote *viva voce*, in others by ballot; they ought to be uniform, and the elections held on the same day throughout the United States, to prevent corruption or undue influence.

The Pennsylvania convention ratified the Constitution, but coupled with that action a recommendation that the instrument be amended by adding these words:

That Congress shall not have power to make or alter regulations concerning the time, place, and manner of electing Senators and Representatives, except in case of neglect or refusal by the State to make regulations for the purpose; and then only for such time as such neglect or refusal shall continue.

NEW HAMPSHIRE CONVENTION.

New Hampshire ratified the Constitution on June 20, 1788, but recommended that the following alterations be introduced in said Constitution (I read from Elliott's Debates, volume 4, page 214):

That Congress do not exercise the powers vested in them by the fourth section of the first article but in cases where a State shall neglect or refuse to make the regulations therein mentioned or shall make regulations subversive of the rights of the people to a free and equal representation in Congress. Nor shall Congress in any case make regulations contrary to a free and equal representation.

SOUTH CAROLINA CONVENTION.

South Carolina was probably more emphatic than other States in expressing her views as to the importance of reserving entirely to the States the right of prescribing the time, place, and manner of holding elections of members of Congress.

In ratifying the Constitution on May 23, 1788, that State insisted upon submitting the following recommendation, which I read from Elliott's Debates, volume 4, page 213:

And whereas it is essential to the preservation of the rights reserved to the several States and the freedom of the people under the operations of a General Government that the right of prescribing the manner, time, and places of holding the elections to the Federal Legislature should be forever inseparably annexed to the sovereignty of the several States, this convention doth declare that the same ought to remain to all posterity a perpetual and fundamental right in the local, exclusive of the interference of the General, Government, except in cases where the Legislatures of the States shall refuse or neglect to perform and fulfill the same according to the tenor of the said Constitution.

The convention was so earnest with regard to this important subject that the last action before adjournment was the adoption of the resolution which I read from page 214:

Resolved, That it be a standing instruction to all such delegates as may hereafter be elected to represent this State in the General Government to exert their utmost abilities and influence to effect an alteration of the Constitution conformably to the aforegoing resolutions.

This resolution immediately precedes the signature of the distinguished president of the convention, Hon. Thomas Pinckney.

[Here the hammer fell.]

Tuesday, July 1, 1890.

Mr. WHEELER, of Alabama. Mr. Speaker, I desire to proceed.

The SPEAKER. The gentleman from Alabama is recognized.

Mr. WHEELER, of Alabama. Mr. Speaker, when my time expired on yesterday I was discussing the action of people in the conventions which ratified the Constitution. I will now continue.

THE VIRGINIA CONVENTION.

The Virginia convention met the 2d day of June, 1788, and Hon. Edmund Pendleton was elected president and Mr. Benjamin Harrison was appointed chairman of the committee on credentials.

I can not pretend to give more than a cursory glance at the proceedings, but it is quite clearly shown that the convention did not favor those features which gave any power to Congress to in any event make regulations as to the election of its members.

On June 14 (I read from page 276, Elliott's Debates, volume 2):

Mr. Monroe wished that the honorable gentleman, who had been in the Federal convention, would give information respecting the clause concerning elections. He wished to know why Congress had an ultimate control over the time, place, and manner of elections of Representatives, and the time and manner of that of Senators, and also why there was an exception as to the place of electing Senators.

Mr. MADISON. Mr. Chairman, the reason of the exception was that if Congress could fix the place of choosing the Senators it might compel the State Legislatures to elect them in a different place from that of their usual sessions, which would produce some inconvenience and was not necessary for the object of regulating the elections. But it was necessary to give the General Government a control over the time and manner of choosing the Senators to prevent its own dissolution.

With respect to the other point, it was thought that the regulation of time, place, and manner of electing the Representatives should be uniform throughout the continent; some States might regulate the elections on the principles of equality and others might regulate them otherwise.

This diversity would be obviously unjust. Elections are regulated now unequally in some States, particularly South Carolina, with respect to Charleston, which is represented by thirty members. * * * It was found impossible to fix the time, place, and manner of the election of Representatives in the Constitution. It was found necessary to leave the regulation of these, in the first place, to the State governments as being best acquainted with the situation of the people, subject to the control of the General Government, in order to enable it to produce uniformity and prevent its own dissolution. And considering the State governments and General Government as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former and the general regulations to the latter. Were they exclusively under the control of the State governments, the General Government might easily be dissolved. But, if they be regulated properly by the State Legislatures, the Congressional control will very properly never be exercised.

I will dwell at some length upon the remarks of Mr. Nicholas, who strongly advocated the retention of the clause which gave Congress the secondary and contingent authority to make or alter regulations regarding the election of members of Congress.

It will be seen that his construction is diametrically opposed to that insisted upon by the gentleman from Massachusetts [Mr. LODGE]. I read from the proceedings of June 4, on pages 38 and 39:

MR. NICHOLAS DEFINES THE SCOPE OF THE CLAUSE.

There is another objection which has been echoed from one end of the continent to the other, that Congress may alter the time, place, and manner of holding elections; that they may direct the place of elections to be where it will be impossible for those who have a right to vote to attend; for instance, that they may order the freeholders of Albemarle to vote in the county of Princess Anne, or *vice versa*, or regulate elections otherwise in such a manner as totally to defeat their purpose and lay them entirely under the influence of Congress.

I flatter myself that from an attentive consideration of this power it will clearly appear that it was essentially necessary to give it to Congress, as without it there could have been no security for the General Government against the State Legislatures.

It will be observed that Mr. Nicholas urges the retention of the clause upon the same grounds as Mr. Madison, that it might be necessary in case the States should neglect to make the needed regulations, or, to use Mr. Madison's words, "fail or refuse altogether." Mr. Nicholas then proceeds:

What, Mr. Chairman, is the danger apprehended in this case? If I understand it right, it must be that Congress might cause the elections to be held in the most inconvenient places and at so inconvenient a time and in such a manner as to give them the most undue influence over the choice; nay, even to prevent the elections from being held at all in order to perpetuate themselves. But what would be the consequence of this measure?

It would be this, sir, that Congress would cease to exist; it would destroy the Congress itself; it would absolutely be an act of suicide; and, therefore, it can never be expected.

This alteration, so much apprehended, must be made by law; that is, with the concurrence of both branches of the Legislature.

Will the House of Representatives, the members of which are chosen only for two years and who depend on the people for their re-election, agree to such an alteration?

It is unreasonable to suppose it.

Here we see this Virginian a century ago arguing with his fellow-delegates in convention assembled and insisting that Congress would never even alter the time for holding elections for members of Congress. He then continues, page 39:

But let us admit for a moment that they will. What would be the consequence of passing such a law?

It would be, sir, that after the expiration of the two years, at the next election, they would either choose such men as would alter the law or they would resist the Government.

An enlightened people will never suffer what was established for their security to be perverted to an act of tyranny.

Mr. LODGE and other advocates of this measure tell us and the country that the language used and the intention of the Constitution as explained by those who ratified and framed it show that Congress has power to pass this bill which divests the States of all power regarding the election of members of this body, and yet here is one of the men who ratified it who says that the assumption of much less power by Congress than is contemplated by this bill would be an act of tyranny which would be resisted by an enlightened people. God forbid that an evil should be inflicted upon us of so fearful a character as to be denounced by our forefathers as justifying resistance. Our people are law-abiding and will never resist the decrees of Congress, but with the ballots of freemen they will drive from power these would-be destroyers of the principles of popular government.

Mr. Nicholas then says:

It may be said, perhaps, that resistance would then become vain; Congress are vested with the power of raising an army; to which I say, that if ever Congress shall have an army sufficient for their purpose, and disposed to execute their unlawful commands, before they would act under this disguise they would pull off the mask and declare themselves absolute.

I ask, Mr. Chairman, is it a novelty in our Government? Has not our State Legislature the power of fixing the time, places, and manner of holding elections? The possible abuse here complained of never can happen as long as the people of the United States are virtuous.

As long as they continue to have sentiments of freedom and independence, should the Congress be wicked enough to harbor so absurd an idea as this objection supposes, the people will defeat their attempt by choosing other Representatives who will alter the law.

HE CALLS THE ACTION NOW PROPOSED UNLAWFUL AND WICKED.

I call especial attention to the fact that this speaker—one of those who ratified the Constitution—refers to such action as is here proposed as unlawful, and he speaks of an attempt on the part of Congress to execute such a measure as an unlawful attempt, and he contends that

Congress would not be wicked enough to harbor so absurd an idea. Mr. Nicholas continues:

If the State Legislature, by accident, design, or any other cause, would not appoint a place for holding elections, then there might be no election till the time was past for which they were to have been chosen; and as this would eventually put an end to the Union, it ought to be guarded against, and it could only be guarded against by giving this discretionary power to the Congress, of altering the time, place, and manner of holding the elections.

This language clearly shows that those who framed and ratified the Constitution never contemplated the exercise of any power whatever on the part of Congress except in the event that the power was not exercised by the States, and this is, if possible, more fully illustrated by the further remarks of Mr. Nicholas which I will read:

It is absurd to suppose that Congress will exert this power or change the time, place, and manner established by the States, if the States will regulate them properly or so as not to defeat the purpose of the Union.

It is urged that the State Legislatures ought to be fully and exclusively possessed of this power.

Were this the case it might certainly defeat the Government. As the powers vested by this plan in Congress are taken from the State Legislatures, they would be prompted to throw every obstacle in the way of the General Government. It was, then, necessary that Congress should have this power.

Another strong argument for the necessity of this power is that, if it was left solely to the States, there might have been as many times of choosing as there are States.

It will be noticed that Mr. Nicholas says it is absurd to suppose that Congress will exert this power if the States will regulate elections so as not to defeat the purposes of the Union, and that it was necessary in that event that Congress should have the power of regulating the time, place, and manner, as the States might certainly defeat the Government, because the power vested in Congress was taken from the States, and this fact Mr. Nicholas contended would cause the States to become jealous of the Federal Government.

BENJAMIN HARRISON, IN 1788, FOR LIBERTY AND THE PEOPLE.

It may not be amiss at this time to allude to the emphatic manner with which Mr. Benjamin Harrison insisted that this and other amendments should be made to the Constitution as a condition-precedent to its ratification by Virginia. I read from the proceedings of June 25, 1788, volume 2, pages 457 and 458.

Mr. Benjamin Harrison said:

New Hampshire does not approve of the Constitution as it stands. They have refused it so. In Massachusetts we are told that there was a decided majority in their convention who opposed the Constitution as it stood, and were in favor of previous amendments, but were afterwards by the address and artifice of the Federalists prevailed upon to ratify it.

Rhode Island is not worthy the attention of this House. She is of no weight or importance to influence any general subject of consequence. New York, we have every reason to believe, will reject the Constitution, unless amendments be obtained. Hence it clearly appears that there are three States which wish for amendments.

In Maryland there is a considerable number who wish amendments to be had.

Virginia is divided; let this question be determined which way it will, one-half of the people at least wish amendments to be obtained.

North Carolina is decidedly against it.

South Carolina has proposed amendments.

Under this representation it appears that there are seven States who wish to get amendments.

It will be observed that afterevents showed that nine of the States demanded amendments.

Mr. Harrison continued in these words:

Can it be doubted, if these seven States insert amendments as the condition of their accession, that they would not be agreed to? * * *

I am not prejudiced against New England or any part. They are held up to us as a people from whom protection will come. Will any protection come from thence for many years?

When we were invaded, did any gentleman from the Northern States come to relieve us? No, sir; we were left to be buffeted. General Washington, in the greatness of his soul, came with the French auxiliaries and relieved us opportunely.

Were it not for this we should have been ruined. I call heaven to witness that I am a friend to the Union, but I conceive the measure of adoption to be unwarrantable, precipitate, and dangerously impolitic. Should we rush into sudden perdition I should resist with the fortitude of a man. As to the amendments proposed by gentlemen, I do not object to them. They are inherently good, but they are put in the wrong place, subsequent instead of previous.

This speech shows the intensity of the convictions entertained by this illustrious ancestor of President Harrison. He insisted that the provision of the Constitution we are discussing should be struck out previous to the ratification of that instrument, or, as he expressed it, this should be demanded previous to ratification, as a condition precedent and not subsequent. Can there be any doubt what that grand old man's views would be on the Lodge bill? I wish he were here to speak in this Hall. His denunciations would shake this building from its topmost turret to its undermost foundation.

VIRGINIA AGAINST CONGRESSIONAL INTERFERENCE.

The Constitution was finally ratified on Thursday, June 26, 1788, as shown by the Proceedings, page 483, but coupled with this ratification were certain recommendations, including the following, which I read from page 486:

That Congress shall not alter, modify, or interfere in the times, places, or manner of holding election for Senators and Representatives, or either of them, except when the Legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same.

And in the closing moments of the convention they enjoined their Representatives in Congress to secure the alterations they recommended. This invocation of the convention is in these words (I read from page 486):

And the convention do, in the name and behalf of the people of this Commonwealth, enjoin it upon their Representatives in Congress to exert all their influence and use all reasonable and legal methods to obtain a ratification of the foregoing alterations and provisions in the manner provided by the fifth article of the said Constitution and in all Congressional laws to be passed in the mean time, to conform to the spirit of these amendments as far as the said Constitution will admit.

RHODE ISLAND CONVENTION.

Rhode Island, after refusing to send delegates to the constitutional convention and after refusing by an almost unanimous vote to entertain the question of ratification, finally reconsidered, and on the 29th of May, 1790, that State affirmatively settled the question of ratification, to which they added the following (I read from page 225, volume 4, Elliot's Debates):

And the convention do, in the name and behalf of the people of the State of Rhode Island and Providence Plantations, enjoin it upon their Senators and Representative, or Representatives, which may be elected to represent this State in Congress, to exert all their influence and use all reasonable means to obtain a ratification of the following amendments:

That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for Senators and Representatives, or either of them, except when the Legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same, or in case where the provision made by the State is so imperfect as that no consequent election is had, and then only until the Legislature of such State shall make provision in the premises.

THE MARYLAND CONVENTION.

It is asserted that the Maryland convention which ratified the Constitution also recommended that that part of the clause (Article I, section 4) be stricken out which gave secondary and contingent power to Congress to make regulations as to the time, place, and manner of holding elections for members of Congress.

I see that on August 21, 1789 (page 799, Annals of the First Congress), Mr. Smith stated that eight States had expressed that desire, and he enumerated New Hampshire, Massachusetts, New York, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina.

Mr. Smith stated that the convention of Maryland appointed a committee to recommend amendments, and among them was the one now under consideration, and he had certainly seen the resolutions.

At that time Rhode Island had not ratified the Constitution and was not represented in Congress; but I have already shown that when such action was taken by that State the following year, May 29, 1790, she emphatically demanded that this clause giving contingent power to regulate time, place, and manner of elections should be stricken from the Constitution.

We therefore see that nine States took that action, and it is worthy of note that, so far as we can learn, all of these nine State conventions were unanimous in this demand. The only States which took no action on this subject were Delaware, Connecticut, New Jersey, and Georgia.

CONSTRUCTION OF CLAUSE IN FIRST CONGRESS.

In the First Congress, first session, August 18, 1789 (page 790, Annals of Congress), Mr. Thomas Tudor Tucker, of South Carolina, proposed to amend the Constitution by striking out the words:

But the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

And on August 21, page 797, Mr. Burke, a distinguished judge, offered the following:

Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections of Senators or Representatives, except when any State shall refuse or neglect, or be unable, by invasion or rebellion, to make such election.

Mr. Livermore, page 798, said:

This was an important amendment, and one that had caused more debate in the convention of New Hampshire than any other whatever.

The Hon. Elbridge Gerry, of Massachusetts, afterwards Vice-President of the United States, said:

If the United States are desirous of controlling the elections of the people, they will in the first place, by virtue of the powers given them by the fourth section of the first article, abolish the mode of balloting; then every person must publicly announce his vote, and it would then frequently happen that he would be obliged to vote for a man or "the friend of a man" to whom he was under obligations. If the Government grows desirous of being arbitrary, elections will be ordered at remote places where their friends alone will attend.

Gentlemen will tell me that these things are not to be apprehended; but if they say that the Government has the power of doing them they have no right to say the Government will never exercise such powers, because it is presumable that they will administer the Constitution at one time or another with all its powers; and whenever that time arrives farewell to the rights of the people, even to elect their own representatives.

If Vice-President Gerry felt and said—

farewell to the rights of the people, even to elect their own representatives—

if Congress ever became so arbitrary as to fix the place of election, and to so far regulate the manner as to say voting should or should not be done by ballot, I beg to ask with what horror Mr. Gerry would have contemplated this bill, written by John Davenport and fathered by HENRY CABOT LODGE, of Massachusetts.

I now read from page 799:

Mr. Stone called upon gentlemen to show what confederated government had the power of determining on the mode of their own election. He apprehended there were none; for the representatives of States were chosen by the States in the manner they pleased.

He was not afraid that the General Government would abuse this power and as little afraid that the States would; but he thought it was in the order of things that the power should vest in the States, respectively, because they can vary their regulations to accommodate the people in a more convenient manner than can be done in any general law whatever. He thought the amendment was generally expected, and, therefore, on the principles of the majority, ought to be adopted.

ELECTION CLAUSE IN FOURTEENTH CONGRESS.

I will now read from the Annals of Congress, December 17, 1816, page 301, Fourteenth Congress, second session:

The proposition made by Mr. Pickens to recommend to the States an amendment to the Constitution, to establish an uniformity of the mode of election (by districts) in all the States of Representatives to Congress and electors of President and Vice-President, was read.

In discussing the proposition Mr. Pickens said:

Another objection I have heard to one branch of this amendment is that Congress already possesses the power of regulating the elections of Representatives. It is a sufficient answer to say that Congress never has yet ventured to touch the subject, so extremely delicate is it viewed.

On page 694, same volume, I find that on January 21, 1817, Mr. Pickens laid before the House proceedings of the Legislature of North Carolina, which it was stated were the same as those presented by the Legislature of Massachusetts, the purpose being to secure an amendment to the Constitution requiring members of Congress to be elected by districts.

BENTON AND M'DUFFIE VS. CONGRESSIONAL INTERFERENCE.

On page 32, Annals of Congress, Eighteenth Congress, first session, I find that on December 11, 1823, Senator Thomas H. Benton introduced a resolution to amend the Constitution. The purpose of the amendment was:

First. To divide the United States into electoral districts.

Second. To discontinue the use of intermediate electors.

Third. To commit the election to a direct vote of the people. That is to say, the people in each Congressional or electoral district should vote directly by name for a candidate for President and Vice-President, and the candidate for each office receiving the greatest number of votes in any district should be entitled to the one vote of that district.

It will be seen that the material difference in this plan consists in the fact that the vote would be by district instead of by State, and the names of the candidates for President and Vice-President, instead of the name of an elector, would be on the ballot.

Senator Benton spoke in advocacy of the measure on February 3, 1824.

In this speech, in discussing the meaning of the word "manner" as used in the Constitution, Mr. Benton says (page 171):

The word "manner" can imply nothing but form, as the mode of conducting the election, certifying the returns, etc.

On December 22, 1823, Hon. George McDuffie, a member of Congress from South Carolina, made reports recommending an amendment to the Constitution regarding Presidential and Congressional elections.

The plan contemplated the division of the country into districts, from each of which an elector and member of Congress should be elected. One of the reports was very elaborate, occupying the record from pages 850 to 866, and his speech on the resolution occupies the record from pages 1067 to 1082.

I read from McDuffie's report, Annals of Eighteenth Congress, pages 852 and 853:

It has been said that the times, places, and manner of electing the members of this House are now liable to be prescribed by the Legislatures of the several States, subject to the controling and superseding power of Congress.

* * * * * * * *

If it should happen to this, as it has happened to all other free countries, that the Administration of the Republic should fall into the hands of a faction of men who, having acquired power by corrupt combinations, would be disposed to retain it in opposition to the will of the people, the power in question would become exceedingly dangerous. * * * The committee therefore feel the deepest conviction that the power now vested in Congress of controlling the election of its own members is utterly inconsistent with every just conception of constitutional liberty, and ought no longer to exist.

In some of the prints the report reads "it has been seen," but in others and the latest prints it reads "it has been said," and it is thus quoted by Mr. Clifford, page 349, Twenty-seventh Congress.

Mr. McDuffie was a very distinguished man. He served for fourteen years in this House, was governor of South Carolina and an honored Senator from that State.

In 1842, in the Twenty-seventh Congress, a clause was inserted in the apportionment bill in these words, which I read from volume 11, part 2, page 348:

That in every case where a State is entitled to more than one Representative the number to which each State shall be entitled under this apportionment shall be elected by districts composed of contiguous territory equal in number to the number of Representatives to which said State may be entitled, no one district electing more than one Representative.

JUSTICE NATHAN CLIFFORD IN 1842.

Quite an animated discussion was provoked, many able men of that time contending that it was a gross infraction of the Constitution.

It would be profitable to review the entire discussion, but I must content myself with some reference to the remarks of Hon. Nathan Clifford, of Maine, afterwards for a period of twenty-three years a distinguished justice of the Supreme Court of the United States.

Justice Clifford commenced his speech as I will read from page 347:

I consider the proposition involved in the amendment now under consideration one of the most alarming in principle that has been brought forward since I have had a seat in this House, not only on account of the Federal encroachment immediately proposed, and which it is designed to carry into effect, but more especially on account of the danger to be apprehended from its influence as a precedent, if it should be adopted, for future outrage upon the sovereignty of the States. Perhaps in this instance the precedent is more to be dreaded than the act.

Mr. Clifford said this might be a small matter, but he warned Congress of the effect of any, even slight, departure from the true spirit of the Constitution and said:

If the decision which is now made should not hereafter be regarded as the settled exposition of the Constitution, at all events it may be drawn into precedent to influence the deliberations of our successors touching the power of Congress to regulate the time, place, and manner of holding elections for the choice of Representatives on this floor, even to the most unimportant detail of the system.

Mr. Clifford then urged Congress to take care and not allow expediency to induce action on questions of doubtful constitutionality, and continued:

It is obvious, if the doctrine is once asserted that Congress has the discretionary power to supersede the regulations of the States as a question of expediency, merely because they are not calculated to promote the party views of a majority for the time being, that one encroachment will follow another, until the local governments will be stripped of every vestige of authority over all branches of the subject.

Mr. Clifford said his objection to the law was not that he opposed the method of election it proposed, but he said:

The real ground of opposition to the proposition is, not because it asserts either the expediency or propriety of separate districts, or in the preference given to that mode of election over a general ticket, but because the power is claimed, for the first time in the history of the Government, to enforce a system upon the States by Federal command.

The odious character of the amendment consists in the startling power which it assumes, to give directions to the members of the State Legislatures as to the manner in which they shall discharge their high functions as representatives of the people.

Mr. Clifford repeated that he favored the plan provided for by the bill, but he discountenanced interference by Congress and such encroachments upon the sovereign rights of States, and he said:

The power vested in Congress by the Constitution was conferred as an extreme right, indispensably necessary as a self-preserving principle in the Government, in case of the inability or refusal on the part of the States to obey the injunction imposed upon themselves by the compact, to prescribe the time, place, and manner of holding elections; and as such is as much a power of legislation whenever the contingency shall happen to call for its exercise as any grant to be found in the instrument.

Mr. Clifford argued that Congress had no right to enact laws on this subject unless States were invaded by a foreign foe so as to be unable to provide for elections or they should refuse or fail to make such provision, and he continued:

But the framers of the Constitution never designed this extreme power for any such occasion as the present. Far from it; it was conferred for a different purpose; and it would be a perversion of the grant—a high-handed outrage—to call it into exercise in a time of profound peace and general repose, to override the laws of the States, which have been in existence from the foundation of the Government, and have been practiced upon through a period of fifty years, without excitement or complaint.

Mr. Clifford then argued that the fact alone that no change had been made for fifty years and no inconvenience had resulted was sufficient reason of itself to make the proposed action unadvisable and said (page 348):

In the view which I take of the question it is wholly unnecessary to inquire whether the right of supervision in the premises, if it exists in any case, is derived from the words "manner" or "place" in the article so frequently cited from the Constitution, as it is my purpose to prove that nothing can justify Congressional interposition in any way but an uncontrollable necessity, growing out of the actual refusal or positive inability of the States to act for themselves. Of course, that inquiry becomes immaterial, though I think it would not be difficult to demonstrate that the "manner of holding elections" has reference exclusively to the regulations at the polls, as by ballot, etc.

Mr. Clifford then illustrates the inexpediency and impropriety of the proposed law and says:

After mature deliberation upon this point, I am prepared to lay down this general proposition: That all power over the subject of time, place, and manner of holding elections is expressly vested in the States in the first instance; and that they are under the solemn obligations of duty, arising out of their own compact, to make all needful and suitable regulations to secure a full representation on this floor; and that it is not competent for Congress to interfere so long as the States shall continue, as they have heretofore done, to perform that duty.

And it is equally clear to my mind that in the possible contingency—which is not very likely to occur—of neglect or refusal of the States to perform this high duty, which they owe to the Constitution and to the country, Congress does possess the power, as a self-preserving principle of the compact of union, to supply all such needful regulations in the premises as may become necessary in consequence of the omission of the States to exercise their own rightful jurisdiction upon the subject.

Mr. Clifford then discusses the matter at great length, and reviews the proceedings of the constitutional convention of 1787 and the speeches in the State conventions which ratified the Constitution, and says, page 349:

I have examined this question with some care, and the result of that examination has led me to the following conclusions, which, it seems to me, are fully sustained by the language of the Constitution and by the history of the debates when it was ratified:

1. That the power in the States to prescribe the time, place, and manner of holding elections is exclusive, so long as they continue to perform the duty imposed upon them by the Constitution.

2. That, if the States neglect or refuse to make regulations, Congress has full

power over the subject, as a self-preserving principle in the Government, and may rightfully exercise it, so far as it may be necessary to supply the omission of the States.

3. That the power to supply such omissions confers a right to legislate, and not of enforcing legislation, on the part of the State.

4. That any attempt at jurisdiction over the subject, till the States shall have omitted or become unable to act for themselves, is a positive violation of the true intent and meaning of the Federal compact and can not have any binding effect upon the people or the States.

The above remarks of Justice Clifford ought to profoundly impress every member of Congress and every citizen of the United States.

Mr. Clifford refers to the report made by Mr. McDuffie in the Eighteenth Congress and quotes a paragraph of this, a portion of which I have read from pages 852 and 853, Annals of Eighteenth Congress.

I will now call attention to an extract from Mr. Kennedy's speech of April 27, 1842, which I read from the Congressional Globe, page 317:

But it is contended that this enormous districting power is contained in and covered up by the word "manner." Now, I beg gentlemen to mark the connection and see to what this word "manner" refers. The "manner" of what? Of districting the States and prescribing what number of citizens shall vote in one district and what portion in another? No, sir. It is the "manner" of holding the elections. What is holding the elections? It is prescribing the mode in which the voter shall exercise the right of suffrage, whether he shall vote by ticket or *viva voce*, whether the ticket shall be put into a hat or into a box.

SIEBOLD CASE IN SUPREME COURT.

The Siebold case is invoked by Mr. LODGE to sustain him in this usurpation of power which is sought to be vested in Federal officers.

The decision was rendered by Justice Bradley and concurred in by a bare majority of the court and was dissented from by those able jurists, Justice Field and Justice Clifford, and yet there is nothing in the opinion of the court as rendered by Justice Bradley to justify the assertion that the court decides that the Constitution authorizes Congress to pass a law to take control of elections of members of Congress.

The Siebold case was a decision as to the constitutionality of the acts of Congress of May 31, 1870, and February 28, 1871, codified in certain sections of Title XXIV of the Revised Statutes, which provide (see sections 2011 and 2012) that upon appliance duly made the judge of the United States circuit court shall appoint two supervisors of election for every election district in cities of upwards of 20,000 inhabitants at any election at which a Representative or Delegate in Congress is to be voted for, in order that the registration and election may be guarded and scrutinized by them.

Sections 2016, 2017, 2021, and 2022 provide for the appointment of deputy marshals and authorize the supervisors to scrutinize the registration and the conduct of the election, but do not pretend to give any further force or effect to their reports than to regard them as memoranda of evidence in case of a contest before Congress.

The head-note numbered 8 contains the gist of the opinion on that subject. It says:

In making regulations for the election of Representatives it is not necessary that Congress should assume entire and exclusive control thereof. By virtue of that clause of the Constitution which declares that "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators," Congress has a supervisory power over the subject, and may either make entirely new regulations or add to, alter, or modify the regulations made by the State.

It will be observed that it only refers to regulations and does not refer to control.

It is true the opinion says (page 382):

The counsel for the petitioners, however, do not deny that Congress may, if it chooses, assume the entire regulation of the election of Representatives.

Even suppose this to be correct, which I do not admit, can not the court see a difference between enacting a law to regulate an election and enacting a law to take possession of and control it?

It is only necessary to refer to our ordinary dictionaries to learn how this word "manner" is defined.

Worcester gives this definition:

The mode in which anything is done; method; habit; custom; fashion; form; way.

Webster's definition is:

Mode of action; way of performing or effecting anything; method; style; form; fashion.

Certainly there is no definition here to justify the assumption that power to regulate the manner of doing a thing includes power to do the thing.

JUSTICES FIELD'S AND CLIFFORD'S OPINIONS.

The opinions of Justice Field and Justice Clifford most emphatically negative any such assumption as is contended for by Mr. LODGE. I read from page 418 the dissenting opinion being applied to the Clarke as well as to the Siebold case:

The power vested in Congress is to alter the regulations prescribed by the Legislatures of the States, or to make new ones, as to the times, places, and manner of holding the elections. Those which relate to the times and places will seldom require any affirmative action beyond their designation. And regulations as to the manner of holding them can not extend beyond the designation of the mode in which the will of the voters shall be expressed and ascertained.

Is it not going beyond such designation to, as proposed by this bill, appoint the officers of election and take control of the subject-matter, to register the votes, receive and count the ballots, make the returns, and certify the results?

The opinion proceeds in these words:

The power does not authorize Congress to determine who shall participate in the election or what shall be the qualification of voters. These are matters not pertaining to or involved in the manner of holding the election, and their regulation rests exclusively with the States. And whatever regulations Congress may prescribe as to the manner of holding the election for Representatives must be so framed as to leave the election of State officers free; otherwise they can not be maintained.

Yet this bill provides for registrations of the voters, including a canvass from house to house, an absolute control of the election by officers appointed by Federal courts, and a certification of the results by these officers.

Justice Field and Justice Clifford also say (page 416) that the clause we are considering—

was designed simply to give to the General Government the means of its own preservation against a possible dissolution from the hostility of the States to the election of Representatives or from their neglect to provide suitable means for holding such elections. This is evident from the language of its advocates, some of them members of the convention, when the Constitution was presented to the country for adoption.

Here are two eminent judges of the Supreme Court denying with emphasis that Congress has any right to enact a law which only supervises election of Congressmen. What would these eminent men say of a law which not only supervises, but actually takes complete control of such elections? But Justice Field and Justice Clifford do not stop there in their expressions, but on page 414 they say:

In my judgment, and I say it without intending any disrespect to my associates, no such advance has ever before been made toward the conversion of our Federal system into a consolidated and centralized Government.

I can not think that those who framed and advocated, and the States which adopted the amendments, contemplated any such fundamental change in our theory of government as those decisions indicate.

ABHORRENT EFFECT OF THE LAW.

If the laws of 1870 and 1871 and the opinion of Justice Bradley sustaining their constitutionality were so abhorrent to these jurists as to impel them to assert that—

No such advance has ever before been made towards the conversion of our Federal system into a consolidated and centralized Government—

let me ask what will be the effect in that regard if the Lodge-Davenport bill which is now being discussed should be enacted into a law?

This bill directs the United States judge, a resident of one State, to appoint officers to take absolute control of the election in another State.

Such an election would not be an election "by the people" of a State. It would be an election conducted by a judge of another State through and by officers appointed by him.

In answer to our arguments that these officers would control the election of State officers who are in most States elected at the same time as members of Congress, we are told that the States may change the times of electing their State officials, and in that connection I will read a paragraph from Judge Bradley, in the Seibold case, page 393:

In what we have said it must be remembered that we are dealing only with the subject of elections of Representatives to Congress. If for its own convenience a State sees fit to elect State and county officers at the same time and in conjunction with the election of Representatives, Congress will not be thereby deprived of the right to make regulations in reference to the latter. We do not mean to say, however, that for any acts of the officers of elections, having exclusive reference to the election of State or county officers, they will be amenable to Federal jurisdiction; nor do we understand that the enactments of Congress now under consideration have any application to any such acts.

And in their anxiety to disclaim any indorsement of the principles contained in the law, the court says, page 393:

It must also be remembered that we are dealing with the question of power, not of the expediency of any regulations which Congress has made.

Justices Field and Clifford are emphatic upon this point and show that if on no other ground such interference would make the law unconstitutional. They say, pages 412, 413:

So far as the election of State officers and the registration of voters for their election are concerned, the Federal Government has confessedly no authority to interfere. And yet the supervision of and interference with the State regulations, sanctioned by the act of Congress, when Representatives to Congress are voted for, amount practically to a supervision of and an interference with the election of State officers, and constitute a plain encroachment upon the rights of the State.

CONCLUSIVE GROUND OF UNCONSTITUTIONALITY.

Admitting that it is possible for States to change the time of electing their governors, judges, and many other State officials, there are other important officials which the Constitution requires them to elect and which the law of the United States requires them to elect on the same day that Congressmen are elected. The Constitution says, Article II, section 1:

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

Section 25 of the Revised Statutes provides that members of Congress shall be elected on the Tuesday next after the first Monday in November, and section 131 of the Revised Statutes provides that—

The electors of President and Vice-President shall be appointed in each State on the Tuesday next after the first Monday in November.

The law of Congress is, therefore, imperative that Presidential and Congressional elections be held upon the same day. Here are officers with whose election Congress has no right whatever to interfere, and yet the law we are discussing would just as effectually control the election of these officials as it would control the elections of members of Congress. The registration lists would be the same; the polls would be the same. The marshals would have the same influence over the one as over the other, and therefore this law would, in direct violation of the Constitution, supervise and control the election of electors for President and Vice-President of the United States.

INCREDIBLE ERRORS OF MR. LODGE.

Mr. LODGE, in his report and speech, by the use of precisely the same language, says:

The language employed in this section is so plain that it would seem almost superfluous to enter into argument or discussion as to its meaning. If words mean anything, those just quoted mean that the power of Congress over the conduct of elections of members of this body is absolute and complete. The Constitution says that Congress may make all regulations in regard to the election of Representatives, and the power to "make regulations" thus conferred is in terms exclusive and paramount. But out of abundance of caution the framers of the Constitution went further, and added to the word "make" the words "to alter;" that is, under the Constitution Congress has power to assume complete control of elections of its members and conduct them at such times and places and through such officers and under such rules as it may see fit. On the other hand Congress may, under this clause, leave the entire regulation of the election of Representatives to the States, or it may take a partial control of a part of the necessary procedure and leave what remains to the State, or it may alter and amend the State regulations and supervise and enforce their execution.

It seems to me absolutely incredible that an educated gentleman sent to represent a cultivated constituency could write out a sentence so incorrect, illogical, and unlawyer-like, but it is more surprising that after seeing this in his report in print he failed to see its errors, and speaks it out in the House of Representatives and allows it to appear in the record of our proceedings.

If Mr. LODGE had read the discussions in the convention of 1787 and the debates in the various State conventions which ratified the Constitution he would have learned that a majority of the great men of that time took a view just the reverse of the one he adopts and enunciates.

To say that a contingent and secondary power to make regulations for the election of members of Congress means—

that the power of Congress over the conduct of elections of this body is absolute and complete—

And that—

Congress has power to assume complete control of elections of its members and conduct them at such times and places and through such officers and under such rules as it may see fit—

Are assertions directly at variance with the opinions of our ablest men as expounded during an entire century, and including the length and breadth of our present system of government, during which time we have grown from the poorest and weakest to the most populous of all civilized countries, and the richest, most cultured, most enlightened and christian of all Governments on earth. Let me ask in the name of christian liberty if such strides in the world's civilization should be turned back to advance the selfish purposes of a few ambitious politicians.

Mr. LODGE then says:

But out of abundant caution the framers of the Constitution went further and added to the word "make" the words "to alter."

HISTORICAL MISTAKES OF MR. LODGE.

If Mr. LODGE was correct about this "abundant caution" which he tells us was displayed by our forefathers, what a remarkable set of men they must have been in the estimation of the gentleman from Massachusetts. The Constitution had already, as Mr. LODGE says, given authority to make all laws to regulate elections, but out of abundant caution they went further and added the words "to alter" all laws, etc.

Now, I have been taught that unquestioned authority to make laws was quite as far along as authority "to alter" them.

If a legislative body which has paramount authority upon a subject—and Mr. LODGE contends that the power of Congress is paramount—proceeds to exercise that paramount authority by making laws, does not that repeal and make inoperative and nugatory all laws which contravene its provisions?

Would not the making of such a law of necessity have the effect to alter the laws which, by implication, were repealed? But if Mr. LODGE had taken the trouble to read the proceedings of the convention he would have learned that the action of the framers of the Constitution was precisely the reverse of their course as stated by himself.

By referring to the Debates, volume 5, pages 377 and 401, he will find that the clause as it came from the committee on detail was in these words:

The times, and places, and manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State; but their provisions concerning them may, at any time, be altered by the Legislature of the United States.

He will see that the clause as it first existed gave Congress the right to alter and not the right to make, and by looking at page 402 he will find that the latter part of the clause was amended so as to read—

But regulations, in each of the foregoing cases, may, at any time, be made or altered by the Legislature of the United States.

And he will see that Mr. Madison then said:

This was meant to give the National Legislature a power not only to alter the provisions of the States, but to make regulations in case the States should fail or refuse altogether.

Yet this illogical, unlawyer-like, incorrect paragraph is a fair sample of the entire argument. I will, however, recur to one more of his illogical, unlawyerlike, and incorrect paragraphs. It is this:

In view of the language of the Constitution, of its intention as explained by its framers, and of the full and elaborate decisions of the Supreme Court on every point which could be involved therein, there can be no need for your committee to offer further argument as to the constitutional powers of Congress to pass such a bill as that which they report herewith.

ERRORS AS TO LAW AND HISTORY.

Was there ever such astounding assurance?

There is no language in the Constitution which goes further than to say that Congress may make regulations as to the time, place, and manner, etc. Certainly that does not justify this bill.

I do not hesitate to state, and shall be able to prove, that this astounding assertion of Mr. LODGE is not sustained by a single expression from any of the framers of the Constitution.

Not one of them ever uttered one word in any way suggesting that Congress had a right to enact such a law as the one now under consideration. Not one of them ever conceived that any Congress would contend that the clause of the Constitution authorized Congress to enact a law to take control of elections in sovereign States and certify the results to this body. So far from their being full and elaborate decisions of the Supreme Court on every point which could be involved, I have clearly shown and I again assert without fear of successful contradiction that it is not sustained by a single decision from the Supreme Court of the United States or any other judicial tribunal of last resort which ever existed.

Nor has any writer upon the Constitution ever ventured to expound so fearful a heresy.

In the Siebold and Yarborough cases no such question was before the court, and any language which the advocate of this bill claims to justify such conclusion is at best mere *dicta*, it has no force as an opinion of the Supreme Court, and stands upon the same plane as the dissenting opinion of Justice Field and Justice Clifford, and in that light all that is said by Justice Bradley is overwhelmingly refuted by the able arguments and citations of Justices Field and Clifford.

As before stated, the question before the court in the Siebold and Yarborough cases was as to the constitutionality of laws which authorized the appointment of supervisors of elections who only acted as witnesses and who in no wise usurped the rights and prerogatives of State officers of election.

A question was also before the court as to the power of Congress to enact laws to compel State officers of election to observe the State laws regulating elections of Representatives and also to enact laws to authorize deputy marshals to keep peace at such elections.

There was no such law as this force bill in existence at that time, and the constitutionality of this bill was not submitted for the court's opinion.

ANOTHER HISTORICAL MISTAKE.

Again, by the use of precisely the same language Mr. LODGE says in both his report and speech:

In the convention of 1787, on the 9th of August, Mr. Pinckney and Mr. Rutledge moved to strike out the words which in the draught then before the convention conferred this power upon Congress. The motion was lost, apparently without a division, and, if we may judge from Mr. Madison's notes, had no serious support in the convention.

I have already adverted to the support given to this motion by Mr. Elbridge Gerry, of Massachusetts, Mr. Roger Sherman, from Connecticut, and Mr. Pinckney and Mr. Rutledge, from South Carolina; but we have only to glance at the debates in the State conventions which ratified the Constitution, and contemporaneous writers, to see that this clause was the one above all others which excited apprehension, and it is thus fully shown that a majority of the States only ratified the Constitution upon the assurance that this power could and would only be exercised by Congress in the event the States failed to exercise it themselves.

It was explained there, as we explain here, that the power to regulate Congressional elections was given originally, primarily, and absolutely to the States, and the permissive power was only given to Congress upon the contingency of failure, neglect, or refusal of the States to exercise it. It was assumed that the power given to Congress was at best a secondary and conditional power, which might become essential to the well-being and preservation of the Federal system, because if the Legislatures of States should not fix the time, place, and manner of holding elections there should be some power authorized to supply the omission.

In the debate Rhode Island was instanced as an example. That State refused to appoint electors for President and Vice-President or to elect members of Congress until long after the establishment of the Federal Government, and at the conventions of nine of the thirteen States amendments were proposed incorporating language which ex-

pressly limited the power of Congress to make or alter regulations as to the time, place, and manner of holding elections for Congressmen.

MR. LODGE GARBLES CURTIS ON THE CONSTITUTION.

Mr. Curtis, in his History of the Constitution (volume 2, page 257), says:

Among the powers conceded by the Constitution to the Legislature of each State is that of prescribing the time, place, and manner of holding the elections of its Senators and Representatives in Congress.

This provision originated with the committee of detail; but as it was reported by them there was no other authority reserved to Congress itself than that of altering the regulations of the States, and this authority extended as well to the place of choosing the Senators as to all the other circumstances of the election. In the convention, however, the authority of Congress was extended beyond the alteration of State regulations, so as to embrace a power to make rules as well as to alter those made by the States. But the place of choosing the Senators was excepted altogether from this restraining authority and left to the States. Mr. Madison, in his minutes, adds the explanation that the power of Congress to make regulations was supplied in order to enable them to regulate the elections if the States should fail or refuse to do so. But the text of the Constitution as finally settled gives authority to Congress "at any time" to "make or alter such regulations;" and this would seem to confer a power which, when exercised, must be paramount, whether a State regulation exists at the time or not."

This identical language is found in Mr. Curtis's late edition of 1889, volume 1, pages 478 and 480.

I call special attention to these words:

Among the powers conceded by the Constitution to the Legislature of each State is that of prescribing the time, place, and manner of holding the elections of its Senators and Representatives in Congress.

Mr. LODGE, in both his report, and also in his speech, essays to give the House Mr. Curtis's views, but takes especial care to omit the very important part of the paragraph.

Mr. LODGE says:

Mr. George Ticknor Curtis, in the latest edition of his Constitutional History of the United States, which is, as everybody is aware, a work of very high authority and great research, says in regard to this clause.

He then omits that part of the paragraph in which Mr. Curtis emphatically states that—

Among the powers conceded by the Constitution to the Legislature of each State is that of prescribing the time, place, and manner of holding the elections of its Senators and Representatives in Congress.

Mr. Curtis's manner of stating the proposition would tend to mislead a casual reader.

Mr. Curtis's language is:

Among the powers conceded by the Constitution to the Legislature of each State is that of prescribing the time, place, and manner of holding the elections of its Senators and Representatives in Congress. This provision originated with the committee of detail.

ERROR OF MR. GEORGE TICKNOR CURTIS.

A person who was not familiar with the proceedings of the constitutional convention and relied entirely upon Mr. Curtis's work for information on this subject would very naturally assume or at least would certainly be justified, from this statement of Mr. Curtis's, in concluding that the provision quoted by him originated with the committee of detail. This is not the fact.

The language of this provision is almost identical with that contained in the plan found in the journal of the convention (page 129), proposed by Mr. Pinckney on May 29, the day rules were adopted, and, to use the language of the journal, the day Mr. Randolph opened the main business (journal, page 126). It therefore appears that the provision quoted by Mr. Curtis was before the convention from the commencement of its sitting.

It is true that the last part of the section, which Mr. Curtis does not quote and which gives secondary and contingent power to Congress, did originate with the committee of detail, but not in the present language of the Constitution. As reported by the committee on August 6 (page 377) it was in these words:

The times, and places, and manner of holding the elections of the members of each House shall be prescribed by the Legislature of each State; but their provisions concerning them may, at any time, be altered by the Legislature of the United States.

ST. GEORGE TUCKER'S COMMENT IN 1803.

I now will call the attention of the House to a paragraph from Tucker's Blackstone, volume 1, page 191, in which, after reciting Article I, section 4, he says:

It can not be denied that this article vests a power in Congress the exercise of which if not really dangerous to the liberties of the States may at least interrupt their tranquillity, unless dictated by the utmost wisdom and discretion. In some of the States the vote is conducted by ballot, in others *viva voce*. In some the members are chosen by a general ticket or ballot of the whole State; in others the Representatives are chosen by districts. Without entering into the discussion of the preference due to either of these modes, we may venture to pronounce that the States respectively will be tenacious of that to which their own constitution or laws may have given the preference; any attempt to render the manner of election uniform must therefore inevitably produce discontents among the States. Hitherto the Congress has wisely left this article to the direction of the State governments.

St. George Tucker, together with Edmund Randolph and James Madison, were the three commissioners from Virginia who attended the convention at Annapolis on September 11, 1786.

He was thoroughly conversant with the debates in the convention which prepared the Constitution, as well as the debates in the various State conventions which ratified it.

It will be observed that there is no idea advanced which in any way intimates that the Constitution empowers Congress to take control of elections, but he only construed this clause as empowering Congress to enact laws regulating the manner of elections; that is, to say whether they should be conducted by ballot or *viva voce* and whether Congressmen should be elected by a general ticket or by districts, and even the exercise of such powers by Congress, unless dictated by the utmost wisdom and discretion, Mr. Tucker feared, would interrupt the tranquillity of the States and become really dangerous to their liberties.

ALEXANDER HAMILTON CONDEMNS SUCH LAWS.

Alexander Hamilton was without question the most earnest advocate of giving all power possible to the Federal Government. In fact he seemed to insist that the more power in the Federal Government and the less in the States the better would the liberties of the people be preserved, and yet this extreme champion of strong, even to the point of monarchical, government never suggested or conceived such desecration of the rights of States as is involved in the bill now under discussion.

Mr. Hamilton even went so far as to express his opinion that not only was no such interpretation conceived or intended by the framers of the Constitution, but that if such an effort had been made no man would have hesitated to condemn it.

I will read his words from the fifty-ninth number of The Federalist, issued February 22, 1788, page 450, Lippincott's edition:

Suppose an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it both as an unwarrantable transposition of power and as a premeditated engine for the destruction of the State governments?

The violation of principle in this case would have required no comment, and to an unbiased observer it will not be less apparent in the project of subjecting the existence of the National Government, in a similar respect, to the pleasure of the State governments.

An impartial view of the matter can not fail to result in a conviction that each, as far as possible, ought to depend on itself for its own preservation.

Justices Field and Clifford in the Siebold case quote part of this paragraph, and then say—I read from 100 United States Reports, page 419:

By the act of Congress sustained by the court, an interference with State elections is authorized almost as destructive of their control by the States as the direct regulation which he (Hamilton) thought no man would hesitate to condemn.

Mr. Hamilton went further, and insisted that this power to regulate elections should only be exercised in the last resort, and insisted that the Constitution intrusted the regulation of elections in the first instance to the States. I read from the fifty-ninth number of The Federalist, same edition, page 448:

The natural order of the subject leads us to consider in this place that provision of the Constitution which authorizes the National Legislature to regulate, in the last resort, the election of its own members.

It is in these words: "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to places of choosing Senators." This provision has not only been declaimed against by those who condemn the Constitution in the gross, but it has been censured by those who have objected with less latitude and greater moderation; and, in one instance, it has been thought exceptionable by a gentleman who has declared himself the advocate of every other part of the system.

Here we see this distinguished man, this most distinguished maker of the Constitution, the only member from New York who signed the instrument, says with emphasis that Congress can only exercise this right to enact regulations in the last resort. What, may I ask, would have been his astonishment to see Congress enact a law to take absolute control of elections when there was no reason whatever for such action?

Mr. Hamilton also says (I read from page 449):

They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations, which, in ordinary cases and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose whenever extraordinary circumstances might render that interposition necessary to its safety.

JUSTICE STORY'S CONSTRUCTION.

Judge Story gives this clause of the Constitution careful analysis, in which he negatives any such construction of the power of Congress as is proposed by this law; and he further says (§ 826) that it is scarcely possible that any of the power conferred should be exerted—

unless upon very urgent occasions.

This distinguished jurist discusses the objections which were argued during the consideration of this section, contending that the only danger to the States is the possible improper and inconvenient designations of places for elections.

I read from Chapter XI, § 820:

The most that can be urged, with any show of argument, is that the power might, in a given case, be employed in such a manner as to promote the election of some favorite candidate or favorite class of men in exclusion of others by confining the places of election to particular districts and rendering it impracticable for the citizens at large to partake in the choice.

Judge Story also says, § 823:

If an elector were compellable to go 30 or 50 miles, it would discourage his vote as much as if it were 100 or 500 miles.

And he cites The Federalist, No. 61, and 1st Elliot's Debates, page 68, § 824. Judge Story says:

Suppose the Legislature should compel all the electors to come to one spot

in the district, as, for instance, to Albany, the evil would be great, but the measure would not be unconstitutional.

Citing the Federalist, 61, after showing that the power can never rightfully be exercised so as to be in any way detrimental to the States, Judge Story says, § 825:

The reasons in its favor are, on the other hand, of great force and importance. In the first place the power may be applied by Congress to correct any negligence in a State in regard to elections, as well as to prevent a dissolution of the Government by designing and refractory States, urged on by some temporary excitements. In the next place it will operate as a check in favor of the people against any designs of a Federal Senate and their constituents to deprive the people of the State of their right to choose Representatives.

In the next place, it provides a remedy for the evil—if any State, by reason of invasion or other cause, can not have it in its power to appoint a place where the citizens can safely meet to choose Representatives. In the last place (as the plan is but an experiment), it may hereafter become important, with a view to the regular operations of the General Government, that there should be a uniformity in the time and manner of electing Representatives and Senators, so as to prevent vacancies when there may be calls for extraordinary sessions of Congress.

Judge Story then proceeds, as I will read from section 826:

A period of forty years has since passed by without any attempt by Congress to make any regulations or interfere in the slightest degree with the elections of members of Congress. If, therefore, experience can demonstrate anything, it is the entire safety of the power in Congress, which it is scarcely possible (reasoning from the past) should be exerted unless upon very urgent occasions.

After citing the objections which had been urged to this clause and the reasoning by which these objections had been met, Judge Story says (section 826):

Still so strong has been the sense of Congress of the importance of leaving these matters to State regulation that no effort has been hitherto made to cure these evils, and public opinion has almost irresistibly settled down in favor of the existing system.

I will also call attention to an opinion delivered by Judge Story when on the Supreme Bench, which clearly shows that any law which gave Congress any power further than to prescribe the time and place and to indicate the manner or method which should be followed by State officers in conducting elections is clearly unconstitutional, because the friends of the bill admit that it is not clear as to what is meant by the word "manner," and therefore the construction given it must be adjudged in favor of the States and against the United States.

And again the friends of the bill admit that it is not clear that the power was only to be exercised by Congress in the contingency of the failure of the States to exercise it.

Now, as the States have exercised this power for one hundred years, the legal construction, as expounded by Judge Story, would be against vesting any such power in the United States. I read from Houston *vs.* Moore, 5 Wheat., 48; also cited in Dwarris on Constitution, page 669:

The sovereignty of a State in the exercise of its legislation is not to be impaired unless it be clear that it has transcended its legitimate authority, nor ought any power to be sought, much less to be adjudged, in favor of the United States, unless it be clearly within the reach of its constitutional charter.

The Constitution of the United States containing a grant of powers, in many instances similar to those already existing in the State governments, and some of these being of vital importance also to State authority and State legislation, it is not to be admitted that a mere grant of such powers in affirmative terms to Congress does, *per se*, transfer an exclusive sovereignty on such subjects to the latter.

On the contrary, a reasonable interpretation of that instrument necessarily leads to the conclusion that the powers so granted are never exclusive of similar powers existing in the State, unless where the Constitution has expressly, in terms, given an exclusive power to Congress, or the exercise of a like power is prohibited to the States, or there is a direct repugnancy or incompatibility in the exercise of it by the States. In all other cases not falling within the classes above mentioned it seems unquestionable that the States retain concurrent authority with Congress, not only upon the letter and spirit of the eleventh amendment of the Constitution, but upon the soundest principles of general reasoning.

CONSTRUCTION MUST HARMONIZE.

Another rule of construction is that where it is not clear, or when it is disputed as to what was meant by a word, as in this case the word manner, we must place that construction on the word which would harmonize with the designs of the makers of the Constitution and the general structure of our Government.

In that connection I will read a passage from Dwarris, page 679:

While, then, we may well resort to the meaning of single words to assist our inquiries, we should never forget that it is an instrument of government we are to construe; and, as has already been stated, that must be the truest exposition which best harmonizes with its design, its objects, and its general structure. (Vattel, book 2, chapter 17, sections 285–288.)

Now, no one can question that I have clearly shown from the debates in the constitutional convention and in the State conventions which ratified that instrument that the Constitution was adopted with the assurance that no interpretation would be given to the clause which would authorize Congress to exercise this power unless the States failed or refused altogether to exercise it.

In this connection I will read from Dwarris, page 659:

The words are not, indeed, to be stretched beyond their fair sense; but within that range the rule of interpretation must be taken which best follows out the apparent intention.—*Raule on Constitution*, chapter 7, page 31.

MUST INTERPRET ALL PARTS AS A WHOLE.

It would seem to me that it is entirely unnecessary to dwell further on this subject, but as I have the books before me I will read from the United States Digest, volume 12, page 741, a simple principle of law expounded and re-expounded and disputed by no one, that—

All statutes relating to the same subject-matter are to be interpreted together, and such a construction is to be given to them, consistent with the words, as will avoid the mischief and promote the object and policy contemplated by the statutes.

This principle has been laid down in many decisions, among which I will quote 1 Story, 251; 9 Miss., 590; 3 Blatchf., 325; 4 Fla., 445; 1 Ga., 32; 16 La. Ann., 350; 4 Gill & J., 1; 37 N. H., 295; 7 Fla., 13; 23 N. J. L., 143; 13 Ohio, 458; 1 Oreg., 31; 9 Ill., 221; 19 Vt., 230.

Dwarris says, page 194:

As the construction is to be made upon the entire instrument, and not upon disjointed parts of it, consequently all its parts are to be compared, considered, and construed with reference to each other.

But in construing the Constitution of the United States the courts are uniform in laying down the rule that greater strictness must be applied in restraining the power of Congress than should be applied to the Legislature of a State which is charged with infringing its constitution, because the Constitution of the United States contains only specific grants of powers to the General Government from the States, whilst the constitutions of the States make a general grant of all the political powers of the people, restrained only by specific reservations.

This principle is laid down in all the text-books. I will read, however, from the United States Digest, volume 12, page 738, section 741:

The acts passed by the General Assembly of the State are entitled to a more liberal construction than the acts of Congress; for the Constitution of the United States contains only specific grants of powers to the Government, while the constitution of the State makes a general grant of all the political powers of the people, restrained only by specific reservations.

Now I have clearly shown that section 4, Article I, gives original and primary power to the States and a secondary and contingent power to Congress. How and when is this power to be exercised? We do not have to look far in the Constitution to find an answer to this question.

In this same Article I, section 8, we read:

The Congress shall have power, * * *

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the Government of the United States.

Now, construing these clauses of the Constitution together, as we are bound to do, let us ask when would a law by Congress be necessary to regulate the time, place, and manner of holding elections?

The answer is clear that the exigency would arise when the State neglected or refused to obey the command of the Constitution to perform that duty.

Bear in mind that the Constitution says members of Congress shall be—

chosen by the people.

How could Congress exercise the power we are discussing?

The answer is, to simply make regulations by which the people in the States should be governed in the management of their elections, and not, as provided by this bill, by taking exclusive control of the subject-matter of the elections; or, as demanded by Speaker REED, that the Federal Government should do their own counting and their own certifying.

Such an election would not be "by the people." It would be by the Federal Government. Such action would not be in conformity with section 8 of the Constitution, which we have quoted, because such action on the part of the Federal Government would not be necessary and proper.

This latter clause is discussed in 4 Wheaton, page 316; 10 Wheaton, 1 and 5, and 8 Wallace, page 603.

This opinion was rendered by Chief-Justice Chase. This eminent jurist in discussing the meaning of the words "necessary and proper" as used in section 8, Article I, of the Constitution says (I read from page 614):

The words "necessary and proper" were intended to have a "sense," to use the words of Mr. Justice Story, "at once admonitory and directory," and to require that the means used in the execution of an express power "should be bona fide appropriate to the end."

Judge Chase proceeds, on page 615, to show that it is finally settled that the power given to Congress "to make all laws necessary and proper" means laws which are appropriate, plainly adapted to constitutional ends, or, to use Judge Chase's language, to make laws—

consistent with the letter and spirit of the Constitution; laws really calculated to effect objects intrusted to the Government.

Judge Story, in his work on the Constitution, section 1253, says:

The language is that Congress shall have power "to make all laws which shall be necessary and proper." * * *

If the intention was to use the word "necessary" in its more liberal sense, then there is a peculiar fitness in the other word (proper). It has a sense at once admonitory and directory. It requires that the means should be bona fide appropriate to the end.

In the case being considered the States have performed their duty and have enacted laws prescribing the time, place, and manner of holding elections of members of Congress, and these laws have been in operation for one hundred years.

Under them we have quietly conducted twenty-six Presidential elections and have elected the members of fifty-one different Congresses.

We therefore say that the contingency has not happened which permits the proposed action by Congress.

It can not be contended that it is "necessary and proper" and "bona fide appropriate" for Congress to nullify and make nugatory and in-

operative the laws of States which were made pursuant to the positive command of the Constitution.

Is it necessary, and proper, and bona fide, and appropriate for Congress to attempt to take control of the internal affairs of States? Is the purpose of the Federal Government to take entire control of elections of members of this body "consistent with the letter and spirit of the Constitution?" I say with all the emphasis in my power that it is not. I say the framers of our Constitution never intended such a usurpation of power. The discussions in the constitutional convention and the debates in the various State conventions which ratified the Constitution utterly refute such an interpretation.

Is this "Lodge" force bill "calculated to effect the objects intrusted to the Government" by the States? The history of a hundred years tells us that it is not, and if this measure is not consistent with the letter and spirit of the Constitution, and not calculated to effect its objects, then, we are told by Judge Chase, that it is violative of that great safeguard of liberty, the Constitution of our country. I insist, Mr. Speaker, that Congress exhausted its constitutional powers when it enacted the laws now on the statute-book to regulate the time and manner of holding elections. I refer to the act of 1842, which provided for elections for Congressmen by districts, the acts of February 28, 1871, and May, 1870 and 1872, which provide for elections by ballot, and the act February 2, 1872, which provides for a uniform time for elections for members of this House. These laws are incorporated in chapter 2 of the Revised Statutes.

IN THIS CASE PERMISSIVE WORDS CAN NOT BE EXTENDED.

In a case like this, when the word "shall" is used to give power to and impose a duty upon the State and the word "may" is used in conferring power upon Congress, no one will deny that the one is positive and absolute and the other contingent and permissive.

The language is:

The time, places, and manner * * * shall be prescribed * * * by the Legislature, but Congress may make or alter it.

In such a case there is no room to invoke the principle of construction by which "may" can be assumed to mean "must" or "shall."

This subject was discussed in the cases of Miner *vs.* Mechanics' Bank, etc., 1 Pet., 64; New York and Erie Railroad Company *vs.* Coburn, 6 How. Pr. R., 224; Buffalo Plank Road Company *vs.* Commissioners of Highways, 10 How. Pr. R., 239.

The ordinary meaning of the word, which is permissive, ought to be adopted, and must be presumed to be intended, unless it would manifestly defeat the object of the provision.

DANGER TO JUDICIAL ERMINE.

In answer to all that has been said regarding the great danger to which our Constitution would be subjected by taking the management of elections from the people and subjecting them to the control of Federal officials, most of whom will of necessity be professional politicians and violent partisans, we are told that all danger of any unfair or partisan action is fully guarded against by placing the appointment of the supervisors in the hands of Federal judges.

I probably have as high a regard for our Federal judiciary and as good an opinion of their ability and integrity as any one on this floor, but I insist that to maintain for them the regard, esteem, and confidence of the people we must not drag them down into the turmoils of political strife.

We have seen one melancholy instance of such a procedure, which ought to warn us not to repeat such an error.

The connection of judges of the Supreme Court with the Electoral Commission had the effect of shaking the confidence of the people in that tribunal it will take years to repair.

If for no other reason I say in the name and for the good name of our judiciary, and for the purpose of preserving its good name and that the people may retain confidence in its integrity, I say eliminate any and all features which connect judges with elections.

To prove that I am right let me ask you to go back with me to the times when partisan political judges brought disgrace upon the judicial ermine of England.

It is in the dark records of those men that Britain finds its shame, all or at least much of which was due to mixing judges with politics.

But while lamenting over these glaringly displayed judicial crimes it is pleasing to see that, intermingled with these wicked political partisan judges, there appeared from time to time and from age to age men of power and might who have laid down principles of right and reason, which, like the eternal hills, will last forever and will be a bulwark and shield against wrong and oppression.

In Glanville, in Bracton, in Dyer, in Bradshaw, in Coke, in Mansfield, and in a host of other distinguished English judges, Great Britain finds ample consolation and abounding glory growing out of her judicial history.

To these great minds she is indebted for the fundamental principles of her constitutional freedom; and from these great men have sprung the prevailing tendencies of the human mind to keep up steadily its onward march toward the consummation in its best perfection of the grand idea of human liberty. Let us contrast the actions and careers of these men with those who painted the dark side of England's judicial history.

CORRUPT ENGLISH JUDGES.

Although the rulings of the courts so hedged and restricted the authority of the king as to make him in many respects a mere automaton, nevertheless when the king could draw his judges to his side of any question, whether of mercy or tyranny, he could always carry his point. For when the royal prerogative was propped and supported by the presence of the judicial sanction it was all-powerful; and many prominent examples appear in English history where the king needed and found a supppliant and unscrupulous judge to support him on some important occasion; and we see in many cases that, when a new appointment of a judge became necessary, the question of succession was, not who is most learned in the law and most upright in integrity, but who is the man upon whom the "powers that be" can most certainly rely to carry out their behests in some great pending or prospective question such as this: A certain nobleman must be tried for treason; now where shall we find a judge who in this anticipated prosecution will stand most stolidly by the king? Such was the question on which often hung the selection of a judge to fill a vacancy; nay, it has often happened that an upright judge of unflinching integrity has been removed upon some plausible pretext in order to make way for some truculent parasite.

When appointments were made to attain such ends we are not surprised that the bench of England was sometimes unworthy of confidence and respect.

The facts which I will state regarding most of these men I take from Campbell's Lives of the Chief-Justices.

When the Duke of Normandy won the crown of England he appointed one of his soldiers, Odo, his grand justiciar. He was called the fighting prelate. Campbell says that—

He oppressed and insulted the natives so far as to drive them into rebellion. The result was a general insurrection all over England; and William was obliged to return and to reconquer the kingdom.

Only one cause is reported as tried before him, which resulted in a verdict for the crown.

When intrusted with a military command he thought it unnecessary to discriminate between guilt and innocence; he executed without investigation all natives who fell into his hands, and he ravaged the whole country.

Instead of attending to the duties of his station he made riches and power the principal objects of his pursuit.

Such was the first justiciar of England. His ambition was unbounded and his sole purpose was to serve himself and his king.

To the natural qualities that made up in the rough the genuine old English baron of later day, he had as much culture as the educational facilities of the times afforded. He had considerable learning in civil, feudal, and canon law, with undaunted courage, and in gentler times and under proper influences and different auspices he might have made a good judge. He was succeeded by William De Warrenne and Richard De Benefacta, who were jointly appointed to the office of the chief justiciar. Campbell says:

These two grand justiciars, during their joint administration, invented a new punishment to be inflicted on disturbers of the public peace. Having encountered and defeated a powerful band of insurgents at a place called Fagadun, they cut off the right foot of all they took alive, including the ringleaders, the Earls of Norfolk and Hereford. It seems then to have been considered that in times of rebellion the judges were to exercise martial law or to disregard all law, according to their own arbitrary will.

Richard I was the first monarch to sell this high office to the highest bidder, and by this method it fell to Hugh Pusar, bishop of Durham. His morals were depraved even beyond the common licentious standard prevailing. He was guilty of extortion, rapine, and many other crimes of the period.

He was succeeded by De Weyland, who was esteemed as a man of talent and a great lawyer.

Lord Campbell says that his salary—

Being only 60 marks a year, he seems without scruple to have resorted to very irregular courses for the purpose of increasing his riches. He was punished for bribery. Having walked barefoot and bareheaded with a crucifix in his hand to the seaside at Dover, he was put on board a ship and departed to foreign parts. He is said to have died in exile, and he left a name often quoted as a reproach to the bench till he was eclipsed by Jeffreys and Scroggs.

Sir William Thorpe was chief-justice in the time of Edward III. He was convicted of receiving five bribes, all of which amounted to about $500.

He was sentenced to be hanged, and his lands and goods were forfeited.

POPHAM AND HOLT.

The next judge of this class to whom I shall refer is Popham, regarding whom Lord Campbell says:

The career of our next hero is capable of being made amusing as well as instructive. Although at one time in the habit of taking purses on the highway, instead of expiating his offenses at Tyburn, he lived to pass sentence of death upon highwaymen and to be a terror to evildoers.

While yet a child he was stolen by a band of gypsies, and remained some months in their society. We have no account of his schooling before he was sent to Baliol College, Oxford. Here he was very studious and well behaved, and he laid in a good stock of classical learning and of dogmatic divinity.

When Sir Thomas Bromley, who had been long solicitor-general, was promoted to be lord chancellor, Popham succeeded him as solicitor-general. He succeeded Sir Gilbert Gerrard as attorney-general.

Popham conducted the trials of all those charged as being implicated in Babington's conspiracy, which were meant to prepare the public mind for the trial of the unhappy Mary herself. I will give a little specimen of these proceedings from Tinley's case. The charge against him was that he had planned the murder of Queen Elizabeth in her coach. The chief evidence consisted of a confession of Abbington, an avowed accomplice, in which he said that "Tin-

ley was disposed to kill the queen," and that Babbington on his own trial said the day before, "Tinley would have had Her Majesty set upon in her coach."

"TINLEY. No! I said not so; only at the Three Tuns, in Newgate Market, I said 'it might be Her Majesty might be set upon in her coach,' and I said no more. But that proves not I did consent.

"POPHAM, A. G. You have said enough, if we had no other evidence against you.

"TINLEY. How so?

"POPHAM, A. G. Because you have confessed high treason; your words prove that you were devising on the manner of her death.

"TINLEY. I tell you there is no such matter intended in my words. If a servant which is faithful, knowing where his master's money is, do say, 'If I would be a thief I could rob my master, for in such a place as his money is,' this proves not that he would rob his master, albeit he used such words. And so, though I said 'she might be set upon in her coach,' it proveth not that I assented to the same; for I protest before God I never intended any treason in my life."

Popham's early life had been checkered with crime, but he was an able man and had served the king well as attorney-general. Being in the height of favor when the office of chief-justice became vacant, he, on the 8th day of June, 1592, was appointed to that high position.

Lord Campbell says:

He [Popham] held the office fifteen years. The reproach urged against him was extreme severity to prisoners. He was notorious as a "hanging judge." Not only was he keen to convict in cases prosecuted by the Government, but in ordinary larcenies, and above all in highway robberies, there was little chance of acquittal before him.

He presided over very important trials, and by this means his name became prominently connected with the history of England.

Sir Walter Raleigh was tried before him, and Guy Fawkes and his associates, who were implicated in the historical gunpowder plot, were also tried before this judge.

That sometimes he was cruel and unjust his most ardent admirers will not question. Lord Campbell gives an account of the trial of Garnet, the Jesuit. He says:

Popham's last appearance in a case of public interest was upon the trial of Garnet, the Superior of the Jesuits. Against him the evidence was very slender, and the chief-justice was obliged to eke it out by unwary answers to dexterously framed interrogatories. He succeeded so far as to make the prisoner confess that he was aware of the plot from communications made to him in the confessional; so that in point of law he was guilty of misprision of treason by not giving information of what he had so learned; but Garnet still firmly denied ever having taken any part in the devising of the plot or having in any manner encouraged it. At last he said very passionately:

"My lord, I would to God I had never known of the powder treason; but, as He is my judge, I would have stopped it if I could."

"POPHAM, C. J. Garnet, you are Superior of the Jesuits; and if you forbid, must not the rest obey? Was not Greenwell with you half an hour at Sir Everard Digby's house when you heard of the discovery of your treason? And did you not there confer and debate the matter together? Did you not stir him up to go to the rebels and encourage them? Yet you seek to color all this; but that is a mere shift in you. Catesby was never far from you, and, by many apparent proofs and evident presumptions, you were in every particular of this action, and directed and commanded the actors; nay, I think, verily, you were the chief that moved it.

"GARNET. No, my lord: I did not."

The report adds: "Then it was exceedingly well urged by my lord chief-justice, how he writ his letters for Winter, Fawkes, and Catesby, principal actors in this matchless treason, and how he kept the two bulls to prejudice the king and to do other mischief in the realm; and how he afterwards burnt them when he saw the king peaceably come in, there being no hope to do any good at that time."

His summing up to the jury is not reported, and we are only told that the verdict of guilty being found, "then the lord chief-justice, making a pithy preamble of all the apparent proofs and presumptions of his guiltiness, gave judgment that he should be drawn, hanged, and quartered."

Lord Holt became chief-justice, although in his youth, history says, he was a public highwayman, but as he became a judge he was unrelentingly severe in his punishment of thieves and robbers.

In referring to the historical truth of Holt's highway robberies, Lord Campbell says:

His biographers represent him as copying Henry V, when the associate of Falstaff, as not only indulging in all sorts of licentious gratifications, but actually being in the habit of taking purses on the highway. They even relate that many years after he recognized a man, convicted capitally before him, as one of his own accomplices in a robbery, and that, having visited him in jail and inquired after the rest of the gang, he received this answer: "Ah, my lord, they are all hanged but myself and your lordship."—*Campbell's Lives.*

JUDICIAL PERSECUTIONS OF RELIGION.

Foster was not regarded as a bad man, but when he became chief-justice he seemed to feel that the road to favor was the persecution of the Quakers.

John Crook and other loyal Quakers were brought before him for refusing to take the oath of allegiance. Lord Campbell gives the following account of the proceedings:

FOSTER, C. J. John Crook, when did you take the oath of allegiance?

CROOK. Answering this question in the negative is to accuse myself, which you ought not to put me upon, *nemo debet seipsum prodire.* I am an Englishman, and I ought not to be taken nor imprisoned, nor called in question, nor put to answer but according to the law of the land.

FOSTER, C. J. You are here required to take the oath of allegiance, and when you have done that you shall be heard.

CROOK. You that are judges on the bench ought to be my counsel, not my accusers.

FOSTER, C. J. We are here to do justice, and are upon our oaths, and we are to tell you what is law, not you us. Therefore, sirrah, you are too bold.

CROOK. Sirrah is not a word becoming a judge. If I speak loud it is my zeal of the truth and for the name of the Lord. Mine innocency makes me bold.

FOSTER, C. J. It is an evil zeal.

CROOK. No; I am bold in the name of the Lord God Almighty, the everlasting Jehovah, to assert the truth and stand as a witness for it. Let my accuser be brought forth.

FOSTER, C. J. Sirrah, you are to take the oath, and here we tender it to you.

CROOK. Let me be cleared of my imprisonment, and then I will answer to what is charged against me. I keep a conscience void of offense both toward God and toward man.

FOSTER, C. J. Sirrah, leave your canting.

CROOK. Is this canting, to speak the words of the Scripture?

FOSTER, C. J. It is canting in your mouth, though they are St. Paul's words. Your first denial to take the oath shall be recorded; and on a second denial you incur the penalties of a *præmunire*, which is the forfeiture of all your estates, if you have any, and imprisonment for life.

CROOK. I owe dutiful allegiance to the King of Kings. We dare not break Christ's commandments, Who hath said, "Swear not at all;" and the Apostle James says, "Above all things, my brethren, swear not."

When Robert Hyde was chief-justice he seemed to regard everybody as a criminal whose views on religion or any other subject differed from those of the king and himself. John Troyn, a printer, having printed a book entitled Phœnix, or the Solemn League and Covenant, it was claimed that the work contained passages which reflected upon the king, and Troyn was indicted for high treason.

On being asked how he would be tried, he said:

In the presence of that God, Who is the searcher of all hearts and the disposer of all things.

Lord Campbell gives us the following from his trial:

"HYDE, L. C. J. God Almighty is present here, but you must be tried by Him and your peers; that is, your country, or twelve honest men.

"PRISONER. I desire to be tried by God alone.

"HYDE, L. C. J. God Almighty looks down and beholds what we do here, and we shall answer severely if we do you any wrong. We are careful of our souls as you can be of yours. You must answer in the words of the law.

"PRISONER. By God and my country."

It was proved clearly enough that he had printed the book, and some passages of it might have been considered libelous; but there was no other evidence against him, and he averred that he had unconsciously printed the book in the way of his trade.

"HYDE, L. C. J. There is here as much villainy and slander as it is possible for devils or man to invent. To rob the king of the love of his subjects is to destroy him in his person. You are here in the presence of Almighty God, as you desired; and the best you can now do towards amends for your wickedness is by discovering the author of this villainous book. If not you must not expect, and, indeed, God forbid there should be any mercy shown you.

"PRISONER. I never knew the author of it.

"HYDE, L. C. J. Then we must not trouble ourselves. You of the jury, there can be no doubt that publishing such a book as this is as high treason as can be committed, and my brothers will declare the same if you doubt."

The jury having found a verdict of guilty, the usual sentence was pronounced by Lord Chief-Justice Hyde, and the printer was drawn, hanged, and quartered accordingly.

Chief-Justice Kelynge was without learning or common sense, but his subserviency to the king and zeal to carry out his commands and wishes enabled him to win and hold this high position.

When upon the circuit he threw aside all moderation and decency.

In Somersetshire he ordered the grand jury to find a true bill contrary to their consciences. He reproached the foreman, Sir Hugh Windham, and charged that Sir Hugh was the head of a faction.

He told the grand jury they were his servants, and that he would make the best men in England stoop to him.

Lord Campbell, in speaking of him, says:

Some persons were indicted before him for attending a conventicle, and although it was proved that they had assembled on the Lord's day with Bibles in their hands, without prayer-books, they were acquitted. He thereupon fined the jury one hundred marks apiece and imprisoned them until the fines were paid. Again, on the trial of a man for murder, who was suspected of being a Dissenter and whom he had a great desire to hang, he fined and imprisoned all the jury because, contrary to his direction, they brought a verdict of manslaughter.

Scroggs was made chief-justice because the king felt he could rely on his subserviency to counteract the apprehended machinations of Shaftesbury.

He presided at the trial of Andrew Bromwich, who was indicted for administering the Lord's Supper according to the rites of the Church of Rome.

Lord Campbell recites the following dialogue during the trial:

PRISONER. I desire your lordship will take notice of one thing, that I have taken the oath of allegiance and supremacy and have not refused anything which might testify my loyalty.

SCROGGS, C. J. That will not serve your turn; you priests have many tricks. What is that to giving a woman a sacrament several times?

PRISONER. My lord, it was not a sacrament unless I be a priest, of which there is no proof.

SCROGGS. What, you expect we should prove you a priest by witnesses who saw you ordained? We know too much of your religion; no one gives the sacrament in a wafer except he be a popish priest; you gave that woman the sacrament in a wafer; ergo, you are a popish priest.

Scroggs closed his charge to the jury in these words:

Gentlemen of the jury, I leave it upon your conscience whether you will let priests escape, who are the very pests of church and state; you had better be rid of one priest than three felons; so, gentlemen, I leave it to you.

THOMAS JEFFERSON UPON THE JUDICIARY.

Our forefathers were familiar with the cruel acts of injustice by English judges to which I have referred, and many of them had fled from England to escape such atrocities.

Thomas Jefferson fully realized the importance of keeping the judiciary entirely separated from political influences. It is interesting to read his apprehensions and views upon this important subject.

In a letter to Mr. Thomas Ritchie, dated December 25, 1820, Thomas Jefferson says:

The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim *Boni judicis est ampliare jurisdictionem.*

A judiciary independent of a king or executive alone is a good thing; but independence of the will of the nation is a solecism, at least in a republican government.

Were Mr. Jefferson here to day he would tell this House that judges appointed to office on account of their political views and holding the office from and looking to preferment at the hands of the party in power will in many cases be influenced by political bias.

I will now read a letter written a month later. It is dated January 19, 1821, and addressed to Hon. Archibald Thweat:

I am sensible of the inroads daily making by the Federal into the jurisdiction of its co-ordinate associates, the State governments. The legislative and executive branches may sometimes err, but elections and dependence will bring them to rights.

The judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass.

Against this I know no one who, equally with Judge Roane himself, possesses the power and courage to make resistance; and to him I look, and have long looked, as our strongest bulwark. If Congress fails to shield the States from dangers so palpable and so imminent the States must shield themselves and meet the invader foot to foot.

I call special attention to the warning here contained against consolidated government and his intimation of the evils arising from a life tenure of officials whose positions enable them to wield unrestrained power. I will now call attention to what is said by Mr. Jefferson in his letter dated August 18, 1821, to Mr. C. Hammond, in which he says:

It has long, however, been my opinion, and I have never shrunk from its expression (although I do not choose to put it into a newspaper, nor like a Priam in armor offer myself its champion), that the germ of dissolution of our Federal Government is in the constitution of the Federal judiciary; an irresponsible body (for impeachment is scarcely a scarecrow), working like gravity by night and by day, gaining a little to-day and a little to-morrow, and advancing its noiseless step like a thief over the field of jurisdiction, until all shall be usurped from the States and the government of all be consolidated into one. To this I am opposed, because when all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the government from which we separated. It will be as in Europe, where every man must be either pike or gudgeon, hammer or anvil.

If the States look with apathy on this silent descent of their Government into the gulf which is to swallow all, we have only to weep over the human character formed uncontrollable but by a rod of iron, and the blasphemers of man as incapable of self-government become his true historians.

This letter to Mr. Hammond reiterates the sentiments before expressed, and in addition thereto he uses utterances which it would be well for Congress and the people in general to consider.

I will now read what is said by Mr. Jefferson in his letter dated July 2, 1822, to Hon. William T. Barry:

We already see the power installed for life, responsible to no authority (for impeachment is not even a scarecrow), advancing with a noiseless and steady pace to the great object of consolidation. The foundations are already deeply laid by their decisions for the annihilation of constitutional State rights, and the removal of every check, every counterpoise to the engulfing power of which themselves are to make a sovereign part.

If ever this vast country is brought under a single government it will be one of the most extensive corruption, indifferent and incapable of a wholesome care over so wide a spread of surface. This will not be borne, and you will have to choose between reformation and revolution.

If I know the spirit of this country, the one or the other is inevitable. Before the canker is become inveterate, before its venom has reached so much of the body politic as to get beyond control, remedy should be applied.

Let the future appointments of judges be of four or six years and renewable by the President and Senate. This will bring their conduct at regular periods under revision and probation and may keep them in equipoise between the general and special governments. We have erred in this point by copying England, where certainly it is a good thing to have the judges independent of the king. But we have omitted to copy their caution also, which makes a judge removable on the address of both legislative houses. That there should be public functionaries independent of the nation, whatever may be their demerit, is a solecism in a republic of the first order of absurdity and inconsistency.

On March 4, 1823, Jefferson wrote to Judge Johnson, and in closing the letter he says:

I can not lay down my pen without recurring to one of the subjects of my former letter, for in truth there is no danger I apprehend so much as the consolidation of our Government by the noiseless, and therefore unalarming, instrumentality of the Supreme Court. This is the form in which Federalism now arrays itself, and consolidation is the present principle of distinction between Republicans and the pseudo-Republicans, but real Federalists.

The Siebold and Yarborough cases were, it seems, anticipated by this sagacious man. He was so impressed with these views that three months later, on June 12, 1823, he again wrote a letter to Judge Johnson, in which he says:

I have stated above that the original objects of the Federalists were, first, to warp our Government more to the form and principles of monarchy, and, second, to weaken the barriers of the State governments as co-ordinate powers. In the first they have been so completely foiled by the universal spirit of the nation that they have abandoned the enterprise, shrunk from the odium of their old appellation, taken to themselves a participation of ours, and under the pseudo-Republican mask are now aiming at their second object, and strengthened by unsuspecting or apostate recruits from our ranks are advancing fast toward an ascendency. I have been blamed for saying that a prevalence of the doctrines of consolidation would one day call for reformation or revolution. I answer by asking if a single State of the Union would have agreed to the Constitution had it given all powers to the General Government; if the whole opposition to it did not proceed from the jealousy and fear of every State of being subjected to the other States in matters merely its own; and if there is any reason to believe the States more disposed now than then to acquiesce in this general surrender of all their rights and powers to a consolidated government, one and undivided.

It seems almost an assumption for me to descant upon these words of wisdom so tersely and ably expressed. I will therefore, without comment, proceed to read what was said by Mr. Jefferson in his letter dated October 31, 1823, to Hon. M. Coray:

At the establishment of our Constitution the judiciary bodies were supposed to be the most helpless and harmless members of the Government.

Experience, however, soon showed in which way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and unheeded by the public at large; that these decisions, nevertheless, become law by precedent, sapping, by little and little, the foundations of the Constitution and working its change by construction before any one has perceived that that invisible and helpless worm has been busily employed in consuming its substance.

In truth, man is not made to be trusted for life, if secured against all liability to account.

Prior to writing the letters I have referred to, Mr. Jefferson had no doubt read the proceedings of the constitutional convention, and in the conventions of the States and in Congress regarding the powers of the judiciary, and no doubt had observed the efforts to amend the Constitution to which I have referred.

I will now read an extract from a letter written after the speeches of Senator Benton and the publication of the report of Mr. McDuffie.

The letter is addressed to Hon. Edward Livingston and is dated March 25, 1825.

One single object, if your provision attains it, will entitle you to the endless gratitude of society: that of restraining judges from usurping legislation. And with no body of men is this restraint more wanting than with the judges of what is commonly called our General Government, but what I call our foreign department. They are practicing on the Constitution by inference, analogies, and sophisms, as they would on an ordinary law.

* * * * * * *

They imagine they can lead us into a consolidated government, while their road leads directly to its dissolution. This member of the Government was at first considered as the most harmless and helpless of all its organs. But it has proved that the power of declaring what the law is, *ad libitum*, by sapping and mining slyly and without alarm the foundations of the Constitution, can do what open force would not dare to attempt. I have not observed whether, in your code, you have provided against caucusing judicial decisions, and for requiring judges to give their opinions *seriatim*, every man for himself, with his reasons and authorities at large, to be entered of record in his own words.

This letter may be said to be an utterance from the grave of this great man.

He was then eighty-two years of age, and died shortly after this letter was written.

Mr. Jefferson's great knowledge of human nature and his patriotic devotion to freedom are universally acknowledged.

He had a grasping intellect; his reading had been extensive, and his learning from travel as well as books had cultivated his mind to a degree seldom attained in that or any other period.

If Mr. Jefferson was right, I ask this House is it best to enact a law which virtually places elections in the hands of Federal judges?

JEFFERSON'S VIEWS JUSTIFIED.

To show that Jefferson was not entirely wrong in his view that judges could be biased I desire to call your attention to the action of Judge Woods with regard to the famous blocks-of-five letter, written by Mr. Dudley.

On October 24, 1888, Mr. Dudley gave instructions to Republican managers of election, which I will read:

Divide the floaters into blocks of five, and put a trusted man with necessary funds in charge of these five, and make him responsible that none get away and that all vote our ticket.

The New York World, in commenting upon this matter, said:

Judge Woods at one time, in one of his charges to the grand jury of Indianapolis, led the country to believe that he would do his duty in the matter; but, instructed from Washington, he positively directed the grand jury to let the blocks-of-five bribers go quit and free. Dudley about this time was threatening to use the "dynamite" he had in his possession unless the Harrison beneficiaries of his crime came to his rescue. Two more contradictory charges of a United States judge were probably never delivered in the case of any one accused of crime. Here they are, side by side:

ORIGINAL INSTRUCTION TO THE GRAND JURY.	REVISED INSTRUCTIONS.
The latter clause of the section makes any one guilty who counsels bribery. * * * This clause makes it an offense for any one to advise another to attempt to commit any of the offenses named in this section; so that, while it is not a crime to make the attempt, it is a crime to advise another to make the attempt. If A attempts to bribe B, that is no offense under this statute; but if A advises B to bribe C, then the one who commends or gives this advice is an offender under this law. And I will say that there is some wisdom in this provision.	It results, of course, that the mere sending by one to another of a letter or document containing advice to bribe a voter, or setting forth a scheme for such bribery, however bold and reprehensible, is not indictable. There must be shown in addition an attempt by the receiver of the letter, or of some other instigated by him to execute the scheme by bribing or attempting to bribe some voter in respect to the election of Congressmen, or in such way as to affect such election. Another point deserves consideration in this connection. If the view be adopted that advice not acted upon may constitute a crime, then the exact words used in giving the advice, whether oral or written, must be ascertained, and every possible intendment in favor of innocence must be allowed and all doubts resolved in favor of the accused. If the use of money be advised, but the particular purpose of its use be not clearly and indeed conclusively indicated, a possible innocent use will be presumed; and even if the purpose to bribe be unquestionable, and yet it appears that the design was to purchase votes for other officers than Representatives in Congress, it would be no crime under the statute which is designed to protect the election for that office.

I could give numerous other instances, but this is sufficient to show that judges are only human, and to keep the judicial ermine in its best purity we must keep our judges as free as possible from political strife.

It has been developed in this debate that this bill is animated in a

great degree by a desire to punish that part of our country which seceded from the United States thirty years ago.

Much has been said in speeches from the other side of the House upon this subject.

There was responsibility in this matter, but I ask if the young people of the South who will suffer from the effects of this bill had any part in this responsibility and I ask if the honorable, high-toned men of the North will not admit so much of the responsibility as the truth of history shows rested upon them.

It was a period in the history of our country which to be understood must be viewed from the pinnacle of that time.

If we look back from the standpoint of to-day we see nothing of the picture which was presented to the American people thirty years ago.

AN APPEAL FOR JUSTICE.

I ask the gentleman to look back to the history of those times, and ask him to admit that the people of the South were very largely urged to adopt the course they pursued by leading men and leading Republican papers in the North.

I do not like to recur to these things at this time, but I know I will be pardoned for calling attention to undisputed facts of history.

I do it in the hope that some of our Republican friends from the North will give these matters calm reflection, and I know if they will do this they can not but willingly shoulder at least a portion of the responsibility regarding the events which have been recurred to so often in this debate.

I say what I do in the kindest spirit possible, and beg every one to take my remarks in the manner and spirit that I intend them.

The older members of this House remember how often the leading papers of the North emblazoned in their columns the words:

Erring sisters, go in peace!

And they also remember articles which expressed and reiterated the sentiment that it was best to let the South go.

In Mr. Greeley's New York Tribune of November 9, 1860, he said:

GOING TO GO.

If the cotton States shall become satisfied that they can do better out of the Union than in it, we insist on letting them go in peace. The right to secede may be a revolutionary one, but it exists nevertheless.

And again, in the same issue of his widely circulated and influential paper, Mr. Greeley said:

We must ever resist the asserted right of any State to remain in the Union and nullify or defy the laws thereof. To withdraw from the Union is quite another matter; and whenever a considerable section of our Union shall deliberately resolve to go out we shall resist all coercive measures designed to keep it in. We hope never to live in a republic whereof one section is pinned to the residue by bayonets. Let them have both sides of the question fully presented; let them reflect, deliberate, then vote; and let the action of secession be the echo of an unmistakable popular fiat. A judgment thus rendered, a demand for separation so backed, would either be acquiesced in without the effusion of blood, or those who rushed upon carnage to defy and defeat it would place themselves clearly in the wrong.

The New York Tribune of November 16, 1860, again announced their views to the Southern people in an article headed "Secession in practice," in which the paper used the following words:

Still we say in all earnestness and good faith, whenever a whole section of this Republic, whether a half, a third, or only a fourth, shall truly desire and demand a separation from the residue, we shall earnestly favor such separation. If the fifteen slave States, or even the eight cotton States alone, shall quietly, decisively say to the rest, "We prefer to be henceforth separated from you," we shall insist that they be permitted to go in peace. War is a hideous necessity at best, and a civil conflict, a war of estranged and imbittered fellow-countrymen, is the most hideous of all wars. Whenever the people of the cotton States shall have definitively and decisively made up their minds to separate from the rest of us we shall urge that the proper steps be taken to give full effect to their decision.

Three days afterward, on the 19th, the same paper uses these words:

Now, we believe and maintain that the Union is to be preserved only so long as it is beneficial and satisfactory to all parties concerned.

We do not believe that any man, any neighborhood, town, county, or even State may break up the Union in any transient gust of passion; we fully comprehend that secession is an extreme, an ultimate resort—not a constitutional, but a revolutionary remedy. But we insist that this Union shall not be held together by force whenever it shall have ceased to cohere by the mutual attraction of its parts; and whenever the slave States or the cotton States only shall unitedly and coolly say to the rest, "We want to get out of the Union," we shall urge that their request be acceded to.

The New York Herald of Friday, November 23, 1860, said:

THE DISUNION QUESTION—A CONSERVATIVE REACTION IN THE SOUTH.

We publish this morning a significant letter from Governor Letcher, of Virginia, on the subject of the present disunion excitement in the South, southern constitutional rights, northern State acts of nullification, and the position of Virginia in this crisis. * * * To this end would it not be well for the conservative Union men of the city of New York to make a demonstration, a Northern movement of conciliation, concession, and harmony?

Coercion in any event is out of the question. A Union held together by the bayonet would be nothing better than a military despotism. Conciliation and harmony, through mutual concessions, in a reconstruction of the fundamental law, between the North and South, will restore and perpetuate the Union contemplated by the fathers. So now that the conservative men of the South are moving let the Union men of the North second their endeavors, and let New York, as in the matter of the compromises of 1850, lead the way.

And on the following day, November 24, the Tribune says:

FEDERAL COERCION.

Some of the Washington correspondents to egraph that Mr. Buchanan is attempting to map out a middle course in which to steer his bark during the tempest which now howls about him. He is to condemn the asserted right of secession, but to assert in the same breath that he is opposed to keeping a State in the Union by what he calls Federal coercion. Now, we have no desire to prevent secession by coercion, but we hold this position to be utterly unsupported by law or reason.

I will also quote an article from The New York Daily Tribune, Friday, November 30, 1860:

ARE WE GOING TO FIGHT?

But if the cotton States generally unite with her in seceding, we insist that they can not be prevented and that the attempt must not be made. Five millions of people, more than half of them of the dominant race, of whom at least half a million are able and willing to shoulder muskets, can never be subdued while fighting around and over their own hearthstones. If they could be they would no longer be equal members of the Union, but conquered dependencies. * * * We propose to wrest this potent engine from the disunionists by saying frankly to the slave States:

"If you choose to leave the Union, leave it, but let us have no quarrel about it. If you think it a curse to you and an unfair advantage to us, repudiate it and see if you are not mistaken. If you are better by yourselves, go and God speed you. For our part we have done very well with you and are quite willing to keep along with you, but if the association is irksome to you, we have too much self-respect to insist on its continuance. We have lived by our industry thus far and hope to do so still, even though you leave us."

We repeat that only the sheen of Northern bayonets can blind the South wholly to the evils of secession, but that may do it. Let us be patient, neither speaking daggers nor using them, standing to our principles, but not to our arms, and all will yet be well.

I will read an extract from an editorial in the New York Times of December 3, 1860:

By common consent, moreover, the most prominent and tangible point of offense seems to be the legislation growing out of the fugitive-slave law. Several of the Northern States have passed personal-liberty bills, with the alleged intent to prevent the return of fugitive slaves to their masters.

From Union men in every quarter of the South come up the most earnest appeals to the Northern States to repeal these laws. Such an act, we are assured, would have a powerful effect in disarming the disunion clamor in nearly all the Southern States and in promoting the prospects of a peaceful adjustment of all pending differences.

The next day, December 4, The New York Times publishes another article, in which it says:

Mr. Weed has stated his opinion of the crisis thus:

1. There is imminent danger of a dissolution of the Union.

2. The danger originated in the ambition and cupidity of men who desire a Southern despotism and in the fanatic zeal of the Northern Abolitionists, who seek the emancipation of slaves regardless of consequences.

3. The danger can only be averted by such moderation and forbearance as will draw out, strengthen, and combine the Union sentiment of the whole country.

Each of these statements will command general assent.

The only question likely to arise relates to the practical measures by which the "moderation and forbearance" can be displayed.

And while the South Carolina convention was in session and before any State had seceded and when it was doubted by many whether such action would be taken, Mr. Greeley said:

If it (the Declaration of Independence) justifies the secession from the British Empire of three millions of colonists in 1776, we do not see why it would not justify the secession of five millions of Southrons from the Federal Union in 1861. If we are mistaken on this point, why does not some one attempt to show wherein and why? For our own part, while we deny the right of slaveholders to hold slaves against the will of the latter, we can not see how twenty millions of people can rightfully hold ten, or even five, in a detested Union with them by military force.

In the same issue of Mr. Greeley's paper we read the following:

If seven or eight contiguous States shall present themselves authentically at Washington, saying: "We hate the Federal Union; we have withdrawn from it; we give you the choice between acquiescing in our secession and arranging amicably all incidental questions on the one hand and attempting to subdue us on the other," we could not stand up for coercion, for subjugation, for we do not think it would be just. We hold the right of self-government even when invoked in behalf of those who deny it to others. So much for the question of principle.

This conservative view of the question which Mr. Greeley gave to the world with such emphasis and in which he expressed his opinion of the principle involved was reiterated for days, weeks, and months with the characteristic persistence of that able leader.

Any attempt to compel them by force to remain would be contrary to the principles enunciated in the immortal Declaration of Independence, contrary to the fundamental ideas on which human liberty is based.

And months after the election of Mr. Lincoln, after most of the Southern States had seceded; after the people of the South had adopted a constitution and organized their new Confederate government; after they had raised and equipped an army, appointed embassadors to foreign courts, and convened a congress; after they had taken possession of three-fourths of the arsenals and forts within her territory, and enrolled her as one of the nations of the earth, Mr. Greeley's paper indorsed the action of the Southern people as fully as it was possible for language to enable him to do so. Mr. Greeley said:

We have repeatedly said, and we once more insist, that the great principle embodied by Jefferson in the Declaration of American Independence, that governments derive their just powers from consent of the governed, is sound and just; and that if the slave States, the cotton States, or the Gulf States only choose to form an independent nation they have a clear, moral right to do so. Whenever it shall be clear that the great body of Southern people have become conclusively alienated from the Union and anxious to escape from it, we will do our best to forward their views.

Mr. Greeley was earnestly and ably supported in his views by the most prominent men and able editors of Republican papers all over the North.

I cite the following from the Commercial, which was certainly the leading Republican paper of Ohio. After Mr. Lincoln was inaugurated the Commercial said:

We are not in favor of blockading the Southern coast. We are not in favor of retaking by force the property of the United States now in possession of the

seceders. We would recognize the existence of a government formed of all the slaveholding States and attempt to cultivate amicable relations with it.

After The New York Tribune and other Northern papers had announced to the world that secession was a legal and proper remedy Mr. Greeley now informs the people of the South that no concession would be made by the dominant party which was about to assume control of the Government, and he also admitted that the rights of the South in the Union, as they understood them, would not be regarded.

This was involved in his statement that he had the best authority for saying that Mr. Lincoln was opposed to concessions which looked like buying the privilege of taking possession of the Government.

This was announced in an article which was published in the Tribune on January 30, 1861, which was in these words:

We do not hesitate to say that these statements are false and calumnious. We have the best authority for saying that Mr. Lincoln is opposed to all concessions of the sort. We know that his views are fully expressed in his own language, as follows: "I will suffer death before I will consent or advise my friends to consent to any concession or compromise which looks like buying the privilege of taking possession of the Government to which we have a constitutional right."

It will be observed that Mr. Lincoln does not say nor does Mr. Greeley assume that the concessions asked for were not right.

Mr. Lincoln does not say that they were concessions which as a matter of right ought not to be granted. He speaks of the matters then pending before Congress, all of which were efforts to uphold the Constitution, as a concession or compromise. His language virtually admits that the demand for the concessions referred to was right, but he puts his refusal to grant them on entirely different grounds. In giving his reasons for not being willing to entertain the asked-for concessions, he uses these words:

Because, whatever I might think of the merit of the various propositions before Congress, I should regard any concession in the face of menace as the destruction of the Government itself and a consent on all hands that our system shall be brought down to a level with the existing disorganized state of affairs in Mexico.

On the 6th of February, 1861, Judge Chase made a speech before the Peace Congress, in which he, with great emphasis, said that the Northern States would not and ought not to comply with the obligation of the Constitution, which was demanded by the Southern people.

Mr. Chase said:

The result of the national canvass which recently terminated in the election of Mr. Lincoln has been spoken of by some as the effect of a sudden impulse or of some irregular excitement of the popular mind; and it has been somewhat confidently asserted that, upon reflection and consideration, the hastily formed opinions which brought about the election will be changed.

* * * * * * *

I can not take this view of the result of the Presidential election. I believe, and the belief amounts to absolute conviction, that the election must be regarded as a triumph of principles cherished in the hearts of the people of the free States.

* * * * * * *

We have elected him (Mr. Lincoln). After many years of earnest advocacy and of severe trial we have achieved the triumph of that principle. By a fair and unquestioned majority we have secured that triumph. Do you think we, who represent this majority, will throw it away? Do you think the people will sustain us if we undertake to throw it away? I must speak to you plainly, gentlemen of the South. It is not in my heart to deceive you. I therefore tell you explicitly that if we of the North and West would consent to throw away all that has been gained in the recent triumph of our principles the people would not sustain us, and so the consent would avail you nothing.

Mr. Chase in that speech, with great force, gave the South to understand that the Northern States would not and ought not to comply with the obligations of the Federal Constitution. While many people in the South were wavering as to whether to advocate secession or to trust to the Lincoln Administration for the preservation of their rights, and naturally looking to General Scott, who for twenty years had commanded the Army of the United States, the only expression that came from his lips was—

Wayward sisters, depart in peace.

The public press informed the people of the South that Mr. Chase said:

The South is not worth fighting for; let them alone.

And that Mr. Seward said, in his speech of December 22, 1860:

Secession was a mere political threat, unworthy of notice.

And that a great Republican leader in referring to the clause of the Constitution then under discussion declared it to be—

a league with hell and a covenant with the devil.

DANIEL WEBSTER'S SPEECHES.

The people of the South remembered the great speech of Daniel Webster delivered at Buffalo on May 22, 1851, in which he said:

Then there was the other matter, and that was the fugitive-slave law. Let me say a word about that. Under the provisions of the Constitution, during Washington's Administration, in the year 1793, there was passed by general consent a law for the restoration of fugitive slaves. Hardly any one opposed it at that period; it was thought to be necessary in order to carry the Constitution into effect; the great men of New England and New York all concurred in it. It passed and answered all the purposes expected from it till about the year 1841 or 1842, when the State interfered to make enactments in opposition to it. * * *

Now I undertake as a lawyer and on my professional character to say to you and to all that the law of 1850 is decidedly more favorable to the fugitive than General Washington's law of 1793. * * * Such is the present law, and, much opposed and maligned as it is, it is more favorable to the fugitive slave than the law enacted during Washington's Administration in 1793, which was sanctioned by the North as well as by the South. The present violent opposition has sprung up in modern times. From whom does this clamor come? * * * Look at the proceedings of the anti-slavery conventions in Ohio, Massachusetts, and at Syracuse in the State of New York. What do they say? That, so help them God, no colored man shall be sent from the State of New York back to his master in Virginia. Do not they say that? And to the fulfillment of that they pledge their lives, their fortunes, and their sacred honor. Their sacred honor! They pledge their sacred honor to violate the Constitution; they pledge their sacred honor to commit treason against the laws of their country.

They also remembered his great speech at Capon Springs, in which he said:

The leading sentiment in the toast from the chair is the Union of the States. The Union of the States. What mind can comprehend the consequences of that Union, past, present, and to come? The Union of these States is the all-absorbing topic of the day; on it all men write, speak, think, and dilate from the rising of the sun to the going down thereof. And yet, gentlemen, I fear its importance has been but insufficiently appreciated.

Again Mr. Webster says:

How absurd it is to suppose that when different parties enter into a compact for certain purposes either can disregard any one provision and expect, nevertheless, the other to observe the rest! I intend, for one, to regard and maintain and carry out to the fullest extent the Constitution of the United States, which I have sworn to support in all its parts and all its provisions. It is written in the Constitution—

"No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

That is as much a part of the Constitution as any other and as equally binding and obligatory as any other on all men, public or private. And who denies this? None but the Abolitionists of the North. And pray what is it they will not deny? They have but the one idea; and it would seem that these fanatics at the North and the secessionists at the South are putting their heads together to devise means to defeat the good designs of honest, patriotic men. They act to the same end and the same object, and the Constitution has to take the fire from both sides.

Mr. Webster, in another part of the same speech, said:

I have not hesitated to say, and I repeat, that if the Northern States refuse willfully and deliberately to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, and Congress provide no remedy, the South would no longer be bound to observe the compact. A bargain can not be broken on one side and still bind the other side. I say to you gentlemen in Virginia, as I said on the shores of Lake Erie and in the city of Boston, as I may say again in that city or elsewhere in the North, that you of the South have as much right to receive your fugitive slaves as the North has to any of its rights and privileges of navigation and commerce.

Mr. Webster also said:

I am as ready to fight and to fall for the constitutional rights of Virginia as I am for those of Massachusetts.

Mr. Webster was a constitutional lawyer, and he had read the proceedings of the convention which had adopted this Constitution. He knew that the provision of the Constitution which he was discussing was unanimously adopted by the New England States. And the fundamental law which was created in 1787, Mr. Webster felt they had no right to disregard in 1851. I will read the proceedings of August 29, page 306, of the constitutional convention of the United States:

It was moved and seconded to agree to the following proposition, to be inserted after the fifteenth article:

"If any person bound to service or labor in any of the United States shall escape into another State, he or she shall not be discharged from such service or labor in consequence of any regulations subsisting in the State to which they escape, but shall be delivered up to the person justly claiming their service or labor."

Which passed unanimously in the affirmative.

It would seem to me that the facts I have already recited would show that the responsibility of the great catastrophe was due in some degree to the action of the people in the Northern half of our land.

But as the gentleman from Massachusetts [Mr. LODGE] seems to think that his State is entirely free from responsibility on the question of secession, I will read a resolution passed by the Legislature of Massachusetts more than eighty-five years ago, which was in these words:

That the annexation of Louisiana to the Union transcends the constitutional power of the Government of the United States. It formed a new confederacy to which the States united by the former compact are not bound to adhere.

EX-PRESIDENT JOHN QUINCY ADAMS.

And to further show that other great men of Massachusetts concurred with the conservative views which Mr. Greeley so strongly announced, I quote from the great speech Ex-President John Quincy Adams delivered, I believe, April 30, 1839, half a century after Washington was inaugurated, the occasion being the celebration of the fiftieth anniversary of the commencement of our Government under the Constitution. Mr. Adams said:

But the indissoluble union between the several States of this confederated nation is, after all, not in the right, but in the heart. If the day should ever come (may Heaven avert it!) when the affections of the people of these States shall be alienated from each other; when the fraternal spirit shall give way to cold indifference, or collision of interest shall fester into hatred, the bands of political association will not long hold together parties no longer attracted by the magnetism of conciliated interests and kindly sympathies; and far better will it be for the people of the disunited States to part in friendship from each other than to be held together by constraint. Then will be the time for reverting to the precedents which occurred at the formation and adoption of the Constitution to form again a more perfect Union by dissolving that which could no longer bind and to leave the separated parts to be reunited by the law of political gravitation to the center.

To show that Mr. Adams felt that these views were consistent with a true interpretation of the original compact which bound the people together, I will call attention to the fact that three years later, January 24, 1842, he presented a petition to Congress from citizens of Haverhill, Mass. I read from Congressional Globe, volume 11, page 977:

Monday, January 24.—In the House, Mr. Adams presented the petition of sundry citizens of Haverhill, in the State of Massachusetts, praying that Congress will immediately adopt measures peaceably to dissolve the Union of these States:

First, because no union can be agreeable or permanent which does not present prospects of reciprocal benefits; second, because a vast proportion of the revenues of one section of the Union is annually drained to sustain the views and course of another section, without any adequate return; third, because, judging from the history of past nations, that Union, if persisted in in the present state of things, will certainly overwhelm the whole nation in destruction.

On the question of the reception of the foregoing petition, there were 40 votes in favor of it and 166 votes against it. (Volume 11, page 333.)

Immediately Mr. Gilmer introduced the following, page 983:

Resolved, That, in presenting to the consideration of this House a petition for the dissolution of the Union, the member from Massachusetts [Mr. Adams] has justly incurred the censure of this House.

Mr. Marshall, of Kentucky, introduced the following:

Resolved, therefore, That the Hon. John Q. Adams, a member from Massachusetts, in presenting for the consideration of the House of Representatives of the United States a petition praying the dissolution of the Union, has offered the deepest indignity to the House of which he is a member; an insult to the people of the United States, of which that House is the legislative organ; and will, if this outrage be permitted to pass unrebuked and unpunished, have disgraced his country, through their representatives, in the eyes of the whole world.

Mr. Adams, in defending his position, said, page 980:

I hold that it is no perjury, that it is no high treason, but the exercise of a sacred right to offer such a petition, and that it is as false in morals as it is inhuman to fasten that charge on men who, under the countenance of such declarations as I have here quoted, come and ask of this House a redress of grievances. And if they do mistake their remedy this Government should not turn them away and charge them with high treason and subornation of perjury; but ought to take it up, to weigh the considerations which can be urged in their favor; and if there be none but those which are so eloquently set forth in the pamphlet I have quoted, these should be considered. If they have mistaken their remedy the House should do as the gentleman from Kentucky [Mr. Marshall] told us he was ready to do—admit the facts.

The Congressional Globe says, page 236:

The trial of Mr. Adams, to the exclusion of all other business, commenced on the 25th of January, and terminated on the 7th of February, when the whole proceedings were laid on the table without deciding a single point. The expenses of the House during that time thus wasted exceeded $26,000.

This action of the House was construed by some people as an indication that circumstances might arise which would justify States in withdrawing from the Union.

MASSACHUSETTS RESOLUTIONS.

I will now read from page 319, "Acts and resolutions passed by the Legislature of Massachusetts in the year 1844:"

1. *Resolved*, That the power to unite an independent foreign state with the United States is not among the powers delegated to the General Government by the Constitution of the United States.

2. *Resolved*, * * * That the project of the annexation of Texas, unless arrested on the threshold, may drive these States into a dissolution of the Union.

3. *Resolved*, That his excellency the governor be requested to transmit a copy of the foregoing resolves to each of the Senators and Members of the House of Representatives of this Commonwealth in the Congress of the United States.

4. *Resolved*, That his excellency the governor be requested to transmit a copy of the same resolves to the Executive of the United States and of the several States.

Approved by the governor March 15, 1844.

Our people also recalled that the Legislature of Massachusetts, as if apparently to

EMPHASIZE THEIR VIEWS,

selected the one hundred and thirteenth anniversary of the birth of the Father of our Country to pass another secession resolution, which I read from pages 598 and 599 of the same volume. I call especial attention to the second resolution:

Resolved, That Massachusetts has never delegated the power to admit into the Union States or Territories without or beyond the original territory of the States and Territories belonging to the Union at the adoption of the Constitution of the United States.

Resolved, * * * and as the powers of legislation granted in the Constitution of the United States to Congress do not embrace the case of the admission of a foreign state or foreign territory by legislation into the Union, such an act of admission would have no binding force whatever on the people of Massachusetts.

Resolved, That his excellency the governor be requested to transmit copies of the preceding report and resolves to the President of the United States, the several Senators and Representatives in Congress from this Commonwealth, and the governors of the several States.

Approved by the governor February 22, 1845.

I would not have called attention to the facts which I have recited were it not that there are many men in this Hall who, in the turmoil of thirty years, have entirely forgotten the circumstances.

The question of secession was settled forever by a great war in which the people of the South were the principal sufferers, and I know that the high-minded people of the North are not willing to see measures adopted which will retard their progress.

I have not referred to the facts which I recited in any spirit of complaint or censure, but in the hope that it will cause some men to hesitate before they act upon the measure now before the House.

After years of disappointment and toil we are beginning to develop new sources of progress and wealth.

To show what is being done to-day, I will read a paragraph in the last number of the Baltimore Industrial Record.

THE PROGRESS OF THE SOUTH.

We give in this number of the Record nine columns of two to four line announcements of a week's progress in Southern development. These items represent millions of dollars' investment in Southern industries and thousands of good new citizens for the South, who are warmly welcomed and given the right hand of fellowship. Industrial cities are springing up amid coal, iron, marble, granite, and around water-powers that have been heretofore uninhabited. Southward the course of empire takes its way, and well it may, for here is the fairest land for all agricultural and rural pursuits, the most genial climate, the brightest skies, the widest virgin forests, the richest mines of coal and all metals, inexhaustible deposits of marble, granite, limestone, and sandstone, rarely beautiful rivers, immense water-powers, and the most hospitable people in the world.

I appeal to the members of this House to oppose this bill because it will retard the progress and injure the prosperity of the South and be of no benefit whatever to the North.

I appeal to them to oppose this bill because it destroys the principles of our government and changes our system of elections, which under the old time-honored methods have been satisfactorily conducted for a century.

I appeal to them to oppose this bill because its operation will drag the ermine of our Federal judges into the turmoils of political strife.

And, finally, I appeal to members of this House to oppose the bill because it is un-American, undemocratic, unrepublican, at variance with the Constitution, and directly opposed to the theories under which we have grown to be a great, happy, free, and prosperous people. [Applause.]

[Here the hammer fell.]

Wednesday, July 2, 1890.

Mr. WHEELER. Mr. Speaker, I desire to be recognized.

The SPEAKER. The gentleman from Alabama.

Mr. WHEELER, of Alabama. Mr. Speaker, in the few minutes I have to discuss this matter I want to say one word in reply to the remarks of the gentleman from Illinois [Mr. MASON] on yesterday. He stated that before he came to Congress he was convinced that the Southern people, all the Southern people, would steal ballots, and that any man who would steal ballots would steal a horse or any other property. He said he had now modified his opinion, and while he did not believe they would steal property, he believed every one of them would be guilty of the theft of a ballot.

The above was the substance of the gentleman's statement.

He has withheld his remarks from the RECORD and I can not give his exact words, but others have similarly expressed themselves.

Is it possible that such words can be uttered in the American Congress regarding a people nearly all of whom are descended from our fathers of the Revolution, men who have done more than any others to give character, force, and tone to American institutions, men many of whose grandsires fought under Greene, Marion, Gates, and Washington, and whose misfortunes, reverses, and calamities have been largely due to their love for the Constitution of their country and the principles of freedom for which their grandsires fought?

Is it possible, Mr. Speaker, that those who confess themselves so ignorant as to the condition of the people of such a vast section of the country should venture to cast their votes upon a matter of such great importance to the whole country, to the whole people of the South, and to the integrity of our free institutions? [Applause.]

Can those who confess that they are actuated by passion and prejudice and who show that they know nothing of the character and sentiments of the people of half of our country get their own consent to aid in the enactment of a law which they openly assert is only to apply to that part of the country regarding which they have no knowledge?

Mr. George Ticknor Curtis, in the preface to his edition of 1889 of his work on the Constitution, refers to Gibbon's History of the Decline and Fall of the Roman Empire, and says:

Perhaps some future Gibbon, centuries hence, will write the Decline and Fall of the American Republic.

God forbid that such a calamity should ever befall this country, which we all love, and in which we all take such commendable pride; but should it come, it will be the result of just such poison as is concealed in the measure now under consideration. [Applause.]

Mr. Speaker, I also wish to reply to the statements made by many gentlemen on that side of the House, and repeated by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] last night.

This speech also has been withheld and does not appear in the RECORD, and I state his remarks as I recall them. The purpose of his speech was, or seemed to be, an effort to convince this House that the people of the North could not go South and be received there with the courtesy due to gentlemen. I deny such statements *in toto*, and I call upon any gentleman upon that side of the House, Republicans as they all are, to state if he has ever in his intercourse with Southern people, at their homes or elsewhere, received anything but the courtesy, and every courtesy, which he could possibly receive at his own home. [Applause.]

I here upon this floor protest that there is no truth in any such allegations. And I assert this, that for the last twenty-five years no gentleman of the North ever visited the South without being treated with all the kindness and courtesy that he would have received at any locality in the North or that he would have received in his own home.

I freely admit that it is possible for a man who is devoid of the attributes of a gentleman and who seeks a quarrel to succeed in his purposes in the South as well as in any other section of the land, but I utterly deny the statement that a Republican can not go all over the South as a Republican and express the principles of a Republican. I wish now to quote from a speech by General Warner, and I call upon my friend from Tennessee [Mr. EVANS], whom I see in his seat and who heard this speech, to state if all he said is not true in every respect.

Mr. EVANS ought to be a good witness for you. He has lived in the South for twenty-five years and has been known all that time as an ex-Union soldier and an outspoken Republican. Mr. EVANS has never told me what he would answer, but I know he will state what is true, and the truth is all the vindication we desire. General Warner was a man from Ohio who had the most abundant opportunities for knowledge

upon this subject. This speech was made to Federal soldiers at a reunion of the Army of the Cumberland in the city of my friend, Mr. EVANS.

General Willard Warner had been a gallant soldier, had fought under General Sherman, and, as I have stated, was once a Senator of the United States. He addressed the Society of the Army of the Cumberland on September 14, 1880. I hold in my hand a book containing his speech, a paragraph from which I will read:

General Garfield said right when he said that if the soldiers had all these difficult questions to settle they would have been settled happily long ago. I have lived here in the South.

There are men here who know me as a radical Republican of the worst kind. I have lived here for sixteen years of the prime of my life, and I say it here, with pride and thankfulness, that I have yet to receive the first word or the first act of unkindness from a Confederate soldier, and I never expect to as long as I may live here.

These are words spoken by an ex-Federal general, and who as a Republican was elected to the Senate of the United States from Alabama.

He was a friend and associate of Lincoln and Garfield. He continued his speech, and emphasized his view regarding soldiers in these words:

The harsh words and language and insults come from those gentlemen, largely professional politicians, * * * who talk now, but who shirked in the fight when fighting men were in sharp demand. And now I say confusion to them. Confounded confusion to them—to the men who now, sixteen years after we fighting soldiers have laid down our arms, would wave their red flag in the face of this sorrowing nation. Their time has gone by, and the soldiers should everywhere be heard as they are being heard to-day.

There was nothing in this speech about lack of courtesy. The people all over the South appreciate and desire the society of gentlemen, and they give evidence of their appreciation by seeking the acquaintance and association of gentlemen whenever they are met, without a thought as to their political views or whence they came. [Applause.]

Mr. OUTHWAITE. I desire to say that there is so much disorder upon the floor that it is impossible to hear the gentleman.

The SPEAKER. The Chair turned over the House to the gentleman in a good condition of order.

Mr. OUTHWAITE. I am in the midst of the disorder and I differ with the Speaker as to its being a good condition of order.

The SPEAKER. If gentlemen in the vicinity of the member addressing the House will have the kindness to cease conversation and if gentlemen will take their seats, there will be no difficulty in hearing what the gentleman from Alabama [Mr. WHEELER] has to say.

Mr. WHEELER. I call upon you, gentlemen, to remember the appeals made to you by the Southern Republicans on that side of the House. I refer to the words of warning from the gentleman from North Carolina [Mr. EWART] and the admonitions uttered by the gentleman from Louisiana [Mr. COLEMAN]. Also to what was said by the gentleman from Tennessee [Mr. HOUK]. All of them told us that elections in the South were fair and honest. At least, all said they were fair and honest so far as their knowledge extended. The gentleman from Tennessee [Mr. HOUK] told you they were perfectly fair in his district.

Mr. HOUK. Will the gentleman allow me? I said that the elections were fair as far as my locality was concerned, but I did not say, and I would not say, that they were fair in all parts of the South, because I know the contrary to be the fact.

Mr. WHEELER, of Alabama. I call upon any gentleman from the South to say that elections are not fair in his district, at least as far as Democrats are connected with them. I call upon any Southern Republican to say if Democrats do not conduct elections with perfect fairness in his district; if every one, black or white, can not cast his vote with perfect freedom, and if Democratic inspectors do not count them precisely as they are cast.

I call upon the gentleman from Tennessee [Mr. EVANS] to speak out and tell his Republican associates if their accusations against the South are true. Tell them if Democrats conduct elections fairly in his district. Tell us who is right in his statements on that subject Mr. MASON or myself. Tell them who is right, General Warner or the gentleman from Ohio [Mr. TAYLOR] as to the deportment of Southern people towards strangers. I see the gentleman is standing and ready to reply.

The SPEAKER. There were two minutes, and the Chair did not take that out of the gentleman's time.

Mr. WHEELER. I want the gentleman from Tennessee [Mr. EVANS] to inform his party associates upon these two subjects.

The SPEAKER. The gentleman has had seven minutes.

Mr. EVANS. I would like to answer the gentleman's inquiry.

The SPEAKER. The gentleman's time has expired.

Mr. CULBERSON. I yield to the gentleman from Alabama.

Mr. WHEELER. I now refer to other hideous features of this bill.

It is the first time that a law was ever passed by a civilized people providing, as it does in section 8, for a system of espionage over judicial officers. I also wish to call attention to section 12, which provides that all the returns shall be sent by mail, so that during their transmittal they may be handled by any number of irresponsible persons without a single precaution to prevent their being tampered with or destroyed, should the majority be against the favorite candidate. But the worst and most carefully hidden provision is in section 33, which covertly incorporates section 1982 of the Revised Statutes in such a manner as authorizes the polls to be controlled by United States soldiers, a practice so reprehensible that at an election for Members of Parliament in 1760, troops having been halted in a church-yard near the polls, Parliament unanimously adopted the following resolution:

That the presence of a regular body of armed soldiers at an election of Members to serve in Parliament is a high infringement of the liberties of the subject, a manifest violation of the freedom of elections, and an open defiance of the laws and constitution of this kingdom.

Again, no one will deny that the power sought to be bestowed upon these Federal supervisors virtually gives them the authority to determine and regulate the qualifications of voters, which is in direct violation of Article I, section 2, of the Constitution, which states that electors for members of Congress—

Shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

If there were no other unconstitutional feature in the bill, this alone would emphatically condemn it.

No. 52 of the Federalist, February 8, 1788, quotes the above section and says (Lippincott's edition, page 403):

The definition of the right of suffrage is very justly regarded as a fundamental article of republican government.

To have left it open for the occasional regulation of Congress would have been improper for the reason just mentioned.

But here comes Mr. LODGE and Mr. Davenport with their bill, which takes this question from the States and places it in the hands of an irresponsible supervisor. The Federalist then says:

To have reduced the different qualifications in the different States to one uniform rule would probably have been as dissatisfactory to some of the States as it would have been difficult to the convention.

The provision made by the convention appears, therefore, to be the best that lay within their option.

Mr. Madison and his friends assert him to be the author of this number of the Federalist, and as Hamilton indorsed it we have both these distinguished statesmen as authority upon this subject.

TWENTY-SEVENTH, TWENTY-EIGHTH, FORTIETH, AND FORTY-FIRST CONGRESSES.

In reply to the gentleman who asked what of the law passed by the Whig Congress of 1842 requiring Congressmen to be elected by districts, which Mr. Clifford so bitterly denounced, I will say that it was regarded so utterly unwarranted by the Constitution and obnoxious to free institutions that several States failed to obey it, and with rare exceptions it terminated the political career of those who voted for it; and when members elected in disregard of its provision presented themselves to the Twenty-eighth Congress, they were seated by the overwhelming vote of substantially two for to one against, and among the affirmative vote we see the names of Stephen A. Douglas, Hannibal Hamlin, and Preston King.

Every member of the House should read all of the proceedings and speeches on this subject in the Twenty-seventh and Twenty-eighth Congresses. I will call special attention to the speeches in Volume XI, part 2, Congressional Globe, Twenty-seventh Congress, as follows: Mr. Kennedy, page 316; Mr. Butler, page 319; Mr. Floyd, page 320; Mr. Davis, page 338; Mr. Goggin, page 340; Mr. Houston, page 341; Mr. Reynolds, page 345; Mr. Clifford, page 347; Mr. Atherton, page 397; Mr. Summers, page 351; Mr. Payne, page 360; Mr. Pope, page 371; Mr. Barnard, page 379; Mr. Pendleton, page 407; Mr. Campbell, page 558. These speeches elaborate the views of both sides of this question.

I also beg to refer to the debate in the Forty-first Congress, volumes 83 and 84, by Mr. Eldridge, page 1271, and Mr. Woodward, Appendix, page 123, Mr. VOORHEES, page 124, and Mr. COX, page 127.

I also call attention to the debate in the Senate, volumes 83 and 84, pages 1633 to 1656, by Senators Bayard, Thurman, Vickers, Casserly, Johnson, Trumbull, and Hamilton. On page 1636 are given two columns of the names of convicts, thieves, robbers, murderers, etc., who were supervisors in New York City at the November election, 1870.

I also call attention to the debate on suffrage in the third session of the Fortieth Congress, volume 71, pages 560 to 745, and volume 72, pages 1224 to 1226, and pages 1425 to 1428; also to the discussions on the Force Bill in the Forty-third Congress, volume 11, pages 1750 to 1926.

TWO PATRICK HENRYS AND SERGEANT S. PRENTISS.

And now let us go back and glance at him whose trumpet voice and superb eloquence sounded the tocsin of war when the clash of arms at Lexington, Concord, and Bunker Hill told the people of Virginia and other Southern States that their brothers of Massachusetts needed the aid of strong arms and brave hearts.

Patrick Henry said (Elliott, volume 2, page 70):

The dissolution of the Union is most abhorrent to my mind; the first thing I have at heart is American liberty; the second thing is American union.

And on pages 149, 150:

The power over elections which is given to Congress is contrived by the Federal Government, that the people may be deprived of their proper influence in the Government by destroying the force and effect of their suffrages. Congress is to have a discretionary control over the time, place, and manner of elections. The Representatives are to be elected, consequently, when and where they please. As to the time and place, gentlemen have attempted to obviate the objection by saying that the time is to happen once in two years, and that the place is to be within a particular district, or in the respective counties. But how will they obviate the danger of referring the manner of election to Congress? * * * The power over the manner admits of the most dangerous latitude. They may modify it as they please; they may regulate the number of votes by the quantity of property without involving any repugnancy to the Constitution. I should not have thought of this trick, or contrivance, had I not seen how the public liberty of Rome was trifled with by the mode of voting by centuries.

A century was a division of the Roman people for the purpose of electing magistrates and enacting laws. This method of election was called "voting by centuries."

SPEAKER REED'S DISTRICT AND CONSTITUENTS.

In the county of York, which comprises about half the district of the Speaker of this House, there lived Samuel Nason, whose eloquence gave him the sobriquet of the Patrick Henry of the North.

I read from Mr. Nason's speech, Elliot, volume 1, pages 139 and 141:

Great Britain, sir, first attempted to enslave us by declaring her laws supreme and that she had a right to bind us in all cases whatever. What, sir, roused the Americans to shake off the yoke preparing for them? It was this measure, the power to do which we are now about giving to Congress. And here, sir, I beg the indulgence of this honorable body to permit me to make a short apostrophe to liberty. O, Liberty! Thou greatest good; thou fairest property! With thee I wish to live; with thee I wish to die! Pardon me if I drop a tear on the peril to which she is exposed. I can not, sir, see this brightest of jewels tarnished—a jewel worth ten thousand worlds! And shall we part with it so soon? Oh, no!

Gentlemen ask, can it be supposed that a Constitution so pregnant with danger could come from the hands of those who framed it?

We now come, sir, to the fourth section. Let us see—the time, place, and manner of holding elections shall be prescribed in each State by the Legislature thereof. No objection to this; but, sir, after the *flash of lightning* comes the *peal of thunder*: "But Congress may at any time alter them."

I wish, Mr. Speaker, you could have heard this eloquent patriot of your district. [Applause.] Mr. Nason continued:

But, sir, I say, by this power Congress may, if they please, order the election of Federal Representatives for Massachusetts to be at Great Barrington or Machias, and at such a time too, as shall put it in the power of a few artful and designing men to get themselves elected at their pleasure.

[Applause.]

These were the patriotic words of the representative of the grandsires of your constituency, the good, honest people of the County of York, of Maine. [Applause and laughter.]

This distinguished predecessor of the Speaker thought that the right to simply regulate the time of elections practically made Congress omnipotent, and the vote of that county in the convention was but six for the Constitution and eleven against it. The great Samuel Adams, page 137, also advocated leaving elections to the States. Sergeant S. Prentiss, the greatest Whig orator, and you, Mr. Speaker, were born and reared within a few steps of the same spot in Portland, Maine. In Prentiss's great speech in the Twenty-fifth Congress, in January and February, 1838, reported in his life, page 291, he viewed this question precisely as I have argued. He said that the best rule is to learn the intent and to construe so as to cover the intent, and that—

The framers of the Constitution very wisely concluded that the regulation of this most important of all political rights should be placed in the hands of the Legislatures of the States.

And after forcibly sustaining this view, he says, page 294:

The States were so jealous on this subject that most of them accompanied their ratifications of the Constitution with a solemn protest against the exercise by Congress of this power, except in cases of failure or neglect on the part of the State Legislatures.

On June 11, Globe, page 445, Mr. Prentiss laid before Congress a series of resolutions, ably expounding the same principles, all these facts showing with what disapproval, condemnation, and horror the sires and grandsires of the Speaker's constituents, including the people of both counties of his district, contemplated the evils he is now endeavoring to inflict upon our country.

For his benefit I will now read a paragraph from Lord Macaulay's History of England, specially applicable to the subject:

We have been taught by long experience that we can not without danger suffer any breach of the constitution to pass unnoticed. It is therefore now universally held that a government which unnecessarily exceeds its powers ought to be visited with severe parliamentary censure.

What censure, Mr. Speaker, will in times to come be visited upon those who, during this session of Congress, have trampled under foot the laws of our land, the rules of parliamentary procedure, and the Constitution of our fathers? [Applause.]

[Here the hammer fell.]

Cotton-Ties.

SPEECH
OF
HON. JOSEPH WHEELER,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 20, 1890.

The House being in Committee of the Whole and having the iron schedule under consideration—

Mr. WHEELER, of Alabama, said:

Mr. CHAIRMAN: I ask unanimous consent for three minutes, not to be taken out of the time allowed for debate on this question. I ask of the House this courtesy in behalf of three millions of farmers. [Laughter.]

Mr. MCKINLEY. I hope the gentleman's request will be granted.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Alabama [Mr. WHEELER] to occupy three minutes. Is there objection? The Chair hears none.

Mr. WHEELER, of Alabama. Mr. Chairman, I shall not take time to discuss the facts relative to this matter, but in these three minutes I desire to appeal to the heart of every member of this House in behalf of three millions of laboring farmers (two millions of them being colored men) of the part of the country I have the honor to represent.

If this change in the law should take place it would be at the cost of these poor people, people who to-day are living by the hardest kind of labor, a number of whom last year were unfortunate enough to make the worst crop produced in many years—people borne down under the extremes of poverty, who were not able last year to buy the usual blankets and clothing to keep their children warm or to supply them with food to shield them from hunger; in the name of these people I appeal to you to let the tax at least stand where it has been for the last thirty years, and not treble it and thus impose this additional and unnecessary burden upon them as is proposed by this bill.

Mr. Chairman, in 1883 we passed upon this very question, and the Republicans on that side of the House joined with the Democratic party in voting against that proposition in the bill which sought to raise the tariff on cotton-ties to the same amount that it is proposed to be raised in this bill. It was adjudicated then; let it so remain. It was then said in behalf of the existing tax that 35 per cent. in a few years would enable the manufacturers to supply iron ties for the entire product of the South, so that they would ask no extension of the tariff or no increase of the duty. And yet after the lapse of seven years they come and ask us, not to give them the same that was given then under a protest, but to give three times the amount, and then tell us that in three or four years perhaps, if the people are forced to pay them this exorbitant tax, they may be able to get along without any tax whatever.

Mr. Chairman, in the name of the farmers of the great Northwest, in the name of the hard-working, laborious toilers in the cotton fields of the South, in the name of the farmers throughout this broad land, whose farms we are told are covered over with mortgages (though some gentlemen argue that that is an evidence of prosperity, yet we have the evidence that many of these people are not able to pay off their mortgages which are every day being foreclosed upon them), in the name of all of these people I appeal to you not to impose this burden upon the defenseless laboring people of the South and the overtaxed and doubly mortgaged farmers of the North.

[Here the hammer fell].

Rules.

No man is good enough to govern another without his consent.—*Abraham Lincoln.*

SPEECH
OF
HON. JOSEPH WHEELER,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 13, 1890.

The House having under consideration the report (No. 23) of the Committee on Rules—

Mr. WHEELER, of Alabama, said:

Mr. SPEAKER: The senior member in length of service upon the Committee on Rules commenced his elaborate speech in defense of the new rules in these words:

The Committee on Rules in framing this code has, to the best of its ability, prepared and reported a code of rules under which the will of the majority of the House shall be ascertained and expressed with accuracy and with the utmost expedition consistent with fair and due debate and consideration.

This gentleman [Mr. CANNON] also said:

The committee believe that there should be radical changes touching the manner and the conduct of the business of the House, and the changes recommended in this report are so radical and so proper in our opinion that some gentlemen upon the other side have denounced them as "revolutionary."

This is an admission on the part of this leader on the side of the majority which ought to cause some hesitation in adopting a code which this gentleman asserts contains radical changes and which he admits are so radical as to be called revolutionary in their character.

An interview with the Speaker of this House was published on February 3, in which he used this expression:

The rule of the majority is at the very base of our Government. If it be not the true rule, our faith is vain and we are yet in our sins.

While it is true that the majority should rule, all that the Democrats desire is that they shall rule under the Constitution. Judge Cooley, in his Principles of Constitutional Law, says:

So far, then, from the Government being based on unlimited confidence in majorities, a profound distrust of the discretion, equity, and justice of their rule is made evident in many precautions and checks; and the majority is, in fact,

trusted with power only so far as it is absolutely essential to the working of republican institutions.

Since the first dawn of civil liberty the wisest statesmen of all nations have agreed that an unbridled and unrestrained majority is the most dangerous foe of liberty, and therefore in perfecting systems of government the greatest care was taken to devise means by which a majority could be checked by certain powers given to the minority, and the history of civilization has proven the wisdom of maintaining such checks and balance.

THE RULE GIVES THE SPEAKER ABSOLUTE POWER.

Another serious objection to the proposed rule is that it gives almost imperial power to the one man who happens to be the Speaker of this House. I presume there are still some Republicans who continue to revere Abraham Lincoln; to them I would recall his famous declaration that—

No man is good enough to govern another without his consent.

If these rules are adopted, Congress, and practically the country, very much against their wish, and certainly without their consent, will be governed by THOMAS B. REED.

If a man perfect in all respects and of unquestioned and infallible wisdom could be found, a people would be fortunate in giving such a person absolute power, because undoubtedly his rule would be wise and perfect in all respects, and that is all that was ever asked for or is desired by any people, but the history of the last eighteen hundred years shows that during that period no such man has existed, and therefore it has been demonstrated that the only way to preserve liberty is for the people to govern themselves.

If ages of experience have demonstrated that one-man power is destructive to liberty, how much more dangerous is an unrestrained rule of a majority. It contains all the evils which follow from the concentration of all power in one man without a single element of the advantages of such a system of government. It is the existence and presence of absolute power and the total absence of any tangible responsibility. It is possible for such a government to exist for some time without becoming tyrannical and despotic, but it is impossible for such a government to exist without finally overthrowing all the safeguards of liberty.

The rules which the Republican party is endeavoring to force upon this body are framed so that an ambitious and unscrupulous leader could succeed in any wicked designs upon the people. Is it strange that the gentleman from Illinois [Mr. CANNON], one of the distinguished Republican leaders of the Committee on Rules, should pronounce them "revolutionary?"

METHODS OF THE LAST ONE HUNDRED YEARS.

For one hundred years it has been the rule in this body that all votes shall first be taken *viva voce* and the Speaker determines and announce how the vote appears to be. If any one doubts the judgment of the Speaker a division is demanded, and by a rising vote the Speaker first counts the affirmative and then the negative vote. If any member still doubts, tellers are demanded and a method less liable to mistakes is adopted. A friend and an opponent of the measure proposed are appointed to act as tellers; one side passes between them, the gentlemen being counted as they pass; the other side then passes and is counted in like manner, and the tellers report the vote thus taken to the Speaker, whose sole duty it is to announce to the House the report made by the tellers.

This, it would seem, ought to be satisfactory to most people who desire perfect accuracy; but the framers of the Constitution determined to give a system even more perfect and free from the possibility of error. They said this count by tellers may be accurate, but there is a possibility of mistake; therefore the Constitution says even after the accuracy of the vote has been tested by all these methods—

That the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered in the Journal.

This is the last resort, and of necessity from the method of procedure imports absolute verity, and for a hundred years has been accepted without question as an undoubtedly accurate expression of the will of Congress.

It is now proposed to adopt a rule by which the yea-and-nay vote of all members participating in the business of the House shall not be the last resort. A higher authority is proposed to be created. It is proposed that one man's *ipse dixit* shall have more weight, authority, and force than the joint recorded judgment of all the members of the House.

It proposes that this higher authority shall be a single individual. If but half a dozen members participate in voting upon a measure, this rule provides that one man, whose duty it is to "speak the will of the House," and who is therefore called "Speaker," shall have the authority to declare that one hundred and sixty-six members were present and that the action of the six members is as effective as the joint recorded action of every elected member.

PRACTICAL OPERATION OF SUCH A RULE.

If this rule is adopted its practical operation will be that when the recorded vote on a measure develops the presence of less than a quorum the Speaker will proceed to count. Members in the lobbies will enter, pages will scour the corridors and committee-rooms, members will pour in through the doors and before the count is completed enough will have entered to make a quorum. Many of them and possibly every one of these members was absent when the bill was read, discussed, and voted upon, but now they are used by the Speaker as instruments by which the bill is enacted into law, and yet they have no knowledge of its provisions and the measure has not had the benefit of their judgment even in the most remote degree. In fact the chairs and desks in the House exercise as much mental and physical effort in the matter as has been exercised by these members who reach this Chamber only after the question of quorum has been raised.

Does it require any argument to show how utterly such a proceeding would fail to fulfill the constitutional requirements of a quorum to do business? To say that these members thus counted by the Speaker were present and participated in the proceedings of the House is contravening the truth and makes our Journal record as facts what we all know to be flagrant falsehoods.

This is not altogether a new question. It has been considered and debated by able statesmen, and the judgment of Congress and the decisions of its presiding officers have always been against the constitutionality of this innovation.

MR. BLAINE DECLARES SUCH A RULE UNCONSTITUTIONAL.

During the second session of the Forty-third Congress, when Mr. Blaine was Speaker, the question was raised by Republicans who sought to adopt this plan to enable them to pass the force bill through the House. Mr. Dorman, a Republican, rose and was recognized to make a parliamentary inquiry, and the following colloquy took place:

Mr. DORMAN. My parliamentary inquiry is this: Is the disclosed vote the only means by which a quorum can be declared, when it is in the cognizance of every man here, the Speaker included, that there is within the Hall a sufficient number of members who have not voted to make a quorum?

The SPEAKER. The Speaker would be glad to hear from the gentleman from Iowa [Mr. Dorman] any practicable mode in which his point can be enforced.

Mr. DORMAN. Is it not within the power of the Speaker, he having cognizance of the fact, to declare that a quorum is present?

The SPEAKER. But the Speaker's declaration will not make members answer "ay" or "no."

Mr. RANDALL. I move a call of the House.

The SPEAKER. If any gentleman raises the question that business is proceeding without the presence of a quorum, it is within the competence of the Chair to decide that a quorum is present, and he will not allow the business of the House to be interrupted by any dilatory proceeding. He assumes the responsibility for that purpose of declaring that a quorum is present, because no business can proceed without a quorum. Even a gentleman speaking is entitled to have a quorum present. If the point be raised, a gentleman addressing the Chair may be taken off the floor by any member raising the point that no quorum is present. The question being so raised, the Chair, according to his judgment and on his responsibility, can rule that a quorum is present. But when the roll-call is resorted to, that is the last mode of certification, from which there is no appeal. Now, that the rules absolutely require gentlemen to vote is undeniable; but how the gentleman from Missouri, on whom the point has been made, can be compelled to stand up and pronounce his "ay" or "no," the Chair does not know.

It will be observed that Mr. Blaine admits that the Speaker may upon his judgment and responsibility rule that a quorum is present in certain cases, provided a call of the roll has not disclosed the contrary, but when the roll is resorted to and the recorded names number less than a quorum Mr. Blaine states that this is the last mode, from which there is no appeal. Mr. Coburn then said:

I rise to a point of order. It is simply as to the manner of making a record of members present. One way of making a record is to have the roll called and the names of members marked as present upon the roll-call, whether upon the yeas and nays or upon a call of the House. That makes the record; but there is another way in which the House can make its record as positively, as absolutely, as undeniably as that, and that is by a member rising in his place and saying there is present another member who has not answered to his name, mentioning his name to the House, and asking that it be recorded. The record can be made, and that man is present and voting.

The SPEAKER. The Chair never heard of that being done. He begs to remind the House, whereas that might and doubtless would be true that there is a quorum in the Hall, the very principle enunciated by the gentleman from Indiana has been the foundation probably for the greatest legislative frauds ever committed. Where a quorum, in the judgment of the Chair, has been declared to be present in the House against the result of a roll-call, these proceedings in the different legislatures have brought scandal on their name.

Here Mr. Blaine informs the body over which he presided that the methods then proposed, and which are similar to the principles now sought to be ingrafted in our rules, have been the foundation of the greatest legislative frauds ever committed:

Mr. HAWLEY, of Illinois. But suppose the roll-call had disclosed the presence of two hundred members; I have the right, and every member has the right, to demand that every other member present shall vote.

The SPEAKER. No. The Chair denies that utterly. If that were the case, the House could do no business. The House would be a mere mob if that should be entertained.

Mr. NEGLEY. I would inquire if on the last vote a quorum was not present.

Mr. Speaker BLAINE. On the roll-call there were 142 members answered to their names. The Chair begs to state that no gentleman has, under the rules, brought to him any suggestions whatever as to the mode of forcing a minority to respond to their names. There can be no record like the call of the yeas and nays, and from that there is no appeal. The moment you clothe your Speaker with power to go behind your roll-call and assume that there is a quorum in the Hall, why, gentlemen, you stand on the very brink of a volcano.

I beg the House will observe that Mr. Blaine states that the moment a Speaker is clothed with the power which is not only sought and asked for, but demanded by Speaker REED, we—

stand on the very brink of a volcano.

In the Forty-sixth Congress the same question was raised.

MR. GARFIELD DENOUNCES SUCH PROCEDURE.

Mr. Garfield, afterwards President Garfield, opposed the innovation and expressed regret that the question was brought before the House. He called upon members—

to see into what a strange and vague condition this House would be led if this were adopted. Whenever the question arises whether there is a quorum or not present, it is to be determined according to what he calls "ocular demonstration."

The Chairman of the Committee of the Whole or the Speaker of the House is to see with his own eyes that there is a quorum present.

Who is to control his seeing? How do we know but that he may see forty members more for his own purpose than there are in the House? And what protection have gentlemen if the Speaker says he sees a quorum if he can not convert that seeing into a list of names on the call of the roll by the Clerk?

In reply to the inquiry if the Speaker does not count upon a rising vote, Mr. Garfield said:

Yes; but we always have the opportunity to correct that count by means of a new count by tellers appointed from both sides.

Before anything can pass we can have the yeas and nays taken and the names of those voting recorded. Aside from the insuperable objections that I have raised to this proposition as a thing that ought not to be tried because of its vagueness, its uncertainty, and the dangers that members of the House may be imposed upon by an unscrupulous Speaker that may come hereafter—I say that, aside from all that and beyond that, I ask members to consider one fact.

This has been a House of Representatives since 1789. This has been the theater of all sorts of political storms and tempests. We have lived through the times of great wars, of a great civil war, when there were excitements hardly paralleled in the history of parliamentary annals; yet during all these years no man before, so far as I know, no party before, has ever thought it necessary to introduce a rule that gives the power of declaring the presence of members by the single voice of one person, a power that will enable him to bring from his sick-bed a dying man and put him down in the Hall so that the Speaker shall count him and make his presence, against his will and perhaps in his delirium, count in order to make a quorum, so that some partisan measure may be carried out over the body of that dying man. Sir, the moment you get over the line, the moment you cross the boundary of names, the moment you leap over the iron fence of the roll, that moment you are out in the vague, and all sorts disorders of may come in.

MR. CONGER TERMS IT VIOLENT AND PARTISAN.

Mr. CONGER argued very forcibly against the legality of determining the presence of a quorum by the count of the Speaker. He said:

Sir, I, in common with every member of this House, demand that there shall be a public exhibition of presence, a public record of votes; that there shall be tellers; that there shall be yeas and nays; that the yeas and nays shall determine how you and I and every other member of this House may have voted and would vote.

The point made by my friend from Ohio [Mr. Garfield] is a good one: that we are committing to the Speaker of this House or the Chairman of the Committee of the Whole the right first to determine who are present and to determine when there is a quorum. It is useless to say that there may not be times when in such an emergency as would require the exercise of this power the presiding officer would not be partisan. Shakespeare foretold this when in one of his plays he said:

"Get thee glass eyes,
And, like a scurvy politician, seem
To see the things thou dost not."

Such politicians will come here on either or any side. The force of circumstances, the impetuous passions of members which would produce such an occasion, will influence men to see that which they see not, with or without "glass eyes."

I have no fear that this amendment will be adopted in the House, because it would be wrong in itself; it would be unconstitutional; it would be violently partisan. I have no fear that the fair-minded men of this House on either side will adopt so violent and partisan a measure.

MR. HAWLEY OPPOSES IT.

Mr. HAWLEY, of Connecticut, who is now a Senator from that State, argued in the same line with Mr. Garfield and Mr. CONGER. I read as follows from his speech:

Now, the evil, if there be one, in the existing system, that of which gentlemen complain, is simply this, that we of the minority claim a right, by sitting silent, to prevent less than a majority of the members elected from passing a bill. The worst that can be done by a factious minority, if that be the term applied to it, is to fight until the actual majority of the members elected shall pass the bill. When they are present that friendly majority constitute a quorum of themselves; they do not require the assistance of the minority; they run the House themselves and pass their bills. In case of what you call factious resistance we drive them only to that.

The modern State constitutions are all tending in that direction. I have not looked at them with this in view, but I know from a casual inquiry of gentlemen near me that the new constitutions of California, Minnesota, and Pennsylvania require that a bill shall not be regarded as passed unless an actual majority of the members elected shall vote for it.

MR. REED SPEAKS AGAINST IT.

The next gentleman who obtained the floor to speak in opposition to the method now sought to be enforced was Mr. REED, of Maine.

Mr. Chairman, if it were my purpose to reply to the gentleman who has just taken his seat [Mr. Phister], it seems to me that it would be a suitable and proper reply to say to him that the constitutional idea of a quorum is not the presence of a majority of the members of the House, but a majority of the members present and participating in the business of the House. It is not the visible presence of members, but their judgments and their votes that the Constitution calls for.

The gentleman then proceeded in his argument and said:

It is a valuable privilege for the country that the minority shall have the right by this extraordinary mode of proceeding to call the attention of the country to measures which a party in a moment of madness and of party feeling is endeavoring to enforce upon the citizens of this land. And it works equally well with regard to all parties, for all parties have their times when they need to be checked, so that they may receive the opinions of the people who are their constituents and who are interested in the results of their legislation.

It will be observed that the extraordinary mode of proceeding to which Mr. REED refers was a combined effort on the part of the Republicans to defeat a measure by refusing to vote and thus breaking a quorum.

And yet we now have presented to us the spectacle of this same Mr. REED demanding that the Constitution be trampled under foot in order to intrust him with a power which Mr. Blaine said would lay the foundation "of the greatest legislative frauds ever committed;" and, if entertained, "the House would be a mere mob;" and that with such a system the Government would "stand on the very brink of a volcano;" all of whose correct, conservative, and judicial views were indorsed during the Forty-sixth Congress by Mr. Garfield, since President, and by Messrs. Conger and HAWLEY, who were soon afterwards elected to the Senate; and also, last but not least, most emphatically indorsed and advocated by Mr. THOMAS B. REED, who has since won the high position of Speaker of the House of Representatives.

WOULD ENCOURAGE FRAUD.

Again, to show the error of this proposed method.

All parliamentary proceedings prohibit a member from voting upon any question in which he is interested. It means that he shall not in any manner aid in causing such a measure to become the law. But under this rule he refrains from voting, and the Speaker, unaware of his ineligibility, counts him to make a quorum, and thus a man who may be the special and only beneficiary to a bill aids and possibly by his presence makes the quorum which passes the bill, while if he were not counted less than a quorum would appear to be in the Hall and the bill would fail. We see here a man doing indirectly what the Constitution and law and decency say he shall not do and which to do would cover him with shame and disgrace.

Again, suppose a bill should cause a large subsidy to be granted to a corporation and the stock should be divided among all the members but one. In such a case the one member who does not own stock would vote for the bill and the silent one hundred and sixty-five members, all of whom own stock and all of whom are beneficiaries of the bill, secure its passage by their presence and reap the benefit of the legislation. I insist, Mr. Speaker, that any rule which makes such a proceeding possible is a gross violation of parliamentary law and contravenes both the letter and the spirit of the Constitution.

The further we investigate the history of barbaric ages the more absolutely we find men governed by the unrestrained power of one man. The more ignorant men are the more willingly do they submit to the control of one ruler. The tendency of civilization has been to limit the power of rulers, and as far as possible to place the affairs of government in the hands of the people. The boast of the American citizen is that this is a Government in which all the people have an equal voice, as expressed by Webster in 1830:

The people's Government, made for the people, made by the people, and answerable to the people.

And again by Theodore Parker in 1850:

A Government of all the people, by all the people, for all the people.

And in strikingly similar words by Lincoln:

And that government of the people, by the people, for the people, shall not perish from the earth.

The rules which have been reported, and by which this House is sought to be governed, are in direct contravention to the principles of government which Americans hold most dear, which our forefathers centuries ago fought to establish and maintain, and under which we have become the most prosperous and most enlightened people on the earth.

[Here the hammer fell.]

Tariff.

SPEECH
OF
HON. JOSEPH WHEELER,
OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 9, 1890.

The House being in Committee of the Whole and having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes—

Mr. WHEELER, of Alabama, said:

Mr. CHAIRMAN: Before proceeding with my speech, I desire to indorse every word said by the gentleman who has just taken his seat [Mr. PAYNE] with regard to the great possibilities and boundless resources of our country. I come, Mr. Chairman, from that part of the country most blessed with the elements of wealth, the locality which excels all others of this broad land in material resources and the possibilities of physical development.

ALABAMA'S WONDERFUL PROGRESS.

I come, Mr. Chairman, from a State which makes more iron than any foreign nation on earth, except Great Britain, Germany, and France, a State which in the production of iron excels Belgium, Austria-Hungary, Russia, Sweden, Spain, and Italy, a State which makes more iron than any other State of our Union, except Pennsylvania and Ohio, which will, I trust, in another year excel Ohio and stand second only to the great iron State of Pennsylvania. And, if we omit the rest of the United States and the countries I have named, Alabama to-day is making eight times as much iron as the rest of the world combined. [Applause.]

And, Mr. Chairman, adjoining my State and in close proximity to the district which I have the honor to represent, are Chattanooga, Rome, and South Pittsburgh, making the country I come from the center of the coming iron industry of the world. General Samuel Thomas, formerly from Ohio, a gentleman known to you all, who now has great interests in the South, has repeatedly said to me and to others that the Tennessee Valley is destined to become the center of iron-manufacturing, not of the South alone, not of this country alone, but the center of the iron-manufacturing industries of the world. We are making in that country—as I read in the report of Mr. Swank, printed two days ago and sent me to-day—we are making Bessemer steel in the iron district of Alabama. Less than two weeks ago Mr. Carnegie, one of the best authorities on steel-making in the world, told me that after a close analysis and a thorough investigation of the iron ores of Alabama, he was satisfied that, with even the means we now have, we could with two processes make most excellent Bessemer steel.

ALABAMA SHIPS IRON TO PITTSBURGH.

I read from The Philadelphia Times of two days ago, which I hold in my hand, that within the last six weeks 5,000 tons of pig iron were purchased at Sheffield, a city of my district which has grown up during the last five years, and on that 5,000 tons of iron shipped from that place to Pittsburgh a net profit of $30,000 was realized.

I regret, Mr. Chairman, that more time was not allowed to debate this important subject. For the last half century all our Presidents in their messages to Congress and all our Secretaries of the Treasury in their reports have endeavored to impress Congress with the necessity of giving this subject the closest study, and of exercising the greatest wisdom possible in the enactment of laws of this character.

These messages from our Presidents and reports from our Secretaries of the Treasury have been very similar to the admonitions and advice we find in the famous message which Mr. Cleveland sent to the House of Representatives on December 2, 1887.

I recall these words:

> The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject, and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country.

Republicans in their desperation charge that tariff-reformers are not friendly to the manufacturing interest. It would be almost impossible to note a charge more utterly devoid of truth. We have demanded revision because we know it is essential to the permanent success of manufacturers almost as much as it is to the farmer and commerce and all other industries.

THE TARIFF A PROBLEM OF POLITICAL ECONOMY.

I hold in my hand a book published in New York in 1885, entitled Economic Fact Book. I find entire chapters devoted to views of people on the tariff. Among them I find an expression from myself, which I will read. It expressed my views then; I adhere to the same views to-day, and I do not expect to change them as long as I live. I read from page 141:

> I think all will concede that successful manufactories are very important, if not essential, elements to the prosperity of agricultural interests. Certainly, all will concede that in a country like ours, where we have such abundant raw material—coal, iron, copper, timber, cotton, and wool—we ought to excel all other nations in the variety and extent of our manufactories. No one will deny the fact that the tariff law of March 3, 1883, and the law which was repealed at that date, utterly failed to even approximate such a result.
>
> Under these laws we have not succeeded in selling the products of our factories to any extent in foreign markets, but, quite the contrary, we have seen England supply the world with fabrics, and get prices for them much higher than we would be glad to sell the same articles, while at the same time we have seen our home markets glutted by overproduction; and we have not seen factory operatives enjoying steady and well paid work, and to-day we see Bismarck recommend that the Reichstag treble the duty on American wheat and allow it to stand untouched upon Russian cereals. It seems to me that the tariff question should be regarded as a problem of political economy, the solution of which would be to find what laws will do most toward stimulating and building up the industries of our country. To attain this I think the tariff must be revised so as to be fair to all interests, so as to encourage a trade with foreign nations, so as to bear heaviest upon articles of luxury and lightest upon articles of necessity.

In the same line of thought more than two years ago, early in the session of 1888, I introduced a bill to establish a bureau upon which the duty of exhaustive investigation of this subject would devolve and by contest not unlike trials in courts the true merits of every proposed change would be examined into, thoroughly investigated, and determined.

The bill was in these words:

Be it enacted, etc., That a bureau, in the Treasury Department, is hereby created and established, which shall be known as the Tariff Statistical Bureau, which shall consist of one chief tariff statistician and four associate tariff statisticians, who shall be selected with special reference to their familiarity with the general subject of tariff taxation, and their ability to collate, classify, and tabulate the results of their statistical investigations, all of whom shall be appointed by the President.

SEC. 2. That it shall be the duty of this bureau to secure, and keep constantly on file, the tariff laws of all countries; also, as far as practicable, to investigate, collate, and compile information showing the effect of said laws upon the general prosperity of the countries by which they are enacted, their effect upon the labor and industries of those countries, and especially their effect upon the general prosperity, the labor, and manufacturing, and other industries of the United States.

SEC. 3. That any citizen or corporation of the United States shall be privileged, either in writing or personally or by counsel, to submit to and urge upon the attention of said bureau propositions or suggestions as to any amendments to, or modifications of, existing tariff laws, and it shall be the duty of said bureau to receive and properly file all such written or printed propositions or suggestions, and, when submitted in writing or by oral argument, all such propositions or suggestions shall be duly considered by said bureau, and their conclusions as to the probable effect of such amendments to, or modifications of, the tariff laws upon any special enterprise or industry, as well as the probable effect upon the labor and general industries of the United States, shall be reported to the Secretary of the Treasury.

SEC. 4. That the business of the bureau and its modes of procedure shall be subject to such rules and regulations as the Secretary of the Treasury may think best calculated to secure the prompt and efficient dispatch of business, and, upon his request, the bureau shall aid the Secretary in preparing such rules and regulations, and when adopted they shall be printed and a copy thereof furnished to every person having business with the bureau.

SEC. 5. The chief of said bureau shall receive a salary of $5,000 per annum, and the four associates shall each receive a salary of $4,000 per annum; and the bureau shall be authorized to appoint a secretary, who shall receive a salary of $2,500 per annum, and to employ, subject to the approval of the Secretary of the Treasury, such clerks as may be required to insure the prompt and efficient dispatch of the business of the bureau.

SEC. 6. That it shall be the duty of the Secretary of the Treasury to cause suitable and convenient rooms, in the city of Washington, properly lighted, furnished, and heated, to be assigned to said bureau, and to cause the necessary stationery and other articles to be supplied and the necessary printing to be done for the said bureau.

My bill received a unanimous favorable report and was entered upon the Calendar, but was not enacted into law. Some six months after my bill was introduced, and many months after it was reported, Senator PLUMB introduced a bill quite similar. Last December I reintroduced the same bill. It is House bill 38, but it has not been considered. I believe the investigations of such a bureau would finally result in the establishment of a tariff which would go very far towards a general stimulation of all industries and largely increase the prosperity of all our people. I believe it would also result in establishing reciprocity with all nations on this continent except the British colonies and possessions, and eventually, no doubt, extend such a business treaty with many other nations; and with our greatly increasing power of production reciprocity with many nations will become an absolute necessity; and we can not long delay the advent and practical inauguration of this system.

THE BILL WILL ADD TO ENGLAND'S SUPREMACY.

The advocates of the bill now before the House tell us that it will stop the importation of all manufactured articles which can be made with American labor, and they are so ignorant of the great laws of trade and commerce as to exultingly boast of the injurious effect the McKinley bill will have upon English industries.

I want to say here and now, and I want it to be remembered, that I assert this bill is framed so as to especially favor the general policy of the English commercial system, and I further assert that it will not be regarded with disfavor by the statesmen who control and direct that system.

Any action upon our part which cuts off or limits the commercial relations of the United States with the rest of the world will be to the advantage of English manufacturers and English commerce and will go far towards adding to the supremacy of England upon the oceans of the world. It is true that some manufacturers of England who are engaged in the production of articles particularly adapted to our market will be subjected to losses, but the great bulk of English trade and commerce will ultimately be the beneficiaries of the suicidal policy upon which the McKinley bill is based.

M'KINLEY BILL INCONSISTENT AND INCONGRUOUS.

Again, the more we examine the bill the more inconsistencies, incongruities, and contradictions are developed. The bill is not even consistent with the report which accompanies it. The bill has been changed so many times in some particulars that the country at large is by no means certain as to what tariff is proposed on several articles. The gentleman who preceded me [Mr. PAYNE] endeavored to explain the vacillation of the committee upon hides. In one of the bills we find a duty of 15 per cent on hides, and in another the duty——

Mr. McKINLEY. There has been but one tariff bill reported.

Mr. WHEELER, of Alabama. I believe the first print of the bill was not reported. I should have said in one of the prints of the bill, hides are taxed 15 per cent. and in another they are placed on the free-list. The press and general rumor inform us that the 15 per cent. was put on hides as a concession to farmers; but the moment that the shoemaking constituents of the gentleman from Massachusetts [Mr. LODGE] commenced an uproar and Mr. LODGE announced that 15 per cent. on

hides would endanger his election the committee were called together, the farmers' wishes and interests were ignored, and the demand of Mr. LODGE and his constituents was acceeded to. I desire, however, to call attention to the fact that while they have made the bill to please the manufacturer they have made the report to please the farmer.

I read from the bottom of page 17 of the report submitted to the House by the gentleman from Ohio [Mr. MCKINLEY] a deliberate and unequivocal statement that the bill increased the duty on hides. The language of the report is:

We advance the rates upon products of the soil which either do supply or can be brought to supply the home consumption. Horses, cattle, * * * hides, wool, tobacco, and many other products are advanced with a view to raise the entire market for the American farmer.

I wish also to refer to an error of the chairman of the committee in speaking of the great prosperity of our country and comparing our debt per capita with that of other nations. In referring to our country he entirely ignored our State, county, and municipal debts. Now, in other countries the whole debt is combined in one sum, and if we added together the liabilities of our counties, municipalties, and States the aggregate would make the debt of the United States double what it appears from the figures presented, and the argument of the gentleman based upon the comparison would lose its force or would have an effect directly the reverse of what he intended. There was a time when such a comparison would have been a matter of pride to every American, but that was in the happy days of our Republic before the reign of extravagance and corruption inaugurated by the party which now governs our country.

DEMOCRATS TEACH REPUBLICANS ABOUT FOREIGN MARKETS.

There is one thing, Mr. Chairman, upon which the Republican party should be congratulated. At last they have been instructed and convinced by Democratic speakers and Democratic newspapers as to the existence of a "foreign market." In the great debate of two years ago they informed us that there was no such thing as a foreign market; that it was a myth and had no existence except as a matter of fancy or imagination.

The report, signed by all the Republican members of the Committee on Ways and Means, including the present Speaker of this House, endeavored to convey to the minds of Americans that the hundreds of millions of foreign buyers of the articles similar to American products did not exist; that the foreign market was a delusion, a mere shadow. They say in the report:

The foreign market to which the American producer is invited by the majority (the Democratic) report is delusory.

And they charged the Democratic members of the committee and the Democracy in general with acting—

under the delusion of a foreign market.

But feeling the necessity of getting some one to indorse their statements they quote from a New England manufacturer:

The world's market is a great free-trade shadow-dance.

But to-day, in the speeches of the members of the committee and in the report presented to this House, they speak with great respect of the foreign market to which the Democratic party have long insisted that we should direct our inquiries and our efforts.

HOW REPUBLICANS IMPOVERISH FARMERS.

I wish also to say a word in reply to the speech made by the distinguished gentleman from Michigan [Mr. BURROWS]. After laboring so long to show how the increased tariff proposed by them would benefit the farmer, he says that this great question is a question of "a theory and not a condition." I want to call attention to the fact that, while our corn crop increased 25 per cent. in the last ten years, our exports of corn have fallen off from $54,000,000 worth in 1880 to $13,000,000 worth last year. The exact figures were $54,279,608 in 1880 and $13,355,950 in the last report, which I have before me.

That is one of the effects of the tariff laws imposed upon the country by the Republican party. A reduction from fifty-four millions to thirteen millions ought certainly be a warning to us not to invite further retaliatory tariffs in Europe to prevent an increase and to cause a decrease of our exports. Where is the home market for the corn-farmer of which the gentleman so eloquently speaks? We made over 2,000,000,000 bushels of corn last year in this country. A careful estimate made by competent authority shows that the entire home market for corn, including corn which is made into whisky, is not more than 1,000,000,000 bushels. Where is the home market which is given to the people by the Republican party for the other 1,000,000,000 bushels?

It is in the furnaces and the fire-places of the great West. Hundreds of millions of bushels burned up as fuel, burned possibly in some cases to prevent its rotting and causing a pestilence, destroyed because the Republican party has insisted that the American farmer does not want a foreign market for his corn. It may be a theory to the monopolists; but it is a matter of serious concern to the farmer whose farm is mortgaged and who is unable to feed, clothe, and educate his children.

Under the laws passed by the Republican party the exports of bacon, ham, and pork have fallen off 50 per cent., and the exports of our wheat have fallen off in ten years from $190,000,000 to $42,000,000. One hundred and ninety million dollars' worth of wheat was exported in 1880; $12,000,000 worth last year. And while our exports have been constantly decreasing, the exports from India have been on a constant increase, having risen from nothing twenty years ago until to-day they exceed the exports of the United States.

The American farmer, with a leaky roof, a mortgaged farm, and no money, is too seriously affected to jest with the gentleman from Michigan [Mr. BURROWS] about theories and conditions. He knows his condition is as bad as possible, and he knows also that it was brought about by the legislation of the party to which the gentleman from Michigan belongs.

THIS BILL ADDS TO BURDENS OF FARMERS.

In face of all this let me ask, what has the Republican party done for the farmer in this bill? It has increased the tariff upon everything that he uses. It has increased the tariff upon his wire fences, upon his trace-chains; it has increased the tariff paid by the Southern people upon their iron ties. Yet, not satisfied with that, not satisfied with this depletion of the products of the Southern farmer, it has laid a direct tax upon his cotton-seed oil; it has laid a direct tax on compound lard, and upon oleomargarine. And now it takes off every particle of protection which for fifty years has been given to the farmer who raises cane sugar in the South and beet sugar in the North.

Mr. Chairman, I lay it down as a principle which no one will deny that to have prosperity we must have commerce with foreign nations. Admit, if you please, that it would be possible to induce foreign nations to trade with us, to purchase our supplies, while we purchase nothing from them—even if that were possible the result would be that our produce would have to go out in ships which would come back empty; and consequently we would have to pay double freight charges for everything that left America from the barns of American producers; and this would certainly place us at great disadvantage as compared with other nations which avoid taxing their commerce.

Now, the gentleman from Ohio, the chairman of the committee [Mr. MCKINLEY], had a great deal to say in the course of his speech about the enjoyment to be derived by the American farmer from the benefits of protection. There may be two or three different views of what enjoyment is. There is down in my part of the country an old negro preacher who frequently while at work in the woods or fields will stop and repeat certain phrases. Just before leaving home I approached him one day when he was practicing some phrase which no doubt he intended to use in his sermon that night. I walked up behind him, and he was repeating, "Oh, Lord! how long shall we enjoy eternal damnation?" [Laughter.] And I ask, how long shall the farmers of the West and the South be compelled to submit to, or, as you would say, "enjoy" the oppressions which come upon them from the laws enacted by the Republican side of this House? The enjoyment that they will get from this bill will be very much the same kind of enjoyment that the wicked will get in the eternal damnation which awaits them.

HOW PROHIBITORY TARIFF LOWERS WAGES.

Now, Mr. Chairman, there is another principle which nobody will deny, that the only way to increase the price of anything is to create a demand for it; and the only way to increase the price of labor is to create a demand for labor. I want to illustrate that by a reference to the condition of the cotton trade of the world. I have in my hand the reports of three consecutive Secretaries of State—all Republicans—Mr. Evarts, Mr. Frelinghuysen, and Mr. Blaine. Over their own signatures these gentlemen give the exact wages paid in the cotton factories of Europe and the United States in each different vocation.

These distinguished Republicans tell us over their own signatures that the wages paid in the English factories to persons employed in making cotton goods are greater than those paid at any place in the United States. England exports an average of three hundred and eighty millions of cotton goods a year; we export ten millions. There is a demand in England for labor to make thirty-eight times as much cotton goods as there is in the United States. There is a demand, and a pressing demand, for labor there to make three hundred and eighty millions of cotton goods for exportation.

There is a demand here to make but ten millions; and the consequence is that that demand for labor makes, and for the last ten years has made, the wages in cotton-mills higher there than here. The places in the United States to which these gentlemen refer are Fall River, Lowell, Rhode Island, and Pennsylvania, and in every one of these places, running the figures to thousands of decimals, they show that the wages paid are less than those paid in the English factories.

MCKINLEY AND DANIEL WEBSTER.

Now, Mr. Chairman, I wish to say one word in correction of the remarks of the distinguished chairman of the Committee on Ways and Means in regard to the speech of Daniel Webster. He said Mr. Webster stated that at the time referred to he knew more about the Constitution and the theory of our Government then he did twenty years before. But the gentleman did not go far enough. What did Mr. Webster say in that memorable speech in referring to the tariff act of 1824? Remember that the tariff law of 1824 enormously increased duties.

Mr. Webster said—I give his exact words:

Every member in this Congress from the State of Massachusetts, with the exception of one, I think, voted against the act of 1824.

Mr. KERR, of Iowa. The speech that the gentleman from Ohio quoted was made in 1845.

Mr. WHEELER, of Alabama. No; the gentleman is mistaken. The speech was delivered on July 25 and 27, 1846.

Mr. KERR, of Iowa. The speech of 1845 was the one in which Mr. Webster said he knew more than he had known in 1824.

Mr. WHEELER, of Alabama. No; my friend is quite mistaken. The speech occupied parts of two days and was of considerable length. In that memorable speech Mr. Webster spoke of Mr. Clay's great effort which he referred to as having ushered in the tariff of 1824, the speech which Mr. Clay's friends alluded to as a speech for the "American system." It was this system which every member of Congress but one voted against.

Mr. Webster said he had investigated this important matter and had studied the Constitution, and—

the sentiments of the great men who framed it; I hope I have studied with more care the condition of the country when the convention assembled to form it, and yet I do not know that I have much, sir, to retract or to change on these points.

This does not indicate any such decided change of views. I recall another expression to the same import:

The reason why I advocate a tariff now is that my people have commenced to be manufacturers; and though I have studied more, yet I doubt if I would change one word of what I said upon the great theory and principles of our Government.

In other words, what he expressed in his first speech in favor of freedom of trade he believed to be the true principle which should govern our country.

Now, Mr. Chairman, I wish to say one word more with regard to the changes in the bill. First, I will allude to the changes made in the free-list. The chairman of the committee tells us that they have added to the free-list books printed in all languages except English. In other words, there is a direct discrimination against Americans and American reading people, and in favor of foreigners who can not read the English language. That is the first paragraph. The last paragraph puts art productions upon the free-list. So that the millionaires of our country may decorate their halls and parlors at the expense of the poor and hard-working people of the country.

Mr. KERR, of Iowa. Will the gentleman allow me to call his attention to the fact that the same provision was embodied in the Mills bill?

Mr. WHEELER, of Alabama. But it was stricken out by the Democrats; it did not come before the House in that way. We struck it out in caucus and every Democrat voted for it. The Democratic party determined that taxation should be imposed as far as possible upon luxuries.

But the most remarkable feature is the reason they, "the artists," give for it themselves. I will read it:

We, as American artists, proud of our country, confident of its future, and jealous of its honor and credit, are opposed to all special advantages.

And I ask gentlemen to pay attention to this:

We ask no protection, deeming it worse than useless.

I commend these words to our friends on the Republican side of the House. I say that all people who are asking for special privileges in order that their riches may be enhanced should have their attention called to this language of the noble artists, who say that proud of their country and confident of its future, as well as jealous of its honor and credit, they are opposed to all special privileges and discriminations.

If the Republican party will reach that high standard and lay that down as a principle of action the great and good people of this country would rise up and call them blessed. But what have the Republicans of the Committee on Ways and Means done for the working people and the poor of the country? The window-glass that shelters from cold while it gives us the light of heaven is increased in value 138 per cent. I could go on, Mr. Chairman, and mention a large number of these changes, but as my time is short I will have to be content with inserting them in my remarks.

UNITED STATES PRODUCES ONE-THIRD THE GREAT STAPLES.

But I want to call the attention of the committee to this: To-day a changed condition is spread before us. We now produce, substantially, one-third of the coal, one-third of the iron, one-third of the steel, and one-third of the finished iron, as well as of the pig-iron made on the face of the earth, and yet we have but one-twenty-fifth of the population. We make one-third of all these products of the world with one-twenty-fifth of the population. How, then, can we continue prosperous unless we have facilities and open markets for exporting our commodities to the people of the nations of the earth?

PRINCIPLES OF DEMOCRACY.

I want to state what are the principles of the party of which I have the honor to be an humble member. It is a party which has devoted its efforts to extending the power of the people, enlarging their rights and privileges, and, so to speak, incorporating them more intimately in the functions of the Government. This has been the purpose to which this great party has been devoted all these years. It was its purpose when it was first called into existence. It is its purpose to-day, and its mission will never be fulfilled until this noble, God-like work has been accomplished. [Applause.] It is this unfaltering, unswerving devotion to the interests of the great masses of the people that has given it a vitality never before enjoyed by any other political organization.

It has seen the Federal party born, exist, and die, and the great Democratic party live. It has seen the Whig party with all its virtues born, exist, and die, and the great Democratic party live. It has seen the American party, it has seen the Greenback party, it has seen the Knownothing party, all of them, born, exist, and die, and the great Democratic party still live. [Applause on Democratic side.] It has seen the Republican party, with its magnificence, its audacity, its millionaires, its power, and its prowess rise, exist, and it will see it die, and the great Democratic party will continue to live. [Applause on Democratic side.]

It is this, Mr. Chairman, this principle which has given this party vitality never before enjoyed by a political organization, which has enabled it to survive during a quarter of a century of disaster and defeat, and, like Antæus of old, though almost constantly overpowered by the political Hercules with whom it wrestled for supremacy, it rallies after each storm and battle, and, like that famous giant, always gaining renewed vigor and renewed strength from every defeat which hurled it back upon the mother from which it sprung, the great body of the American people. [Loud and prolonged applause on the Democratic side.]

Oklahoma.

SPEECH

OF

HON. THOMAS R. STOCKDALE,

OF MISSISSIPPI.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 19, 1890.

The House being in Committee of the Whole and having under consideration the bill (S. 895) to provide a Territorial government for Oklahoma—

Mr. STOCKDALE said:

Mr. CHAIRMAN: In the brief time allotted to me I shall touch hurriedly upon the salient points of the measure now presented for our consideration.

There are two propositions pending before the House in this bill: one is to take action in reference to this Territory, the other is that no action shall be taken and leave it alone as it is. The bill proposes, as I understand it, and I have tried to understand it, to extend the laws of the Government and the operations of the Constitution over that Territory. The second section is:

That the Constitution and all of the laws of the United States which are not locally inapplicable shall have the same force and effect in said Territory of Oklahoma as elsewhere in the United States; but nothing in this act shall be construed to interfere with the local governments of any of the Indian tribes which may now be provided for by the laws and treaties of the United States, or which may exist in conformity thereto.

A good deal has been said in the discussion of this question, Mr. Chairman, in reference to the absolute title of these Indians. Is it proposed by this bill that the Government of the United States shall forcibly rob them of their property? Whenever a gentleman who opposes this bill can show that, I will most heartily and earnestly vote with that side. If that title is in the Indians in absolute fee-simple, and the state of affairs occurs here that is claimed, that the laws of the United States, the Constitution of the United States can not go there, then I say that these Indian tribes can sell that Territory to whomsoever they please, either the citizens of this country or of a foreign power, or a foreign power itself.

Now, then, it has been said, and attention has been called to the consideration, that the Indians paid for that Territory. I ask what did they pay? It was the exchange of their possessions in the east, or on the eastern side of the Mississippi River, for their possessions on the west side. What title had they to their possessions on the east side? What title did they convey to the United States Government in making the exchange? In the case of Johnson *vs.* McIntosh, reported in 8th Wheaton and decided by Chief-Justice Marshall, the question raised was as to the title of the Indians to property on the east side of the river.

By this treaty—

Says the Chief-Justice, speaking of the treaty between England and the American Government—

the powers of government and the right to soil which had previously been in Great Britain passed definitively to these States. We had before taken possession of them by declaring independence; but neither the Declaration of Independence nor the treaty confirming it could give us more than that which was before possessed, or to which Great Britain was before entitled. It never has been doubted—

Says Chief-Justice Marshall—

that either the United States or the several States had a clear title to all the lands within the boundary lines described in the treaty, subject only to the Indian right of occupancy, and that the exclusive power to extinguish that right was vested in that government which might constitutionally exercise it. In pursuance of the same idea—

Continues the Chief-Justice—

Virginia proceeded at the same session to open her land office for the sale of that country which now constitutes Kentucky, a country every acre of which was then claimed and possessed by Indians, who maintained their title with as much persevering courage as was ever manifested by any people.

There is not an acre of land west of the Mississippi River and very little east of it that was not in the absolute possession of the Indians, and according to the argument of gentlemen on the other side under the absolute ownership of the Indians. Then how came we by it? How came this Government by it? It was by the right of discovery, claiming under the darrein title from the European Government from which we obtained it. The lands occupied by this country and acquired from France were lands gotten originally from the Indians and they were never consulted. The treaty that was made with these Indians was in pursuance of law. It provided for the exchange of these lands, and the President of the United States had no power to give a greater title than the law authorized him to give. The treaty provided that they should have a patent if they wanted it. It is no part of the title.

Now, then, can this Government to-day or any other day consent that there is a territory within its civilization that is beyond the power of the Government of the United States to control? It has been tried three times in these United States to accomplish that purpose. I was one of the gentlemen who tried that experiment once—that there was a Territory in these United States that the Government of the United States could not control, and the decision was against us.

I say the Government of the United States can not part with the title in the lands in the sense that is claimed here. It does not rest in the power of the legislative department of the Government to do that; if it did, it could destroy the Government by ceding the lands. The ownership of land being in the Government, it sells it to citizens or Indians, reserving the right of eminent domain. The sale to the Indians was not like a sale to a foreign Government, where all right of jurisdiction is abandoned.

The Government of the United States never loses its power to see that a republican form of government is anywhere and everywhere. Why, the Government of the United States can to-day take hold of a State government, that was a sovereign power at the beginning, and revise its government to see if it is a republican form of government. And here we are told, in the House of Representatives of this Union, that there is a strip, a patch of land within the very heart of the American civilization (it is nearer to the Atlantic than to the Pacific) over which the United States can not establish a government and cordon it with bayonets and prevent the ingress of American civilization.

We do not take the land. All this talk about robbery is outside of the question. If it were in it I would state who were the robbers. It is those men who come here to represent a constituency and then take out of the pockets of the people $7,000,000 annually to support these lazy, lounging Indians who use the provisions we give them and the horses we provide them to ride out and kill women and children. If they are civilized, as gentlemen say, then they need a civilized government. If they are not civilized and still desire to live in tribal relations as savages, it is time the policy that has failed for a hundred years be changed.

Public Park in the District of Columbia.

SPEECH

OF

HON. THOMAS R. STOCKDALE,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, March 24, 1890.

The House being in Committee of the Whole, and having under consideration the bill (S. 4) authorizing the establishment of a public park in the District of Columbia—

Mr. STOCKDALE said:

Mr. CHAIRMAN: I wish to occupy the attention of the House but a short time. I am opposed to this bill, because of the principle it involves. I believe that it is the first instance where the United States Government has done as it is now about to do, and what this bill asks the legislative department to do. I believe I am correct in saying that the United States Government owns but one park. It is proposed by this bill to own two at least. The Yellowstone Park was reserved, not purchased. It was reserved for its great curiosities and natural phenomena. I believe that this bill proposes to do what the United States Government never has proposed to do before, and which it has not the power legally to do, as I believe.

The gentleman from Pennsylvania [Mr. ATKINSON] argued the question upon a health basis. That is aside issue. That is not in the bill. The bill makes no such proposition as that. If it did, it would be a travesty to assume that it was sought to establish this park to advance the sanitary condition of Washington or its people, a city full of parks, and its streets, equal to parks, made at Government expense; but to set it apart for a public park or a pleasure ground for the enjoyment of the people of the United States borders on the ridiculous. The people of the United States do not come here to see trees and grass; they have them at home.

I have no doubt that the real object is to benefit the citizens of Washington City. That is the true intent and meaning of this bill, to furnish drives for the wealthy citizens of Washington; poor people can walk in it and get run over; but it probably would be subject to the objection that the people of the United States are spending this large sum in addition to the many millions already spent for the pleasure of the people of this city. It is said that there are no public parks in the northwest of this city. Why, my dear sir, for the last five years the city has so progressed in the northwest that every man who resides there has a park around him. Every man residing in the northwest as it is now extended has a park to himself. Each house is surrounded with extensive grounds. But this bill is evidently intended for the particular benefit and pleasure of those privileged gentlemen by furnishing shaded drives at Government expense. It is said it is for poor people to walk in. This proposed park is six or seven miles from the portion of the city where the poorer classes live, and they can go that distance to walk through this new park and read the signs, "Keep off the grass."

The chairman of the committee announces that the first thing he is going to do when money is appropriated to develop this park is to make drives in it. Drives for whom? For these people that die with diphtheria and other diseases? Why, the people who die with those diseases are the people in the city, the people working at their trades and their several vocations, and the gentleman proposes to relieve these men on Pennsylvania avenue, and on the other various streets, where the business of the city is carried on, by making a public park 6 miles away on Rock Creek! That is his argument. It reminds me of the Thompsonian doctor who was called to see a sick child. He said he did not know what was the matter with the child, "but I will tell you what I can do," said he, "I can give it some medicine to throw it into fits, and I am death on fits."

Mr. PAYSON. Did he say "death?" [Laughter.]

Mr. STOCKDALE. I say if the object of this bill is to provide a sanitary measure for the people of this city then the bill is not written properly, and the committee did not know what they were talking about; and if it be a measure to provide a park "for the people of the United States," the expenditure of this money is an imposition upon the citizens of Washington City, because they are required to pay half the cost of it without their knowledge or consent. The money is to be legislated out of their pockets and put into this park "for the people of the United States," and not for the people of Washington, according to the bill.

I am not opposed to the expenditure of public money where there is something valuable returned to the people of the United States for the expenditure, but I am opposed to expending those millions of money for pleasure-grounds for anybody. The bill does not mean what it says. When it says that it is for the benefit or the pleasure of the people of the United States, it means that is for the benefit of a few people of the United States who come here and become fascinated with the city, which is already so great and so beautiful. It is said that the surplus is in the Treasury and may as well go out. I admit that it is better out than in, but when you expend that surplus in this foolish way you will tax the people to put it back next year, and when you come to restore that money, which now constitutes the surplus, it is well known who will have to supply the money. It is not the millionaires who live in Northwest Washington, or anywhere else. It is the great productive industries of the country, the people who work with their hands, who will have to put back that money into the Treasury for other millionaires to spend other millions upon pleasure parks "for the people of the United States."

Another objection I have to this bill is that this is the first time on record, so far as I know, that the Government of the United States, or any other government, has assumed to take away the fee-simple right of any man who owns the soil without his consent, for the pleasure of people who want to drive in a park. Cities may do that if they want to, and if the city of Washington wants a park, let her make it, but I do say that when this Government of the United States, now for the first time in its history, undertakes to say to a citizen who owns the soil, who owns his home, "You must get out of here, because some gentlemen want to drive through these grounds as a park," it is an outrage.

The citizen is not asked what he will take for his property. If this is to be for public highways—and that is an interpolation in the bill—it should be provided for in the same way that lands are condemned

for public highways. But these lands are not condemned for highways. They are condemned "for the pleasure of the people of the United States." I say the Government has no legal power to dispossess a man of his property for anything except a necessary public use, and it certainly has no power to do it for public pleasure.

Pleasure of whom? The people of the United States, say these gentlemen. Then you will make people give up their homes in this District so that gentlemen in California or Texas may have pleasure-drives when they come here. What a free Government this is!

This is showing more contempt on the part of the Government for its citizens than any civilized government has ever shown, because there is not a potentate in Europe who would undertake to say to the citizens, "I want your property for a pleasure park that I may drive in it, and I will put my own price on it." As to the cost of this land, I do not believe it will cost as much as it ought to cost. Why? Because the people who own the lands that will fall within the proposed park have nothing to say as to what shall be paid for their property. Perhaps they do not want to sell it at all. Perhaps a man has an ancestral home there which has come down to him with many historic and many family traditions and associations around it; but all that goes for naught when some gentlemen parade themselves before the country and say, "We want to turn this land into a park to drive in;" the old idea that it takes two to make a bargain is exploded.

Mr. Chairman, we did something like this not long ago, and what has been the result? We have made a luxurious home for a few aristocratic monkeys and a few dromedaries and a buffalo or two which look now as if they wanted to die. We have turned people out of their homes for that, and now it is proposed that we go a little further, and because some gentlemen want to drive through these lands as a park we are to say to the citizen, "All your history and all the memories and all the glories that hang around your ancestral home must count for nothing because, forsooth, your lands are wanted for the pleasure of the people of the United States."

The very language of the gentlemen of the committee indicates how much contempt is felt for the citizen. Why, sir, for a man to stand up here and make a plea for the rights of the citizen is to subject himself to ridicule. It is a subject for laughter. They are only laboring people. Gentlemen say, "It is no matter about the surplus; we will gather it in." I know how you will gather it in, gentlemen. The people who till the soil are the people to whom you will send out your messengers to bring back additional taxes, to be in turn expended in extravagance and folly. Now, Mr. Chairman, I do not wish to consume the time of the committee further.

Building a Modern and Efficient Navy.

REMARKS
OF
HON. WILLIAM McADOO,
OF NEW JERSEY,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 10, 1890.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 8909) making appropriations for the naval service for the fiscal year ending June 30, 1891, and for other purposes—

Mr. McADOO said:

Mr. CHAIRMAN: I wish, in addition to my remarks a few days ago, to say a word before this debate closes. I am satisfied from the remarks made on this bill by those in opposition to it that while gentlemen are ordinarily well informed on subjects they address themselves to, there are among the opponents of this appropriation those who would not be able to tell the difference between a line-of-battle ship and an Alexandria coal schooner. [Laughter.]

A line-of-battle ship has been defined to be a great iron structure. If that is a true definition, then wherein does it differ from an iron shed? [Laughter.]

A MEMBER. Or a distillery warehouse?

Mr. McADOO. Yes, as my friend from Kentucky suggests, "or a distillery warehouse," which is also an immense iron structure and equally dangerous.

The gentleman from Kansas [Mr. PETERS] states the naval question—that is, what the Navy shall consist of—by saying it is a contest between the cruiser and the battle-ship. I tell the gentlemen who assume that to be the fact that the naval question here presented is not a contest between the cruiser and the battle-ship, but it is a contest between what is called the high free-board and the low free-board, or vessels of the monitor type and battle-ships proper.

Mr. PETERS. I did not say it was a contest between the battle-ship and the cruiser.

Mr. McADOO. If I misunderstood you then I will correct it. I myself was in favor of the low free-board as against the high free-board, because the low free-board of the monitor type is adapted simply to coast defense, and because I believed our proper naval policy was to first protect our coast if necessary, making the defense rest largely on naval hands by vessels purely of the coast-defense type, of the monitor class with revolving turrets, and depending chiefly, if not wholly, on floating rather than stationary batteries or fortifications. In addition we would build protected and unprotected cruisers of such weight and strength as would properly and efficiently protect our commerce upon the high seas. [Applause.]

But the gentleman from Kansas, and those on this floor who follow his lead, have narrowed the question until there is no room for those who differ only, as I do, about the type of ship, but believe in continuing to build a navy. They state the question to be whether we shall have any ships at all, and they move to strike out the paragraph without any type of vessels to take the places of these proposed ships. I do not stand willing, the country does not stand willing, to this; it is not a sectional question, it does not belong to us in the East, it does not belong to the State I represent on this floor, and will be of no more benefit to the people of that State, viewed in a broad and proper light, than to the constituents of the gentleman from Kansas himself.

The gentleman from Kansas has mooted a question in regard to these vessels which was brought up in the committee when it was proposed to build larger vessels.

I agree with the gentleman from Kansas that it is beyond dispute we can not float in our harbors such battle-ships of the larger type as are built by the Italian, the French, and the English Governments, with possibly the exception of the waters of Puget Sound. I admit, with the gentleman from Kansas, who stated here a fact that is indisputable, that it would be impossible to do so, or to build to-day in our navy-yards or shipping-yards and successfully float in the channels to our harbors vessels of the type built by the Italian Government, such monster ships as the Lepanto and the Italia, and also the three additional vessels of the same type of 10,045 tons displacement each, namely, the Ruggiero di Lauria, Francesco Morosini, and Andrea Doria. Nothing of this kind has been built or should be built here, because they would draw far more water than would enable them to enter the most of our harbors, protected as they are by bars or shallows and shifting channels.

But the vessels, Mr. Chairman, proposed by this bill will draw only 23 feet of water, and Admiral Simpson, in a very interesting article of recent date as to the rehabilitation of the Navy, says that 23 feet is not too much draught for our principal harbors.

But, sir, I support the proposition contained in this bill because I think these can be considered as practical coast-defense vessels, and certainly prefer them to a bare negation and failure to continue building a navy. I would not give a cent for the purchase of a vessel which could with difficulty go out of our bays, and in case of defeat or pursuit would be unable to re-enter. It would be utterly useless to us. We could not utilize her. I would not take as a gift for our country the monster war vessels of Great Britain, because they would not be in keeping with our necessities, and would be unduly expensive and valueless in our purposes in maintaining a navy. But the swift cruisers and the coast-defense vessels, a numerous fleet of torpedo-boats, and this type of battle-ship for an outer line of defense, and with the splendid *personnel* of our present Navy, and ample and increasing facilities for building vessels and guns speedily and of the best quality, we would be fairly able to defend ourselves.

Now, these three proposed ships, owing to their limited coal endurance, owing to the fact that they can not steam across the ocean and back and carry sufficient coal to assume the aggressive, will necessarily make them enlarged types of coast-defense vessels, and in some respects they are superior to any other vessels of their size or to vessels of the purely monitor type. For myself, I preferred a purely coast-defense vessel, because I believe that the inner line, which means the very life of our exposed cities, should be first protected. An army that consisted wholly of a skirmish line would offer little opposition to an enemy. Before I close I wish to refer to a remark of the gentleman from Alabama in opposition to the passage of this bill providing for the construction of these vessels. He suggested that if New York was subjected to an act of foreign vandalism, to which she might be subjected, as has frequently been suggested by gentlemen sometimes, may be with a little of exaggeration intended to properly dispel our indifference and national complacency, that in that event the nation that did it would become a province of the United States. Whereupon the gentleman from Maryland asked the very pertinent question: "When Great Britain laid this Capitol in ashes, when she burned the bridge across to Anacostia, a bridge that you only replaced the other day with a proper structure, did we lay Great Britain in ashes or take possession of her colonies?" "Ah," says the gentleman from Alabama, "were we in the condition we are in to-day?"

Mr. Chairman, I hold in my hand the Naval War of 1812, by Mr. Roosevelt.

[Here the hammer fell.]

Mr. McCREARY was recognized, and yielded his time to Mr. McADOO.

Mr. McADOO. Now, I wish to say to the gentleman from Alabama

that we were a greater naval power at that time in comparison with Great Britain than we are to-day. This is a statement that is verified by history. And in that connection I desire to quote from the book to which I have just referred.

Mr. Roosevelt says:

The British vessels encountered were similar, but generally inferior, to our own. The only 24-pounder frigate we encountered was the Endymion, of about a fifth less force than the President. Their 38-gun frigates were almost exactly like ours, but with fewer men in crew as a rule. They were three times matched against our 44-gun frigates, to which they were about as 3 is to 4. Their 36-gun frigates were larger than the Essex, with a more numerous crew, but the same number of guns, carrying on the lower deck, however, long eighteens instead of 32-pound carronades—a much more effective armament.

The 3-gun frigates were smaller, with long twelves on the main deck. The largest sloops were also frigate built, carrying twenty-two 32 carronades on the main deck and twelve lighter guns on the quarter deck and forecastle, with a crew of one hundred. The large flush-decked ship-sloops carried twenty-one or twenty-three guns, with a crew of one hundred and forty men. But our vessels most often came in contact with the British 14-gun brig-sloops. This was a tubby craft, heavier than any of our brigs, being about the size of the Hornet. The crew consisted of from one hundred and ten to one hundred and thirty-five men.

As naval architecture advanced from sails and wood to steam and steel, from primitive engines and paddle-wheels to quadruple expansion ones and twin screws, and heavy steel armor pressed with Titanic machinery, we, recovering from our great war, fell behind. Alas! we can to-day make no such proud comparison as above with any of the great nations; but we are speedily pushing, under the last and present Secretaries of the Navy, into a place befitting this great country, if you will only hold up the hands of those in authority so long as they are efficient, honorable, and honest men.

The point I make is this, and I do not propose to go into the technical question of naval details: I want to observe that we were then more able to have made a province of Great Britain, so far as our Navy is concerned, for this act of vandalism than we are to-day. Even the Chilians, I understand, would affect to laugh at us on the sea. Of course, if this unconquerable and undefeated people of ours undertook the province-creating business in dead earnest, we would never submit to failure. As I have so often said, repeating the observations of military men like the late General Sheridan, we are absolutely secure from foreign invasion on the land. The foot of an alien invader with arms in his hand will probably never desecrate this land of ours. Even if China, with its teeming millions, should in the distant future, as great soldiers assert, become a colossal military power, unfriendly to us, she could not, even with a European alliance, gain a foothold on our territory against American freemen defending their homes.

Our coast, however, is exposed to modern navies, and we are not able as a naval power to protect our citizens or defend our rights abroad.

Mr. OATES. The gentleman from New Jersey has mistaken the comparison I made. It was not as to the naval strength, but as to the greatness in every respect in resources and in business, in the carrying trade that Great Britain is doing, to and from the United States now.

Mr. MCADOO. I have not time to yield further. All that the gentleman says is true as to our material resources. Everybody knows that our aggregated wealth has increased beyond the wildest dream. Everybody knows that the commerce between this country and Great Britain has advanced. But this does not interfere with the naval comparison. At that time it took five months to build a wooden line-of-battle ship. It takes five years now to build a battle-ship to compete with those of Great Britain. So that, even allowing the advance of naval science and architecture and the tremendous growth of our country, we were then, I assert it again, more able as a naval force to meet with Great Britain, engaged, too, at that time in a continental warfare, to avenge ourselves than we are now. Of course, outside of the navy we should find ways to strike her, if compelled to, and strike her with great effect.

Why, the gentleman from Indiana [Mr. HOLMAN] stated here the other day, as if it were a matter of discovery to the House, "Why," said he, "you are building magnificent war-ships." The gentleman was astounded at these monsters of the deep we are creating. "Why, gentlemen," he says, "they are not built of wood, but are built of steel and iron." Why, the gentleman seeks to convey to the House the impression that these vessels are formidable war-ships that no projectile could pierce. These ships are built of steel much less than an inch thick. They are built of steel and not of wood, not because such a thickness of steel is superior to the wooden vessels in resisting the aggression of projectiles, but they are built of steel because in the course of modern naval experience it has been determined that steel can better resist the tremendous shock of the machinery which is necessary to propel a vessel 22 knots an hour and over. That is why the vessels are built of steel.

A cruiser is not a vessel intended as a war-ship in the sense of a battle-ship, and is not a vessel that has more resistance against the projectile than if it were built of wood. It is a feeling impressed on the country and on the House that because we have followed the course of modern naval architecture in building these vessels of steel instead of wood that we have created mighty monsters that will embroil us in foreign war and endanger the liberties, the peace, and even the property of the people of the United States. My good friend is unnecessarily perturbed. The corn will tassle in peaceful times for many summers on the rich fields of Indiana. An efficient navy means peace and not war. A blockade of New York or New Orleans means that the surplus farm products shall rot or burn. The gentleman from Kansas [Mr. PETERS] says that there is a vast growing feeling among our people that the armed force of the United States should be decreased rather than increased. I agree with the gentleman from Kansas so far as a large standing army is concerned. The Constitution, as I said the other day, provides for the armed force on land that can protect the liberties and property of our people in the militia.

The same Constitution has also provided that we shall maintain a navy. Negative as to an army, but positive command to create a navy. "A wise man this Lysander, Joseph," but wise were these fathers, my Lord Richelieu. We ask not a great army, nay, our people shall not groan under colossal military establishments. When the Republic rests on bayonets it is dead. We bear the enormous burden now of the pensioned veterans who saved the Union; we shall not add to this a vast army of active soldiers, for even if they did not menace popular government, giant that we are, we could scarcely bear this additional weight. But if the gentleman from Kansas applies these objections to the necessary and needed force for the defense of the seacoast, I say to him that there is no considerable body of our citizens in any section of this Union who are opposed to defending our exposed coast, to protecting our citizens, and properly maintaining our rights and dignity abroad, nor who believe that we should be so exposed as to tempt the cupidity of other nations to levy tribute on our coast, or incite the ambition of those governments which our institutions menace every hour that they exist to ignore our interests or fail to respect our citizens or our flag in their dominions.

If the gentleman thinks that any considerable body of our people believe in this policy, then I say to the gentleman from Kansas and to the gentleman from Indiana that they totally misunderstand the wishes and desires of the whole people and of this great land, whether in States whose coasts are lapped by the sea, or the millions of the interior and farmost West and North. The people of the United States, whether they labor in the workshops and manufactories, or engage in trade or practice their skill in special callings, or whether they till the soil on the prairies of Indiana, which the gentleman so well represents, are willing to contribute through the taxation which they pay to this Government to protect the great Republic at its borders and without on every sea. [Applause.]

International Copyright.

SPEECH

OF

HON. THOMAS R. STOCKDALE,

OF MISSISSIPPI,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 2, 1890.

The House having under consideration the bill (H. R. 6941) to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights—

Mr. STOCKDALE said:

Mr. SPEAKER: In the time allowed me, this question can not be discussed with any degree of intelligence or force. But I have investigated the question to some extent; and when I started in the investigation I was impressed with the idea that I would support this bill; but during the investigation I have succeeded in convincing myself, at least, that the bill ought not to pass. I admit that it will be an advantage to a certain class of the American people, and a very worthy class, too. It will be an advantage to the type-setters, the printers, and the publishers of the United States. It will be an advantage to the authors of the United States.

Mr. BLAND. Do you not think that the reprinting of the vast quantity of cheap literature which is now printed is a greater advantage to the printers than it would be to turn the whole thing into the hands of monopolies?

Mr. STOCKDALE. I am inclined to think that the amount of printing in the United States would be increased by this measure.

But in our Government and our legislation the object which we profess, at least, to seek is the benefit of the vast body of the people, and if legislation is proposed which would benefit a few while injuring the vast multitude of the people, the few should forego the benefit or profit and let the people have their way.

This measure is to some extent a protection to some of our people; but it is a protection to a far greater extent to the people of foreign countries. Against the people of foreign countries I have nothing to say; but I do say that when we undertake to pass a law that is to circumscribe the field of knowledge of our own people in the interest of foreign authors or any other people of foreign countries we are extending the doctrine of protection further, I believe, than our friends on the Republican side have ever undertaken to go. This is protection not to

the American people, not to the American producer either of material or of ideas, but it is a protection to foreign authors against the interests of our own people. This, as I have heard it aptly expressed, is "protection run mad."

The grandest conceptions of scholars and statesmen, of foreign authors published in foreign countries, must remain a sealed book to Americans until some printers set the type up again and print the same book over again. Why this delay and additional expense?

It is the great business of the human mind to extend its investigation into the field of science, of literature and of law; the whole field of human knowledge invites the world to investigation. Men of this and other countries in their investigation in the field of science, in the realms of poetry, or in the walks of literature, produce thoughts which are the food upon which the human mind can act and expand and enlarge itself, and why shall we put an embargo upon these sources of delight? You may starve the body with high tariffs, but let us not cut off the supplies from the immortal mind. Foreign authors working in these directions are protected in their own countries, as the authors of this country are protected here.

If a book be published according to the laws of a foreign country and a man purchases that book there, it is his property; he has the right to do with it as he pleases, according to the present law. He brings it here and he undertakes to diffuse it among our people. The ideas may have originated abroad; they may constitute poetry or literature of the very highest order. These ideas come to us freely and, as was aptly said by the gentleman from Illinois, they can be disseminated through this country at such a price that our people in all parts of the country can read them.

As has been said, this is important, especially in the Southern States, where our institutions are endangered by reason of the existence of a large class of uninformed people. I say that we should not undertake in this way, for the benefit of others than our own people, to circumscribe the dissemination of the thoughts of men. Why, sir, we have benevolent societies whose object it is to disseminate printed books, to educate the people, to enlarge and purify their thoughts. Their efforts should be encouraged instead of burdened. Thoughts of great and good men should be free to circulate as the air and sunshine are free.

Are American authors imperial, that they must keep other books out, or are they to be censors of what we shall read? These benevolent institutions, I say, are furnished with means and money——

The SPEAKER *pro tempore* (Mr. LODGE). The time of the gentleman has expired.

Mr. STOCKDALE. I only wanted to add, Mr. Speaker, in conclusion, that this bill will circumscribe the operations of these people to the detriment of the American readers.

Federal Elections.

SPEECH

OF

HON. SAMUEL S. YODER,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, July 1, 1890.

The House having under consideration the bill (H. R. 11145) to amend and supplement the election laws of the United States, etc.—

Mr. YODER said:

Mr. SPEAKER: When a political party has gained power by a very meager majority, and that majority is obtained by, to say the least, questionable means, by the fat fried out of favored millionaire manufacturers; by debauching the ballot-box and intimidation of employés, and the use of money contributed to campaign committees who divide votes into blocks of five because aware that it is necessary to resort to desperate and diabolical means to retain that power—then, and then only, will the leaders resort to the means contemplated in the so-called Federal election law, more properly designated as the Davenport-Lodge force bill.

The pretended authority for the perpetration of this most destructive measure of all popular elections by the people in their sovereign capacity they find in section 4 of Article I of the Constitution, while it is well known to every student of the history of the acceptation of that clause of the Constitution that it would have defeated the adoption of the entire Constitution had it not been defined to mean that Congress should never under any circumstances exercise this power except in cases where the States refused to provide for the election of members to Congress.

The explanation of the meaning of this clause in the Constitution is so plain that it would seem needless to enter into an argument or discussion as to its meaning. Mr. Madison is quoted by the advocates of this bill as favoring such a measure, but they carefully refrain from stating all that Madison said—that it was immediately after the adoption of the clause of the Constitution which vests in the State Legislatures the primary power to regulate the "time, place, and manner of holding elections for Senators and Representatives." Then follows the speech quoted by Mr. LODGE in his report, and also the explanation which is not quoted, as follows:

This was meant to give the National Legislature a power not only to alter the provisions of the States, but to make regulations in case the State should fail or refuse altogether. (See Elliott, pages 401, 402, volume 5.)

Conventions were held in the several States to ratify the Constitution after it had been signed, September 17, 1787. I have the proceedings of the conventions of Massachusetts, Pennsylvania, New Hampshire, New York, North Carolina, South Carolina, Virginia, and Rhode Island, which I find in Elliott's Debates, volume 1, page 176. The only other expressions uttered in the convention which are referred to by Mr. LODGE are those of Messrs. King and Morris; but Mr. LODGE did not tell that they were made ten minutes after the adoption of the first clause, which vested the power in the State Legislature, together with those of Mr. Madison.

SECONDARY POWERS OF CONGRESS.

The question and the subject of discussion was as to the propriety of striking out the latter part of the clause, which, if done, would have deprived Congress of the secondary and contingent power, even in case the State should fail or refuse altogether, to make any regulations by which elections could be held for members of Congress. The great apprehension was that the State would fail to send Representatives to Congress, and for that reason Mr. Madison and Mr. King and Mr. Morris sought to preserve this contingent and secondary power to Congress.

That was the question before them. It was not should Congress have the power, but it was, if having given it to the States, should they refuse to exercise it should that give power to Congress? There is no room for argument that Congress could take the power to make regulations from the States, much less that it could take control of the elections.

MASSACHUSETTS STATE CONVENTION.

On page 176 of Elliott's Debates, volume 1, I find the following:

That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases where a State shall neglect or refuse to make the regulations therein mentioned.

And finally, as an admonition that it seems incredible that any one would neglect such representation, the convention admonished their Representatives in Congress to use all reasonable and legal methods to obtain a ratification of said alterations and amendments in the Constitution.

The New York State convention adopted the following:

Resolved, That it is the opinion of this convention that nothing in the Constitution now under consideration should be construed to authorize Congress to make or alter the regulations in any State respecting the times, places, and manners of holding elections of Senators and Representatives, unless the Legislature of such State should neglect or refuse to make laws or regulations for the purpose or from any circumstance be incapable of making the same; and in that case such power shall only be exercised until the Legislature of the State shall make provisions in the premises.

And so on in every State convention these provisions in the Constitution had to be explained and so understood to mean that only in case the State neglected or refused altogether, then, and in that event only, should Congress have authority to exercise this power, and every student of the debates in the constitutional convention is aware that had this interpretation not been placed upon this clause the States would have refused to ratify the Constitution with this provision in it. The "time, place, and manner," etc., should be prescribed by the Legislatures of each State, but Congress may by law at any time make or alter such regulations, etc. The first is original and primary, the second is permissive and contingent. The Legislatures and Congress can not both have original and primary power to act on the same subject at the same time. Such a conflict would never have been sanctioned. Nor can we believe that the men who draughted this section intended to distinguish it from every other section in the Constitution in granting to two separate and distinct authorities coequal power over the same subject at the same time. Nor can I conceive a greater absurdity than the granting of plenary powers to the Legislature of the State in the first clause of the section, only to be abrogated and annulled by the second section without cause.

No one believes that the intelligence which framed that great instrument, careful in avoidjng any conflict between the State and Federal authorities, deliberately placed this power into two distinct hands to be exercised at the same time possibly, and in different ways. We conclude, therefore, that the obvious and plain meaning of the section under discussion is that the Legislature of each State should have the primary authority to determine on the time, place, and manner of holding elections, and that Congress should have such power ultimately, in case the State neglected or refused to act.

This bill proposes to exercise that power, so utterly obnoxious to the framers of the Constitution, unwise in its general scope, iniquitous and subversive of the rights of the people. During a century of the existence of this Constitution no party ever thought of construing this provision so as to authorize the Federal Government to control elections in States.

In 1842 we find that Congress attempted to take charge of this matter by passing a law directing the States to elect their Representatives by districts rather than by the general ticket system, as some were then doing. The bill was approved June 25, 1842, by President Tyler. The States of Missouri, Georgia, and New Hampshire declined to obey the law, and elected their Representatives by the general ticket system as theretofore. Upon the assembling of the Twenty-eighth Congress the question of their title to their seats was at once raised and reports were filed by Mr. Douglas for the majority and it was promptly decided by yeas 128, nays 68, in favor of seating the members and against the authority of Congress to take charge of these elections.

We find voting among those in the affirmative such men as Hale, Hamlin, and other leading Republicans. So that it was decided that the power claimed by Congress to command the States to elect Congressmen within the borders prescribed by it did not exist, and it has never been attempted since.

PROVISIONS OF THE BILL.

It is proposed in this bill that the power which is inherent in the States be taken from them and given over for its determination into the hands of Federal officers appointed under clauses 7 and 11 of section 8 of the Davenport-Lodge bill. It is provided that the supervisors supervise the registration and actually pass upon the right of a man to vote. It is proposed that the power which is inherent in the State should be taken from it and given for its determination into the hands of Federal officers appointed by Federal judges.

These Federal officers under this bill will have the power to pass upon the qualifications of the voter and to say whether or not he can vote. This is not only applicable to voters for members of Congress, but as elections are held in many States for State, county, and municipal officers and Presidential electors at the same time as for members of Congress, this bill seeks to do by indirect means what it is acknowledged it can not do by direct means, namely, to put the elections, Federal, State, county, and municipal, under the control of Federal supervisors and deputy United States marshals, and by the section of law which it re-enacts employ United States soldiers at the polls.

The power to challenge the vote, the power to count the votes, puts the election of all voted for in the hands of Federal officials. The power of supervisors carries with it the power to compel the doing of something which is the subject for the supervisor and the power over the right of suffrage. Thus supervisors are compelled to go to the city officers, who are the registrars, and to interfere with the registration. Again, they are required to enter the court-rooms, where the judge naturalizes persons, and supervise the naturalization of citizens, and virtually take charge of the State courts. More than that, the power is given him to direct the officer of the State to do certain things upon his own responsibility when he has to discharge the duties of registrar for his State or city, and for that alone. This is a bill to foist upon the people a horde of Federal officials, responsible to no one but their party; no one to compel them to do their duties properly. It is the laws enacted by the States that the Republican party fears.

It is not contemplated in this bill to repeal the State laws, but to supersede them by Federal officials, the tools and subservient appointees of the Republican Federal Administration under the immediate control of a chief supervisor, who commands unlimited authority and is responsible only to the Republican Federal court. The purpose of the official is to act for the Republican party. There is manifested a willingness to degrade the Federal judiciary by dragging it into the field of partisan politics and making it an instrument of oppression to the people.

Never in the history of this country has any party in its blind partisan zeal attempted to rush through Congress a measure so threatening to the judicial system of our country, and this portion of the bill its advocates never discuss.

PROSTITUTING THE JUDICIARY.

Let us for a moment contemplate the deep and damning conspiracy here unfolded. Four months ago the judicial bill was passed through the House of Representatives by the leader of the Republican party.

The conspiracy was concocted in a secret caucus, and with the assistance of the Committee on Rules was rushed through with such rapidity that they themselves were dazed. The bill revolutionized the judicial system of the United States and was put through this House in four hours. No time was given for the House to think. No one suspected the infamous outrage contemplated. Only thirteen members felt like voting against a bill of such importance without knowing its effects. One hundred and eighty-three did not vote at all. A certain few Republicans who were in this all along had a knowledge of the effect and scope of the bill, though Democrats as a rule were suspicious of it.

John Adams's midnight judges were created with as little general knowledge and purpose as this law was put through. No one except the men who are pressing this judicial bill understood it well. That bill provided for an increase of United States circuit judges by the appointment, by the President of the United States, of seventeen judges. It prepared the way for the carrying out of the Republican scheme under this bill.

The power of appointing the Federal supervisors and chief supervisor and the Congressional returning board is lodged in the United States circuit judges. This was also necessary to the carrying out of the conspiracy. It was necessary that they should have the control of these courts. Some of the judges were Democrats. Some of the Republicans were advanced in years and their places might soon be filled by Democrats, or they might not be willing tools. Mr. Chief-Justice Fuller, Justice Field, and Justice Lamar, who are Democrats, might be called on to appoint some of these supervisors and returning boards. That would not suit the Republican programme.

The Cannon bill removes all difficulties by relieving Messrs. Fuller, Field, and Lamar and their colleagues from service on the circuit and makes seventeen new circuit judges. Five judges at least out of the nineteen who now hold circuit court are Democrats. The new men to be appointed by President Harrison will be Republicans; they will will be new men, fresh and hot Republicans, who can be relied upon for pressing work when required.

PREPARED TO MEET ANY EMERGENCY.

They owe their appointments to the Republican party. They are appointed for life, not responsible to any constituency, and only to the Republican party to whom they owe their official life. And now they are expected to create a Republican House of Representatives in the future.

By the Lodge bill these judges are given a power, and it is made their duty, to appoint Federal officers whose duties are to take charge of and conduct elections and make out certificates of election, which shall entitle them to seats, of members of Congress, and they are responsible to these judges and no one else. If they are charged with a violation of the law, the perpetration of an outrage at the polls, intimidation, bribery, falsification of the returns, or any other crime, they are only answerable before these courts. The circuit judge who appointed him is the judge who must pass upon his guilt or innocence; and for fear that some one might be fearful of consequences, it is provided in the Lodge bill that all supervisors shall be considered in the service of the United States for sixty days after the election, so as to give them plenty of time to go to Canada in case they are wanted by any State authority.

It is also provided that the grand jurymen shall all be good, reliable Republicans, or be selected by a Republican clerk of the United States court, which is the same thing, to try the offenders, or to convict Democratic State officials of the election. Mr. ROWELL explained the purpose of this provision of the bill—that it was necessary that the jurymen should all be of the same politics, or you could not get them to agree. Being all Republicans, all could agree to acquit Republican criminals and convict Democrats whether guilty or not. Mr. MILLS came forward with a proposition to make these courts non-partisan. The motion was promply voted down by the Republicans of the House. Under this new bill there will be twenty-seven circuit judges, twenty-five of whom will be Republicans and only two Democrats.

The new judges are to be appointed by President Harrison, and will serve for life (by and with the advice and consent of the chairman of the Republican national committee). No doubt he will find the right kind of men to fill the positions of United States circuit judges. The election of members of Congress from every State in this Union is to be subjected to the partisan judiciary and the Republican supervisors and the Republican returning boards, and all have been appointed for life. You must not forget that supervisors are appointed for life as well as judges of the United States courts under the provisions of this bill. This commission of villainy against popular rights to be accomplished by the Cannon bill and the Lodge bill is simply inscrutable unless you study their origin, their provisions, and their infamy taken together.

Beginning at section 42 and going on through this bill you will find thirty-nine provisions for punishing State officers of elections, and there is one little section providing for the punishment of the supervisors. There is not only a life tenure for the chief supervisor who conducts these elections, but there is no penal statute in regard to him. The judges of the circuit court of the United States appoint the supervisors; if one was to be tried for misconduct the judge who appointed him is to judge his guilt or innocence by a court of the same political faith, a jury of exclusive Republicans.

The conduct of the supervisor is not alone on trial, but the judgment of the judge who appointed him is also on trial and before the judge who selected him.

The most baneful and demoralizing effect of all the outrageous features of this bill is the dragging down into the filth and mire of political corruption the ermine of the judiciary. Thomas Jefferson said regarding the judiciary:

> It is proven that the power of declaring what the law is *ad libitum*, by sapping and mining slyly, and without alarming, the foundation of the Constitution, by a corrupt judiciary, is the beginning of the end of all free government.

The chief supervisor has his powers well set out in this bill. Everything that is to be done, everybody who is to be employed everybody who is to employ, everybody who is to be interested in the employment, is to be carefully scrutinized by him, and his duty is to provide for the affairs of the people, and on any failure or refusal of the legal State authorities to conform to and discharge the duties conferred upon them by the law they can be arrested and incarcerated merely upon the affida-

vit of this supervisor, and then taken away to some place, many miles away perhaps, where the expense of a trial would be greatly increased, and to appear before a partisan judge on the complaint of a partisan supervisor and partisan deputy marshals employed and virtually owned by this chief autocrat of elections.

This bill provides that the General Government may go into a State and direct the local officers in the performance of their duties. We have no remedy but to obey the Federal authorities, and in this way destroy every authority of the State.

If Congress can compel local officers to certify the returns of Federal supervisors under the provisions of State law, it can increase the duties of these local officers as to these returns. It can impose upon them such duties as party necessity may suggest, and compel their performance by mandamus or proceedings in contempt or otherwise, and thus utterly destroy the machinery of State government.

According to this bill there is power vested in the General Government to destroy the State, and this is done under a hypocritical pretense of a desire for a free ballot and a fair count.

DEPUTY MARSHALS INVADING THE HOMES OF CITIZENS.

This bill provides for a house-to-house canvass, sending the supervisors and deputy marshals to force an entrance, if need be, into the houses of people to "verify by proper inquiry and examination at the respective places of residence" of voters the correctness of the registration books, and to make a "thorough and effective house-to-house canvass" of elections in their respective districts to ascertain the qualifications of the male voters residing there. The females in Wyoming are happily excepted from this outrage.

The time-honored maxim that "a man's house is his castle" is to be eliminated from our system of law and in its place is to be substituted the provision that whenever it is suspected that the Republican party can purchase, intimidate, or otherwise influence a voter to its advantage, then a supervisor and a deputy marshal may go with all the powers of the General Government at their backs search the man who can be purchased or intimidated, and report to the Republican national officeholders (or chief supervisor for life), who will report the same to the Republican national committee, who will then divide these into blocks of five, with a trusted man with the necessary funds in charge, who will see that they vote the Republican ticket and that none get away.

COST OF THE LODGE BILL.

There are about sixty thousand voting precincts in the United States. Under this bill the cost of the canvassing board, and cost of the chief supervisors, and cost of the supervisors themselves in each district, the cost of the deputy marshals, allowing three to every precinct and three supervisors for each, and allowing a fair average of the amount that they are to be paid, is from $5 to $20 per day. Under this law I find at a low estimate that this bill will cost in round numbers $12,000,000 for every election held under the provisions of this bill, provided it was enforced in every State, and would be that much saved to the national Republican campaign fund toward again purchasing the next Presidency.

This bill also re-enacts the section of the Revised Statutes authorizing the employment of United States troops at the polls; it provides for the employment of deputy United States marshals, not less than a certain number, but puts no limit at all on the number which may be employed. There can be as many as the supervisor may see fit to appoint.

The men selected by the chief supervisor to serve as supervisors or deputy marshals to a certain precinct, under the provisions of this bill, need not necessarily be residents of that particular precinct, or even residents of the county, and the chief supervisor is the sole and only judge as to the character, fitness, and qualifications of these subordinates.

The deputy marshals are appointed by the United States marshal, and every one will be a Republican before this bill goes into effect.

The chief supervisor has absolute power over the elections and unlimited power over his subordinates. They certify who is and who is not elected to Congress, and their certificate seats the man as a full-fledged Congressman, and if the Clerk of the House of Representatives refuses to place such man on the rolls he is fined $5,000 and then sent to the penitentiary. He can discharge them at will, suspend them from office, and other powers. And this is a "free ballot and a fair count."

How nice the arrangement to pay these minions of a party. His warrant, in the shape of a certificate of the expense, is forwarded to the Attorney-General. This is made by the thirty-third section of this bill a compulsory order to the Attorney-General to, without delay, cause to be deposited in the subtreasury or a Government depository in the judicial district (this makes it better yet; they can get at it handier) from which the estimate shall have been sent, to the credit of the marshal of the United States of said district, the sum of money he so estimates; and to pay these estimates the law makes it a permanent appropriation, so that if the next House or any House should be—as it surely will be—Democratic, the Treasury of the United States is absolutely without protection by that House. He is also made an officer for life, so that no changes which may occur but his death would relieve the district over which he is chief supervisor from his domination.

Under his orders his subordinates are compelled to make a canvass from house to house of every city, and obtain a perfect list of the voters residing therein, so that at the expense of the tax-payers he may have for the benefit of his party and national campaign committee absolutely accurate knowledge of the views and circumstances of every voter, and thereby be enabled to bring to bear on every one of them whatever corrupt means may be thought best suited to get him to vote the Republican ticket. In these visits the officer and the voter are alone; this secret conference affords the opportunity for bribery or intimidation, and the tax-payer contributes to pay for this chance to debauch the suffrage and demoralize the voters.

This puts into the hands of the Republican organization a complete list of all doubtful voters in all doubtful districts in the United States, and furnishes this list at the public expense, and furnishes the willing tools, paid out of the public Treasury, to see to it that the means adopted shall be properly applied to the voters selected, and yet it is claimed by the advocates of this bill that it is done for the purpose of securing a free ballot. How much would the firm of Dudley & Quay pay today for such a list in all close districts?

UNITED STATES DEPUTY MARSHALS AT THE POLLS.

As to the character and fitness of deputy United States marshals and supervisors heretofore appointed under section 2021 of the Revised Statutes of the United States in cities of 20,000 inhabitants or over, in Congressional districts when Congressmen were to be chosen, I can only refer to the debates in the Senate of the United States, volumes 83 and 84. On page 1636 I find two columns of names of convicts, thieves, robbers, murderers, etc., who were supervisors in New York City. These disreputable characters were appointed by the real author of the present bill now under discussion, the man who attended to the drawing up of every detail, every section, and every line of the Lodge election bill, who was constantly closeted with the committee who had this bill in charge, and who was either on the floor of the House, in the Speaker's private room, in the gallery, or in the House lobby when the bill was put upon its passage, so that he might be consulted with regard to the effect of any amendments that might be offered before the final passage of the bill. I refer to John I. Davenport, of New York.

The people of my own State, Ohio, have had a foretaste of what may be expected in the event this bill becomes a law. At the election for members of Congress held in the city of Cincinnati on the 14th of October, 1884, Lot Wright, United States marshal for the southern district of Ohio, acting under the advice of the national Republican committee and by authority of section 2021 of the Revised Statutes of the United States, appointed large numbers of deputy United States marshals to serve at the several voting precincts of Cincinnati.

I hold in my hand House Report No. 2681 of the second session of the Forty-eighth Congress, extracts from which I will insert in the RECORD:

Mr. SPRINGER, from the Committee on Expenditures in the Department of Justice, submitted the following report:

The Committee on Expenditures in the Department of Justice, having been instructed to investigate certain charges against Lot Wright, United States marshal for the southern district of Ohio, and having had the matter under consideration, have instructed me to submit the following report:

The House of Representatives on the 2d day of December, 1884, adopted the following preamble and resolutions, submitted by the Hon. John F. Follett, a Representative from the State of Ohio, namely:

"PREAMBLE AND RESOLUTIONS.

"I do impeach Lot Wright, United States marshal of the southern district of Ohio, of high crimes and misdemeanors. I charge him with usurpation of power and violation of law:

"In that he appointed a large number of general and special deputy marshals to serve at the several voting precincts in the city of Cincinnati, in the State of Ohio, at an election for members of Congress, held in said city, on the 14th day of October, A. D. 1884, and armed said deputy marshals with pistols and other deadly weapons said to have been furnished by the War Department of the United States Government;

"In that a large number of the deputy marshals so appointed and armed were notorious criminals and men of known vicious and brutal habits and reputation, and many of them non-residents of said city of Cincinnati and of said State of Ohio;

"In that the said deputy marshal, acting under his orders and directions, aided, abetted, and encouraged fraudulent voting, intimidation of voters, and gross outrages upon the elective franchise and the rights of the honest voters of said city, in furtherance of the interests of a political party and its candidates: Therefore,

"*Resolved*, That the Committee on Expenditures in the Department of Justice be required and directed, as soon as the same can reasonably be done, to investigate such charges and report to this House—

"First. How many deputy marshals, general and special, were appointed and authorized by said United States marshal for the southern district of Ohio to serve at the several voting precincts of said city at said election, with the name and residence of each, and the voting precinct to which each was assigned.

"Second. What citizens, if any, of said several precincts asked for the appointment of such deputy marshals, with the names of such citizens and the reasons, if any were assigned, for such request.

"Third. Whether any, and, if so, how many, of such deputy marshals have, prior to such appointment, been accused or convicted of crime, or were men of known vicious and brutal habits and reputations.

"Fourth. Whether said deputy marshals were under the direction and control of partisans and used the powers vested in them in the interest of any political party, and aided, countenanced, and encouraged fraudulent and illegitimate voting in the interest of such political party and its candidates.

"Fifth. What number and what kind of pistols or other deadly weapons were put into the hands of said deputy marshals, who furnished the said weapons, from whence were they received, why furnished, and how many of such weapons

have been returned, together with the names of such deputy marshals as have failed to return the weapons furnished them.

"Sixth. What amount of money has been paid to such deputy marshals, and by whose order was the same paid, and at what rate per day.

"Seventh. Any other matter or thing connected with or germane to the general subject of such investigation."

In accordance with the foregoing resolution the following members of the Committee on Expenditures in the Department of Justice were appointed to make the investigation: WILLIAM M. SPRINGER, of Illinois, chairman; Thomas J. Van Alstyne, of New York; JOHN W. STEWART, of Vermont.

INVESTIGATIONS BY THE COMMITTEE.

The subcommittee before proceeding to examine witnesses called upon the Attorney-General for copies of all correspondence between the Department of Justice and Lot Wright in reference to the Congressional election in the southern district of Ohio, on October 14, 1884. This correspondence was promptly furnished by the Department, and is printed in the volume of the testimony herewith submitted.

The committee also called upon the Secretary of the Treasury for copies of all vouchers and accounts filed in the Treasury Department by Lot Wright for expenses incurred by him on account of said election. These were also promptly furnished and are printed with the testimony. The Commissioner of Pensions was also called upon for information as to special examiners or other employés of the Pension Office who reported from or were employed in the State of Ohio during any part of the months of October and November, 1884. The Commissioner furnished the committee all the information desired, which will be found printed on pages 75 to 103 of the testimony.

After examining eleven witnesses in the city of Washington, the subcommittee proceeded to the city of Cincinnati, Ohio, where a thorough examination of witnesses was had, and a careful investigation of all the facts material to the case was made. The sessions of the subcommittee in Cincinnati began on the 5th day of January and closed on the 17th day thereafter. Mr. Wright was represented by Judge Forsker, Hon. H. L. MOREY, and others, as counsel. Mr. Follet, upon whose motion the resolutions authorizing the investigation were adopted, and Hon. A. A. Kramer, the unsuccessful candidate for Congress in one of the Congressional districts of Hamilton County, of which the city of Cincinnati forms a part, appeared in person, and were also represented by Mr. Charles Baker, as counsel.

Before proceeding to the consideration of the facts which were developed by the testimony, a brief statement of the law which the marshal of the southern district of Ohio was called upon to execute and which governed his conduct should be made.

Section 2028 is as follows:

"No person shall be appointed a supervisor of election or a deputy marshal, under the preceding provisions, who is not, at the time of his appointment, a qualified voter of the city, town, county, parish, election district, or voting precinct in which his duties are to be performed."

There can be but one construction given to this section. It clearly provides that the deputy marshals of election shall be qualified voters in the precinct in which their duties are to be performed. The law was so drawn as to apply to such counties, towns, or cities as might have but one place for voting. In such case the deputy marshal might reside at any place in such county, city, or town; but where there were voting precincts or election districts prescribed in counties, cities, or towns it is clear that the law requires the deputy marshal to reside in such election district or voting precinct.

Marshal Wright's accounts show (testimony, pages 58 to 75, and page 299) that of one thousand three hundred and seventy-one special deputies appointed and paid by him, every one of them, with perhaps two or three exceptions, was allowed and paid for services performed, "actually on duty," on Wednesday, October 15. The whole amount paid for services of special deputy marshals by him was $14,800, as appears by the two accounts mentioned.

The appointments were made without any reference to section 2028 of the Revised Statutes, requiring the persons appointed to be voters in the election district or voting precinct in which their duties were to be performed. In fact, the section was wholly disregarded in making the appointments, but in many cases deputies doubtless performed duties in their own precincts.

But in some cases persons who were known to Marshal Wright to reside in Hamilton County, outside of the city of Cincinnati, were appointed to serve in the city. Appointments were made of general deputies to serve in many of the suburban villages on election day, and to perform no other duties than those pertaining to the election. All such appointments were without authority of law, and were expressly prohibited by section 2030 of the Revised Statutes.

In addition to these general deputies appointed in the suburban villages of Hamilton County, Marshal Wright appointed many others, who were non-residents of the State of Ohio, to act as general deputy marshals. He furnished the committee a list, which is printed on page 300 of the testimony, but could not give their places of residence. This list embraces only about 130 names; but Mr. Wright did not know how many others were appointed of whom he had no record. He claimed that the general deputies appointed by him would not exceed 150; but he admitted that his clerks signed his name to commissions, and that he did not keep a record of those appointed. He did purchase, however, 1,300 metallic badges and 2,000 ribbon badges, purchased in separate lots of 1,000 each, to be worn by his deputies on election day.

The testimony developed the names of quite a number of persons who were appointed whose names do not appear in any of the published lists. The whole number of special and general deputy marshals appointed whose names are given is 1,501. But Marshal Wright, in his letter to the Attorney-General, of October 29, already referred to, says that he had employed special deputy marshals as follows: 68 men for more than two days and 1,600 two days each. He also says:

"In addition to the above I had many others who did excellent service (not under pay)."

NON-RESIDENT MARSHALS.

The published list of general deputies does not disclose their residences, but the testimony showed that Charles Adams, after whose name "Sixth ward" is written, was then a citizen of Colorado, and holds a position in the Post-Office Department. W. F. Crawford is a post-office inspector at Austin, Tex. W. H. H. Llewellyn, after whose name "Sixth ward" is written, is agent of the Mescallero Apaches, in New Mexico.

Several Department clerks from Washington, numerous internal-revenue officials and postmasters of Kentucky, a member of the Missouri Legislature, Government officials stationed at St. Louis, several persons from Chicago, Indianapolis, Louisville, Covington, Ky., a hotel keeper from New Rochelle, N. Y., and many others from different parts of the country were appointed general deputy marshals to serve at that election. General deputies were not paid out of the Federal Treasury, but out of campaign funds disbursed through the Lincoln Club, a Republican partisan organization in that city.

OFFICIAL OATHS.

Notwithstanding the statute requires that the oaths of office should be administered to the deputies by the judge of the district court, yet it does not appear that any of them were so administered. United States commissioners performed this duty, as will appear by the oaths on file in the Treasury Department. All persons so appointed and sworn were illegally qualified, and had no legal status whatever. They had no authority to make arrests, no authority to perform any of the duties of a general deputy marshal or of a special deputy, and all sums paid to them should be disallowed and repaid into the Treasury of the United States.

PARTISAN AND INCOMPETENT MARSHALS.

The deputy marshals appointed were all members of one political party, or of persons who would vote a portion of the Republican ticket. They were in many cases colored "roustabouts" and "roughs," men of no character or bad character, and one hundred and forty-four, as appears by the vouchers filed in the Treasury Department, were unable to write their names, and each signed his receipt with "his X mark." Some were ex-convicts, and one, who served as a special deputy, was at the time a fugitive from justice from the State of Indiana. His name is William J. Farrell, and he has since been returned to Switzerland County, in that State, and convicted of obtaining money under false pretenses, and sent to the penitentiary at Jeffersonville for two years, where he is now serving out his sentence.

Some of them were drunk on election day and disorderly, and showed by their appearance and conduct that they were utterly incapable of properly comprehending or discharging the responsible duties imposed upon them by law. Your committee were unable to ascertain the number of deputy marshals who, prior to their appointment, had been accused or convicted of crime, or the number of those who were men of known vicious and brutal habits. Accuracy in this respect would have prolonged the investigation indefinitely; but enough was proven to establish the fact conclusively that there were persons who were appointed and acted as deputy marshals at that election who were of the very worst elements of society.

NO NECESSITY FOR MARSHALS.

There was no necessity for the appointment of so large a force of deputies on the day of election. It was the opinion of Mr. Theodore Cook, a prominent citizen called by Marshal Wright, and of many witnesses called by the other side, that there was no necessity for appointing either deputy marshals or deputy sheriffs. Mr. John W. Herron, an attorney at law and prominent Republican, called by Marshal Wright, testified that a fair election would have been secured if the appointments had been made of good men from both parties.

EFFORTS OF A CITIZENS' COMMITTEE.

Mr. M. E. Ingalls, president of the Cincinnati, Indianapolis, St. Louis and Chicago Railroad Company, testified that he was chairman of a citizens' committee who called on Marshal Wright to ascertain his views in reference to the appointment of marshals. The statement was made to Mr. Wright that the community was very much excited; that there was great danger of trouble; that it could be allayed by having the appointments made from each party. One of his replies was that the mayor was a Democrat, and the police was Democratic, and therefore the marshals should be Republican; to which an answer was made that one-third of the police was Republican, and Democrats would be very well contented if the same number of appointments of marshals were Democratic. The direct demand was made on him to appoint a minority of his marshals in each precinct of Democrats, to which he replied finally that if the committee would put their request in writing he would take it into consideration and give them an answer.

The request was reduced to writing and placed in the marshal's hands. There was a good deal of discussion at the interview as to the extent of Marshal Wright's authority. It appeared to the witness that Mr. Wright seemed to have an idea that he had supreme management and control of everything. It was then represented to him that the mayor of the city was very anxious to join him in any movement that would give a fair and peaceable election. Mr. Wright replied, if the mayor wanted to see him he could come and call. Mr. Ingalls further testified as follows:

"Q. When did you see him next?

"A. The next day some member of the Democratic committee came down to my office with a project of swearing in deputy sheriffs, and stated he was going ahead to do it. I asked him to wait till I got an answer, and I wrote a note to Mr. Wright asking him if he could give me an answer to this demand. He sent back word by my colored boy that he wanted to see me at once at his office, but just then I could not come. As soon as I could, I went up, but he was out. I went on 'Change and came back and met Mr. Wright in front of his building and I asked him for an answer. He seemed very much excited. He said that he had got this town in charge and he was going to have a fair election, and the man who crossed his path should feel his steel. I told him I did not care about any talk of that kind; that we only wanted the fair thing. He said if I would come to his office at 4 o'clock that evening he would give me an answer. I said I would come with our committee, which consisted of myself, Mr. Parker, and Mr. Bell. He said I might bring Mr. Theodore Cook. I said Mr. Cook was not on the committee, and I said Mr. Parker and Mr. Bell were as respectable citizens as we had. I did ask Mr. Cook, and he said he could not go; he was busy. Mr. Parker had left town and Mr. Bell and I went.

"Q. You and Mr. Bell went?

"A. Yes, sir.

"Q. What occurred at that interview?

"A. Mr. Wright declined to give us the name of any appointment. I don't think he said he would appoint any Democrat, but he said he should manage his business in his own way and appoint whoever he pleased, and he did not want any names to be submitted. I finally said to him—I probably got a little angry, perhaps—that I would not take the responsibility of doing the dirty work he was and inaugurate what would come for all of Cincinnati. He said that was very insulting. I told him, 'Very likely,' and left him.

"Q. Was the list of his deputies published in the Sunday papers prior to election?

"A. Not to my knowledge.

"Q. Mr. Parker is an ex-president of the Chamber of Commerce of Cincinnati?

"A. Yes, sir.

"Q. John E. Bell is one of the leading business men of Cincinnati?

"A. Yes, sir.

"By Mr. VAN ALSTYNE:

"Q. Was it your belief when you went to see the marshal in the first instance that if he would divide his marshals between the parties the Democratic committee would not have appointed deputy sheriffs?

"A. I have no doubt if the marshal had said, 'Fix your appointments; I will go and see the mayor, and we will divide our appointments,' there would not have been a drop of blood shed on election day; I believe that as much as I am sitting here."

THE RESPONSIBILITY.

Your committee are of the opinion that if there had been a fair division of the deputy marshals between the two political parties, and the appointment of a reasonable number of competent men of good character, the election would have been fair and peaceable, and not a drop of blood would have been shed or any riot occurred. If this be true the responsibility for all outrages that occurred on that fatal election day, the riots, assaults, shootings, clubbings, woundings, and loss of life, must be laid upon Marshal Wright and upon those who aided, advised, and abetted him in his partisan course.

At the Presidential election in the same city in November, only three weeks later, there were no deputy marshals or deputy sheriffs, and there was a peaceable and quiet election. The illegal appointments of non-resident deputies, the unnecessarily large number of special deputies, and the known incom-

petency, bad character, rough appearance, ignorance, and brutality of many of them, the manner in which they were armed and instructed as to their duties, and the partisan course of the marshal in refusing any Democratic representation in the appointments to be made, were all acts and conduct calculated to, and which did, provoke riot and bloodshed at the polls and prevent a fair and peaceable election.

ARMING THE DEPUTIES.

About six hundred of the deputy marshals were armed by Marshal Wright with "British bulldog" revolvers, of .44 caliber. Those revolvers were sent to Marshal Wright from New York by members of the Republican national committee. They were not paid for with Government funds, but were a contribution from that committee. They were placed generally in the hands of the colored deputies, who were instructed by Marshal Wright and others who assisted him at his office to use them. About half of the revolvers issued were returned, under the instructions given, but others were retained by the parties to whom issued. The names of some of those who retained them are given in the testimony.

They were also furnished with clubs or billies. Powell Clayton, of Arkansas, was present in Marshal Wright's office when deputy marshals were being sworn in and supplied with revolvers. He said to the deputies, "Now, you have your arms, use them." Marshal Wright's language was, "Now you have arms, don't be afraid to use them." This was said to colored marshals who were being sent into Irish wards. (Testimony of Mr. Hyman, page 220.) Somewhere from thirty to fifty arrests were made during the day (mostly by colored marshals) of persons who were brought before United States commissioners, who were at the United States court-room, for preliminary examination.

In most of the cases the parties were discharged, the charges being frivolous. One colored marshal brought in a colored man who had declined to tell where he lived. The deputy marshal thought the prisoner had insulted the United States Government.

The persons described by Mr. Johnson were specimens of the colored deputies appointed by Marshal Wright "to keep the peace at the polls and to secure a fair election." Is it to be wondered at that the polling-places were, in many of the wards, surrounded by riotous crowds, and that outrages of the most disgraceful character were perpetrated? Several persons were shot down in the streets and killed and many were wounded. The exact number of killed and wounded during the day was not ascertained.

TESTIMONY OF POLICEMEN.

James F. Ferrill, a policeman, and resident of the city for thirty years, testified that at precinct A, Sixth ward, there were about 100 colored deputy marshals, armed with bulldog revolvers. He said they were mostly strangers to him; that there were 200 or 300 more colored men about the polls at that precinct than he had ever seen at any previous election; that they interfered with the police in the discharge of their duties; that in the morning when the polls were opened the gangway leading to the polls was crowded with colored men, many of them marshals, for an hour or two; that they were voting, and that many of them he had never seen in the ward before; that the employment of deputy marshals in that precinct was entirely unnecessary, and that they contributed in no way toward keeping the peace at the polls.

Anthony Donnelly, a policeman of twelve years' experience and a resident of the city for over thirty years, testified that he was well acquainted with the residents of the Twentieth ward; that he was on duty at Precinct B of that ward; that in the morning about 6 o'clock when he arrived there was a great crowd about the polls, principally of colored men; that when the polls opened the colored marshals stood on both sides of the gangway and took complete possession of and blocked up the approaches to the polling-place; that fully twenty-five of those who acted as marshals were strangers to him, persons whom he had never seen; that there were fully fifty colored and ten to twelve white marshals about the polls all day; that quite a number of strange colored people came there during the day in squads of three to six and voted; that when challenged they swore their votes in; that the colored marshals would protect and encourage them, telling them to swear in their votes; that the conduct of the marshals was overbearing; that they were armed with clubs and revolvers; that it was dangerous to be about the polls during the day; that when any disturbance arose the marshals displayed their clubs and pistols; that after the polls closed, about 9 o'clock at night, riots occurred near the corner of Sixth and Freeman streets, in which colored marshals and citizens participated, and that two policemen and one colored marshal were killed and several citizens wounded; that a great many shots were fired, and general alarm produced.

It would be tedious and unprofitable to recite the many acts of violence and disorder that occurred during the day. Many innocent persons were the victims of assault and stray shots. On two occasions mobs of citizens, infuriated by the conduct of colored deputy marshals at the polls, assaulted the marshals and other colored persons, and two unoffending colored men were set upon, chased through the streets, and cruelly beaten. Another colored man, who was mistaken for a colored marshal who had fired into the crowd near the polls, was chased through the streets by a mob of boys and men, and narrowly escaped.

CONCLUSION.

From the testimony taken by your committee it will appear:

That the deputy marshals appointed by Marshal Wright were largely in excess of the necessities of the situation;

That they were appointed as Republican partisans and political workers, and in most cases prostituted their official positions to partisan ends;

That they were armed with revolvers and other deadly weapons furnished by the national committee of the Republican party;

That many of such deputy marshals so appointed and armed were notorious criminals and men of known vicious and brutal habits, and many of them were non-residents of the State of Ohio;

That many of such deputy marshals, acting under the orders of Marshal Wright, aided, abetted, and encouraged fraudulent voting, intimidation of voters, and committed gross outrages upon the elective franchise and the rights of honest voters;

That the employment and payment of special deputy marshals on the day after the election was without legal warrant, and all moneys paid to such persons for services on that day were illegal, and the sums so paid should be returned to the United States Treasury;

That the appointment of deputy marshals who were non-residents of the State of Ohio was without warrant, and constituted a gross usurpation of authority; and

That the appointment of deputy marshals was in many other respects irregular, illegal, and an unwarranted abuse of his official trust.

Wherefore your committee are of the opinion that Lot Wright, United States marshal for the southern district of Ohio, has been shown by the testimony herewith submitted to have committed high crimes and misdemeanors; that he has been guilty of usurpation of authority and violation of law in the manner set forth in the preamble to the resolutions adopted by the House of Representatives on the 2d day of December last.

In view of the impracticable nature of impeachment proceedings, and especially at this late day of this Congress, your committee will not recommend the adoption of articles of impeachment in his case.

The committee ask leave to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

I call the attention of the House and the country to this official report, and mark my prediction. The above recital of bloodshed, riot, and outrages is a mere foretaste of what we may expect if this bill ever becomes a law. If this is a sample of what was done when United States marshals only had authority of law to witness an election, what may we not expect under this bill, which gives supervisors appointed for life, deputy United States marshals without limit as to numbers, who need not be residents or voters where they serve, backed by bayonets in the hands of United States soldiers, entire and absolute control of the registration, scrutinizing naturalizations, and the casting as well as counting of the votes, and, finally, absolute and final power to issue certificates of election? Let us hope and pray that the people will put the seal of their condemnation on the party proposing such infamy by an overwhelming defeat at the polls at the coming election, before our liberties are destroyed.

The Tariff.

REMARKS

OF

HON. HARRY WELLES RUSK,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 20, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. RUSK said:

Mr. CHAIRMAN: I regret that sufficient time has not been allowed to properly consider and debate the objectionable features of this bill, which will impose such heavy burdens upon the many for the benefit of the few, and I must content myself with addressing some remarks to the amendment I have proposed to the metal schedule in relation to tin-plate. My amendment, sir, looks to the retention of the present rate of duty, and in support of it I ask your earnest consideration of the following facts:

In the year 1888 some $6,500,000 were paid into the Treasury from tin-plate tariff, and it is now gravely proposed to increase this tax to $15,000,000—either to go into an overflowing Treasury or else into the pockets of the favored Pittsburgh manufacturers.

This tax falls not only on the tinware-manufacturing industries, employing twenty-five thousand workmen, and the consumers of the articles of domestic use, entering into every household—and the poorer the home the greater the proportion of tinware to other wares—upon the building industry, in the increased cost of roofing material almost doubling the cost, upon the great tobacco factories, in the packing of their products, upon other industries using the tin package and box, but it falls with peculiar severity upon that great and peculiarly American industry, the canned-goods trade.

While in the case of the other industries it does not fall so heavily, because of the permanent use of the articles produced from the tin-plate; in the canned-goods trade, the tin can is but the wrapper or package containing the food product, and once used is worthless. It was then with surprise, that I read the statement of Mr. Cronemeyer before the Ways and Means Committee, where he states, when advocating increased duty on tin-plate, "The canners are with us." I was struck with the spirit of self-sacrifice displayed by the canners in the willingness to more than double their own taxes to benefit and enrich the Cronemeyer syndicate, but I found it a singularly inaccurate statement. Hardly had his statement been uttered before it was contradicted by protests from canned-goods exchanges all over the country.

Not content with this, a national convention of canned-food producers, held within the present month in the city of Baltimore, came as a body to this Capital and protested against this ruinous increase of taxation. They have for years poured millions of dollars into the Treasury for the support of this Government, and now that they are told there is a great surplus of money in the Treasury they claim that if any change is to be made in the existing law it should be in the direction of lifting their burden and not increasing it.

Mr. Chairman, the canned-goods industry has grown to great proportions without asking governmental interference in its behalf. It has indeed given a home market to the Eastern farmer, who can no longer raise the cereals with profit to himself. Not only this, but throughout the counties of my own and other States the farmer, not choosing to sell his fruits and vegetables to the canned-goods producers, erects his own canning-house, preserves his own products, and puts them on the market as canned goods.

The canned-goods industry paid last year $2,000,000 taxes on its share of the tin-plate manufactured into 600,000,000 cans, and it must be remembered that in the manufacture of cans nearly one-tenth of the tin-plate is lost, so that a tax of $200,000 was paid on the waste material. There are now about two thousand canned-goods factories in the

country, representing many millions of capital and employing 250,000 working people, producing goods valued at $40,000,000.

In my own State, in the year 1888, we produced 80,000,000 cans of oysters, vegetables, and food; in addition thereto we manufactured 40,000,000 cans for use of producers in other States; we gave employment to about 75,000 people. Our share of the duty on tin-plate paid into the Treasury in 1888 was $400,000, or about 4 per cent. on the capital of $10,000,000 invested in this business, and it is now proposed that the people of my State shall pay about $900,000 tribute to Pittsburgh, or 9 per cent. on our capital employed, for the privilege of carrying on the canned-goods industry.

Mr. Chairman, this increase must fall somewhere, either upon the farmer in a diminished price for his product, upon the working people in reduced wages, or upon the consumer, if prices can be advanced; or else many of these canned-goods factories must close their doors and discharge their working men and women, for in the fierce competition existing in this industry prices have been brought so low that there are no margins of profits which can stand a diminution by reason of this increased tax and the cost of the increased capital required for the business.

The only interests that seemed to be looked after in this portion of the tariff are those of the foreign consumer, who gets his canned goods cheaper by reason of the drawback of duty allowed on exported goods, and the Standard Oil Company, which, using the cans for exports, gets back under the drawback 90 per cent. of the duty paid on the tin-plate used in making its cans.

The tin-plate is one of the packer's raw materials; he pays at present a heavy duty, amounting to 34 per cent. ad valorem, while the gentlemen who wish to manufacture tin-plate can import their raw material, pig-tin, free. But, increase this duty on tin-plate, and how long will it be before the owners of the Dakota tin mines, if they really contain any tin, will be obtaining what they are now asking, a duty on tin ore? and then your tin-plate syndicate will claim another increase to compensate them for the duty on their raw material, and the canned-goods industry must bear the additional burden.

Mr. Chairman, if the majority of this House in the face of these facts propose to carry out the wishes of the Pittsburgh syndicate, we, conscious of having performed our duty, can have but one appeal—that to the people.

Forfeiture of Railroad Land Grants.

SPEECH,

OF

HON. JOHN A. CALDWELL,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 25, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 2781) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purpoees.

Mr. CALDWELL said:

Mr. SPEAKER: I will vote for this bill because it forfeits land heretofore granted to railroads and restores to the people at least one hundred thousand good farms, consisting of some seven or eight million acres of land, the conditions of which grants said railroads have violated and broken. We are thus keeping faith with the people. We also promised to restore silver to its money uses, and the Republican party has kept that promise, and as the value of silver approaches its money value the products of the farm have appreciated in a like ratio. Let us carefully examine the facts from the Treasury and learn the wonderful effects of the restoration of silver and of an economical financial administration.

Forty-four millions have been saved to the Government by wise Republican methods. There are some eloquent figures and significant contrasts.

In methods of administration not less than in national policies the Republican government of President Harrison has differed radically from the Democratic government of Mr. Cleveland. These differences are of immense importance to the people. They are the differences between competency and incompetency, between economy and extravagance, between official fidelity and official carelessness, between honesty and dishonesty, between the courageous assertion of national rights and the insipid surrender of them; and in results they are the differences between good times and hard times, between commercial activity and commercial stagnation, between large and rapid exchanges and small and slow exchanges, between national prestige and national discredit.

REPUBLICAN HONESTY—IN ONE BRANCH OF TREASURY ADMINISTRATION A GAIN OF $7,000,000 CREDITED TO REPUBLICAN FIDELITY.

Just compare, for instance, the financial administrations of the two governments during their first eighteen months.

The average cost of collecting the internal revenues under Cleveland was 3.36 per cent.

Under Harrison it has been 2.9 per cent.

The average annual increase in internal-revenue collections under Cleveland was $4,618,328.28.

Under Harrison the increase for the first full year was $11,700,262.37, and it cost $85,000 less to collect it. There was no change meanwhile in the revenue laws.

This proves the greater honesty and efficiency of Republican officials.

These figures are from the records in the Treasury Department. The Democrats can not deny them. They can only deny out of them.

HOW ABOUT THAT SURPLUS?—MILLIONS WASTED BY DEMOCRATIC DEVICES TO CREATE A SURPLUS FOR POLITICAL PURPOSES—MILLIONS SAVED BY REPUBLICAN MANAGEMENT OF BUSINESS AFFAIRS ON BUSINESS PRINCIPLES.

When Mr. Cleveland took office he found an available cash balance in the Treasury of $21,631,381.67. Under President Arthur the surplus moneys had been spent in the reduction of the public debt. Mr. Cleveland pretended that there was no authority in the law for this use of the revenues, so he permitted the surplus to accumulate. He had a political object to serve by this policy. He wished to choke the Treasury with idle money, so that he and his party could raise the cry of "high taxes," and thereby create a sentiment in favor of a free-trade bill.

The 3 per cent. loan of 1882 was at this time outstanding, redeemable at the pleasure of the Government. Had he followed Republican policy he would have expended the surplus in the purchase of these bonds. That would have restored the surplus to the people and would have reduced the interest-bearing debt and saved the country a vast fortune in its interest account.

But he held on to the surplus until it had grown so large that a great financial disaster was imminent, and then, swallowing his alleged scruples, he began to buy bonds. This he did so clumsily, however, that, although his purchases amounted to but $62,138,400, he ran up the price of 4 percents from 125 to 129 and of 4½ percents from 107 to 109. Even then the surplus had grown from $21,631,381.67 to $76,527,561.24.

When President Harrison took office the surplus was down to $48,096,158.50. Mr. Cleveland had become frightened at the evil results of his hoarding policy, and during the last months of his Administration, ignoring consistency, he had been grabbing after all the bonds in sight, and had actually got them all.

NOW REMEMBER:

When Cleveland took office there were out at call $194,190,500 of interest-bearing bonds. Four percents were selling at 125 and 4½ percents at 107.

When he retired from office he had bought every bond then redeemable and had enhanced the price of 4 percents to 129 and the four-and-a-halfs to 109.

President Harrison confronted therefore an unfavorable situation, and yet his Secretary of the Treasury by wise methods has been able to buy $151,145,050 of these two classes, and has lowered the price of fours to 124, and of four-and-a-halfs to 104½, thereby saving the Government an expense of just $44,025,540.72. In these eighteen months of Republican administration the interest-bearing debt has been reduced in the sum of $171,000,000.

This is a financial record to be proud of. It was possible because under this Administration the Treasury Department has been conducted by a business man on business principles. Its affairs have not been manipulated for political effect. It has not been managed so as to bring about a "condition" with which the President might find himself conveniently "confronted" when he wanted to thrust a free-trade policy on the country. It has not been "worked" so as to hoard up a fictitious surplus with which to scare free-traders into an ecstatic terror. Its affairs have been conducted in the people's interests, and these are the results:

SILVER RESTORED—THE REPUBLICAN PARTY IN CONGRESS HAS REVIVED SILVER'S MONEY USES—IN EIGHTEEN MONTHS ITS VALUE HAS RISEN AS MUCH AS IT HAD DECLINED DURING TWELVE YEARS UNDER THE BLAND ACT.

The Democratic party has never been a creative party. No investigation can unearth one single affirmation policy, except an affirmative lust for office, that has come from the Democracy. Its genius is for opposition, a fact which the American people have plainly appreciated. It has generally been kept in the field where its talents are best employed.

No incident in the history of the Democratic party illustrates this more forcibly than its course with regard to silver. It has never had any clearly defined policy for the employment of the nation's immense silver product. The Bland act was its nearest approach to a policy, and this was a compromise and a policy of disaster. Its policy under Cleveland was ferociously against silver. That "statesman" who, until he became President, had never been west of the Alleghanies in his life, who knew absolutely nothing of Western interests, even before

he took his seat in the White House made haste to say that silver coinage must be stopped at once and completely. He and his Treasury officials held to this reckless and ignorant scheme during the full term of his Administration, and although Republican resolution checked every attempt to carry it out, they did succeed in forcing down the price of our silver product and the value of our silver dollars to a point which completed the ruinous results of the Bland act.

With the fall of silver the value of all agricultural products fell too, and the farmers of the country are suffering fearfully in consequence—a condition of things which the Democrats falsely attributed to the protective tariff, alleging in willful violence of the truth that protection has raised the price of farmers' supplies. This, as every farmer knows, is a silly misrepresentation, for the cost of a farmer's necessaries never was as low as it is to-day. Indeed, it is much lower in America than in free-trade England. The trouble is, and has been, not that the farmer has had to pay heavily for what he buys, but that he has been unable to get a decent price for what he sells, and this has resulted as much from the low price of silver as from any other one thing.

The Republican party in the present Congress, acting on the promises made in the platform upon which President Harrison was elected, has passed a silver bill for the correction of these Democratic follies, and its excellent results have come so quickly and in such a bewildering profusion as to surprise even the authors of the bill. In three weeks after it received the President's approval the price of silver rose to the point where the fatal Bland act found it, and in these eighteen months of Republican Administration silver has advanced as much as it declined during the entire twelve years in which the Bland act operated.

This table, compiled from official sources, shows what the facts are:

Changes in the value of silver.

Dates.	Significance of dates.	Price of silver in London.	Equivalent value of a fine ounce.	Price of a fine ounce in New York.	Commercial value of the silver in the silver dollar.
		Pence.			
Feb. 28, 1878	Date of the passage of the Bland act.	55	$1.205	$1.193	$0.9225
Mar. 1, 1878	Day after passage of the Bland act.	54⅝	1.204	1.20	.9315
Mar. 22, 1878	Three weeks after passage of the Bland act.	54⅛	1.189	1.20	.9198
Mar. 1, 1879	One year after passage of the Bland act.	49⅛	1.085	1.085	.8393
May 19, 1888	Lowest price reached.....	41⅛	.9124	.915	.7057
Mar. 4, 1889	Inauguration of President Harrison.	42⅜	.9331	.933	.7218
Dec. 2, 1889	Republican Congress met.	44⅛	.9727	.9625	.7523
July 14, 1890	Passage of the new silver law.	49½	1.0796	1.08	.835
July 15, 1890	Day after passage of new silver law.	50	1.096	1.10	.8477
Aug. 13, 1890	New silver law went into effect.	51½	1.1015	1.13	.8519
Aug. 30, 1890	About three weeks after the silver law went into effect.	54⅛	1.1947	1.195	.924

FARM VALUES INCREASING—AS SILVER HAS RISEN, THE VALUE OF ALL AGRICULTURAL PRODUCTS HAS GREATLY INCREASED.

Just as under the Bland act the value of all agricultural productf fell as the price of silver fell, so now they have risen as the price os silver has risen. Since the opening ot this Republican Congress wheat has advanced 23 cents per bushel, which makes the wheat crop of 1889 worth more than it had been by $154,526,400. Corn and oats and all other products of agriculture and industry have similarly increased in value and an addition to the cash value of the national resources has been made which is largely in excess of a thousand millions of dollars. This is what Republican wisdom has accomplished. It has been against Democratic protest and obstruction. Every Democratic vote in Congress was cast against the silver bill.

DEMOCRATIC HYPOCRISY.

The Democrats based this action on the hypocritical pretense that they wanted a better bill, that they wanted unlimited coinage, and would be content with nothing else! They had the audacity to advance this shabby plea despite the notorious fact that they had held power in the House of Representatives and in the White House for four long years without ever allowing a silver bill of any kind to become a law. Their platform of 1884 had straddled the question. Their platform of 1888 had utterly ignored it. Not a sentence, not a syllable on the subject of silver did it contain. Their own President had publicly denounced their own Bland act as "ruinous legislation." Their Secretaries of the Treasury in a dozen documents had urged the immediate and complete cessation of silver coinage. This is the party that now bobs up in this Congress and votes against the Republican silver bill on the ground that, though very good indeed, it is not good enough! Was ever impudence more brazen, or demagogy more undisguised?

Consider the figures in this table. They show the effect of Republican legislation on the values of farm products:

Prices of American cereals in Chicago per bushel.

Dates.	Significance of dates.	Price No. 2 spring wheat.	Price No. 2 yellow corn.	Price No. 2 white choice oats.	Price No. 2 rye.
Dec. 2, 1889	Date of meeting of Republican Congress.	$0.79	$0.31½	$0.23	$0.45
July 14, 1890	Date of passage of the new silver law.	.88	.33	.34	.48½
Aug. 13, 1890	Date new silver law went into effect.	.99	*.50½	*.41	†.63
Aug. 30, 1890	Date of present statistics...	1.01½	.48½	.37½	.63

* The exceptional advance during the month was partially due to the material lowering in the condition of the crops.

† Rye is a cereal not extensively cultivated in the United States, the figures given under that heading are, consequently, only important as showing the general rapid advance in prices of farm products from December 2, 1889, to the present date.

Samuel J. Randall.

REMARKS
OF
HON. JAMES W. COVERT,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 14, 1890.

The House having under consideration resolutions of respect to the memory of Hon. Samuel J. Randall, late a member of the House of Representatives from the State of Pennsylvania—

Mr. COVERT said:

Mr. SPEAKER: Next, perhaps, to the Commonwealth of Pennsylvania, my own State of New York loved Samuel J. Randall best while living and now mourns him with deepest sorrow dead. The sublime courage of the great statesman, his deep earnestness, his ever-present faithfulness, and his unswerving honesty were qualities which commended him long ago to the whole people of my State. To-day New York joins with Pennsylvania in an expression of sincere sorrow at the loss of one who was something more than an able and respected Representative in Congress.

A statesman has left us whose home was not alone in the locality which sent him here, but in the hearts of the people of the whole land. He represented more than a local constituency and stood for more than local interests. While his home district was near and dear to him always, his allegiance was not confined to its narrow limits and his labors were not alone for its people. He had for his constituency patriotic and liberty-loving men everywhere, and he had for his district the whole confederation of States.

I shall not attempt, sir, at this late hour, to add anything in the direction of personal history to what has been so fully and feelingly said by my esteemed friend from Pennsylvania [Mr. O'NEILL], who was so long and so intimately associated with Mr. Randall in his Congressional labors. The lifework of our late fellow-member has been outlined by his colleagues who have already spoken. They have borne full and truthful evidence of the warm affection in which their distinguished associate was held in the State of his nativity, and which for so long a time honored itself by honoring him.

I seek, in the few remarks I am making, only to voice if I can the sentiment of deep regret shared by my colleagues and by the great State we represent at the loss New York feels she has sustained in the death of him who was rightly called "The Great Commoner," and these remarks are intended to be as sincere and as direct as was the character of him of whom I speak. His was in very truth a character cast in heroic mold. However modest he was by nature, the direct and positive qualities of the man could not but assert themselves. Thus it was that this man grew.

By natural methods, without seeking advancement, promotion came to him; leadership was conferred upon him and the Speakership of this House was accorded to him as if it was his by natural right. I had the honor to serve as one of the junior members of this body during four years of Mr. Randall's service as Speaker. No judge upon the bench ever excelled him in the absolute fairness and impartiality of his rulings.

To be right was his first aim, and that he succeeded in this desire was attested by the respect always accorded to his decisions.

As a leader, whether of the majority or minority in this House, he was able, courageous, faithful, and honest. He never sought to attract admiration for the skill and ability by which he accomplished results. Like a master artist, he was content that his work when completed should speak for itself and for the methods which produced it.

It has been stated more than once to-day that Mr. Randall was a man of deeds rather than of words. While it is true that he did not indulge in figures of speech and did not practice even if he possessed the graces of oratory, yet I never heard him speak without thinking him eloquent. He was direct and manly and forceful in marshaling the material of which his speeches were constructed. His phrases had absolutely no veneering about them. The grain of the polished oak could be observed in them always, and this was more attractive than any artificial coloring.

He was absolutely sincere in his political beliefs. Democracy with him was something more than a mere name, something other than an empty title. With him it involved that abstract idea of manhood equality which, when applied within the walls of this Chamber, meant the equality of all members as Representatives in Congress. While he was Speaker of this House every young member of it, no matter on which side of the Chamber he was seated, realized that his rights were sacred in the keeping of the occupant of the chair and was his warm and devoted personal friend.

Mr. Speaker, the life of Samuel J. Randall has yet to be written. His colleagues, however desirous they have been to give to this House and to the country an appreciative review of his public services, have yet, from lack of time, presented only an outline of his work, extending over a period of nearly thirty years. For over a quarter of a century these services have formed a part, and a very important part, of his country's history. An extended biography of this courageous and earnest worker should be placed in circulation, not only as a measure of justice to him and to the work he accomplished, but for the benefit and encouragement of those who are to follow in governmental affairs.

Some cynic early said that "republics are ungrateful." The universal sorrow over the death of Samuel J. Randall proves the untruth of this statement. The whole people appreciate to-day that the grand figure whose presence we miss from this Hall gave all he could—his best years and his best ability—to his country. They know and appreciate that no soldier ever on any battle-field gave better or truer service. They mourn with deepest sincerity this gallant soldier who fought and won so many civic battles for them, and they want his memory to be handed down to all time, the common heritage of the Republic.

Reference has been made to the fact that this able, active worker, after a life's devotion to the public interests, died poor. This may be true in a material sense, but from every other standpoint the man who lived and labored and died as he did never knew poverty and left behind him more than a princely fortune. Samuel J. Randall died rich—rich in the warm regard of all who knew him and in the respect and admiration of the people whose interests he protected. He has left behind him not a colossal fortune obtained by unscrupulous means, but he has bequeathed to the family he loved and by whom he was idolized, to the people of this land whom he unselfishly served and who gratefully appreciate his labors, the record of a life as bright and as flawless as the June sunshine which to-day gilds the Dome of the nation's Capitol.

Original-Package Bill.

REMARKS
OF
HON. CHARLES BARWIG,
OF WISCONSIN,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 19, 1890.

On the bill (S. 398) to limit the effect of the regulation of commerce between the several States and with foreign countries in certain cases.

Mr. BARWIG. Mr. Speaker, I avail myself of the privilege of printing in the RECORD a few remarks on the original-package bill. I did not participate in the discussion of the measure when it was under consideration by the House, as I thought the ground was fully covered by my colleagues on this side. But I have just received a letter from an intelligent German citizen addressed to myself and to my Republican colleague [Mr. VAN SCHAICK], which so clearly expresses or should express the sentiments of every German-American that I can not do less than give it to the country by printing it in the records of this body. It is as follows:

WASHINGTON, D. C., *September* 30, 1890.

DEAR SIR: Having failed to find you in when I called, I take the liberty of addressing you this letter before I leave the city.

Like yourself, I am a German and also a resident of the West, and, as we have this much in common, I trust the freedom with which I write will be pardoned.

I have spent several months in Washington, as an interested observer of legislation, and particularly of that class of legislation which would naturally concern and impress a German citizen, who, leaving his fatherland, has sought political and personal liberty under the glorious flag of this Republic. You are a Republican. I have also been one up to this time. I espoused that political faith at the outbreak of the late war, and have stood by the party on all issues growing out of that conflict. In so doing I have acted in common with the great majority of Germans throughout this country, and it is to this fact that the Republican party has owed its supremacy in almost every Western State.

But, however loyal I may have been to the party in the past, I must be frank enough to say to you that I have reached a point of political divergence, for the record the present Republican Congress has made upon questions affecting the personal liberty of the citizen forbids my longer following the fortunes of that party. What that record has been may be briefly expressed in the single phrase, intolerant and undisguised Puritanism.

If you wish to analyze this record look at the vote upon the proposition to foist and fasten upon the Territory of Oklahoma the dogma of prohibition, or, a little later, the no less fanatical canteen act. Both these measures, while opposed by the Democrats, received the vote of practically every Republican Senator and every Republican member of the House. Can you gainsay this assertion?

But it remained for the party to even more boldly and unblushingly trample under its feet the sacred principle of personal liberty when, at the dictate of the hypocrites and fanatics of Maine, Iowa, and Kansas, it gave to the authorities of these and other intolerant communities the power of search and seizure, the invasion of the home and the confiscation of personal property under the so-called "original-package" bill. And when it was moved to except the innocent article of lager beer from the operation of this infamous law, even this was rejected, not a single Republican voting in favor of the motion. But it was left to the House, the so-called popular branch of Congress, to complete the work thus begun in the Senate, and let us look at the record in that body whose members are again before the country for indorsement and in many districts are asking the suffrage of the German voter.

Out of 173 Republicans in the House, just 9 voted with the Democrats against the bill. And who were these, and what their districts? LEHLBACH of Newark, N. J., and VAN SCHAICK of Milwaukee, both German-Americans, and neither of them renominated for election to the next Congress; BECKWITH of New Jersey, STOCKBRIDGE of Baltimore, BAYNE of Pittsburgh, BURTON of Cleveland, CALDWELL of Cincinnati, ADAMS of Chicago, and KINSEY and FRANK of St. Louis, all from metropolitan districts. In short, not one Republican member living and breathing the political atmosphere beyond the shadow of a brewery voted or had the manhood to vote against the outrageous scheme. And, mark you, no one was more assiduous or earnest in his efforts to push this thing through than your Speaker REED, who is allowed to pose as the representative and leader of your party in all its startling new departure.

In view of these things and the further fact that the Democrats as a party opposed all this iniquitous legislation as subversive of the very principles underlying a republic of freedom and freemen, can you longer remain a Republican? I certainly can not, nor do I believe any German can, who, having seen the old party strike the chains from the blacks of the South, now beholds the melancholy spectacle of its attempting to forge new shackles for the white man of the North.

Yours, very respectfully,

AUGUST FROLICH.

Hon. I. W. VAN SCHAICK,
House of Representatives.

P. S.—I take the liberty of inclosing a copy of this letter to Hon. CHARLES BARWIG, a colleague of yours in the present House.

Contested Election—Clayton vs. Breckinridge.

SPEECH
OF
HON. JOHN HENRY McCARTHY,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Thursday, September 4, 1890.

The House having under consideration the contested-election case of Clayton *vs.* Breckinridge, from the Second Congressional district of Arkansas—

Mr. McCARTHY said:

Mr. SPEAKER: I rise to say a few words in regard to the issues involved in this contest and investigation. It does seem to me that in order to reach a proper conclusion as to the results of such investigation we must first approach the case setting aside all partisan feeling. There ought to be no question of North or South. To arrive at a proper decision, one that should receive the admiration and approbation of the people of this great Republic, we must approach it in the same manner and under the same reservations that we will or should approach any other question, and solve the same.

Now, what are the issues presented? It is that in the Second Congressional district of Arkansas an election took place, in the fall of 1888, for member of Congress. In that contest there were two persons presented to the people of that district asking for their votes, one representing the principles of one party, the Democratic, and the other representing the principles of the Republican party. These two men were known in their particular locality, one the sitting member, Clifton R. Breckinridge, and the other John M. Clayton, now deceased. The election was nothing more than an ordinary Congressional election such as has taken place often in the past. The election proceeded, and so far as the contestant is concerned no questions were ever raised or presented in this contest but the facts of illegal voting in Woodruff County and the stealing of the ballot-box at Plummerville.

The case as presented to the people by the contestant himself, and the one issue that he desired to be tried, was whether or not the box containing the votes of the people in Plummerville had been stolen, and that, if it had been stolen, then the vote in that district and of that particular locality should be counted as it was cast, if it could be ascertained, and have its full weight in the determination of the result of the election; that whichever party received the majority of the votes should have the benefit of it.

Now, then, that being the case, what was the first thing to be determined by this committee? The question first to be determined was the vote of the particular locality in which the ballot-box was stolen. There is no difficulty in reaching a satisfactory result upon that issue. It was conceded by both parties to the issue and by all the parties concerned that the Plummerville ballot-box was stolen. How, then, was the vote cast and deposited in that ballot-box to be a benefit to the parties? It must either be by polling all the votes again or by concessions on the part of those interested in the result of this contest and investigation.

This question is met and settled, for all parties have conceded the state of facts which are in dispute in regard to this district, both parties positively affirming that they were not and are not responsible for such a condition of affairs. It is admitted that at this place, Plummerville, there were cast 683 votes, of which the gentleman now deceased received 558, and 125 were cast for the sitting member, thus leaving the gentleman now deceased, and who had contested the seat, a majority in this district of 433, which must be deducted from the original majority claimed by the sitting member of 846. Let us, then, deduct this number from the vote and it still leaves the sitting member with a majority of 413; but that is not enough for the gentlemen on the other side and who constitute a majority of this committee.

It will not do. They must, by some calculation or other means, make it appear that John M. Clayton was elected and received the largest vote. In conducting this investigation they must go to Arkansas filled with partisanship and full of prejudice, I shall not say hate, but so near it as to give the appearance of such, with the determination to unseat, at all hazards, the sitting member and to make some campaign matter for their party in the near future. It must be clear to every fair-minded man that they started wrong in the beginning. Their duties under the resolution by which they were appointed were as broad as the resolution itself. Quoting the words of the minority of this committee in their report to this House, they say:

> In regard to all this the House said it is of the highest importance that these matters be thoroughly investigated. * * * The committee was instructed to make a full and a thorough investigation. * * * It was instructed to take and report all the evidence. * * * It was instructed to make this investigation and to take all the evidence not only in regard to the case, but also in regard to the method of said election; also in regard to the contest and in regard to all events relating thereto or arising therefrom after said election. It will be seen that all the points enumerated are clearly and forcibly embraced in the positive instructions of the House. It is known also that Colonel Clayton had only just begun to take his testimony, and that in only two places, when he was killed and the contest was su-pended. Therefore the whole case and all the subsequent events and proceedings, so complicated and important, and all covered by the instructions of the House, fell to the consideration of the committee.
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> It is something of a guide in forming a judgment of the fairness with which the committee has discharged its duty in regard to these matters of so much more than ordinary extent and complexity to consider what time is deemed necessary and usually consumed in taking testimony in ordinary cases. The time fixed by law for taking testimony in an ordinary election case is ninety days. (Revised Statutes U. S., 107.) If exceptional circumstances arise this is sometimes extended; all other proceedings connected with the election case come out of other time. Ninety days, then, is the least time provided by the laws of the United States and the custom of the House for taking testimony alone in an ordinary contested-election case.

They were not there representing either the contestant or contestee. Their duties were to investigate the whole subject. Did they do it? Did they investigate this subject as the resolution required and commanded them to do? No. Examine these resolutions. A subject such as this, requiring an investigation, first, as to who was entitled to the seat at issue; next, an investigation of the surrounding circumstances before, during, and after election, which involved in its scope the thorough and most searching examination, an examination of the murder of John M. Clayton and the discovery, if possible, of the perpetrators of this terrible crime, and the possible bringing of them to justice, could not in the ordinary nature of things be disposed of in twelve days, and yet we have the astounding spectacle of this committee, controlled and managed by the majority of this House, beginning, conducting, and concluding such examination and investigation within fifteen or sixteen days. This was a most important and serious case. The whole people of a section of the State of Arkansas, the whole people of Plummerville, the good as well as the bad, were under a cloud; their fair name, integrity, and honor questioned. Quoting the words of the minority of the committee in their report, they say:

> Of rumors and charges regarding the local contest of this people we know nothing reliable beyond their official report, and over their local affairs we have no jurisdiction, although in all their previous national elections no complaint has ever been brought before Congress, and not even a rumor of wrongdoing has ever been spoken or published so far as we know; yet in this election it was stated and acknowledged upon every hand that one of their ballot-boxes had been stolen. This was followed by a deplorable and shocking tragedy resulting in the death of the contestant. Whether the theft of the ballot-box did not upon any possible hypothesis change the result of the election or alter the right of the Democratic candidate to the certificate, for the maximum voting strength of the precinct was known and not disputed, and the returns show that the Democrats had carried the district by a majority of 149 votes even if the Republicans had obtained every vote in the township, which they did not claim and did not do, yet this event gave a striking feature upon which to base a contest, and the two events gave abundant proof for speculation, crimination, and charges. Whatever might be a hasty or passionate view of these matters, we have had time for reflection.
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> Whatever might be a vulgar, sordid, and unpatriotic view, we know that these questions and this case involve the memory of a gentleman whose death was deplored by good men throughout the Union, and nowhere so deeply as by the people with whom he lived; that they involve the right of a member of this House, a gentleman of long service and honorable life, the representative rights, the honor, and the good name of an American constituency and the rights, dignity, and honor of the American House of Representatives itself. These considerations, at once tragic, pathetic, personal, patriotic, and rising to the highest dignity of judicial duty, would move men, if any power on earth could do so, to measure well their course. The case is exceptional. The eyes of the whole country have been directed to it. No people have ever been called upon to pass through a more trying ordeal than this people, no men through one more trying than these men. No committee and no Congress has ever been put to a severer test, and to neglect the duty of fair and impartial work, to stoop to speculate upon a people's honor, to prostitute the power, functions, and the dignity of the House, to work palpable injustice and to make merchandise of human blood, is to degrade the House in the estimation of all good men. This the House seemed fully to appreciate, judging by the full and accurate instructions it gave to the committee.

The people, irrespective of party, and not the scheming politician and the office-seeker, will judge whether this was a fair and honest investigation. In the ordinary investigation of contested seats, as I am informed, it takes much more than fifteen days to ascertain the result, yet here were most serious crimes charged, fraud, bribery, and murder, with the most serious investigation of a contested seat pending, the first of its kind in the history of our country, and the whole matter is closed, the whole matter is solved, the whole determination is arrived at in less than sixteen days. It is apparent to all fair-minded men that this committee have not obeyed the resolutions of this House. It is clear to all fair-minded men that they did not accept or enter upon the duties imposed on them without partisanship and prejudice, and with that fairness and absence of bias that men coming to such an important and serious investigation should have. If they were prejudiced, if their minds were altogether made up as to the result, then as fair men they should have declined to act upon the committee.

But, Mr. Chairman, we have had such extraordinary spectacles in this House in my short connection with it, of men holding positions on committees whose minds were biased, whose minds, judging from their conduct, appeared to be altogether made up in regard to the results to be arrived at, that we are not at all surprised to find in this investigation, the most important, in my judgment, that has come before the House, men participating whose judgments it would appear are already formed and who knew in advance what the purport of the report would be. They concluded that with the admission of the stealing of the ballot-box and the acceptance and allowance of such, as claimed by their most ardent advocates, they could not succeed in unseating Mr. Breckinridge. Like careful and shrewd lawyers, as they are, experienced in country as well as city practice, they resolved that they must attack the fair and honest count in favor of Mr. Breckinridge in other localities, in order to show some apparent justice and reason for the result to be arrived at. How was this to be done? They must then charge that in certain townships colored men voted for Mr. Clayton whose votes were credited to Mr. Breckinridge.

After a period of nearly eighteen months had elapsed, with an inducement of $2 per day and their expenses paid for coming to the place of examination, enough colored men were found, most of whom could neither read nor write, to go to Little Rock, and under such inducements besides other pressure to take the stand and swear that they had voted for Mr. Clayton, although they could not tell just which was his ticket. [Applause.] This evidence, although standing singly and alone and without any corroboration whatever, should have at least created a doubt in the minds of the committee, but it was permitted to stand, and was accepted as gospel truth against the positive affirmation and oath of all the election officers. Again, let me quote the words of the minority committee:

> Consider now the character of the testimony in opposition to all this and the means employed to procure it. They offered the inducement of $2 a day and mileage to a few negro voters to deny after the election how they voted. What is the central idea of the secret ballot now so warmly urged all over the country? It is not all men who need it; not even all negroes who vote the Democratic ticket. But surely if men will not vote freely when exposed to influences in the act of voting, then these same men will deny that they did or that they intended to so vote when offered money or confronted with influences by the exposure of their ballot after they have voted. Are they weaker before than after? If the vote is to be cast in secret and the act of the voter is to remain a secret, then what are we to rely upon as good and sufficient evidence of the result? Obviously upon the returns as certified by the election officials. Were there ever returns more reliably certified than these from Woodruff County? Were they ever more reliably borne out by the results of past elections not only admitted to be fair, but especially that, for supreme judges boasted of them as fair. * * *
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> To show how the majority really estimate their negro testimony, which here they take above that of the best officials, courts, juries, and all evidence by past elections of the fairness of the result, we recall the instance where two negroes, as respectable looking as any who appeared, testified that they saw Dr. White and William Palmer, two reputable citizens, in the latter's blacksmith shop burning up the Plummerville ballots and ballot-box. Judge McClure (Republican), without even being sworn, contradicted them. The subcommittee accepted this off-hand and single statement as fully satisfactory and dismissed the matter at once. This ignorant and characterless testimony is brushed aside when contradicted in a certain matter by a Republican, although the former are under oath and the latter is not; but the same kind of testimony, even more ignorant and evidently more destitute of character, is in every instance accepted at once when it relates to a vote as against the sworn testimony of election officers of both political parties. One such negro comes and now says he did not intend to vote the way he is recorded. All the election officials contradict him and they are brushed aside and he is accepted. It is solely upon such testimony that the majority has changed votes and upon the same testimony they cast out Democratic votes.

But many of the colored men voted the Democratic ticket, and particularly for Mr. Breckinridge—this, too, even at a time when the colored people of that locality had been threatened with social as well as political

death if they dared to vote the Democratic ticket or for a Democrat. Let me read to you part of the testimony of George McNealy (colored), who was called, sworn, examined, and testified:

Direct examination:

Q. Where do you live?
A. In Augusta.
Q. Were you at the election there in November, 1888?
A. Yes, sir.
Q. Who did you vote for for Congress?
A. Breckinridge.
Q. Are—have you usually voted the Democratic ticket?
A. Yes, sir.
Q. I want to ask you whether the colored Republicans gave you any trouble on account of your being a Democrat?
A. Gave me any trouble?
Q. Yes, sir.
A. They did not give me any trouble of that kind; they kind of made a little threat around there.
Q. Have not you had occasion to complain for some time?
A. Yes, sir.
Q. Well, what have they done to worry you, and what have they done to you?
A. Well, they attempted that if I ever came out in the country what they would do; they would light a torch behind me.
Q. Have they made some threats against you in that way?
A. They threatened me one night going home.
Q. Tell me about it.
A. Well, sir, the day I voted up at the court-house I was going on down and I got over and went over the stile; and there was a crowd of fellows standing out there, and there was one, I do not know which one, said: "That d——d little Democrat, that yellow nigger, if I ever catch him out in the country I will light a torch behind him." I said that was all right, that I would be at the torch lighting.
Q. Have any of them made any attempt to cut you off from society on account of that—on account of voting that ticket?
A. You mean society?
Q. Was there any objection ever made to your associating with them and going about?
A. With the girls?
Q. Yes.
A. Yes.
Q. Well, what was that?
A. Well, I was working for Mr. Blocklinger when I voted, and the old man, Mose, he come up there one day and was standing there at the door talking, and he said: "If I ever catch you with one of my girls, or one of them on the street with you, or speaking to you, I will just take an ax and lay them out."

Let me read to you also a part of the testimony of Mannel C. Carter (colored), who was called, sworn, examined, and testified:

Direct examination:

Q. Did you vote the Democratic ticket in the election in 1888?
A. Yes, sir.
Q. Did you vote for Breckinridge for Congress?
A. Yes, sir.
Q. Did you—I wish you would state whether the colored Republicans gave the colored Democrats any trouble about voting.
A. Why, the colored Republicans around there, they said if a fellow voted the Democratic ticket he couldn't go with them and couldn't go with any of their daughters, and I told him I wasn't particular about going with their daughters. I told them I would vote as I pleased. I said there were just as many white folks around there voted the Republican ticket as voted the Democratic ticket; and I asked what they was going to do, and they said they would lick me the first time they got me out in the country. I told them they had a chance at that. They said they would lick me out there—of course they had men to keep up with men that voted the Democratic ticket and watch them. John Martin was to keep up with them, and he made some remarks around there.
Q. What was he doing?
A. He was canvassing.
Q. Did they have anybody to notice who was voting the Democratic or Republican tickets?
A. They could tell very easily.
Q. How could they tell?
A. They had a red ticket, and on the back of the ticket they had a butterfly, and they said to my partner, Ike Hamlet——
Mr. COOPER. Are you telling what you heard yourself?
A. I am telling what I know. They said, don't you do it or you will die: and I said, I will; I said I was going to vote for Breckinridge. I said I will vote just as I please. He said he was going to vote for Clayton, and you may vote as you please.
Q. You did as you pleased?
A. Yes, sir; we were old partners, us two; and were going with the same girls, sisters.
Q. What did they do; how did they act?
A. They hurrahed about it, and say they would bulldoze you or kill you, make it hot, or something like that.
Mr. MCCAIN. Do you think there was any colored men about there who would be willing to have it known they had voted the Democratic ticket if they had voted it?
A. I don't suppose nothing; I suppose there was three colored people was going to vote the Democratic and they was scared and they says they didn't vote it.
Q. What did you say about how the girls treat you?
A. Oh, the girls say, if I say I am a Democrat, then they say, "You can't go with me." * * *
Mr. HARDD. You are satisfied a great many colored people voted the Democratic ticket and afterwards denied it; you know they have?
A. Yes; certainly they have.
Mr. MCCLURE. Do you mean to say a great many colored people up there will go on the stand and perjure themselves?
A. Of course, they will perjure themselves in a minute. Didn't Andrew Johnson down there vote the Democratic ticket and come up here and swear he did not?

There can be no doubt that such a condition as described by them existed at the time. If any more evidence was needed, the editorials in the Arkansas Register of Sunday, August 31, 1890, the organ of Powell Clayton, just before the recent State election, must be convincing and conclusive, if one will be convinced.

[From the Arkansas Register.]

When you see a colored man peddling Democratic tickets, look out for him—he has sold out to the enemy.

No colored man can give any valid reason for voting the Democratic ticket. When you find one beeing about "the way Rector was treated," spot him—he has Democratic money in his pocket. Mr. Rector has no fault to find, and is an enthusiastic supporter of the entire ticket. He is not a "kicker," and those who "kick" for him are doing that which Mr. Rector does not approve of. Colored men who fight the ticket would oppose any ticket that could be nominated for a few dollars of Democratic money. These men are deceiving no one but themselves, and Republicans will remember the traitors in future conventions. It would be manifestly better for the Republican party if all that class of so-called Republicans who sell out would go over into the Democratic party bodily. An open enemy is preferable to a treacherous friend.

This has reference to the colored voters.

But to return to what appear to be the purposes of the majority of this committee in furthering their effort in the conduct of this case. As I said before, something must be done. It required but a minute's reflection on their part and it was solved. They must charge that fraudulent returns had been made in White River Township, Cotton Plant Township, Augusta, and Riverside precinct, all of Woodruff County; this because it would appear more plausible in this county than in any other, there being so many colored people residents of the same. They then proceeded by the kind of testimony already stated to claim that Clayton received at White River 62 more votes than given credit for, and which were claimed to have been counted for Breckinridge. This, with the 44 originally returned, would make 106, but they do not deduct this 106 from the 264, the total vote, which would give even by their own count 144 for Breckinridge, but they throw out his entire vote of either 148, according to their best count, or 210, as originally returned for him.

The same at Cotton Plant, where they add to the 132 votes originally returned for Clayton the 73 votes claimed under this investigation as having been cast for him but counted for Breckinridge, and thus make Clayton's total 205. Instead of deducting these 205 from the total vote, 318, which would leave Breckinridge 113 by their own count, they again throw out his entire vote. The same in Augusta, where they add to the 32, originally returned, 18 claimed as being counted in the same way under this investigation, making 52, and instead of deducting the 52 from the whole vote, 132, which would again leave Breckinridge by their own count 80 votes, they throw out his entire vote. So, too, with Riverside, they add to the 59 originally returned 31, claimed as being counted in some way, making 90 votes, and instead of deducting these 90 votes from the whole vote, 256, which would leave Breckinridge by their own count 166, they throw out the entire vote.

Thus, in a word, they add to Mr. Clayton's vote, which was 269, in these townships and precincts 184 more votes and throw out the entire vote as returned for Breckinridge, which was 691. If you propose to allow Clayton these 184 additional votes, would not the better way be to also allow Breckinridge his vote, even decreased by the number claimed by you? With this deduction Mr. Breckinridge would be clearly elected. Had they allowed the vote which Breckinridge was entitled to after the deductions made, Breckinridge would, by their own showing, have had in these townships 507 votes (all of which have been thrown out), a sufficient number to elect him beyond a question. These votes, as I say, have been thrown out, and these voters have been disfranchised. Was there ever so unfair, unjust, and unequitable a conclusion? [Applause.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. FLOWER. I hope my colleague will be allowed additional time. I appeal to the gentleman from Georgia [Mr. CRISP] to give him additional time.

Mr. CRISP. I have not got it to yield to the gentleman. The time is all parceled out. I now yield fifteen minutes to the gentleman from New York, Mr. TRACEY.

Irrigation of Arid Lands.

SPEECH
OF
HON. PRESTON B. PLUMB,
OF KANSAS,
IN THE SENATE OF THE UNITED STATES,
Wednesday, July 16, 1890,

On the amendment of the Committee on Appropriations relative to the irrigation of arid lands to the bill (H. R. 10884) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes.

Mr. PLUMB said:

Mr. PRESIDENT: That part of the statute of October 2, 1888, which has been the subject of comment and which has led to the legislation proposed in this bill, after providing for the topographic survey of lands in the arid region, says:

And all land which may hereafter be designated or selected by the said United States surveys for sites for reservoirs, ditches, or canals for irrigation purposes, and all lands made susceptible of irrigation by such reservoirs, ditches, or canals, are from this time henceforth reserved from sale as the property of the

United States and shall not be subject, after the passage of this act, to entry, settlement, or occupation until further provided by law.

Under the construction which has been put upon that statute by the Interior Department, whatever exhibit the Director of the Geological Survey may attach to his report becomes a part of the law, and the Director has attached an exhibit which includes as arid all the land marked between the two red lines on the map back of me, the eastern one of which represents practically the one hundredth meridian and the western one a line drawn varying from 200 to 300 miles east of the Pacific Ocean, the area lying between these two lines comprising, as the Senator from Wisconsin [Mr. SPOONER] has said, about two-fifths of that of the United States.

Now, it may be that that is not too large a reservation, having reference to possible need for irrigation, but it is intolerable that every settler should be dependent as to his right to enter the land upon which he has settled on the question as to whether that tract of land might or might not be the subject of possible irrigation. It does not follow from the law as construed by the Attorney-General and as enforced by the Interior Department that only those lands which lie immediately under a proposed reservoir or ditch site shall be reserved, but every tract of land which by any process applicable to the transfer of water from one place to another could be made irrigable by that water, no matter how remote from the original source of supply, is withdrawn. Therefore, a tract of land 500 or 1,000 miles away to which water might be conveyed from the source in the mountain becomes by the operation of this law "susceptible of irrigation" and is withdrawn from settlement, an area probably five times greater than the artificial water supply can ever cover.

Under that withdrawal over twenty-five entire counties and parts of five or six more in Western Kansas have been withdrawn from settlement, and every entry in all that area suspended. The lands are more or less arid, no doubt, but a large proportion has already been settled upon. Possibly the settlement was unwisely made in many cases, but the Government opened the lands to settlement and invited the people to enter upon them for homesteads and pre-emption entry. They have done so and have taken the risk, and it is unconscionable that the Government should now step in and say, "You have made a mistake; these lands are arid, and we will not permit you to perfect your entries," thus not only depriving them of the right which it had invited them to exercise, but also destroying the investment which their settlement necessitated. Of course the Director of the Geological Survey may change the boundaries of this arid district by excluding Kansas, and so he may enlarge them. The scope of the law depends upon his judgment and his caprice.

Mr. President, it is said that if we repeal the law of 1888 we open the great area to speculation, and a great many changes have been rung upon the term "speculation" as applied to the acquisition of Western public lands during the last few years. I have no doubt that at every step in the administration of the public-land laws since 1841, and probably ever since the Government has had lands, there has been speculation in them, after a fashion; there have been technical violations of the law; and yet so beneficent has been the operation of those laws, so genuine the entries under them, that the entire area west of the Alleghany Mountains has been settled thereunder. Is it worth while now to be shedding tears over the fact that possibly some quarter-section in Ohio, now and for the last fifty or one hundred years an improved farm, that some farm in the State of Illinois or in Wisconsin, was originally acquired from the Government by some trifling subterfuge on the part of the entryman?

Mr. President, there is such a thing as being too nice and too wise. The land laws of the United States have been useful in the development of the national resources. I do not know a class of men, not even excepting those who have borne arms in its defense, to whom the Government is more indebted than to those men who have constantly and always, under the operation of these laws, pushed out to the frontier. There is not a quarter-section of land in all that area, speaking in a large way, but correctly, in which the expenditure of labor, in which the effort, the patience, the determination of the man who entered it has not been equal to more than equal to the entire cash value of the land after the entry was completed.

He may have made a mistake; he may have been governed by a motive to get his land by the short cut; he may not have had in mind the making of a permanent home upon it, and he may have had in mind the fact that he could obtain it after a short residence upon it, or perhaps by avoiding residence altogether after a certain amount of cultivation, and then selling it out to some other man who might come along and desire to buy it of him rather than to go farther west; yet I say that the expenditure of time, of enterprise, and of labor upon this land has been the equivalent of its value, and, take it all together, a dozen times more has been spent there than the land is worth.

The record of the frontier is a record of courage, of constancy, of wrecked fortunes, and yet, Mr. President, a record of the most magnificent progress the world has ever seen, and to-day is as much and as vital a part of the national history and the national resources and wealth as the history of any other portion of the Republic. The men who have gone out there, desiring to get away from the old location, thinking they will find something which they do not find, disappointed often, perhaps in a majority of cases, have been the picket line of the great army behind them which has marched on resistlessly until it has brought almost the entire area of the Republic under cultivation.

Mr. President, there has been no speculation there that is worth complaining of. What there has been, if any, is simply a wen, a wart upon an otherwise healthy body. The Senator from Florida [Mr. CALL] speaks of the redwood fraud; that 16,000 acres of land were obtained by fraud from the Government in the redwood district, which has no more relation to this arid region than the region of eternal snow. It is 500 miles from the nearest border of the arid region. But 16,000 acres of land were obtained fraudulently in the redwood district nearly ten years ago, and annually during the last ten years 25,000,000 acres of land have passed from the Government to the title and possession of individual settlers. If the exception proves the rule, then the citing of this redwood case shows most extraordinary faithfulness in the management of the trust concerning the public lands in this area.

I have no doubt the people who committed this fraud have added also the other crime laid to their doors, that they live abroad. Frauds of that kind, of course, ought to be ferreted out; but such frauds can not be committed under the desert-land law. The desert-land law is not in terms a settlement law, and yet settlement as inevitably follows it as daylight follows dark. Take the Territory of Utah, take Idaho, where entries under the desert-land laws are permitted and where perhaps a majority of the acreage entered has been under that law, and what do we find? The average size of farms in the Territory of Utah to-day does not exceed 30 acres. There is not such a record of acquisition and subdivision of land anywhere under the shining sun as in the Territory of Utah.

The inevitable and constant tendency of irrigation and the uses of land by means of irrigation is subdivision. There is scarcely a large tract of land in the world cultivable only by irrigation owned by one man. It is not possible that there can be any continuously large holdings under irrigation. It is just with that part of our country as it is with India and all other sections of country where irrigation prevails, the irrigable lands are eventually minutely subdivided. As the lands will produce more than those naturally watered so less will suffice for the needs of a single family, and this finally determines in a majority of cases the size of the farm. But irrigation is not economical or profitable where carried on by hired labor. The processes of application and use are so delicate, the water itself is so elusive, the whole process is so subtle, that it has got to be applied by the hand of the proprietor himself in order to be of the greatest value. Hired labor will not do it. There is no possibility of large estates where they have got to be reclaimed by the artificial application of water, and the section of country in which large estates are possible is not, therefore, in the arid regions.

Mr. President, the desert-land law of the United States gives to every citizen of the United States who is willing to reclaim it the privilege to purchase a section of land, and no more, at a dollar and a quarter an acre. An advance payment of 25 cents per acre is required, and it is also required that the purchaser shall, within a certain period of time, reclaim the land by putting water upon it by artificial means sufficient to make it productive. When this is done within a certain specified period and proof thereof made the purchaser can by paying the additional dollar an acre obtain title. In order to get the land he must not only pay for it, but he can not in one case out of a hundred reclaim it, within the meaning of the law as construed by the Department, unless he spends an average of three or four dollars an acre in the shape of works designed to carry and actually carrying water upon it.

It is not possible, therefore, to enter such land under the homestead law. To leave the law which it is now proposed to repeal on the statute-books means that there shall never be one single acre of land within the limits of the arid regions as they may be defined by the Director of the Geological Survey entered, because it can never be entered under the homestead law. The homestead law is a settlement law. In order that a person may acquire title under the homestead law he must go upon the land precedent to the filing of his declaration and he must make his home there and live there, substantially, without break. He can not do either until he has put water upon the land by artificial means, and if he puts water upon it in advance of going on the land to live, as he must, he takes the chance that some other man will go there about the time the water is ready to flow on it, thereby effecting reclamation, and take his entry away from him by making first settlement.

Therefore, the intention of the law of 1888, which we propose to repeal, is, if literally carried out, that not one single acre of all the land within these two red lines here [indicating], embracing two-fifths of the Republic, shall ever be settled by any one, and that is what was undoubtedly designed.

Mr. President, the careful, the shrewd, the forceful man who drew that provision, and got it enacted into law by means of a conference committee appointed to adjust differences between the two Houses in 1888, not a provision ever adopted by vote of either House, had in mind exactly this consequence: He said to himself, "Here is a great area to which I will apply a scheme that I have got for human gov-

ernment. I will apply here a scheme of communal proprietorship in land which I have got in mind, and to which I will commit the Government of the United States by this seemingly innocent provision in the statute."

What is that? It is found in a bill here reported or as proposed as an amendment by the Senator from Texas to another bill pending in the Senate, whereby it is provided that all this area shall be divided into irrigation districts, containing such lands as may be subject to reclamation, containing other lands to be known as forest lands not subject to reclamation, and other lands as pasture lands not subject to reclamation; that the little community which shall settle in the valleys which may be subject to irrigation—one, two, three, four, five, six, a dozen or fifty men, as the case may be—are to become practically the owners not only of the land on which they live, but of all the forest lands and all the pasture lands within the limits of that district; and there is to be a common of pasturage, a common of forestry, and masters of forestry, and masters of pasturage, and men who shall parcel out, under the direction of this community, the uses of the forests and the pastures in these several districts.

Mr. President, saying nothing about this plan in the abstract, and having nothing but admiration for the genius of the man who conceived it and who believed that he could find in Congress pliancy enough to put him in possession of that country under the operation of this system, I will say that there is nothing, in my judgment, that is further from the genius of the American people than that. The average American citizen wants what he owns segregated and separated from the holdings of every other person in the world. He will be content with nothing less. Yet it is this system which was in mind when this statute was drawn and when the conference committee was induced to adopt it, and which has found expression in the amendment of which I have spoken.

Mr. President, it is not only an interesting question, but one of overwhelming importance to the country, what shall become of this great arid region? Who is to settle it, and under what terms and conditions? The American people will settle it themselves if you give them a fair chance to do so. The problem can not be worked out by rule. It will be worked out by the individual enterprise of men with their faculties sharpened by self-interest, pressing here and avoiding there, adapting themselves to every phase of a problem which is not only great, but possessing infinite variety.

They have done it already in the valleys of Arizona and New Mexico, and in the States of Colorado and Montana, and all over that area, and they have built up, not a system of corporate monopolies, but a system under which the agricultural resources of those sections have been developed to the equivalent of supplying the mines to which they are adjacent, and under the operation of this there are small and not large farms operated by their owners. It is not to the interest of Montana or Colorado or any other of the mining States or Territories to have an agriculture that produces grain for export. It is to their interest to have that agriculture to-day and for all time which supplies the home demand. They do not want to send grain across the great intervening arid spaces and across Kansas and Nebraska and the Dakotas to a distant market.

The men who are engaged in agriculture there to-day want to supply the home demand and no more. If you let them alone, as the mines are developed agriculture alongside of them will develop also; the two will go together hand in hand, supporting each other, strengthening each other, and the two together building up great and prosperous and powerful communities, and in that process there will be no wreck of individual fortunes that can be laid at the door of the Government. They will take care of themselves. The State of Colorado, which has got, according to common consent, the wisest system of law applicable to the distribution of water, is not interested in promoting large land holdings, and the Senator from Colorado [Mr. TELLER], himself a citizen ever since white settlement in that country, knows that no such thing has resulted from it.

The State of Colorado by its constitution set the pattern for all the States in that area. It dedicated every inch of water within the limits of the State to the public use, and prescribed the order in which that use should have preference: first, for domestic purposes; second, for agriculture; third, for manufacturing; and fourth, for mining. Whoever, therefore, takes a drop of water out of one of the streams in Colorado does it under authority of the law of the State, and under a rule by which he can not take more than he uses, and under which every one who comes after him who wants can also have what is left upon terms already known and provided. The man who has got a section of land is not entitled to water under the law of Colorado or the law of any of the interior States for that section unless he has subjected that section to the plow, unless he is ready to use it.

If he is using water on 10 acres of that land the next man who comes behind him can take all the water that the first man does not need for that 10 acres, and so on. So it is in Utah, and so it is in all parts of that great country. There is no monopoly of water, there is no monopoly of land. On the contrary, as I said, the constant, the inevitable tendency is to a subdivision of holdings. Witness, as I have before said, Utah, where every inch of water that can be usefully taken under present conditions is being applied to production. Away up on the mountain-side there will be a little patch of land under plow and 5 or 10 acres glowing in the summer sun with the yellow of gold because there are 10 acres of ripened wheat. Some neighboring spring has furnished the water it needed, and everywhere and always, as population has trenched on this source of supply, there has been an inevitable subdivision of the land, until to-day Utah ought to be the paradise of land reformers, the average size of the farms being less than 30 acres.

Is it for this new-tangled, rather, perhaps, I ought to say mediæval system, that you propose to destroy that under which such beneficent results have been realized?

Is the arid region, the region in which lie the great body of the remaining public lands, to be given over to experiments which promise un-American results, and meanwhile the American homesteader be shut out?

Mr. President, I can not forbear saying that it is one of the peculiar features of this controversy that the two States which have given the most lavishly of their domain to speculation are here complaining of the speculative tendency of the laws of the United States in their operations in the arid region. The State of Texas, rich in population, in natural resources, and in development, when it wanted a statehouse which would have caused the levy of a cent on a hundred dollars of the taxable property of that empire, chose instead to give 3,000,000 acres of land, which it might and ought to have held for settlers, to a syndicate—3,000,000 acres of land which otherwise would have gone to settlers, and now possessed by a foreign corporation and embraced in one single inclosure in the western quarter of that State.

If Texas has saved anything from its domain that it could get a railroad to take, I have not heard of it. It has given more land to railroads in proportion to the mileage of the railroads built within its limits than the United States ever gave. And Florida, 37,000,000 acres in extent, confesses that more than half its area has gone the same way, not by the action of the United States, I ask you to observe; every single grant was made by the Legislature of the State of Florida, one-half of that State donated to railroads.

Mr. President, from these two sources we get all this talk about corporate and foreign land-holding in the arid regions. No, Mr. President, there is no corporate holding in the West of consequence. We hear about it now and then, and I am tempted to relate how the story about it got a start. A Scotchman, whom I happened to casually meet, and who being interested in an option on or a commission on the sale of a cattle ranch in Wyoming, seeing in the public prints that Congress was about to enact a law forbidding alien land-holding, wrote a letter to the then Commissioner of the General Land Office inquiring about it, saying that the corporation with which he had the incidental connection of which I have spoken owned about 30 miles square, we will say, in the Territory of Wyoming, and the proposed action of Congress would prevent a sale of the same in Scotland. The letter got into the newspapers and there were added to it speculative estimates of the amount of land owned by aliens in other parts of the United States, and when the whole of these speculative items were put together they made up a large acreage and the comment was of course widespread, and it and the speculative estimates are still going.

It turned out that the company of which the Scotchman spoke only owned a section of land on a little stream in one of the valleys of Wyoming, and because the adjoining land was not occupied the possessors of the section of patented land used it for pasturage purposes, grazing their cattle upon it, and by some arrangement with somebody else, who had a similar amount of land right upon an adjacent stream, they divided the intervening range between them for use and they spoke of each one as entitled to so much land. There was a great rush at one time of cattle companies into that western area, induced by high prices for cattle. The craze ran its course; very soon the ranges were overpastured, most of the companies failed, the tide receded, the losses were very great. Some fortunately sold out, often to foreigners, upon whom the losses of course fell, but the quantity of land which passed from the Government on account of these cattle was very small. But, small or large, it was too great. I believe there ought to be no principle more sacred than this: that all the soil over which the American flag floats shall be in the ownership either of the Government of the United States or of the men who yield obedience to it as citizens, and the bill which I had the honor to introduce in the Senate and which became a law forbids the acquisition of lands by aliens in all the territory over which the United States has jurisdiction.

But, as compared with the great body of the land which has gone into private possession under the beneficent operation of the land laws in the arid regions, the holdings of foreigners are as a flea bite upon an elephant. The outcry about it had little foundation at the time, and it has less now.

What the land laws have heretofore done through all the area over which the population of the United States has spread they ought to continue to do under proper limitations for the land we have yet got. There is one policy, as the Senator from Wisconsin [Mr. SPOONER] expresses it, which would say to the Government, "Part with no more land, in order that those who already own land may get better prices for that which they own, and also better prices for the products of it."

But there is another policy, and a wiser one, which says that wherever the Government has got land which any citizen wishes for the purpose of making a home thereon, for the purpose of developing it and making it fruitful, we will let him have it. It gives opportunity for enterprise, a field for the energies and aptitudes of our people. It gives them something to do on American soil, enables them to change their occupation, and operates to relieve the congestion which comes in our great cities; it is a perpetual safety-valve. It has brought about the great internal development, to be followed some day very soon by an external one equally great and which could not have come without it, which makes the United States to-day the leader in everything except aggressiveness among the nations of the civilized world.

We have had little foreign commerce since the war because we have had better within. We have had an internal commerce of greater proportions than any other nation ever had. We have not plowed the ocean as we might have done, and as compared with the early part of our career, because we have plowed the lands of the interior. We have not built ships to navigate the ocean because the wise ship-builders of New England and other portions of the East, after the close of the war, found that they could make more money building railroads in the West, and they have extended them into nearly all the habitable area, producing a wonderful development which enables us to know the resources of even the most remote portions of the country.

We have got the one thing which more than anything else is the foundation of national independence, and that is a surplus of food products, and along with that we have got a railroad system which will enable us to bring these products to any given point for foreign shipment or domestic use cheaper and quicker than the resources of any other nation can thus be focused. The pioneer has had his share in this great work, and no history of the growth of this country during the past fifty years would be worth opening the pages of if it did not take into solemn and thoughtful account what he has done. He has blazed the way for the teeming millions who occupy the West; he has sown what others have reaped. The country and not himself has had the fruit of his labors. The doubts and dangers he confronted were manifold, largely unforeseen, and yet always courageously met. He gained for himself sometimes; oh, yes, but where one man gained ten lost. There was but one inevitable gainer—the country. Every sacrifice of the pioneer brought wealth to the nation.

As I said in the beginning, there is no such record of fortitude, of courage, of patient determination, of that patriotic building which takes little account of one's own self, but always the prosperity of all, as that exhibited by the settler upon the Western frontier. Human he has been; oh, yes. He has taken advantage of the Government in a mean way occasionally, no doubt. Who does not? Who is there that presents a claim before Congress that expects that claim to be tried in the same way that it would be if it were tried against an individual? Who does not take account of the fact that he owns a part of all the national resources in getting what he can get from Congress, and that in getting money from the Government he gets at least a part of that which belongs to him independent of his special claim.

When invited to go upon the public land the pioneer says, "It is true they will establish some rules and regulations as to the manner in which I may acquire title to a piece of land," but, with that American directness which always adopts the easiest and cheapest road to the end, he says, "I do not care so much about these regulations, and which are matters of detail, but I want to make a home and make it here." He has found coadjutors in his neighbors. He has not always found enemies in the land office, and against his individual sin, venal and rarely involving moral turpitude, I put the greatest accomplishment the human race has ever shown in the development of any country. Whoever else may reproach him, I will not. Whoever else may seek to find blemishes in that great achievement, I will not. To us the splendor of it obscures them all.

Now, Mr. President, there is just one thing else I want to state, which may be fairly taken into account in this connection. I think it was Prince Metternich who said that the statesman *per se* was the man who knew and understood the resources of his country. It has been a part of a wise governmental purpose from the beginning to find out what the resources of this country were. We have had geological surveys, and surveys within surveys oftentimes, but they have been in this line of finding out what we have. It was to some extent the curiosity of the Yankee who, having lost a cent, said he did not care about that miserable copper coin, but he would like to learn where in thunder the thing had gone; but it was also more a feeling that to know was to be able to devise new means for national independence.

But the pioneer is not always or alone he who develops the agricultural regions. The country has no end of indebtedness to the pioneers who have developed the mining resources of the mountain regions at great hazards. I have had abundant opportunity to observe the quality and the labor of the men who have so wonderfully developed the resources of Colorado. And in connection with what has been said about the value of topographical and geological surveys with reference to the development of mining regions I will venture to relate an incident which came under my own observation.

As we all know, gold was discovered in 1859 in what was then called the Pike's Peak country, though 100 miles distant from that protuberance. But still it was all known as the Pike's Peak country. The first discoveries were at the place where Denver is now located, and there was a great rush of people to the locality and equally, of course, all portions of the country round about were prospected. There were no railroads nearer than Jefferson City, Mo., and the nearest line of what could be called transportation was the Missouri River, 800 miles distant, and most of this distance was over a trackless and unsettled prairie, the present arid and subarid regions of Western Kansas and Nebraska and Eastern Colorado. Tens of thousands of persons in search of gold traversed this area, braving Indian hostility and other frontier perils.

The chief mining in those days in Colorado, as well as elsewhere in this country, was placer mining. This was carried on to a large extent in the vicinity of what is now Leadville. The work of the pioneer placer is still visible in the abandoned flumes and ditches in that vicinity. Some of the mines are still worked—notably a placer property about 20 miles below Leadville, known as the Gaff placer, until recently owned by Cincinnati parties. But about six years ago the property was sold to some Englishmen. They sent out from England, to take charge, one of the best known of English mining engineers, one who had experience in nearly all the mining regions of the world. He found a ditch bringing water upon the placer ground of his company, which had been constructed in 1859 by the pioneers, without engineering appliances, the instrument with which it had been located being a "go-devil"—in effect, a pair of dividers with legs of unequal length. The ditch was several miles in length, constructed along a steep mountain-side, where ditch construction is always difficult and hazardous, even with the best of appliances. Yet these miners had built a ditch which at the expiration of nearly thirty years was in first-class condition.

These same English people, after they bought the property, employed the most scientific engineer they could get in this country, who built a ditch to carry the water from the other side of the mountain across to their placer ground, at a cost of $75,000, and Captain Harvey, the engineer sent there by Mr. Barry, the greatest miner and said to be the richest commoner in England, told me that that specimen of ditch work done by those men in 1859, with no instrument of engineering except this tripod, was the finest piece of work he had ever known to be done, infinitely superior to the one just completed by his company at a cost of $75,000 by the accomplished engineer whom they had employed.

I do not attach any great importance to the proposed topographic and geological surveys. They are chiefly useful for drainage purposes. If it is of use to find how high the mountains are, the relative height of the various protuberances and depressions, all right. It keeps a good many very nice people employed, and it results in fine maps. It gives something undoubtedly to the common stock of knowledge, and I would not oppose it, but as to any other advantage to come from it, in my judgment we shall never realize it.

But there is one thing that may be done in the direction of ascertaining what the resources of this region are. There may be wise expenditures made, not for the purpose of doing the work which men themselves can and will do, but for the purpose of giving them an object-lesson, things which the individual settler could not well find out, and, if so, only at a cost beyond his means. This relates chiefly to the question of water supply for the whole region of country under consideration, the sources of the same, and the means whereby they can best be utilized.

That country is not a back-yard, Mr. President; it is an empire. True, it is almost wholly undeveloped, but a beginning has been made.

Many years ago tens of thousands of men went into that area for the purposes of agriculture, an agriculture depending upon natural precipitation of moisture. They took single quarter-sections of land and made their little homes upon them, spending thereon all the accumulations of a lifetime. The time came last year and the year before and this year when many, nay, most of them, had to confess that their anticipations were not to be realized, that the precipitation of moisture under present conditions was not sufficient for agriculture. They had not anticipated this. They looked for climatic changes which did not come, and they failed to appreciate natural and inevitable conditions. They did not appreciate that nature would yield slowly, if at all, and they, too, must give way and meet nature half-way.

They went too far away from their base, and they went in multitudes. Thousands have left under the stress of unfortunate circumstances resulting in failure. They have sacrificed their all in an effort to make homes in the arid region. What they have done and suffered has brought value to the nation, but only loss to them. Some will stay to be rallying points for a new advance of the line of emigration, and some of these days in the not distant future the land will truly blossom as the rose. Those who make up the later throng will have the benefit of the services and sacrifices of those who have gone before. I have no doubt that there can and will be a system of agriculture devised applicable to the arid region without artificial moisture. The experiments made at Garden City in Kansas, at the Government grass station, and in Colorado encourage this belief. It will be found possible by reclamation and otherwise to produce varieties of food-plants which will thrive in localities where the annual precipitation of moist-

ure is not greater than 15 or 18 inches. This result will be reached slowly, but it will come; and there will be a production ample for the support of a reasonably dense population. There will also be conservation of storm waters with good effect and over considerable areas irrigation. The arid region is a valuable portion of the public domain, and will become in time the home of more people than have ever yet been congregated within its borders.

The Good Book says the world was made for man. So believing, I believe that man will finally subdue and occupy every portion of it. He will have to give way, he will have to yield propossession, he will have to accommodate himself to circumstances, but that finally he will overthrow nature is no more doubtful to me as to the future than it is as to the past.

Meanwhile there are things in the line of investigation, bringing together known facts and helping in their application, which the Government can do and should do.

True, the pioneer has taken the chances voluntarily, but he ought not be left to perish. He is poor. He is already doing all and more than his part. The Government should help as has been proposed.

There is a great store of precious metals in the mountains of the West, and alongside or near by are fertile lands, needing only the application of moisture to make them yield abundantly. The two resources are helpful and necessary to each other. The gold and silver could not be mined profitably if the wheat, the corn, the barley, and the alfalfa had to be carried from distant markets. On the other hand, but for the mines there would be no market for the products of the field.

The subject is too important to be treated in a narrow way. Opportunity should still be furnished to obtain title to the public lands by settlement and reclamation. All the home-seekers should not be characterized because of the irregularities of a few. The best possible opportunity should be afforded all who are willing to go upon the lands in good faith. Meanwhile the work of exploration should go on to the end that the settler may have all the advantage which comes from as perfect knowledge as possible of all the elements of the problem with which he is confronted.

The Tariff.

SPEECH
OF
HON. WILLIAM McKINLEY, JR.,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, September 15, 1890.

The House having under consideration the amendments of the Senate to the bill (H. R. 9416) to reduce the revenue and equalise duties on imports, and for other purposes—

Mr. McKINLEY said:

Mr. SPEAKER: If any one thing has been demonstrated by this debate, it has been that the Committee on Rules erred, if it erred at all, in assigning altogether too much time for the consideration of the Senate amendments to the House tariff bill. The Committee on Rules gave two hours for that discussion, and I invite the attention of the House and of the country to the fact that not fifteen minutes of those two hours have been devoted to the discussion of the amendments coming from the Senate or to the discussion of the tariff bill at all.

Very much of the time has been devoted to merely personal controversy, to settling the question of the consistency of certain gentlemen on this floor, the question as to how they stood upon the silver bill three months ago and how they stand upon it now. I submit that, with the single exception of the speech of the gentleman from Louisiana [Mr. PRICE], we have had no discussion of the amendments that are now pending in this House, sent from the Senate of the United States, and what the gentleman from Louisiana said has only confirmed me in the belief that we are doing exactly right in non-concurring in the amendments of the Senate. He has given what he deems a sufficient reason why the date that the bill shall go into effect should be changed. It seems to me a good and substantial reason, which should receive the most thoughtful consideration by the committee of conference. But, aside from what he has said, this discussion has had no relation whatever to the subject that is in hand, and has shown that it is not real debate the opponents want, but an opportunity for general party and personal controversy.

Why, the gentleman from Georgia himself [Mr. TURNER] at the very outset said he did not propose to discuss the measure, but he proposed to discuss the method of its passage. The methods of the majority, methods to transact the public business—why, they are known to the country and approved by the country. The trouble with the other side of this House has been that they have not discussed measures at all, but have been calling names for the last nine months, and while they have been calling names the majority on this side of the House have gone on and done more public business than has been done by any House of Representatives in a single session since the formation of the Government. [Applause on the Republican side.] And, Mr. Speaker, they have done the business that the country demanded. Every interest has been consulted and considered in our proceedings. Opposed by the other side——

Mr. BLOUNT. Will the gentleman permit a question?

Mr. McKINLEY. Yes, sir.

Mr. BLOUNT. Did the gentleman seriously expect the minority side of the House to undertake to discuss the tariff bill, with its 464 amendments, in an hour?

Mr. McKINLEY. I did not expect that you would discuss the 110 verbal amendments. They required no discussion. But I did suppose that there were a few important matters in the bill which you gentlemen would give us some light upon, but you have utterly failed to do it. Although we gave you a full hour for the purpose, you yielded the time to gentlemen to talk about farm mortgages and the depression of agriculture and other subjects foreign to the issue before us, which were so fully and unprofitably discussed during the debate here months ago.

Mr. BLOUNT. It would have been absurd to undertake to discuss the bill in the time that was allowed.

Mr. McMILLIN. Will the gentleman from Ohio permit a question?

Mr. McKINLEY. Yes, sir; I will permit a question.

Mr. McMILLIN. Did not the gentleman himself open the discussion by saying that he did not understand the Senate amendments and could not tell what their effect would be?

Mr. McKINLEY. I said nothing of the kind and I said nothing that could be even distorted into such a statement.

Mr. McMILLIN. The gentleman either forgets what he did say——

Mr. McKINLEY. I rose in my place, Mr. Speaker, and stated the number of amendments and what those amendments were.

Mr. McMILLIN. And you also stated that you did not know what their effect would be and could not tell the House.

Mr. McKINLEY. I said nothing of the kind; I say it with all kindness to the gentleman from Tennessee; the RECORD will show that the gentleman is wrong and I am right.

Now, Mr. Speaker, the gentleman from Alabama [Mr. HERBERT] says this is a "sectional bill"——

Mr. McMILLIN. I am informed that the gentleman has his remarks for revision; will he kindly turn them over to me?

Mr. McKINLEY (handing manuscript to Mr. McMILLIN). The gentleman may look at them; here they are; I have not even looked at them, much less revised them.

The gentleman from Alabama says this is a "sectional" bill, and that the country is suffering because we are "tinkering with the tariff." "Tinkering with the tariff!" That is the mission of the Democratic party. And this a "sectional" bill! I say there is not a single paragraph in this bill that is "sectional" in its character—not one. It is national from beginning to end. Look at the Mills bill——

Mr. HERBERT rose.

Mr. McKINLEY. Wait till I finish this sentence. Look at the Mills bill which you passed in the last House; and it is sectional from top to bottom. You put what on the free-list? Cotton-ties for the use of the people of the South. You put cotton-bagging on the free-list. You protected your sugar and your rice; and then you turned to the farmers of the North and put their wool, their flax, their hemp, and other agricultural products on the free-list. [Applause on the Republican side.] If there ever was a sectional bill emanating from any party in this House or any other, it was the Mills bill of the Fiftieth Congress.

Mr. McMILLIN. Now, will my friend from Ohio yield?

Mr. McKINLEY. Oh, yes; I will yield.

Several MEMBERS (to Mr. McKINLEY). Go on.

Mr. McKINLEY. I have not the slightest objection to yielding to the gentleman from Tennessee.

Mr. McMILLIN. I read the report of the gentleman's language:

Your committee can not with accuracy—and I do not now undertake to do it, Mr. Speaker—state the effect upon the revenues by the amendments of the Senate.

[Laughter and applause on the Republican side.]

Mr. McKINLEY. If the gentleman from Tennessee had put to me the inquiry whether I said what he now reads, I should have answered in the affirmative; for I did say that I could not tell with exactness the effect on the revenues; but I went on to state that the effect would be about $62,000,000 of reduction estimated upon the imports of last year.

Mr. McMILLIN. But this is a tariff bill; and revenue is the question involved.

Mr. McKINLEY. We can not play upon words. Take this bill that you call a "sectional" bill——

Mr. HERBERT. Let me ask the gentleman a question.

Mr. McKINLEY. When I get through with your "sectional" allegation I will hear you. This is called a "sectional" bill; now what has this bill done? It has taken care of every product of the South unless you except sugar.

Several MEMBERS on the Republican side. It has taken care of that.

Mr. McKINLEY. And it has given to the producers of sugar a bounty equal to the duty they heretofore have been enjoying a direct and assured protection.

Mr. COLEMAN. Which the Republican party has pledged itself to maintain.

Mr. HERBERT. Now, will the gentleman from Ohio yield for a question?

Mr. McKINLEY. I have a number of items here that I want to call the gentleman's attention to. Yellow pine, I believe, is a product of the South—produced nowhere else.

Mr. HERBERT. And white pine is a product of the North.

Mr. McKINLEY. Exactly; and under this bill yellow pine of the South is made dutiable at $2 and white pine of the North at $1. [Applause on the Republican side.] Take rice. Take mica. This product of North Carolina and of Tennessee we found upon the free-list; we in the House took it from the free-list and put it upon the dutiable list, and in open Senate our provision was approved by a majority vote.

Mr. GROSVENOR. Take coal and iron ore.

Mr. McKINLEY. Yes, take coal; take iron ores; take sponges; take oranges; take rice; take anything you produce in the South, and look through our bill and you will find in every particular it has the same meed of protection that we have given to the industries of the North. And we propose, Mr. Speaker, to go right on protecting the South as we have done for twenty-five years; in spite of themselves, in spite of their Representatives, we propose to go on giving them such protection as will still further increase their industrial prosperity and development. [Applause on the Republican side.] We have done it for twenty years or more, and we will not stop so long as we have a majority in Congress, notwithstanding their Representatives here oppose the very principle upon which the prosperity of the South depends and to which it must look for its future development.

Mr. HERBERT. Now will the gentleman yield?

Mr. McKINLEY. Talk about "methods." You have been in the control of the House for twelve years, since 1876. Point to the public measure you have put upon the statute-books in the interest of the country or of your fellow-citizens in all that period of time. You said you would revise the tariff, and in all those years you were never able to do it.

Mr. HERBERT. Because a Republican Senate defeated our bill.

Mr. McKINLEY. Ah, but you had the Senate in that time; it was Democratic for two years, and during the same period you had the House. You said you would reduce the revenue; yet in all those years you reduced the revenue less than $7,000,000. And during the eleven years, in which the Republicans have controlled, from 1866, we wiped from the statute-books three hundred and sixty-two millions of annual taxation and we propose by this bill to roll away sixty millions more. [Applause on the Republican side.] There is the record of a party that has methods. But you have had no methods except those of obstruction and of maddened resistance to public measures. [Laughter and applause on the Republican side.]

Now, Mr. Speaker, I demand a vote.

Mr. HERBERT. Will the gentleman yield to my question now? [Cries of "Vote!" "Vote!"] I ask the gentleman now if he is willing to yield to the question? [Renewed cries of "Vote!"]

Mr. McKINLEY. Yes, I will yield to the gentleman's question.

Mr. HERBERT. I want to ask the gentleman, if it was "sectional" in the Mills bill to put cotton-ties on the free-list, what do you call it in the McKinley bill to raise the tariff on cotton-ties and put, at the same time, binding twine upon the free-list?

Mr. McKINLEY. I call the act—what you term the McKinley bill—an act in the interest of American manufacturers and the American people; and I believe your proposition to put cotton-ties on the free-list is an act in favor of the British rather than the American manufacturer and against the interests of American consumers. [Applause on the Republican side.]

Mr. HERBERT. The gentleman does not answer my question. I asked him to state to me——

Mr. McKINLEY. Cotton-ties are to-day on the dutiable list——

Mr. HERBERT (interrupting). And you are raising the duty on them still higher.

Mr. McKINLEY (continuing). And we can not manufacture them in the United States successfully because of the low duty. Therefore this is a revenue tariff, and the consumers pay the 1 cent a pound. Now, we propose to make it 2 cents a pound, so as to start up our own factories and enable your people who use these ties to get cheaper cotton-ties than they can get from the other side to-day. We propose that they shall get cotton-ties at a lower rate, made in the South, in the gentleman's own State, made in our own establishments, manufactured by our own workmen, and produced from our own raw material. [Prolonged applause on the Republican side.]

Mr. HERBERT. Why not adopt the same policy in regard to binding-twine? Why not increase the duty on that in the interest of the farmers of the Northwest so as to enable them to get their binding-twine cheaper? If the rule holds good in regard to cotton-ties, it must hold good in regard to binding-twine.

Mr. McKINLEY. The gentleman from Alabama must know when he talks about the House bill that we did not put binding-twine on the free-list. We made it dutiable at 1½ cents.

Mr. HERBERT. I am not talking of the House bill, but of the Senate bill, which you do not give us a chance to amend or discuss.

Mr. McKINLEY. And when we do give you a chance you discuss everything else but the subject in hand. [Laughter and applause on Republican side.]

Mr. HERBERT. I am discussing what is before us. I am discussing what is in the amendments of the Senate; and I think the gentleman will find it difficult to explain to the people of this country why a different principle shall prevail in regard to cotton-ties and binding-twine.

[Here the hammer fell.]

Samuel J. Randall.

REMARKS

OF

HON. FRANK HISCOCK,

OF NEW YORK,

IN THE SENATE OF THE UNITED STATES,

Saturday, September 13, 1890,

On the resolutions relative to the death of Samuel J. Randall.

Mr. HISCOCK said:

Mr. PRESIDENT: Before entering the Chamber I was not aware the Senate was considering resolutions in memory of Mr. Randall; but I will not go to other duties, pressing as they are, without placing in the RECORD a few words expressive of my estimation of his abilities and public virtues.

I served with Mr. Randall ten years in the House of Representatives, and early in the period an acquaintance began which soon ripened into friendship and great personal regard, at least on my part towards him, and I am quite sure that he frequently extended to me more than the ordinary official and parliamentary consideration.

He possessed abilities of a very high order, and to say that he was an honest, unselfish statesman is as unnecessary, if not offensive, as to defend the loyalty and patriotism of Lincoln, Grant, Sheridan, or Sherman.

Mr. Randall had attained a position above that atmosphere in which private hates and personal jealousies and poisonous slanders may render personal defense and explanations necessary. Monumental in respect to his abilities and virtues, whoever criticises the design is compelled to admit his great excellence in the class to which he belonged.

Mr. Randall was both an honest and earnest partisan. He recognized that our Government is administered by parties and, without regard to his personal fortunes, was convinced the Democratic party would in power more largely promote the general prosperity of the country and more certainly than the Republican party perpetuate those democratic and republican principles upon which our form of government rests. He was never doubtful or hesitating in his judgments or opinions; and, believing as he did, he rejoiced over the victories of the Democracy and mourned over her defeats, for to him her triumphs were his country's. Strong as were his convictions in this respect, however, he never sought to degrade the party he so earnestly opposed. What I mean is that he never contributed to her mistakes, if she made any. Petty politicians, small statesmen in the opposition—if they should be dignified by the appellation—upon the theory that the party in power is responsible, will contribute to her mistakes; if there are bad men in the majority, they will unite with them to promote venal and improper legislation. Mr. Randall never descended to that method; his country was involved, and his patriotism was of too high an order to permit him to yield to any temptation to sacrifice her interests and honor for even the time being.

In the legislative body of which he was so long the leading member, when in the minority, his influence to the fullest extent was exerted to obtain in legislation the best possible results, however strengthening and distinguishing they might prove to his party opponents.

I have more than once seen a party leader rescued by him from defeat or from a vicious amendment to his bill, promoted by those of his own side or a combination extending to both sides.

Mr. Randall was not a popular or magnetic speaker and did not possess the wonderful power, by eloquent appeals and denunciations and logic clothed in the laces and diamonds of rhetoric, to sway or influence those who heard him or read his speeches; but he was a leader of men and a captain of leaders. Those who knew him intimately may not agree upon the qualities that enabled him to exercise so long his commanding influence, but they will agree he possessed and held the scepter apparently without effort, whether in or out of the Speaker's chair. His intellectual equals gravitated to him and followed; thought-

less inferiors surrendered themselves to his guardianship, and it was not on account of an argument or appeal made at an imminent crisis.

When out of sympathy with the majority of his party associates in the House of Representatives upon one great question, and when, to to the looker-on upon the other side, personal hatred of him had been engendered, upon other than the great disturbing issue Mr. Randall still dominated and, I believe, was regarded as the party leader by both sides of the House. I would say his great influence over those with whom he was associated was not attributable to one of his capacities or characteristics, but was the natural result of their combined force. The roots reaching deep into the earth, the gigantic trunk, and the wide-spreading branches with their crown of foliage, all make the oak possessed of strength that resists the shock of tornadoes and the fierce blasts of the storms of a century.

Mr. Randall was possessed of an intellectual force and power that enabled him to perfectly master all the questions presented to him in his long legislative service. He was always equal to the subject and prepared for the occasion; never uncertain in respect to his course or unmeaning or doubtful in his advice to others. He was not timorous nor was he inconsiderate, and never seemed to be afflicted with those troubled experiences of uncertainty that many leaders pass through before advising or acting. At the proper moment, with quiet manner, without oratory that inflamed or any of the arts or methods that excite sympathy or passion, with few words he resolved all doubts for his associates.

Mr. Randall was a just judge of men. It was unnecessary for him to learn by conversation with or personal inquiry of the members of the House how they would vote upon the important questions affecting public or private interests, but still non-partisan in their character. I believe, sir, he could, as a rule, from his knowledge of the members' character and mental organization, check a division of the House. In his administration as Speaker and his leadership upon the floor, Mr. Randall never descended to tricks, combinations, or promises for support, but contested the questions fairly and upon their merits. I do not believe he ever sought to secure aid or support through the tremendous influence and power he possessed as Speaker or as chairman of the Committee on Appropriations. In the one position he did not bargain away favors; in the other, he did not for support promise appropriations in which gentlemen or their constitutents were interested; he did not regard legislation as the proper subject for barter and trade.

Mr. President, I will speak a moment of his organization of the committees of the House when he occupied the Speaker's chair. They seemed to grow. Openly they were formed, the members taking their places as if controlled by the natural law of selection on account of their peculiar fitness to the interests they severally represented and their public repute or representative character.

Mr. President, I have not spoken of Mr. Randall as dead. He became a great personality that can not by that great natural change be extinguished or destroyed. He will be a historic figure. He was so identified with legislation at the time of such vital consequence to the country and with an influence reaching so far into the future that the future statesmen and historians will closely study his character. It can hardly be said that the death of any one is an irreparable loss to the country; it may be said of his that it created a vacancy not yet filled. Irrespective of party relations, he was himself a national political issue; and could his vigorous mind have been sustained by the requisite physical strength it may be fairly said of him that, like the radiation of light from its source, his patriotic and statesmanlike influence would have been broadened and extended.

James B. Beck.

REMARKS

OF

HON. MARCUS A. SMITH,

OF ARIZONA,

IN THE HOUSE OF REPRESENTATIVES.

Saturday, September 13, 1890,

On resolutions of respect to the memory of James B. Beck, late a Senator from the State of Kentucky.

Mr. SMITH, of Arizona, said:

Mr. SPEAKER: At Friars' Carse, in one of the most romantic and historic shires in Scotland, many years ago, the immortal Ayrshire Plowman, on the glazed windows of a rustic house, with a borrowed diamond, inscribed these words:

> Life is but a day at most,
> Sprung from night, in darkness lost.

While this may be true of many lives, it is not true of Burns, nor is it true of him whom the nation mourns to-day. A life so full of manly deeds, so rich in honest labor, can not be lost in darkness. Life is mortal, yet the great achievements of a great life are dedicated to immortality. If it were otherwise, how vain becomes the loftiest ambition of man, how useless are the noblest lives, and how tragic is every birth.

It can not be that the example left by the life of James B. Beck will ever cease to shine as a beacon-light across the dark waters, attracting to its course many a storm-tossed boy. If his life be viewed only as an example in death, he bequeathed to the struggling, toiling boys of the world a richer inheritance than ever fell from princely hands.

It is not my purpose here to attempt a review of his distinguished public service, for that has already been done by those more intimately acquainted with his life in the two Chambers of this Capitol, but I can not forbear a word or two in this connection. Coming in early life from Scotland, he finally cast his lot in the matchless valley of the Elkhorn, in the heart of the far-famed blue-grass region of Kentucky. Among a people second to none on earth in all the virtues which adorn American civilization and give stability to our form of government, a people educated, well-to-do, brave, honest, proud, and manly, he very soon, by the rectitude of his life and the possession and practice of those virtues which had made the place of his adoption famous, attracted willing recognition which culminated in a love so strong that they dealt to him with unsparing hand the greatest honors in their gift. Recognizing the justice and generosity with which he had been received, he more than repaid in tireless labor and reflected renown the great debt which he felt was due them.

Flung into public life at a time when the country was in more danger from the passion and prejudice of legislation than it later was at the hands of open force and coming from a border State of divided sympathies, he by manfully withstanding the beating storm attracted the attention of the whole people and sprang at once to the very forefront of that almost helpless minority to whose persistent patriotism is largely due the final peaceful settlement of those great problems which the war left as its bitter heritage.

Manfully and bravely did he do the work which duty assigned him. It is needless here to specify the great questions in which he took conspicuous position, for he was conspicuous in all he undertook. Taking an active part pro or con in all the controlling policies of the times, he died leaving no statesman behind him with more intimate knowledge of Federal legislation and few, if any, as well equipped for its duties.

Mr. Speaker, it is not as a public servant nor as a statesman that I most love to think of him.

I met him first at Lexington, Ky., in 1869, during my first year at college. I was then impressed with his great force and with his bluntness of speech, both of which somewhat awed me and forbade in me any effort to approach him.

My studies consuming most of my time gave me little opportunity to meet him, except perhaps on the street, where he always had warm friends about him.

After I had begun in that city the practice of law I met him frequently, and the nature that at first impressed me with its austerity became as tender, as approachable, and as kindly as ever graced the life of a gentleman. This was true not only in my case, but true as well with every man who knew him well. Many a favor could I now recall which he has cheerfully done me; yet his life was so full of favors and kindnesses to all whom he knew and liked that I forbear specific mention.

On my entrance to the Fiftieth Congress I met no one who gave me a more cordial greeting, nor any who ever took like time and pains to explain away the difficulties in which my ignorance of parliamentary law often involved me. He would have done as much for any young man seeking his aid. Within a strong, rugged exterior he carried as big and as true a heart as ever beat.

The just tribute and correct estimate of the man as he was, so ably presented to us by his distinguished friend, Mr. BRECKINRIDGE, make what others may say seem tame and commonplace. What most impressed me in the man was his unyielding, aggressive force, his tireless energy, and the direct, honest, straightforward methods of his mind. In the friend I was equally impressed with his tender consideration, his kindliness, his gentleness of soul, and the intensity of his love for his own people.

A better husband, a more affectionate father, and a truer friend has never lived or died among us. In every relation of life he rose to the fullest measure of exalted manhood.

Yet with all this the simplicity of his daily life was refreshing to behold, and made his friendship seem, as it was, sincerely genuine. He loved the horse, the dog, and the gun as few men love them, and few men were better judges of them than he. With what zest he enjoyed the open air; with what ease he carried his gun over rough fields in search of game throughout the day; and when evening came he seemed as fresh and buoyant as morning found him and charmed his tired companions with many quaint stories and delightful experiences which that or other such days had given him.

To me he was at times the most delightful talker I ever heard. His simplest stories, unconsciously to him, bore always a lesson to his younger listeners. I have gone from his companionship at times feeling that

there was little worth reading that he had not thoughtfully perused. To the young men whom he blessed with a share in his confidence his mind seemed a perfect storehouse of valuable facts.

Mr. Speaker, Mr. Beck has been often likened to some of the sturdy forces of nature. The simile is not inapt. Viewed from a distance he appeared a rugged, rock-ribbed mountain, which, on approach to its bosom, revealed sweet violets blooming there, giving freely their gentle fragrance to all about them. I have never known a man in whom the gentle and the strong were so intimately blended. We shall never look upon his like again.

Though he has been succeeded in the Senate by one of the ablest men in public life, yet he will be missed and mourned, not only by his friends and associates, but by the toiling millions as well, in whose interest he had wrought so long and so faithfully. While the nation mourns its loss and friends weep at his bier one ray of light pierces the gloom, revealing to us the consolation that though he sleeps his life's great work still goes on toward final consummation. He "has ceased from his labors and his works do follow him," evidencing the rich reward to which he is entitled and which we know he now enjoys.

So much has already been so well said of the public service and private life of him who honored me with a degree of his friendship that I have been forced thus to speak somewhat personally of him as he appeared to me. I make no apology further than you may find it in my profound admiration for him as a statesman and my great love for him as a man.

James B. Beck.

REMARKS
OF
HON. CHARLES E. HOOKER,
OF MISSISSIPPI,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, September 13, 1890.

The House having under consideration resolutions of respect to the memory of James B. Beck, late a Senator from the State of Kentucky—

Mr. HOOKER said:

Mr. SPEAKER: I am not amongst those whose names appear on the list upon the Speaker's desk. This arises possibly from the fact that I was absent during the time in which this list was made up. Listening to the eloquent tribute of his intimate friends, I have felt that I could not in justice to the dead and my memory of him permit this occasion to pass without some slight tribute, though unstudied, by one who in his earlier service in this House had been the recipient of so much kindness and courtesy from the distinguished Senator in whose honor we meet to-day to pay the last tribute.

Mr. Beck was about to leave this Hall to take his seat in the Senate of the United States when I was first elected to Congress. He was among the distinguished men to whom I was presented by my friends who had preceded me here; and of them all there was none to whom I feel I owe more gratitude for the kindnesses shown me, as a younger member of the Congress of the United States, and for the advice which flowed from his kindly heart on many an occasion when I had the honor to meet him. I have seen him in circumstances of elation when he has received the plaudits of his fellow-citizens and the honors of the State that delighted to honor him, and I have seen him in the hours of affliction, when the hand of misfortune had been laid heavily upon him in the death of the most cherished member of his own household.

I chanced to be in this city, though Congress was not then in session, when he lost the partner of his bosom, who had been so long a source of consolation and comfort to him. Out of respect to him, though not associated intimately with his family, I was at the funeral of his wife on this occasion. The great affliction which he felt was manifested in that strongly marked face, subdued, as it was on that day, by signs of sorrow to which ordinarily he was unaccustomed.

In every relation of life he has stood a marked type of a great man. It has been said by his distinguished friend and magnificent eulogist [Mr. BRECKINRIDGE], who stood so near and close to him, that his great power was the power derived from the fact that he was of and from the people. In that respect something has been said about his coming from the aristocratic region of Kentucky. He may well have laid claim to that term, Mr. Speaker; if you trace it back to its original Greek meaning, in which the word *aristos* signifies "best," he was indeed and in truth an aristocrat. Claiming it from no lineage of blood, from no descent of ancestry, but claiming it as those may who like himself spring from the great heart of the people, claiming it because of his own ripe thought and his own noble action, in that sense he was indeed an aristocrat.

It has been said by my distinguished friend from Illinois, General HENDERSON, who served with him here so many years, that he was not an orator. Sir, if I could make an improvement on the definition of oratory given by the great Roman orator himself, that it consisted of "action, action, action;" if I might presume to improvise on that definition, sir, and say that in my judgment oratory consisted of earnestness, earnestness, earnestness, then I should pronounce James B. Beck the most magnificent natural orator I ever listened to; for he never spoke upon any subject that he did not render every one of his auditors conscious of the fact that they were listening to a man who was all over in earnest with regard to the subject about which he spoke. And I never heard him speak on any question that I was not reminded of a scene that occurred in my early life, when I heard that great old orator and Frenchman, Major Dévizac, who was the aid of General Jackson at the battle of New Orleans, make a speech in the good old State of New Jersey on one occasion. It was out in the open air, to an immense auditory. A short distance away was a sluggish canal, and, speaking in apology for the earnestness and enthusiasm with which his French nature spoke, he said: "I am not like yon sluggish canal, but I am like my own raging Mohawk. I receive my enthusiasm from the people and I give it back to them."

So it was with this great orator from Kentucky; he received his enthusiasm from an education in the midst of the people. He knew them, and in the loftiest forms of eloquence, in that Senate of high debate to which he was transferred from this Hall, arriving there, he leaped into that arena of high debate armed *cap-a-pie* for the conflict and took his position side by side with the foremost Senators in debate that then sat in that august body. And when the chances of political fortune removed from that body its most magnificent exponent of the great truths of which he was the advocate, when that grand old Roman, Senator Allen G. Thurman, was no longer there, it fell to the lot of the great Senator from Kentucky to take the mantle that fell from his shoulders and to rank as the great debater of the Senate.

In all the elements, therefore, which constitute true oratory he may be said to have been an orator of the character that I have described.

But it was by those social qualities to which his friends, more intimately connected with him than I am, have alluded that most of us who knew him here felt endeared. There was no occasion of a social nature, when he was one of the guests, that crowds did not surround him to hear those genial stories and to bask in that genial smile and those earnest and eloquent appeals which distinguished him alike in conversation and in debate.

I have felt, Mr. Speaker, that the proprieties of this occasion would not allow me to say less, and they would probably not justify me in saying more; but I could not permit the occasion to pass by, unprepared as I am, without laying my humble tribute on the grave of the great Representative, the great Senator, and the great citizen in whose honor we meet to-day to pay the last sad tribute of earthly respect.

The McClellan Pension Bill.

REMARKS
OF
HON. AMOS J. CUMMINGS,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Wednesday, September 24, 1890,

On the bill (S. 3711) granting a pension of $2,000 a year to Ellen M. McClellan, widow of Maj. Gen. George B. McClellan—

Mr. CUMMINGS said:

Mr. SPEAKER: The soldier of the Army of the Potomac who did not esteem it a privilege and regard it a bounden duty to speak on behalf of the widow of Maj. Gen. George B. McClellan would lack both patriotism and manhood. General McClellan was a brave soldier, a skillful tactician, and a true patriot. No general ever more completely won the confidence of his troops, none ever had a more devoted army. It was to him that the army of the Potomac owed its effective organization, its drill, its *élan*, and its first triumphs. His masterly movements in West Virginia at the outset of the war brought us the brilliant and almost bloodless victory of Rich Mountain.

There are men upon this floor who saw Winthrop fall at Big Bethel and who slept in the wet trenches at the second siege of Yorktown. There are men within 40 feet of me who heard Hancock's famous order at Williamsburgh. There are Representatives in this House who threaded the swamps of the Chickahominy with George B. McClellan and who saw Guilford D. Bailey yield his life at Seven Pines. There are men here who heard the rattle of musketry at Mechanicsville, who faced shot and shell at Gaines's Mill, and who served the guns at Malvern Hill. There are those here who swept over Crampton Pass with "Little Mac," who had a part in the glories of South Mountain, and who upheld the Union and its flag upon the bloody field of Antietam. The stone bridge and the bloody cornfield are as vivid in their eyes to-day

as they were twenty-seven years ago this month, when that Borodino of American battles was fought. There are men here who a few weeks later flocked to the front of the line and saw their great commander doff his cap in final adieu to the magnificent army he had organized, equipped, drilled, and led to victory. The mournful words, "Come back, oh, come back to us, McClellan!" still ring in their ears. Other brilliant generals afterward led them in battles that cast renewed luster upon their arms, but the warmest spot in their hearts was reserved for their old commander.

It is not to these men, Mr. Speaker, that I appeal on behalf of the widow of George B. McClellan. They need no such appeal. Enhazed in memories of gallant Phil Kearny, of the chivalric Hancock, of intrepid Isaac I. Stevens, of the brilliant Reno, of the accomplished Reynolds, of steady-going Sumner, of fighting Joe Hooker, of honest John Sedgwick, and a score or more of McClellan's corps, division, and brigade commanders who have joined the bivouac of the dead, they need no reminder of the duty of the country toward his widow. Indeed, they themselves are the strongest reminder of his services and of the debt the country owes her. She at least should be shielded from penury.

No man has questioned the patriotism of her husband; no man will question his bravery, skill, and generosity to the vanquished; no man can question the value of his magnificent public services. Abraham Lincoln said that it was the victory at Antietam that gave him the opportunity to issue his emancipation proclamation.

Mr. Speaker, the Committee on Pensions has unanimously reported this bill for the relief of the widow of George B. McClellan. It ought to pass without opposition. No party prejudice, no sectional feeling should be shown in its consideration. It impeaches the gratitude of the nation to make distinctions in granting pensions to the widows of eminent American generals. I hope that the three bills before the House this afternoon will receive favorable consideration. McClellan, Frémont, Crook, all three rendered the country needed and essential service. To care for their widows is a comely way for the nation to express its appreciation.

Deficiency Bill.

SPEECH

OF

HON. LEWIS E. PAYSON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, September 24, 1890.

The House being in Committee of the Whole and having under consideration the amendments of the Senate to the bill (H. R. 11459) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1890, and for prior years, and for other purposes—

Mr. PAYSON said:

Mr. CHAIRMAN: These claims are supported here by good men, who are doubtless sincere in their claims for constituents and friends; they doubtless believe these claims are just and proper, and I do not criticise them; but after a very careful examination of the subject, made several years ago, I feel that the claims are not just, and that there is no liability on the part of the Government for them, and that they should not be paid; and I hope the House will non-concur in the Senate amendment.

It is urged that they are old and that justice has been long delayed.

Singularly enough, Mr. Chairman, their age is accompanied by a vigor of growth that is remarkable.

In 1835, when the first bill passed either House, and under the charge of Daniel Webster, who had had large professional experience with them, he asserted that they would not exceed ten millions of dollars and that five millions would be a fair allowance to the claimants in full settlement.

Now, by the growth attendant upon their age, I suppose, following the usual course of nature when carefully matured and fostered, these claims have grown until excellent authority places the probable amount of these claims at above thirty millions of dollars.

I quote from the report from the Committee on Appropriations in the last Congress:

The first fact that attracts attention in coming to the consideration of these claims is their great magnitude. The law officers of the Government inform us that upon computation of them as filed in the Court of Claims they exceed the sum of $40,000,000, and the number of vessels seized or detained, as set forth in petitions filed, is 2,300. Mr. Webster, speaking for the claimants in the Senate in 1836, declared that "the papers showed that American citizens had claims against the French Government for 615 vessels unlawfully seized and confiscated," and the estimates heretofore made of the total amount of the claims have ranged from one-fourth to one-eighth only of the amount now demanded. From the best means of information at hand the committee are of opinion that after all deductions and rejections by the Court of Claims the aggregate amount will exceed $30,000,000. The amount already reported by the court and included in the present bill is therefore but a small part of the whole, but a decision by Congress to pay the reported items or any one of them will in principle commit the Government fully upon the whole question of payment.

Before the passage of the reference act of 1885 the position of the claimants was quite different from that assigned to them by the present bill. For half a century or more bills for their relief, presented from time to time, provided for an appropriation of $5,000,000, to be distributed among them pro rata in extinguishment of their demands, being about one-sixth of the probable amount of expenditure to which the Government will be committed by approving the items of appropriation contained in the present bill. Inasmuch, however, as the act of 1885 did not commit the Government to any principle of action upon the claims, the whole question of their allowance, and, if allowed, the manner of paying them, and the amount to be paid, remain open for the deliberate and intelligent judgment of Congress.

I am opposed to the allowance of these claims as presented here, because of the feeble character of the proofs in many of them, on which the right of the claimant is based.

Mere talk in families, in the second and third generation, allowed as evidence of the validity of a claim half a century before!

And the production, by a claimant of what purports to be an ancient letter, because peculiarly folded and sealed with wax, assumed to be an ancient letter, to fix the right of a claimant to perhaps hundreds of thousands of dollars, against the Government!

Such evidence would not be permitted in any court in the land in litigation over the most trivial matter. I read a statement of one of the Government attorneys in these cases as to the character of evidence taken and allowed, on which we are asked to vote millions of money:

Mr. COTTON. Well, if you will allow me to suggest here, I have taken quite a number of these depositions in New England. If I find a woman who is, say, a daughter or a granddaughter of one of the parties claiming to have lost these goods and she says that she had heard her mother or her father's brothers or sisters talk over these matters, that it has always been understood that her father was a ship-owner, that his ship and cargo were taken by the French during a certain period; while it is not strictly evidence in the ordinary sense of the term, I think the idea is precisely what Congress meant, that this should be admitted. That is the only evidence that was obtainable, and as an illustration, as I stated to you the other night, a gentleman presented to me a letter folded in a way which I knew letters used to be folded, sealed with a wafer seal and purporting to be written at a certain date by one who states himself to be a captain on a vessel, in which he described that yesterday his vessel was taken, and such proceeding was had. It is perfectly convincing to me of the fact, although it is not sworn testimony.

The CHAIRMAN (looking over the law). I see nothing in this jurisdictionary act of 1885 that would change the ordinary rules of evidence. "Provided in the course of their proceeding they shall receive all suitable testimony on oath or affirmations or all other proper evidence, historic or documentary." It must be suitable, it must be proper, it must be taken under oath or affirmation.

Mr. RUSSELL. I agree with you, sir, that it does not change the rules of evidence.

Therefore, Mr. Chairman, I am opposed to voting this money on one of the general appropriation bills.

My colleague [Mr. CANNON] has demonstrated the impropriety of that method, and I can add but little to what he has urged.

But I submit a few observations on the merits of the claims.

The time at my disposal is too short to even epitomize the arguments which can be made, and which should be made, against concurrence in this Senate amendment. I have always assumed, Mr. Chairman, that the object of all discussion was to elucidate and give information, that statements might be made by gentlemen who have been engaged in the subject-matter of the proposed legislation for years, and those who assume to speak by authority for claimants in matters like this should at least have a percentage of accuracy in their statements. Very little of that (and I say it without any discourtesy to gentlemen who have preceded me in this discussion in behalf of the claimants) has thus far been found.

The gentleman from Maryland [Mr. MCCOMAS] premises what he has to say by appealing to the sense of national justice which should pervade the discussion of all such affairs; and he indulges in a flight of oratory and some pretty rhetoric in that regard, and then reaches a climax in the assertion that every Federal Executive and every Federal authority who has been called upon to examine and pass upon these questions have been heard and found to be in behalf of these claimants. The gentleman from Maryland doubtless believes that to be true; but I say to the gentleman and the House in that regard that there has never been found a Federal Executive who has, as the Executive, approved these claims after examination by Congress. On the contrary, these claims have passed Congress on two occasions and having been presented to two Federal Executives were vetoed by both of them, once by President Polk in 1846 and again by President Pierce in 1855.

Mr. COGSWELL. In neither case——

Mr. PAYSON. I have only ten minutes. I have not time to yield to the gentleman. I say that without discourtesy.

Mr. WALKER, of Massachusetts. He never yields, but while pretending to yield always wants to finish that sentence which is never finished.

Mr. PAYSON. I will yield when the gentleman makes that remark.

Mr. COGSWELL. I did not say it.

Mr. PAYSON. The gentleman from Massachusetts ought not to say that. I always yield when requested and when I have time, and I do not refuse now in any discourtesy, as the gentleman knows. But ten minutes is too brief a time in which to discuss, even without interruption, a question involving $30,000,000.

Mr. O'NEILL, of Pennsylvania. Not $6,000,000.

Mr. PAYSON. To resume what I was saying, Mr. Chairman, instead of every Federal authority—referring now to Congress—approving these claims when presented, I assert, and I have the record before me to prove, that, when these claims were presented to Congress during the lifetime of the first generation, the generation the individuals of which were actors in the events which gave rise to these claims, they were not favorably considered, and there never was a fully favorable report recognizing the validity of all of them in Congress during that period. When gentlemen say these claims are old and venerable I agree; but in their youth, Mr. Chairman, when the recollections of the men who dealt with the subject-matter of these claims were fresh and vivid, when the witnesses were alive, when the men who had been actors in these matters were still active in public affairs, although these claims were presented to Congress time after time, there never was until 1826 a favorable report with reference to them.

Mr. COGSWELL. I beg the gentleman's pardon. That is not so.

Mr. PAYSON. I will publish the record in my speech.

More than that, there never was a bill in favor of one of these claims that ever passed either House of Congress until the distinguished Senator from Massachusetts, Daniel Webster, having charge of a bill in 1835, succeeded in passing it through Congress, and the action of Congress then was based upon the great speech which he made upon that occasion. Mr. Chairman, Daniel Webster had been the attorney for those claimants for years. Receipt after receipt for money which he had collected as attorney for claimants for depredations committed prior to the war between France and the United States may be seen to-day in the Treasury Department. I only submit, in connection with this fact, that, with all the transcendent genius which that great lawyer possessed, it is barely possible that his relation to these claimants as counsel for years may have influenced his judgment somewhat, not in an improper sense, but in their favor when he came to act upon this question at the other end of the Capitol. But the point I am now making is this: I want this committee to understand that the statement made by the gentleman from Maryland [Mr. McCOMAS] that these claims have always received formal approval by the Federal authorities is incorrect, the fact being that during the first generation of their existence—and I emphasize this——

Mr. COGSWELL. And I deny it. Here is a report made in 1807.

Mr. PAYSON. I know the report the gentleman refers to, and it was not a favorable report upon all these claims. I have the report under my hand made in 1807 by General Marion, in which the committee say they decline to give an opinion as to the time when the claims ought to begin or "the period for captures after which the memorialists would not have been entitled to compensation from France and *of course could not be entitled to indemnity from the United States.*"

The italics are my own.

I have here a brief résumé of the early treatment of these claims, which I will insert:

EARLY TREATMENT BY THE GOVERNMENT.

[Furnished by Mr. C. W. Russell, of the Department of Justice, in pursuance of a request by the subcommittee of the Committee on Appropriations.]

It must ever be a stumbling-block in the way of these claimants that the men who were contemporary with the events out of which grew the claims did not pay them. Of the acts of the Government alleged to have made it liable, contemporaries must be acknowledged to have had a vivid and comprehensive view which antiquarian researches can not give. How, then, did the Government treat these claims?

In 1802 a special committee of the House reported on them, through Mr. Giles. Although special committees are, generally, selected with a majority in favor of the proposed measure, this committee simply reported the facts, reviewing all the hostile laws of the United States and France, the treaties, negotiations, etc., and concluded without recommendation, as follows:

"Upon the whole view of the case, the committee submit it to the House to determine whether the Government of the United States be, in any respect, bound to indemnify the memorialists and whether there be any ground for discrimination between the cases of losses sustained before the acts of the 28th of May, 1798, the 7th of July, 1798, and the 9th of July, 1798, and the cases of losses sustained after those periods."

No action was taken during the session, and in 1803 (January 28), a motion to appoint a special committee to consider the subject was rejected by a vote of 31 against 39.

A few days later a resolution declaring that indemnity ought to be paid was lost by a vote of 39 to 45 (January 31).

Considerable debate took place, and on February 26 a motion to go into Committee of the Whole on the subject was lost by a vote of 21 to 48 nays, which ended the matter for several years.

Here was a proposition to appoint a committee simply to look into the subject deliberately voted down, and after debate a similar proposition to consider it in Committee of the Whole voted down by more than two-thirds majority, a vote accepted by the advocates of the measure during several years as rendering it useless to pursue the subject.

With many of the same men in Congress nothing was attempted until 1807, when a special committee of the House (and, of course, a friendly committee) made a report two-thirds of a page long (February 18, 1807) simply affirming the opinion of the committee in favor of the validity of the claims, and concluding:

"Your committee beg leave to decline giving an opinion on the precise time when those claims ought to commence or on the period for captures after which the memorialists would not have been entitled to a compensation from France, and, of course, can not be entitled to idemnity from the United States."

The committee thus intimated that there was such a time. This could only have referred to the same hostile acts of Congress mentioned in the Giles report. As to this report of 1807, the annals of Congress fail to mention it being made or anything in connection with it, and the matter again disappeared from Congressional discussions for years.

Nothing occurred until 1818, when a voice from the Senate is heard, the importance of which can not be overestimated. It was from a standing committee, seventeen years after the action of the Senate in striking out the second article. That report (of March 3) was emphatically against the claims. It gave the view of a committee of the body which was party to the alleged bartering away of the claims. They say:

"It was the duty of this Government to use its efforts for the reclamation of the property of its citizens thus alleged to have been unjustly taken from them by the cruisers of other nations. This duty appears to have been fulfilled. The article of the convention above referred to deferred the negotiation to an indefinite period on the points it embraced, during which time the former treaties, and conventions were to have no operation. This was, in effect, a renunciation of these claims, so far as negotiation was concerned.

The subsequent modification suggested by France produced no essential change in the instrument as ratified by the Senate, and even as it was at first negotiated."

Allusion was made to the fact that "this claim is made in part by underwriters, and even by insurance companies," whose claims are said to be "certainly weaker than the bona fide claimant of the vessels and merchandise." The report concludes with the following resolution:

"*Resolved*, That the relief asked by the memorialists and petitioners ought not to be granted."

On the 20th of March, 1818, this resolution was voted on and adopted.

Next follows in order of time a report in the House by the important Committee on Foreign Affairs (January 31, 1822), concluding with a similar resolution. Among other things the committee say:

"Your committee are of opinion that the assent of the American Government to such an article was the result of a thorough conviction only that the claims which it embraced on the Government of France were, owing to the character and conduct of that Government, entirely hopeless; and that an empty promise to negotiate further on them, when it might suit the convenience of that Government, was, in effect, an indefinite postponement even of negotiation, and, according to the construction universally given in such cases by the usage of nations, equivalent to a virtual renunciation of the claims."

Reference is made to the chance of recovery from France as the measure of just compensation, and this chance is regarded as infinitesimal.

This report appears never to have been acted upon.

Next comes a report in the House by the Committee on Foreign Relations in 1824 (March 25), concluding with this resolution:

"*Resolved*, That the petitions by the several persons who ask indemnity for spoliations committed by French cruisers on their property between the years 1793 and 1800 be rejected."

This report refers to Giles's or that of a select committee, and takes its statements of facts as a basis. "Governed by that report," it says, "the committee are not satisfied that the French Government ever admitted the justice of the claims of the petitioners or ever intended to pay them; that the Government of the United States used every effort, even to war itself, to rescue the property of American merchants from the lawless violence of France; that its efforts to procure payment for the spoliations committed by the French cruisers were not discontinued until it was obvious that there was no hope of success; and that their Government never received from France any equivalent from the claims of Americans upon France. The war of aggression was commenced by France, and every act of the United States was a just retaliation for previous injury. The treaties were annulled by an act of Congress in 1798, in consequence of the utter disregard of the stipulations of them by that power."

This report was never taken up, so far as can be found by the annals of Congress.

Nothing further was done, except to procure some documents from the State Department, until 1827. It is to be presumed that what took place after 1826 was no longer the action of contemporaries with the events of 1793–1801.

But it is suggested that in 1826 new light was thrown on the subject, and much emphasis is laid on this new light by the Committee on Foreign Affairs in 1828 (Mr. Everett reporting): "The Committee on Foreign Affairs are inclined to think that the strength of the claim against the United States was impaired by a want of information as to the extent and positiveness of this alleged renunciation. The journal and correspondence of our ministers who negotiated the convention, from which alone the nature and extent of the renunciations could be collected, were never made known until the close of the first session of the Nineteenth Congress, when, in obedience to a call of the Senate of the United States they were communicated *in extenso* to that body."

The Committee on Foreign Affairs was mistaken, however, for the Senate had this very journal and this correspondence, and more, read aloud *in extenso* previous to striking out the second article in 1801.

So much for the new light, so far as the Senate is concerned; and, so far as the House is concerned, it is not pretended that the new light did more than emphasize the facts always relied on as rendering the Government liable. The liability has been rested on the same argument and same facts from the very beginning. The claims against France, the second article, embracing the abrogated treaties and the indemnities, Napoleon's note, the action of the Senate, not one of these things, which are regarded as establishing the claims, was discovered in 1826. They were all as notorious in 1802 as they are in 1890.

Such then was the action of the Government during the life of the generation which was contemporary with the events out of which the claims arose. In the Senate, one single report, emphatically adverse, and one single vote, declaring that the claimants ought not to be paid. In the House, a long report in 1802 showing the action of France and this Government, without recommendation, and suggesting a war period during which no valid claims arose; followed in 1803 by a refusal to appoint a committee on the subject, and a refusal, by a vote of 48 to 21, to go into Committee of the Whole to consider the question. This was followed by nineteen years of inaction, if we except a report two-thirds of a page long in 1807, favorable, because by a special committee, but meeting with absolute silence and dying from utter neglect. Next come an adverse report in 1822 and another adverse report in 1824, which, being adverse, were sufficiently acted upon by being left on the table. Not a single break in the adverse action of either House if we disregard, as we ought, a few sentences by a special committee in 1807.

We come now to the period after 1826 and after the dying out of contemporaries from Congress.

In 1827, a favorable report, known as Holmes's, by a special committee of the Senate and laid on the table; in 1828, a favorable report (one of Everett's) about a page long by the House Committee on Foreign Affairs; same year, a favorable report (one of Chambers's) by a select committee of the Senate; in 1829 a similar report (another of Chambers's); same year, another of Everett's; in 1830, a report (Livingston's) by a select committee of the Senate; in December, 1830, a report of the same thing by Livingston. This was all, down to 1834; and, being analyzed, it amounts to two or three reports, by special committees, and one or two favorable reports by Mr. Everett representing the House Committee on Foreign Affairs. It is to be observed that Holmes's report, of 1827, simply reported a resolution directing the procurement of evidence concerning the claims and that Mr. Chambers's first reports discuss the amount of just compensation, saying:

"The committee are not prepared to adopt the rule which obtains in the pecuniary transactions of individuals, by which the voluntary agent or trustee who compromises the claim of another and receives less than the full amount is made responsible for the whole. The principle which lies at the foundation of this rule fails in its application to governments. There can be no apprehension of impure motive or of fraud or connivance in the conduct of a government over the claim of its citizens against foreign governments. * * * A majority of the committee, after much deliberation on this most difficult branch of the

subject, have concurred in adopting as the basis by which to arrive at a given sum the propositions suggested in the instructions to our envoys dated July 15, 1797, and which authorized them to stipulate for specific succors to an amount not exceeding $200,000 per annum, in place of a general guaranty. A difficulty, it is certain, yet remains: to ascertain the gross sum which will be an exact equivalent for an annual subsidy of that amount." Chambers's second report is accompanied by a bill fixing the compensation at $2,000,000. Everett's committee did not discuss the question. Livingston's recommended $5,000,000, to be distributed pro rata.

No action of any kind was taken on these reports.

Omitting the action of select committees, which are appointed from the friends of a proposed measure, and Giles's non-committal report, we have in all these proceedings Everett's three reports in 1828-'29 in favor of the claims and seven instances of adverse action, embracing a refusal by the House even to appoint a committee to consider the subject, a refusal by the House to go into Committee of the Whole to consider it, a rejection by the House of a resolution that indemnity should be paid, and an affirmative vote by the Senate that the claims ought not to be paid. Both Houses voted against the proposition that the claims were valid; and, before the generation of contemporaries and the vivid recollection of the events had passed away, the Government was thus on record as denying its liability to pay these claims. The judgment of contemporary statesmen was pronounced against them unequivocally.

In 1835 Webster introduced, advocated, and passed in the Senate, by a vote of 25 to 20, a bill to appropriate $5,000,000 to pay the claims. In the House, this bill was reported back by the Committee on Foreign Affairs with the recommendation, which the House adopted, that it be laid on the table, as the committee had not time to perform the enormous labor of investigating the voluminous records bearing on the subject. The committee reported two statements, neither of which it adopted as its own, one by Mr. Cambreleng against the bill and one by Mr. Everett in favor of it. Mr. Cambreleng's statement was long and very able, and not until the Administration of President Polk, about eleven years later, did the House pass a bill of this kind.

This report of the Foreign Affairs Committee is very remarkable and significant. It marks a turning point in the history of these claims. Contemporaries had passed away, the subject had become buried in voluminous records. The simplest events were no longer known, but must be unearthed by antiquarian researches. A whole national and international history (plain enough to those who were part of it) had to be exhumed. A jury of historians was necessary to decide intelligently upon the facts of the case.

Thus, in 1835, the Committee on Foreign Affairs confessed, as Congress did in 1885, that the subject was unmanageable.

In such a state of affairs things turned out as might have been foreseen. Certain prominent members of Congress continued their able advocacy and procured the appointment of special committees to make favorable reports; the "Cansten Agency" was established in Washington to work for the claimants; and the claimants themselves, in all the seaboard States, urged and petitioned; and the continual *ex parte* presentation of the case, in season and out, created a public opinion favorable to the claimants.

It is submitted that the action of Congress and committees during this later period should furnish but little of an argument for or against the claims. Congress did not understand them. If a committee could not find time to digest the voluminous records, still less could every member who was required to vote do so. The debates show that they certainly did not master those records, even such as ventured to argue the question.

It is insisted, therefore, that the positive judgment rendered against the claims by contemporaries should lose none of its authority by reason of what took place afterwards, and it is submitted that that judgment ought to have sufficed to all aftercomers and ought to end the matter now.

Mr. COGSWELL. Here it is.

Mr. PAYSON. The gentleman need not interfere. There is no necessity for this. I hold in my hand the official document and will print it in the RECORD in connection with my remarks. I think I was saying, Mr. Chairman, when interrupted, that in 1835——

Mr. COGSWELL. Eighteen hundred and seven.

Mr. PAYSON. I hope the gentleman will not interrupt me as to dates. I think I know what I am saying.

Mr. COGSWELL. Well, you give me no time and you decline to yield——

Mr. PAYSON. If the gentleman will contain himself and permit me to finish my statement, he will not find it necessary to interrupt me nor will he dispute what I am about to say. I say, Mr. Chairman, that the first bill that ever passed either House of Congress in favor of any of these claims was in 1835, and I pause now for a contradiction of that statement.

Mr. COGSWELL. That is not the statement you made. You said there had been no favorable report upon them before the time of Webster. Here is a report in 1807, twenty years before Webster came to Congress, and it is one of the most favorable reports ever made to Congress upon the subject.

Mr. PAYSON. Mr. Chairman, does this come out of my time when I am protesting against it?

Mr. COGSWELL. You asked me for it.

Mr. PAYSON. I did not.

Mr. COGSWELL. You said you paused for a reply.

Mr. PAYSON. I did; to my reference to the first passage of a bill.

Mr. Chairman, I was proceeding to say that in 1835 the first bill passed that ever passed Congress with reference to these claims, and the gentleman from Massachusetts [Mr. COGSWELL] interrupted me and said "1807." I was saying that that was the first official public recognition of these claims by the passage of a bill in either House of Congress. All through these discussions, during all these years that have passed down to this very time, the argument of the advocates of these spoliation claims is based upon the fundamental proposition that this country and France were in a state of peace, that there were depredations committed by French vessels upon American vessels for which American citizens would have the right to claim indemnity and the protection of the arm of this Government to enforce their just demands as against France. That has been the argument all the way through.

Mr. Chairman, briefly stated, these cases arose out of the seizure of certain vessels belonging to American citizens and their condemnation under French decrees in the closing years of the last century.

It is claimed by these claimants that in making the treaty with France in 1800 a contract or bargain was made by our Government with France by which our Government traded off valid claims of our citizens (these claims) to get rid of our obligations to France under a treaty with France made in 1778, and thereby this Government is liable to these claimants as descendants and assignees for the amount of these claims.

All this I deny.

I assert that when the treaty of 1800 was negotiated we had no valid claims against France for these spoliations.

We were under no obligations to France under the treaty of 1778, and both nations so regarded it.

The war of 1798 and 1799 put a final quietus on all relations between the two nations under prior treaties—if there was a war, and this I shall demonstrate.

There was a war; there was an express recognition by both countries of the abrogation of the treaty of 1778. Congress expressly declared it so.

I quote on this point the report, to which I have referred, of the last Congress:

THE OLD TREATIES WERE BROKEN BY FRANCE AND ABROGATED BY THE UNITED STATES.

1. By the French decree in 1793 and the seizures under it and by the Bordeaux embargo, American property was taken by force and appropriated to public use, in most cases upon promises of payment, unfulfilled until 1803-'04. In some cases no payment has ever been made. These seizures were in the nature of forced loans, produced great hardships, and were in plain violation of the treaties of 1778.

2. By the French decree of 1796, by which the commercial treaty of 1778 was openly defied and the main advantages to America therefrom destroyed; under which decree pillage and confiscation of our merchant ships and their cargoes were authorized and carried out upon a large scale upon the European coasts, on the ocean, and in the West Indies.

3. By other French decrees, which, openly abandoning amity and commercial right as defined and guarantied by the treaties of 1778, made war upon our commerce, letting loose thereon the public war ships and innumerable privateers of France, whose seizures were followed by prize condemnations in French tribunals upon land, and appropriations of property to glut the rapacity of the captors and of the French Government.

Now, independent of the question of public war in 1798 and 1799 and its effect upon the old treaties, we have in this record abundant evidence that those treaties were over and over again broken by France in their material provisions, with most disastrous consequences to the commerce and interests of the United States. Practically and in fact France set the treaties aside, refusing to be bound thereby, and substituted for them her own lawless will. By the plainest rules of justice they could not thereafter be held to operate in her favor or to have any continued existence, except by the acquiescence and consent of the United States. And public law in this case follows the rule of justice and gives to it an effectual sanction. As contracts, the treaties, being broken in their material provisions by France, no longer bound the United States in 1798; it was not at all necessary for the United States to resort to war to rid herself of their obligations; she was already freed and discharged therefrom by the action of France.

It was under these circumstances that our Congress passed the declaratory act of July 7, 1798, which was as follows:

"An act to declare the treaties heretofore concluded with France no longer obligatory on the United States.

"Whereas the treaties concluded between the United States and France have been repeatedly violated on the part the French Government, and the just claims of the United States for reparation of the injuries so committed have been refused, and their attempts to negotiate an amicable adjustment of all complaints between the two nations have been repelled with indignity; and

Whereas, under authority of the French Government, there is yet pursued against the United States a system of predatory violence, infracting the said treaties and hostile to the rights of a free and independent nation:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States are of right freed and exonerated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France, and that the same shall not hereafter be regarded as legally obligatory upon the Government or citizens of the United States."

That act was good law when it was passed, and it still remains among our statutes to define and fix conclusively and forever the position of our Government toward those ancient treaties with France. In brief, those treaties had been shamefully broken and set aside by France, and they were formally abrogated by us on the 7th July, 1798. Thenceforth they had no obligation, validity, standing, or force as treaty contracts between France and the United States.

It is thus established that by the separate but concurring action of both Governments, as well as by actual war waged between them, the old treaties had no legal existence in the year 1800. They were defunct, and could be revived only by a new agreement between the parties. But the negotiation of any new agreement which should revive them was expressly forbidden to our envoys by their instructions from the Department of State (October 22, 1799), and the prohibition was classed among the ultimata of the negotiation. The prohibition was in the following language:

"That the treaties and consular convention, declared to be no longer obligatory by act of Congress, be not in whole or in part revived by the new treaty; but that all the engagements to which the United States are to become parties be specified in the new treaty."

The old treaties, the revival of which was thus forbidden, had been already spoken of by the Secretary of State in a prior part of the same letter of instructions, where, after referring to certain articles of the commercial treaty of 1778, he added:

"The dissolution of that and our other treaties with France leaves us at liberty with respect to future arrangements."

So we were not under any obligation to France because of the treaty of 1778, as that was abrogated.

If, then, we were at war, these claims had no legal foundation, because the law is clear: that when nations are at war the losses sus-

tained by citizens of either country because of it are without any redress whatever, unless they are expressly provided for in the treaty of peace; no legal right whatever for such losses survives the war.

It is agreed that the treaty of peace of 1800 did not provide for these claims, and so if there was a war that ends the legal claim.

I read from the documents I have in my hand and to which I have referred:

Tuesday, September 9, 1890.

[Statement of Mr. Charles W. Russell, of the Department of Justice.]

The CHAIRMAN. I will ask you to give the subcommittee in charge of the general deficiency bill such information and suggestions as occur to you in regard to the French spoliation claims, making clear to us the position of those advocating the validity and propriety of these claims and the propriety of allowing them, and also what views are urged against them.

Mr. RUSSELL. The contention on the other side is in the main that which was made for them by Daniel Webster in 1835, in a speech in the Senate, and an analysis of the opinions of the courts would show a very close adherence by the courts to the line of argument proceeded upon by him. They say that the citizens of the United States have valid claims against France for the seizures of vessels and cargoes prior to the year 1800; that in the making of the treaty of 1800, or ratifying the same, to be more particular, a bargain was made by which this Government traded off these valid claims of its citizens and got rid of obligations to France under the treaty of 1778 between the two countries, and thereby this Government became liable to the claimants as having taken private property for a public use. That was the gist of the argument.

Now, on behalf of the Government it was denied that the claims were valid against France by reason that the acts out of which they are said to have arisen were hostile; that, in the second place, they were so recognized by our Government under certain acts of Congress in the year 1798, and issue was joined of hostilities between the two countries in 1798. Our vessels, navy as well as private, were sent out with instructions to seize any armed French vessels anywhere on the high seas and bring them in and have them condemned as prizes of war.

The CHAIRMAN. At that point, did our merchant vessels have written authority to that effect?

Mr. RUSSELL. They had written formal authority signed by the President of the United States, or rather commissions.

Mr. COTTON, Assistant Attorney-General. Do you mean that all merchant vessels had that commission or certain commissions were issued to certain vessels?

Mr. RUSSELL. I meant that certain commissions were issued to certain vessels.

Mr. COTTON. So it did not apply that all of our merchant marine that went out had these letters of marque?

The CHAIRMAN. Letters of marque or letters of reprisal, do you term them?

Mr. RUSSELL. Well, they were called commissions; they were letters of marque.

The CHAIRMAN. I understand you to say nearly all of these took these commissions.

Mr. RUSSELL. Nearly all of them took these commissions. The acts of Congress expressly state that they were to have the same powers exactly as the naval vessels. During the resulting conflicts some conspicuous fights took place, as that between the Vengeance and the Constellation, the latter commanded by Truxtun, and between the Beauseau, a French vessel, and another one of ours, and three or four conspicuous naval battles took place which created a good deal of excitement at the time and made the reputation of naval officers of the United States. The number of French armed vessels captured was somewhere over a hundred. They were captured by naval vessels, but it is stated in the report by Mr. Giles on this subject in 1802, very soon after the time of this, that both our private and other vessels had captured French vessels, but the facts became dim by the lapse of time.

The CHAIRMAN. Who was Mr. Giles?

Mr. RUSSELL. He was a member of Congress from Virginia.

The CHAIRMAN. That was the Congressional report?

Mr. RUSSELL. Yes, sir.

Mr. COTTON. Now, to get back of that, let me see if I can not assist the committee by getting at the real meat of the matter. At the close of our Revolution or during the Revolutionary period, our Government entered into a treaty offensive and defensive with France?

Mr. RUSSELL. Yes, sir.

Mr. COTTON. Do you know about the date of that treaty?

Mr. RUSSELL. The date of it is the 6th of February, 1778.

Mr. COTTON. What special privileges, if any, where granted to France by the United States at that time?

Mr. RUSSELL. The obligations assumed by the United States, which remained some time after, were the exclusive right of harbor in American ports in time of war for the French privateers; and, secondly, we guarantied to France forever her American colonies, her possessions in America, many of which were the West India Islands.

Mr. COTTON. How long did that treaty exist before there was a claim by France of any infraction of the treaty?

Mr. RUSSELL. It existed down to 1796, when France claimed both through our minister in Paris and through the Secretary of State to the minister in Washington that the Jay treaty with England infracted that treaty by turning over exclusive port privileges in almost the same language to Great Britain and by recognizing certain acts of Great Britain, which referred to the capture of cargoes as legal.

Mr. COTTON. So that the first irritating cause really was the making of this treaty with Great Britain, the Jay treaty?

Mr. RUSSELL. There was some irritation prior to that, but practically, aside from Americans who complained of certain decrees of France which were in the nature of pre-emption decrees under which cargoes of all neutrals were seized and the amount due for them was appropriated by French ports, and as to our American cargoes, paid for either by Agent Skipwith in 1796 or afterwards by the treaty of 1803, being recognized as a species of debt.

Mr. COTTON. What was the state of feeling historically in the United States growing out of the Jay treaty, as it is called, in connection with this general subject?

Mr. RUSSELL. The feeling in the United States was divided between the political parties. What were at that time called the French party considered this a grievous outrage upon France and insisted that France was perfectly justifiable in what she did in retaliation for it. The other party insisted, and very ably argued, that we had done nothing whatever to France by making this Jay treaty with England, and in the main this party was right. For in the first place there was an article in the Jay treaty which provided that the rights of France, either by name or general, should not be interfered with by this new stipulation.

Mr. COTTON. By that you mean the Jay treaty?

Mr. RUSSELL. Yes, sir.

The CHAIRMAN. Now, I would like for you to go on without any interruption and then we will put questions to you later.

Mr. RUSSELL. There was at the time and afterwards, and you find it traced in the opinions of the court, the idea that we had failed to guaranty these French possessions in America as required in the treaty of 1778, but the truth of history is that France never made a demand for that guaranty to be fulfilled. Her reason for so doing was that, as we represented to her, it was better for her to have us in a neutral position in order that our vessels might carry provisions to her ports, of which she was in sore need, than to have neutral vessels which could not be captured by England, as they would be had we taken part in the conflict.

So that in no serious manner did we ever violate the treaty of 1778, or rather we did not violate it at all, because the matters complained of, namely, our allowing Great Britain to condemn our cargoes in certain instances, were in accordance with British rights before. Under the law of nations a belligerent has the right to condemn the cargo of another belligerent, and that is all we allowed Great Britain to do under the Jay treaty. Under our French treaty we had provided that free ships should make free goods, but this gave no right to Great Britain.

Now you ask me about the reasons we have for saying that the claims were invalid because there was a state of war between the two countries.

Mr. COTTON. Between what two countries?

Mr. RUSSELL. Between the two countries, France and the United States. The principle that this would invalidate the claims is admitted, but the fact that there was a war is denied.

Mr. COTTON. By whom?

Mr. RUSSELL. By the claimants, the French spoliation claimants.

Mr. CANNON. Would you allow me right there at that point; there is no question but what France committed acts of war?

Mr. RUSSELL. No, sir.

Mr. CANNON. Did any vessel bearing letters from the United States or commissions from the United States seize any French ships during the war?

Mr. RUSSELL. Yes, sir; our naval vessels seized something over one hundred French vessels, and they were brought in and condemned as prizes, which in itself is a state of war.

Mr. CANNON. Have you in your lot of briefs a statement of these vessels and the adjudications, etc., the number of them?

The CHAIRMAN. Do any of your briefs show these facts?

Mr. RUSSELL. Yes, sir; nearly all the briefs show that fact, and the opinion of the court practically admits that many of these vessels were——

Mr. CANNON. How do they get over this, jump it?

Mr. RUSSELL. That is something I would not undertake to say. They say that this is not a war at all. In one opinion it is stated that it is a state of peace looking very much like a war, but not amounting to a war.

Mr. CANNON. Why, because war was not formally declared and prosecuted?

Mr. RUSSELL. Yes, sir; because war was not formally prosecuted.

Mr. CLEMENTS. And there was no engagement of naval and military forces?

The CHAIRMAN. Yes, there were four great naval fights.

Mr. RUSSELL. There were naval battles, but there were no land battles, for the reason that France had no way or capacity to send them over here then.

One reason the court thought it did not amount to a war was that the right of capture looked to the capture of French armed vessels, but the fact was that Great Britain had driven from the seas all French vessels that were not armed, so that even that made no difference that the combat was between belligerents on both sides instead of between a belligerent and a non-combatant; but there were no French unarmed vessels on the high seas. They were the only ones preying upon our commerce. They were French combatants and our vessels were armed to go out and meet them, and did do so.

Now we say there was a war, but that, whether there was a war or not, there was on the side of France for the avowed reason we had infracted the treaties and had done such wrong in retaliation. This hostile course of France is put upon the express grounds that the American Government had done her a wrong, and she proposed by force to redress herself, and that necessitated, if the matter had gone no further, such retaliation as is lawful for a sovereign power as war, and that those acts of retaliation would not have been unlawful. We say that instead of acquiescing under this retaliation and complying more completely with the wishes of France, we joined issue in this. We abridged our treaties with France, deprived her of her rights under them, and we made this law of which I have already spoken.

So that, whether it was war absolutely and technically or simply a joining of issue by force, the matter from that time was fairly *res adjudicata*. They decided each party should right itself by force, and not by diplomacy, which had been adopted and had failed. But we are not without authority on this question of war. Some of the vessels of which I have spoken as being captured from the French, and I believe they happen to be vessels not of France in one case, but vessels captured by her from other nations in the hands of prize crews. Some of these cases were taken to the Supreme Court of the United States, and in the year 1800, in the case of Bass against Tinsey, 4 Dallas Reports, page 37, each of the four judges of the court, the Chief-Justice being sent as one of the envoys to France——

The CHAIRMAN. Was that Marshall?

Mr RUSSELL. That was Ellsworth. Each of the four judges delivered a separate opinion upon it, in which he stated his view of the question, what was the status of France and America in regard to each other at the time the vessels were captured, and they stated these various contests between the two countries, and the argument and acts of Congress authorizing these hostile acts, and the acts of France, and they stated that this amounted to war; that France was our enemy and that the acts of Congress referring to vessels taken from the "enemy" used that word as meaning France; that it was a limited war, a maritime war, but that it was a public war because it was waged by the orders of two sovereign powers, and was a contention of force between the two nations.

Then, in the year 1801, another of these cases came up where a Hamburg vessel, belonging to a neutral country, had been captured by an American vessel, which captured her outside of the orders of American vessels, these orders being directed against French armed vessels, this vessel being a vessel of Hamburg in possession of a French prize crew, and not at all intending to attack American vessels. This case was taken to the Supreme Court and Chief-Justice Marshall delivered the opinion.

The CHAIRMAN. What is that?

Mr. RUSSELL. First Cranch, page 1. He likewise reviewed the conduct of France and the United States and decided that this was war, and that, although this particular act was not authorized by the laws of Congress explicitly, yet the status of the two nations was such that it authorized the act to be done. He stated that they were in a state of war with regard to each other, and this act was such as a belligerent would very well do with regard to another vessel.

Going a little further, he says incidentally that within the range of the war it was like any other war and had the same kind of effect upon the rights of property as any other war. Of course he was deciding the particular case before him. In the third opinion of the Court of Claims reported to Congress on December 7, 1857, the report was in effect that after all there was a war.

The CHAIRMAN. What page is that found on?

Mr. RUSSELL. Page 48 of the report. And they say this in connection with the argument that this was at least retaliation by France, and that we had joined issue on it as a question of force, and that the matter was *res adjudicata*. The courts say that acts of retaliation are admitted to be justifiable under certain circumstances, and they go on to say that France did not make that point, however, in the negotiations, and that what the thing was after all was a partial, limited war, as the Supreme Court had said. They say elsewhere, in this same third opinion again, that it was war such as the Supreme Court had said it was, a partial, public, limited war.

The CHAIRMAN. Why do you speak of this as the third opinion?

Mr. RUSSELL. Well, there was a reargument where there was a reiteration of what had been said, and this opinion came in on the contention that this was at least retaliation, and that meant retaliation by force. That put an end to the matter as a matter of law. We seem to find in the court opinion, as matter rather of inference than of statement, that if this was not a general war it would have no such effect as a war.

Mr. COTTON. Does not the court use this language in designating this class of war, "a perfect state of war?"

Mr. RUSSELL. Yes, sir; they do.

Mr. COTTON. The court hold that whatever this may have been, it was not what was known among nations "as a perfect state of war" between two countries.

Mr. RUSSELL. That is true; yes, sir.

Mr. COTTON. Is not that the exact turning-point of the court's opinion?

Mr. RUSSELL. Well, sir, I do not think it would be fair to the court to say they have had no better argument than that.

Mr. COTTON. Will you give me John Davis's second opinion?

Mr. RUSSELL. The court does say, however, in the last opinion which is referred to [handing document; that is, Cushing's], that whatever was in the scope of this war, such as it was, was subject to the fate of war or some such thing, but they practically draw from the scope of it the very hostilities by France, which on our side constituted it, namely, these captures, and also these very armed vessels, bearing commissions from the American Government, that went out on the high seas authorized to capture French vessels; in other words, the very things which were the war they leave out of the scope of it; but if there is any authority for saying that a public war between two countries has a less effect in extinguishing rights than a general war or a perfect war, or that a limited war is any less lawful, any less an act of sovereign redressing itself, any less presumed to be just under the law of nations than a general or solemn war, where the only difference is that the whole nation is theoretically, not practically, called into the service of the Government instead of part of it being sent out by land or sea, I am not aware of any such authority. Nothing of the kind is intimated in the opinions of the Supreme Court of the United States referred to, but rather the reverse. They held it was in all respects a war in the usual sense, with the usual incidents of war. While on that line I may express the opinion that the Chief-Justice, who was absent, but absent in a place which enabled him to know more perhaps of the matter than the judges who remained, he being at the head of the envoys then in France——

The CHAIRMAN. Which Chief-Justice?

Mr. RUSSELL. Ellsworth. He and the other envoys reported to the Government, at the conclusion of the negotiations, among other things, that in their opinion the state of affairs between the two countries was a war limited in its extent, but not in its nature. I may add that the Attorney-General in August, in 1798, stated that a state of war existed; that the supreme court of France, so far as prize-matters were concerned, stated afterwards that this was as stated; at all events that the treaty was a treaty of peace which had terminated in hostilities; and that the French negotiators insisted it was war, and said that any impartial tribunal would pronounce it a state of war, at least on the part of America; so that the argument that there was not a war in the face of all these acts of Congress and decisions of the court and these notorious combats on the ocean seems to weaken that position and to admit an argument can be made where none could be.

I quote further from the excellent speech of the gentleman from Pennsylvania [Mr. BUCKALEW] in the last Congress:

That is one proposition. My other proposition is that France made war upon our commerce—limited war—and we responded by a war which was mainly defensive, but still aggressive for the purpose of defense, and that claims for losses on either side were not recoverable, were not legal demands. We claimed that France had been unjust, and therefore we tried to recover those war claims on our side by negotiation, but failed therein, and the claims fell because not provided for in the treaty of peace.

In one of the treaties of 1778 (the treaty of alliance) there was a mutual guaranty by France and the United States of their respective possessions in America. There was another provision, mutual also in its terms, in the commercial treaty of 1778, which provided that when either nation should be engaged in war they should have hospitality for their vessels and privateers in the ports of the other, enabling them to take in prizes of war and take them out again free from port charges. These were two provisions of the treaties which gentlemen have been talking about, and which are claimed to have been valuable to France.

The commercial treaty of 1778, in the twenty-third and twenty-fourth articles provided, as it turned out, for the interests of the United States. By those articles free ships made free goods. We could carry British goods in our vessels and they would be safe from French capture. When France and England went to war the advantage was on the side of England as far as this particular treaty was concerned, and France complained. Dr. Franklin had secured the adoption of a great principle, a beneficent one in its application to maritime war. Another feature of the treaty was to limit articles contraband of war to those that were properly so; in other words, to military stores and implements; and the treaty also provided that provisions and all articles of a similar character, of which our country produced abundantly, should not be regarded as contraband.

These were the provisions of the treaty of a continuing character, which were immensely valuable to us, so that when the war between France and England broke out early in 1793, we, as a neutral power, had the ports of both England and France freely open to our commerce. War prices sprang up all over Europe, and we reaped a rich harvest; great armies were raised; agricultural sections were stripped of laborers, and we, as a neutral nation, could take advantage of the situation and make great profits. In fact, notwithstanding these depredations, our commerce was quite profitable from 1793 to 1800.

These provisions of the treaty, which, as I have said, were of vital importance to us, France openly set aside by the decree of the 9th of May, 1793. Why, she acknowledged it; she said so, that she had set them aside. She declared that she could not keep her vows to the neutral powers, for England was pressing her too closely; and by that decree of her National Assembly it was provided that her vessels of war and cruisers should seize as prize of war enemy's property upon neutral vessels. So that in defiance of the treaty of 1778 we could not carry British goods or the goods of any other nation engaged in war with France.

What further? She provided that our vessels on the ocean, loaded with American provisions, might be seized by force, gutted of their cargoes, the provisions brought into French ports and applied to French use upon a promise that they should be paid for. When? Not when the act was committed. They were not paid for up to 1800, except in a few cases, nor until 1803, eight or ten years after they were seized. Was not that breaking the treaties? Could the treaties be broken more clearly, more absolutely, more outrageously? The merchant of Boston who sent his ship-load of goods to Liverpool to be sold there, the proceeds to be invested in British goods for the return voyage, could make double profit by his venture, and the vessel could earn double freight. But such voyages were broken up by this decree of the French Assembly. Our profitable commerce was heavily injured. What did the decree do? Why, the French ships seized our vessels on the ocean, in the British Channel, anywhere, taking them to French harbors, then despoiled them, turned them loose upon the broad Atlantic to creep their way back home. No money to buy a return cargo, stripped of everything of value; and yet gentlemen tell us that France maintained her treaties with us and had continuing rights under them! Nothing can be more unfounded or extravagant than to say that the treaties bound us after this open, defiant annulment of them by France. They were dead as far as she was concerned, and she could claim nothing under them. We had a right to treat them as rescinded from the date of that decree.

We bore and forebore until 1796, when she passed another insolent decree, that our vessels should be treated as we permitted Great Britain to treat them. Until 1795 we had no commercial treaty with Great Britain, and our relations with her were under the law of nations, and she could seize as contraband of war things that France could not under the treaties of 1778. Of course the treaties of 1778 were disadvantageous to France in her great struggle with England, while they were of very great advantage to us. She was better off under the law of nations than she was under her bond to us, and she said so, and set the treaties aside, for it was her interest to do so. But in July, 1796, she declared that she would treat our ships as England was permitted to treat them. Why, the poor skipper upon the ocean, if England took his vessel for breaking an imaginary blockade of continental ports, could not resist the outrage.

That was the insolent decree of France, which again broke her treaties with us. Of course they were broken before, but this was an additional breach.

Then, 2d March, 1797, she made another decree, of which I have a memorandum here. It was a decree of the French Directory, which provided in the first place that enemies' property should be seized on neutral ships without limit. Second, it extended contraband of war to extraordinary limits. And, lastly, it required ship-rolls under an old, ancient French regulation, the absence of which on our ships was made cause for seizure and condemnation. That was the decree of 1797.

No wonder that General Dix, in his argument of 1846, declared that that decree abrogated the commercial treaty of 1778; in other words, swept it out of existence.

Next we come to the important French decree of 18th January, 1798, which the President of the United States, in his annual message to Congress of December in the same year, described as an unequivocal act of war upon American commerce by the Republic of France. What was that decree? It has been quoted already, but I must refer to it because it is of great importance.

Here is the decree:

"ARTICLE 1. The character of vessels relative to their quality of neuter or enemy shall be determined by their cargo. In consequence every vessel found at sea loaded in whole or in part with merchandise the production of England or of her possessions shall be declared good prize whoever the owner of the goods or merchandise may be.

"ART. 2. Every foreign vessel which in the course of her voyage shall have entered into an English port shall not be admitted into a port of the French Republic, except in case of necessity, in which case she shall be bound to depart from the said port as soon as the causes of her entry shall have ceased."

So that if an American vessel had any commodity on board a production of Great Britain or of any of her colonies in North America, in the West Indies, or in Asia, the ship and everything it contained was forfeited to France, to be condemned in her prize courts. It left no commerce of ours upon the ocean secure from her grasp. Taken in connection with her prior decrees, it absolutely outlawed American trade. Now, I assert with confidence that these decrees which I have cited entirely set aside, so far as France was concerned, the treaties of 1778. She broke them because it was her interest to break them, but thereby she forfeited all rights under them and released us completely from all their obligations.

Now, what was done by us in regard to the treaties? Why, on the 7th of July, 1798, the Congress of the United States, the law-making power representing our sovereignty, passed a statute which binds us and all the people of this country in honor and conscience. They passed a law declaring that those treaties with France were null and void; that they did not bind the Government or the people of the United States and should not bind them in future. Congress did not formally abrogate the treaties; they treated them as already abrogated by France, and Chief-Justice Ellsworth declared that the act did not change the situation between France and us, because it simply declared what that situation was at the time. The treaties were all dead; dead by reason of outrageous violation of them by France, and we declared in our sovereign capacity as a nation that they were dead and should remain so.

Now, what becomes of this argument, heard for over seventy-five years, that we gave up to France these claims of our citizens for the consideration that she would kindly release us from the old treaties of 1778? What becomes of that miserable pretense of an argument which has been heard so long in Congress and outside of Congress in support of these claims? It is plain that in 1800 France had no treaties with us that were valuable to her or onerous upon us. The whole question of treaties as subsisting or abrogated had been closed two years before. We were, in our relations with her, under the general law of nations.

In the next place, it is equally clear that France, by the several decrees I have referred to, made war upon our commerce, and in particular by the decree of 1798 placed herself in the attitude of an avowed and open enemy.

And she followed up her decrees by practical action. She sent her war ships upon the ocean to seize our vessels. She gave commissions to privateers, and they also spoiled our commerce on all parts of the sea; and this condition of things continued until, as Judge Marshall says, hostilities were terminated by the treaty of 1800. Some persons have doubted whether that convention treaty of 1800 was a treaty of peace. But Judge Marshall decided (in Talbot *vs.* Seaman, 1 Cranch, 1) that we were at war with France, and that the state of war continued until the treaty of 1800 was made. That treaty was, therefore, a treaty of peace. He decided not merely that there was a state of war between the two countries, but held that we had the right to recapture a vessel taken by France from Holland and restore her to Holland, and that the captors had the right to claim salvage; and he held this although the acts of Congress against France did not provide for such a case at all. And why could we do that? Because, said the great judge, France was our enemy and we were hers; because the relation of public war between us justified us in going even beyond the acts of Congress in smiting her.

I might go on to multiply proofs. The Attorney-General of the United States, in an opinion which was read yesterday, said that public war existed on the part of France against us and on our part against France. You have the declaration of the President of the United States in his official message of December, 1798, that France opened war upon us by her decree of 18th January in the same year. You have in the treaty correspondence of 1800 the plea of the French negotiators that the actual condition was one of war; that they had previously made an undue concession in admitting that there was only a misunderstanding between the two countries. They plead war. Then, sir, you have the decision of our Supreme Court in 1800, in Bas *vs.* Tingy (4 Dallas, 37). While our negotiators were in France that case was heard at the August term of the court, and it was held that there had been war between France and the United States from the spring of 1798 onward. Four judges concurred in that opinion, the Chief-Justice being in Europe as one of our envoys.

When the treaty of 1800 came before the Senate in February, 1801, unfortunately that body sat in secret session, so that we can not tell by any record what their views were. It seems that they struck out the second article of the treaty, with but one negative vote, and that all the Senators along the Atlantic

seaboard voted to strike it out. Why did the Senate so vote? The argument of the claimants has been that the Senate did that in order to get rid of the old French treaties; but that is quite impossible. No such motive could have actuated them. Why, then, did the Senate strike out that second article? For two or three good and sufficient reasons, which we may infer from the facts known to us, in the absence of any record of the Senate debate. In the first place they struck out the article because the Supreme Court had just decided, virtually, that these claims were war claims against France, as the French negotiators had contended they were. Therefore, to have any future negotiation about them was idle, because France, standing upon the decision of our own great court, could readily defeat us in any future contention we might make.

This, sir, I submit, is conclusive that there was a state of war between the two countries, and, the losses of our citizens being casualties to be borne by them under the law, because not provided for in the treaty of peace in 1800, there is no legal claim here; and I trust the Senate amendment will be voted down.

The Work of the Republican Party in the Fifty-first Congress.

SPEECH

OF

HON. ELIJAH A. MORSE,

OF MASSACHUSETTS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 27, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. MORSE said:

Mr. SPEAKER: The makers of the Constitution of the United States, perhaps as august, honorable, and patriotic a body of men as ever convened, the same men who gave birth for the first time to that great principle with which the nations of the earth for centuries had been pregnant, that all men were endowed with certain inalienable rights, among them being life, liberty, and the pursuit of happiness, and in defense of which they pledged their lives, their liberty, and their sacred honor, and to maintain which they fought the war of the Revolution—I say these men ordained in the Constitution of the United States that the lower House of Congress, the members of the House of Representatives, should be elected every two years. In their wisdom they had ordained that this was wisest and best that the people might be in close touch with their Representative, that if his acts were unsatisfactory they might remove him and elect a more faithful servant. It is meet and proper that the people should demand of their Representative that he should give an account of his stewardship.

Having such a purpose in view, I propose here and now to consider some of the matters which have been acted upon by the Fifty-first Congress during the ten months it has been in session, and I hope to be able to demonstrate that a majority of the Congress, animated by a patriotic desire to serve the people of the country, though hindered and embarrassed at every point by Democratic obstruction even to the point of the Democrats leaving the House in a body, yet in spite of this factious opposition I think it is not extravagant to say that this Republican Congress has enacted into law more wise, beneficent, and salutary legislation than has been enacted by any Congress in the same time since the foundation of the Government.

The first contest came upon the question of amending the rules, and in this contest the Republicans won a victory the magnitude and importance of which to the perpetuation of a republican form of government can not be overestimated.

THE TARIFF.

Another and perhaps the most important piece of legislation enacted by this Fifty-first Congress was the tariff bill, and, of course, any bill that we could hope to pass must, in the nature of the case, be to some extent a compromise.

I state freely and frankly that New England, in order to get protection to her manufacturing industries, was obliged to make some concessions to the South and West; but the manufacturing interests and the workmen of Massachusetts received substantially that protection which was promised them in the platform at the Chicago convention, from the competition of the pauper labor of Europe, excepting the duty on binder-twine, which the Republican House fixed satisfactorily, but was reduced by the Democrats of the Senate aided by Republican Senators from the Northwest. And this is a violation of the Chicago platform which promised protection to American industries, and it was a yielding to a senseless cry against a "trust" that never existed, and is the one blot on the McKinley tariff bill and which I confidently expect to see corrected at the next session.

The placing of hides on the free-list was a concession of the farmers of the West to New England and of great consequence to the boot and shoe industry of Massachusetts, and especially to the Second district, which contains the largest market of its kind in this country. The West demanded protection for its hides; but, it being satisfactorily shown, as in the case of sugar, that our production of hides was only a fraction of our consumption and that we produced no sole-leather hide whatever, this important concession was made to the manufacturers of the East.

The reduction in the duty on sugar is a great and lasting blessing to the people of New England. The present duty amounts to a per capita tax of $1.25 for every man, woman, and child in New England.

Another item of importance to the city of Quincy, in the Second district, was the doubling of the duty on finished granite. It was shown to the satisfaction of the House and Senate that the American workmen and manufacturers in this great industry were brought into immediate competition with the underpaid and poorly paid stone-workers of Europe, from the fact that finished granite for building purposes and monuments was brought to this country at nominal freight and laid down at the seaport cities of the country at a lower price than our manufacturers paying larger wages could do.

This increased duty, I am told, has already led to an advance in the wages of the stone-workers in the Second district of 10 per cent.

The duty on coal and iron was continued substantially as at present, and this seems to fill our Democratic brethren with anger, and they cry out against the duty on "raw material."

Now let us examine this croak about "free raw material" to see what it means. The first important inquiry is, what constitues raw material? I submit that what is considered raw material in one section of the country is not so considered in other sections.

In New England wool is considered raw material. In Ohio and other States where the sheep are raised and the wool is sheared it represents the finished product of the farmer and the laborer. In New England our Democratic brethren are wont to style coal and iron as raw material.

In Pennsylvania and other States, where men take their lives in their hands and delve in the bowels of the earth for these metals, load them on cars and ship them to different sections of the country, they represent the manufactured goods of the miner and manufacturer. So then we come to this principle:

The moment a blow is struck on the metal in Mother Earth by American labor it ceases to be raw material, and the question of competition of foreign labor is involved.

Now, the Democrats tell us that if we had free coal and free iron the larger iron industries of New England (car-axles, car-wheels, merchant and bar iron, and heavy forgings) could be successfully carried on as formerly; but how can I, as your representative, demand of the wool-grower of Ohio and the miner of Pennsylvania protection for the finished manufactures if we refuse protection to their product?

In short, the protection principle of the whole country must stand or fall together. You can not ride two horses, one called free trade and the other protection, going in opposite directions at the same time.

Tacks and rivets are some smaller iron products in which the principal item is labor, which is at present largely and profitably carried on in this district. The McKinley tariff bill increases the duty on jewelry from 25 to 40 per cent. and cannot fail to be a great benefit to the jewelry manufacturers and workmen, but how can I demand protection for the manufacturers of Attleborough and North Attleborough, the industry of those two towns, from foreign competition, or for the stone-workers of Quincy, or for the great boot and shoe industry of Brockton and other large boot and shoe industries in the Second district? How can I demand protection for the great cordage works of Plymouth, if I demand free trade in the products and goods of other sections?

But suppose we have free coal and free iron in New England. While under protection the smaller iron products of Taunton, Plymouth, and other towns may be and are successfully carried on, I repeat that the fiat of the Almighty bars New England from engaging in the heavier industries, on account of an increased freight, over States like Pennsylvania and Alabama, where God Almighty put natural gas, coal, iron, and lime in close proximity, and free Canadian coal would not help us.

As well might the people of Pennsylvania and Ohio complain that Taunton herring or codfish did not swim in the Susquehanna or Ohio.

The preponderance of the testimony is that Canadian coal and iron are both of such poor quality that they could not compete in New England successfully with Pennsylvania coal and iron.

Certain it is that in the province of Quebec, at Montreal, and west of that, they buy coal in Pennsylvania, notwithstanding they have water communication with the coal and iron mines of Canada.

The colleges of the country, especially Harvard College, teach their pupils the doctrine of free trade. President Eliot goes on the stump and tells us that free trade is a panacea for all our ills.

Now, I allow that free trade is a beautiful theory. It is a beautiful theory that all the world is a band of brothers, but the Book says, "He that refuseth to provide for his own household is worse than an infidel, and hath denied the faith." Your first duty is to your own family, your second to the community in which you live, to the State in which you reside, to the country of which you are a citizen.

They have a cordage factory in Hong-Kong, China. It is equipped with American machinery and the operatives are paid 15 cents a day.

There are 65,000,000 people in this country, and there are 450,000,000 people in the Chinese Empire. Now, I do not desire to shake up my countrymen with the 450,000,000 Chinese or with other millions of European laborers and strike an average of their wages.

If you destroy our protective system you have but one alternative—either to abandon our manufactories or reduce the laborer to a level of the pauper laborer of Europe or the Mongolian of Hong-Kong.

Pardon a seeming digression here, which will lead up to an argument.

As I was leaving church one Sunday morning in the city of Washington a few weeks ago, a gentleman stepped up to me and said, "Your name is MORSE?" "Yes." "And your father's name was Abner Morse?" "Yes, sir." "Well," said he, "forty-eight years ago, when your father left South Bend, Ind., and you were an infant, your father left that place never to return. It was before the days of railroads. He left, as he came there seven years earlier, in his own private carriage. He could not carry all he wished, and some things had to be left behind. Among them," said the stranger, "was a package of letters which he left with my father, an old man now eighty-six years of age, living in this city. They are marked 'Abner Morse. To be called for.' As your father has been dead twenty-five years, if you will come to the house I will give them to you."

They proved to be the letters of my mother, who died in 1842. There were letters from my father to my mother before they were married. There were letters from my mother's sister, from her home of refinement and ease and culture in the East to her sister, in what was then the Western wilderness, in the valley of the St. Joseph's River, and where the primeval forest of creation stood.

They told stories of love, of courtship, of marriage, of death, of neighborhood news in the village of her childhood, in that far off time. They told of the altar, the cradle, and the tomb.

With most of the actors in the scenes described in these letters, "Life's fitful fever is over," most of the actors have played their part and joined the silent majority.

But what I introduced this subject and these letters for was to say that during the period covered by these letters we had free trade. They describe the condition of things in Onondaga Valley, New York, and the valley of the Genessee, then as now a great wheat-growing and agricultural section, indeed then one of the richest, as now, and most prosperous sections of the whole country, and what do they say about the effect of free trade in this country at that time?

They say the country was in dire distress; they say that horses, oxen, and cattle, and swine, and wheat had no market and could not be sold at any price. They say that men were glad to work twelve or fifteen hours a day for 50 cents, and could not get work at that.

Why? Because we had a tariff for revenue; because we bought all our goods in England, and had no business but agriculture. And the same experience was had later during the hard times and financial panic of 1847; and in the light of this experience our Democratic brethren ask us to repeat this folly and to return to a policy of "free trade."

God forbid we should do it.

DEMOCRATIC CLAIM THAT THE COUNTRY IS BEING RUINED BY PROTECTION ANSWERED.

If you could believe those croakers who tell us the country is going to destruction in consequence of the protective tariff, surely our condition would be sad indeed.

But what are these facts?

Two and one-half millions are added to the wealth of this great country every time the sun rises and sets.

But they say the rich are growing richer and the poor poorer.

The first part is true, no doubt, but the second is a lie. In this country the poor share the prosperity of the rich, and there is not a country on the face of the earth where laboring people are so well clothed, warmed, and fed, and have so many of the things that go to adorn and embellish civilized life as in our country under the wise protective policy of the Republican party.

Listen to the following:

From the Atlanta (Ga.) Southern Industrial Record, in its issue of February 20, 1890, is gathered the following: "Three hundred and twenty-five new manufacturing enterprises were inaugurated in the ten cotton States during the past two weeks, employing over $6,000,000 capital. This does not include the many new railroad enterprises, employing many millions of capital, developing vast extent of the country, rich in minerals, coal, timber, and agricultural lands. Industrial development is spontaneously springing up all over the South which will eventually make it populous and rich."

What is our answer to Hon. Peleg McFarlin, a respected citizen of Carver, and Mr. Tobey and others who talk of the "decadence of New England industries?" Let me give the following from a recent issue of a Boston journal:

The hives of industry are so full that the swarming process may naturally lead to new swarms and new hives at distant points. These work no injury to New England. We can spare them. Not 1 per cent. of the substantial manufacturing concerns of New England have migrated south or west in a decade. Any general exodus is a fancy of the prejudiced operator. New England in 1889 invested $50,000,000 in new manufacturing plants at home. Deposits in her savings-banks increased over $60,000,000 in 1889. The situation is most hopeful in 1890. Let our people look at the bright facts instead of the doleful misstatements of interested parties.

And here is an extract from the Lowell (Mass.) Mail, referring to the erection of a cotton-mill plant in its vicinity which will involve the expenditure of $3,000,000:

When it is done it will furnish work for 2,000 operatives, whose wages will support directly at least 6,000 people. These people will eat bread, and meat, and vegetables, and dairy products, and fruit from American farms. They will wear clothing made in American shops, from cloth manufactured in American mills. They will use American boots and shoes, furniture, crockery, and iron and wooden ware. They will burn American coal and oil. They will employ American physicians, lawyers, teachers, and preachers, and read American books and papers. They will patronize American railroads, theaters, and base-ball nines. They will buy American watches and jewelry, and in almost every conceivable way they will help to make a demand for the products of American skill, industry, and enterprise.

REPUBLICAN PARTY NOT SECTIONAL.

But they charge that our tariff legislation was sectional. That charge I deny. We paid a bounty of 2 cents per pound to the sugar-planters of Louisiana. We placed a protective duty on the hemp raised in Kentucky. We placed a protective duty on the rice raised in Kentucky and South Carolina, and upon the marble quarries of Tennessee, upon the oranges and lemons of Florida, and the yellow pine of the Southern States.

In the river and harbor bill we made large appropriations for the rivers and harbors of the South. One item was $6,200,000 for the improvement of the Galveston (Tex.) Harbor. Away with this cry of sectional legislation. It is false. I throw it back to the men who make it.

The Republican party in the Fifty-first Congress legislated for the whole country—the North, the South, the East, and the West.

The Republican party in the Fifty-first Congress defended the rights of the black man, and seated several such men, who were honestly elected, in spite of the revolutionary tactics of the Democrats in leaving the House in a body.

We unseated Breckinridge, of Arkansas, the man who stood in the bloody shoes of Clayton, who was murdered in cold blood, shot through a window while he was away from home taking testimony with which to contest the seat to which he was elected; shot through a window while he was seated at a table in a hotel engaged in writing a letter to his little motherless children in his distant home.

The right of Breckinridge to a seat, his right to a seat stained with the blood of a murdered Republican, was so doubtful, one Democrat (and that one of his colleagues from Arkansas, FEATHERSTON) voted to unseat him. But hush, hark, shut the windows of heaven. The son of John A. Andrew, Representative ANDREW, of Massachusetts, voted against justice and against Clayton, whose blood cries to heaven.

The Democrats denounced us for what they style the "force bill." It should be called an "anti-force bill." It is a bill to prevent force at the polls. It is a bill by which Congress proposes to exercise its constitutional right to control the election of its own members, and see that every man in the country has his right to vote for members of Congress and have that vote counted as cast. That is all; nothing more nor less.

But they go around the country howling about "bayonets at the polls."

We have over 30,000 polling places in the United States for members of Congress and 25,000 soldiers, so that we should have only a piece of a soldier at each polling place if they were equally distributed, and the bill applies to North and South. Our Republican Congressional committee describe the law as follows:

The Federal election law does not interfere with local systems at all, but merely provides a way by which frauds can be detected and punished. It makes false registration a crime. It makes unlawful interference with registration, by violence upon, or intimidation, or bribery by any person lawfully entitled to vote, a crime.

It makes willfully keeping any false poll-list or knowingly entering false names or false statements thereon a crime.

It makes giving or accepting a bribe to induce a person to vote or refrain from voting a crime.

It requires the ballot-box to be placed in plain sight of the voters, and in such a position as to enable the election officers, national and State, and the voter when voting, to see that the ballot is in fact placed in the box.

It makes the willful rejection of legal votes, knowing them to be legal, a crime.

It makes the willful acceptance of illegal votes, knowing them to be illegal, a crime.

It makes the fraudulent substitution of one ballot for another for the purpose of having the vote rejected, or for the purpose of having it counted for a person other than the voter intended, a crime.

It makes willfully placing ballots not lawfully cast in any ballot-box among ballots lawfully cast, for the purpose of changing the result, a crime.

It makes unlawfully removing ballots from a ballot-box lawfully cast, for the purpose of changing the result of the election, a crime.

It makes a willfully false canvass of votes, or the false certification and return of such vote, a crime.

It makes it a crime for every officer charged with a duty under the law to willfully neglect to perform such duty or to be guilty of any corrupt or fraudulent conduct or practice in its execution.

It makes false swearing, in matters pertaining to such Congressional election, perjury.

It makes stealing the ballot-box or the ballots a felony; and it provides just punishment, by fine or imprisonment or both, for each of these crimes against a government by the people through manhood suffrage.

That is this bill. There is not a section, line, or syllable in it besides this, more than is necessary to enforce with certainty these provisions.

I believe with Hon. JOHN DALZELL, of Pennsylvania, who said in discussing the contested-election case of Clayton *vs.* Breckinridge:

We can say that theft, murder, and fraud, however successful elsewhere, are doomed to inevitable defeat at the portals of the House. We may not be able

to purify election methods, where they are impure; we can at least make them barren of results so far as we are concerned.

Besides these measures I mentioned, we have passed a conservative silver bill, to create a currency to take the place of the expiring national-bank currency, which stops the coinage of silver next July and decrees that every silver certificate shall have behind it a gold dollar's worth of silver bullion, and that the money of this country, the poor man's money, shall be the money of the world and equal gold in value. (See page 16, Congressional Hand-Book.)

Besides the tariff bill, the election bill, and the silver bill, the House of Representatives passed the national bankrupt bill, which, when it shall pass the Senate, can not fail to have a most beneficent and salutary effect upon the great business interests of the country.

The Republican party vindicated its right to be called the great moral reform party of the country by passing the anti-lottery bill, forbidding the transmission through the mails of any lottery tickets, advertisements, or even newspapers containing advertisements of lotteries, and thus struck a death blow to that great swindling scheme, which had debauched the State Legislature of Louisiana and was robbing the poor people of this country of millions of their hard-earned money, known as the Louisiana Lottery Company.

The Republican party redeemed its promise to the soldiers of the country by passing the disability pension bill which gives to every disabled soldier, no matter how he became disabled, or whether he can connect his disability with his army service or not, a pension of from six to twelve dollars per month, according to disability, and to every soldier's widow a pension of $8 per month, and to all minor children under sixteen years of age a pension of $2 a month until sixteen is reached.

While this bill does not go so far as some of our comrades desire, yet that it is a great measure of relief is shown by the fact that over 380,000 applications have already been made by soldiers and their dependent relatives for relief under this bill. A similar bill was vetoed by Grover Cleveland when President of the United States, but this bill was passed by a Republican House, by a Republican Senate, and signed by a Republican President, and is now a law.

We admitted two States into the Union, Idaho and Wyoming, and added two stars to the flag. We established a Territorial government for Oklahoma and prohibition until the people voted otherwise.

We passed a bill to return 8,000,000 acres of railroad land to the public domain and open the same to settlers.

We passed the agricultural-college bill, a wise and beneficent measure.

We passed the anti-trust law, aimed at great trusts like the Standard Oil Company and the sugar trust.

We passed, in the interest of pure and unadulterated food, the "meat-inspection bill" and the Conger lard bill.

LABOR MEASURES.

In the interest of labor we passed the alien-contract bill, convict-labor bill, convict-material bill; all these measures in the interests of protecting American labor. (See page 19, Congressional Hand-Book.)

Then, once more the Republican party defended its right to be called the moral party of the country by passing the Wilson bill, to correct the "original-package decision" of the Supreme Court of the United States. This bill subjects to the existing laws of prohibitory States intoxicating liquors shipped into them or passing through them.

Let me here give a word of admonition to my third-party friends on the folly and inexpediency of their course. The third-party vote in the State of New York gave the vote of that State to Grover Cleveland. That vote made him President. He appointed several members of the Supreme Court, among them Lamar, an unreconstructed rebel. He appointed Chief-Justice Fuller, who rendered the infamous "original-package" decision.

Had they succeeded in re-electing Grover Cleveland, instead of electing Benjamin Harrison, he would undoubtedly have vetoed this bill, and as the result we should have had the appalling situation all over the country now of having every restriction of the liquor traffic of every name and kind wiped out, and free rum in "original packages" of one drink and upwards sold in every community, in every State, in every section of the country, and the people powerless to regulate or prevent.

That is what the third-party success in defeating the Republican party in 1888 would have meant, and their success in the approaching campaign might be fraught with an equal disaster to the cause of temperance and prohibition.

However sincere some of their members may be, I insist that the practical effect of their course is to give direct aid and comfort to the brothel and the saloon, and to the Democratic party.

Confident am I that the cause of temperance and prohibition in the State and nation has been put back by the third-party movement. In the last fifteen years they never have elected a member of Congress, and never will until the crack of doom. They have not placed one law on the statute-book of any State in the Union. They have scarcely elected a single member of the Legislature in any State in the Union. Out West they call the third party the "Democratic aid society;" however well intended, that is the only effect of their course.

The vote for the original-package bill was practically a Republican vote, and the vote against it was substantially a Democratic vote.

The Republican party also passed at this session the canteen bill, forbidding the sale of wine and beer at army posts in prohibitory States.

Our Republican Congressional committee sums up our work in the Fifty-first Congress in the following sentences:

Briefly, and all too briefly, this is the record of the Republican party in the House of Representatives during the nine months of the two years in which it must perform its work. The history of this country, splendid as it is in the passage of safe, wise, and helpful legislation, contains no example in times of peace of a session of Congress so remarkable for good. Its work has been done quickly, quietly, resolutely, and in the face of an opposition which has been bitter and unscrupulous in an equal degree.

A hundred issues might be presented as a result of the differences between the two parties developed during the present session of Congress. These are the paramount ones:

Shall Congress be a deliberative assembly, wherein public measures may be properly considered, duly debated, and then, without waste of time, actually voted upon, and wherein the American principle of "majority rule" shall be respected, or shall it be a mob, incompetent to act, powerless to carry out the public will, with a majority so overcome by its own rules that it is dependent upon the minority for its authority and power?

Shall we allow the Capitol to be filled up with men who obtain seats in Congress, not as the result of a free ballot and a fair count, but by the forcible suppression of franchise rights, by wholesale frauds, by murder, arson, brutality, and other crimes?

Shall we abandon the policy of protection, after all it has done for us, to enter upon a policy which we have tested many times, to our immediate, unfailing, and tremendous loss?

Shall we again rob ourselves of the rewards which have so richly come from the restoration of silver, and once more pay into the hands of foreigners who have for years been buying our silver at low prices and using it against us in the grain markets of the world?

Shall we pay our money, $150,000,000 a year, to build up the merchant marine of England, to increase her strength upon the sea and her hold upon the foreign markets of the world, when we might, as well as not, be paying it for our own advantage in all of these respects?

Shall we keep our plighted faith to the loyal men who offered their lives in defense of freedom and union, and to the protection of whose families from want and misery we gave our word as a nation?

These are the chief and most sharply defined issues upon which the country is asked to cast a deciding ballot this fall. Every effort is being made to sidetrack them, to envelop them in clouds, and to carry the people away from here and there on false pretenses. The Democrats start off in the next Congress as usual with thirty-one stolen seats. They have that number of seats to their credit without a campaign. By infamous gerrymanders, especially in Ohio Maryland, Kentucky, and Indiana, they expect to steal twenty-one other seats. This gives them an immense advantage.

To the Republicans it is an awful handicap. But if the intelligent, thoughtful, and patriotic people of the land will do their duty as citizens, if they will stand sturdily by their guns, if they will vote as they wish and think, the result will be a glorious Republican victory, and a prompt and happy completion of the work which President Harrison and this Congress have carried forward so wisely and so well.

On the coast of England, many years ago, there were men engaged in the "wrecking business." They put up false lights along the shore, and they thus allured vessels ashore and then, amidst the groans of the drowning and the dying, they robbed their victims.

Gentlemen and fellow Republicans, the Democrats of this country are putting up false lights along the shore to allure the manufacturing business and business interests of the country to destruction.

Can the country afford to falter in her allegiance to the Republican party? She can not, she must not, she will not.

Gentlemen and fellow Republicans, grave and unfinished problems confront us as a nation still—questions vital to the welfare and perpetuity of our institutions.

The mission of the Republican party is not ended, not while it continues to stand for protection to our industries and to American labor, for temperance, for free speech and an honest ballot, for honor in public affairs, for free unsectarian schools.

So long will the Republican party prove to our enemies to be "clear as the sun, fair as the moon, and terrible as an army with banners."

French Spoliations.

SPEECH

OF

HON. CHARLES H. MANSUR,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, September 23, 1890,

On the bill (H. R. 11459) making appropriations to supply deficiencies in the appropriations of the fiscal year ending June 30, 1890, and for prior years, and for other purposes.

Mr. MANSUR said:

Mr. SPEAKER: Prior to my advent in the Fiftieth Congress I knew nothing of the merit or demerit of French spoliation claims, so called, having no knowledge of them otherwise than from references in the public press. Being assigned to duty upon the Committee on Claims, and the said committee having decided in the Fiftieth Congress to report the findings of the Court of Claims on these spoliation matters favorably, my colleagues on that committee devolved the duty upon me

of preparing a report. That report has been submitted to Congress, and with addenda was again adopted and submitted by the Committee on Claims at this session of Congress, and to it I refer for a full elaboration of my views upon the justice of these claims.

For ninety years these claims have been before the country, and although since the late civil war somewhat in the background, yet they have never lost their interest to the student of history or the lover of justice. My investigations upon this subject lead me to the confident belief that no person unprejudiced can come to a calm and deliberate study of the questions involved in these claims and deny the liability of the Federal Government to pay them. To the lover of American liberty and independence they possess, upon investigation, a peculiar charm. It is not too much to say, nor is it untrue, when I declare that when paid they will constitute the last installment of the price of our American liberty and American independence.

I can not hope by any argument that I can present to add to the force and strength of what has already been said during the past ninety years by men of the most eminent position, character, and talent that our country has produced.

Dr. Wharton, in his work on International Law, page 727, says:

This view of the distinguished jurist and diplomatist [Chief-Justice Marshall] is sustained by forty-five reports favorable to these claims made in the Congress, against which stand but three adverse reports, all of which were made prior to the publication of the correspondence by Mr. Clay in 1826. Besides Marshall, Madison, Pickering, and Clay, the validity of the claims has been recognized by Clinton, Edward Livingston, Everett, Webster, Cushing, Choate, Sumner, and many other of the most distinguished statesmen known to American history; and while opponents have not been wanting—among the most eminent of whom were Forsyth, Calhoun, Polk, Pierce, Silas Wright, and Benton—still the vast weight of authority in the political division of the Government has been strenuous in favor of the contention made here by the claimants.

But I shall rather content myself with bringing before Congress many citations and excerpts from the sayings of the distinguished gentlemen just named and others who have spoken and written upon this subject. To understand the full force and value of these claims it is necessary to recall the condition of the Colonies at the time they threw off the British yoke. Conscious of their inability to successfully maintain their independence without foreign aid, the Colonies early in 1776 dispatched Silas Deane to France as a private agent to ascertain the views of that country, and in the same year, on favorable representations made by him, Benjamin Franklin and Arthur Lee were joined with Mr. Deane and appointed commissioners to negotiate an alliance with France. As to their duties and instructions, I quote from the celebrated report of Mr. Cushing, made during the first session of the Twenty-sixth Congress, from the Committee on Foreign Affairs, to wit:

They were instructed and empowered to "assure His Most Christian Majesty that such of the British West India Islands as in the course of the war shall be reduced by the united force of France and the United States shall be yielded in absolute property to His Most Christian Majesty, and the United States engage, on timely notice, to furnish, at their expense, and deliver at some convenient port or ports in the said United States provisions for carrying on expeditions against the said islands to the amount of $2,000,000 and six frigates, mounting not less than twenty-four guns each, manned and fitted for sea; and to render any other assistance which may be in their power as becomes good allies."

These instructions are material to be remembered, because they show that we, on our side, as the consideration of the aid we solicited from France, proffered to her an alliance offensive and defensive, designed as the treaties actually concluded prove, to embrace within the scope of its operation all the French and British possessions of America, which it appears to have been in contemplation to conquer, and divide between the allied powers.

In the event of the negotiations two treaties were concluded on the same day, the 6th of February, 1778; one entitled a "Treaty of offensive and defensive alliance" and the other a "Treaty of amity and commerce."

The treaty of alliance, after providing for the active prosecution of the existing war between the United States and Great Britain, to the end of maintaining the independence of this country, for the making of common cause with France in case of eventual hostilities between her and Great Britain, and for the conquest and partition of the remaining British colonies in America, proceeds, in in the eleventh and twelfth articles, to stipulate as follows:

"ARTICLE XI.

"The two parties guaranty mutually from the present time and forever against all other powers, to wit, the United States to His Most Christian Majesty, the present possessions of the Crown of France in America, as well as those which it may acquire by the future treaty of peace. And His Most Christian Majesty guaranties on his part to the United States their liberty, sovereignty, and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now or heretofore possessed by Great Britain in North America, conformable to the fifth and sixth articles above written, the whole as their possessions shall be fixed and assured to the said States at the moment of the cessation of their present war with England.

"ARTICLE XII.

"In order to fix more precisely the sense and application of the preceding article, the contracting parties declare that, in case of a rupture between France and England, the reciprocal guaranty declared in the said article shall have its full force and effect the moment such war shall break out; and if such rupture shall not take place, the mutual obligations of the said guaranty shall not commence until the moment of the cessation of the present war between the United States and England shall have ascertained their possessions."

In execution of this treaty France entered heartily, and with ample forces of sea and land, into the war of the Revolution; and with her aid and the blessing of God on the united efforts of the allied nations we achieved our sovereignty as a nation. Whether France was actuated more or less by considerations of generosity or of policy, certain it is that she promptly, faithfully, and effectively fulfilled her part of the treaty; the "essential and direct end" of which, as declared in the instrument itself, was "to maintain effectually the liberty, sovereignty, and independence, absolute and unlimited, of the United States."

And equally certain it is that for the sacrifice of men and of treasure she thus incurred she received from us at the time no direct equivalent or benefit whatsoever, except that of the humiliation and loss of territory inflicted on her rival, Great Britain. And it is not less certain that when the United States issued from that terrible conflict a great and free Republic, full of a deeply grateful sense of the inestimable advantage she had received from the alliance of France, and having thus far rendered to her benefactress no correspondent advantage, there remained of all the stipulations of the treaty but one which in any future possibility could be profitable to France, and that was the perpetual guaranty of the possessions of the latter in America.

Let us see what the financial value of this "perpetual guaranty by the United States of the French possessions in America" had actually cost France on her part and in her efforts to secure and establish our independence. Senator Sumner, in his report to the Senate in Thirty-eighth Congress, first session, says:

According to the report of Calonne, the French minister of finance, the war which ensued in support of this guaranty cost France 1,449,000,000 francs, or about $280,000,000. But French blood, more costly than money, was shed on land and sea in the same cause, until at last the army of Cornwallis surrendered at Yorktown to the allied forces of Rochambeau and Washington and the war closed by the recognition of the Independence of the United States. If liberty be priceless, if life be priceless, then was the aid lavished by France infinite beyond calculation.

Let us now turn and consider the value of the treaty of 1778 with France to the United States. Senator Clayton, in his speech in the Senate on April 23 and 24, 1846, says:

To know the real value of this guaranty we must look back to the period when these treaties were entered into, which was the darkest hour of our whole Revolutionary struggle.

On the 11th of September, 1777, our Revolutionary army met with a disastrous defeat at the battle of Brandywine. On the 4th of October after that the army was again defeated at the battle of Germantown, and shortly after Washington led his distressed troops to Valley Forge, where he went into winter quarters. The condition of the American army may be judged by his letters written at the time from the camp at Valley Forge.

In his letter to Congress of 23d December, 1777, he says that "unless some great and capital change takes place his army must be inevitably reduced to one or the other of three things—starve, dissolve, or disperse; that three or four days of bad weather would prove their destruction; that out of his whole force of 11,000 men 2,898 are in the camp unfit for duty because they are barefoot and otherwise naked, besides a number confined in the hospitals for want of shoes, and others in farm-houses on the same account; and for want of blankets many were obliged to sit up all night by fires." In a letter from General Varnum, written from the camp in February in 1778, he says: "The situation of the camp is such that in all human probability the army must shortly dissolve."

Washington, in a letter written at the same time, anticipates a general mutiny and desertion. In March, 1778, Washington writes to Congress that between two and three hundred officers had resigned their commissions, and that the supplies of men promised to him had entirely failed. In a letter dated the 10th of April, 1778, he sums up a most appalling picture of the intolerable distress of his army by telling Congress that "no order, regularity, or care of the men or of the public property prevails." Sir, I shall not attempt to add to his description of the horrors of the winter at Valley Forge. There was not an American patriot whose heart did not sink within him at that gloomy period. The hopes of the country, resting entirely on the army, were prostrated with it.

Sir, it was in the midst of this universal despondency that the glorious intelligence was announced to the camp at Valley Forge that the powerful nation of France had bound itself by the most solemn treaties with the United States "to remain and guaranty against all other powers their liberty, sovereignty, and independence, absolute and unlimited, forever." And the scene was immediately changed from one of universal mourning to one of universal joy. Shouts of applause burst from the lips of our distressed soldiers, and rang through all the ranks of the American army, while it is said that even the Father of his Country waved his hat in triumph, and joined in the strongest demonstrations of national gratification.

Sir, it is certain that these treaties revived the sinking spirits of our countrymen and secured the independence of America. Their value to us is not to be counted at this day in dollars and cents. We know that France faithfully and honorably complied with her part of these contracts.

How did we discharge our treaty obligations? What sums of money did we expend for France? What lives did we lavish in her defense? I prefer to let another tell the story. Mr. Buel, from the Committee on Foreign Affairs, in his report made to the Thirty-first Congress, first session, of the House of Representatives, uses the following language:

France pointed us to the ships, men, and money which she furnished in our Revolution. She pointed us to our independence which she had aided so much in achieving. She pointed us to her war with England, and then to the treaties of the Revolution, by one of which we became her allies and were bound to bear our own part in that war. While she referred us to her guaranty in that treaty of our liberty, sovereignty, and independence, she insisted upon the observance of our guaranty to defend her possessions in America. She also pointed us to her treaty of amity and commerce by which we gave to her what we denied to England—the free use of our ports for purposes of war; and then referred us to the treaty of 1794 (the Jay treaty) with England, by which we repudiated our solemn obligations and preferred our oldest enemy to our oldest friend.

She pointed us to our deliberate neutrality in the face of such treaties, while she was losing most of her West India possessions. In fact, she reproached us with the worst of national offenses—a violation of national honor, a breach of plighted faith, a disregard of treaties, a deliberate ingratitude for the part she had borne in the war of our independence.

And the French minister, Mr. Adet, on the 15th of November, 1796, announces the order of his Government to suspend his functions in the United States, and made a formal claim of the guaranty, in the following terms:

The undersigned, minister plenipotentiary of the French Republic, now fulfills to the Secretary of State of the United States a painful but sacred duty. He claims, in the name of American honor, in the name of the faith of treaties, the execution of that contract which assured to the United States their existence and which France regarded as the pledge of the most sacred union between two people the freest on earth.

In this connection it is well to here show what the possessions of France in America at that time were, and what she lost.

Dr. Wharton, in his work on international law, second edition, on page 721, states:

At the opening of the war France possessed the fertile islands of St. Domingo,

Martinique, Guadeloupe, St. Lucia, St. Vincent, Tobago, Desecada, Marie-Galante, St. Pierre, Miquelon, and Granada, with a colony on the mainland at Cayenne, and "in little more than a month the French were entirely dispossessed of their West India possessions, with hardly any loss to the victorious nations." (Alison's History, vol 3, p. 396.)

I now invite the attention of the House to the condition of affairs in France, as well as in Europe, that led up to and were the causes of the spoliations upon our commerce by France. A wonderful coalition in 1792–'93 was made against republican France in the heat of the war between France and England. In about six months England had contracted twenty-three separate treaties with allies, the character of which may be determined by the one made with Prussia in July, 1793, in which the high contracting parties took the resolution to shut all their ports against French ships and not to permit the exportation to France of grain, salt, meat, or other provisions, and to employ all means in their power to injure the commerce of France and to bring her by such means to conditions of peace. The crops in France had failed that year, a frightful civil war was raging, and all Europe was in arms against her as punishment for beheading her king, Louis XVI.

To starve the people of France was their avowed, diabolical purpose, and behind this was another no less strong: kings against people, crowned heads against republics. Open war had been declared by England and France against each other, and the capture of our American vessels had begun by each of them. On the part of France it may truthfully be said that owing to her short crops and starving condition her early captures in 1793 were made under the pressure of absolute necessity.

On the 22d of April, 1793, President Washington, of his own impulse, issued a proclamation of neutrality, which states:

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands of the one part, and France on the other; and the duty and interest of the United States require that they should, with sincerity and good faith, adopt and pursue a conduct friendly and impartial towards the belligerent powers, etc.

This measure was discussed in his Cabinet with reference to the bearings of the eleventh article of the treaty of alliance. Did the *casus fœderis* thereby stipulated for exist? There was no decision upon this point by the President, but Chief-Justice Marshall informs us that the proclamation "was intended to prevent the French minister from demanding the performance of the guaranty contained in the treaty of alliance," and the proclamation was complained of in this relation by the Government or diplomatic agents of France at once, and not merely as it has been asserted, long afterward, although it did not as yet become the subject of a formal demand of execution.

This proclamation of neutrality was, under a fair consideration and construction of our treaty with France, an absurdity. In the mean time spoliations upon our commerce increased, only to be intensified and wonderfully increased by the activity of French vessels, spurred up by a growing hostile feeling in France, the necessary and inevitable result of the treaty negotiated by the United States with England in 1794, now known as the Jay treaty. The essential features of this treaty of Jay, by which important rights inimical to the interests of France and in direct conflict with the terms of the treaty of 1778 made with her by America were granted, are as follows:

ARTICLE XXIV.

It shall not be lawful for any foreign privateers (not being subjects or citizens of the said parties) to have commissions from any other prince or state in enmity with either nation to arm their ships in the ports of either of the said parties, nor to sell what they have taken, nor in any other manner to exchange the same; nor shall they be allowed to purchase more provisions than shall be necessary for their going to the nearest port of that prince or state from whom they obtained their commissions.

ARTICLE XXV.

It shall be lawful for the ships of war and privateers belonging to the said parties, respectively, to carry whithersoever they please the ships and goods taken from their enemies, without being obliged to pay any fee to the officers of the admiralty, or to any judge whatever; nor shall the said prizes when they arrive at and enter the ports of the said parties be detained or seized, neither shall the searchers or other officers of those places visit such prizes (except for the purpose of preventing the carrying of any part of the cargo thereof on shore in any manner contrary to the established laws of revenue, navigation, or commerce), nor shall such officer take cognizance of the validity of such prizes; but they shall be at liberty to hoist sail and depart as speedily as may be, and carry their said prizes to the place mentioned in their commissions or patents, which the commanders of the said ships of war, or privateers, shall be obliged to show. No shelter or refuge shall be given in their ports to such as have made a prize upon the subjects or citizens of either of the said parties; but if forced by stress of weather or the dangers of the sea to enter therein particular care shall be taken to hasten their departure and to cause them to retire as soon as possible. Nothing in this treaty contained shall, however, be construed or operate contrary to former and existing public treaties with other sovereigns or states. But the two parties agree that while they continue in amity neither of them will in future make any treaty that shall be inconsistent with this or the preceding article.

Neither of the said parties shall permit the ships or goods belonging to the subjects or citizens of the other to be taken within cannon-shot of the coasts, nor in any of the bays, ports, or rivers of their territories, by ships of war or others having commission from any prince, republic, or state whatever. But in case it should so happen, the party whose territorial rights shall thus have been violated shall use his utmost endeavors to obtain from the offending party full and ample satisfaction for the vessel or vessels so taken, whether the same be vessels of war or merchant vessels.

I call the attention of the House to the fact that the port privileges granted to Great Britain are substantially, if not literally, in the same language by which the same rights are guarantied to France in the treaty of 1778, with the further addition that in article 25 of the Jay treaty America stipulates that, while she continues in amity with Great Britain, she will not in future make any treaty that shall be inconsistent with the provisions of articles 24 and 25, which gave the same port privileges to Great Britain as had been guarantied in 1778 to France.

The Jay treaty was brought about from three considerations—our want of manufactures, a desire to renew commerce with the then greatest manufacturing and commercial people on the globe, aided by the natural ties of blood and birth and a common ancestry. The fact is now well known and established that England did not demand or dictate to us that she must have the exclusive use of our ports, notwithstanding our previous pledge of them to France, but that Mr. Jay was instructed by our Secretary of State, Mr. Randolph, to tender this to England, and it proved disastrous and brought dangerous results indeed upon our people. The promulgation of the Jay treaty in 1796 opened instantly the vials of wrath and the vengeance of France against the United States, holding us to be perfidious and accusing us of having joined in the great coalition to starve her people, and so France commissioned large numbers of privateers for the purpose of sweeping the ocean of American vessels, and even loaned her public vessels to privateers for a share of the booty they could thus acquire.

Prior to this the spoliations upon our commerce had been so great that our merchants were practically abandoning commerce upon the high seas; so much so that the income of the Government in the course of one year fell off a round million of dollars, or from 15 to 18 per cent. of our annual income. The Government could not afford this falling off of the revenues, and with a view of neutralizing the fears of our merchants the following circular notice was issued on August 27, 1793, by our Secretary of State, Mr. Jefferson, to the merchants of the United States:

I have it in charge from the President to assure the merchants of the United States concerned in foreign commerce or navigation that due attention will be paid to any injuries they may suffer on the high seas or in foreign countries contrary to the law of nations or to existing treaties, and that on the forwarding hither of well-authenticated evidence of the same, proper proceedings will be adopted for their relief. (Mr. Jefferson, Secretary of State, to Messrs. Duke & Co., August 31, 1793, 4 Jeff. Works, 31.)

This assuring statement was followed up by another one equally so from the President himself.

Washington's message to Congress, December 5, 1793, after speaking of the unfriendliness of the French minister, says:

In the mean time I have respected and pursued the stipulations of our treaties according to what I judged their true sense, etc.

The vexations and spoliations understood to have been committed on our vessels and commerce by the cruisers and officers of some of the belligerent powers appeared to require attention. The proofs of these, however, not having been brought forward, the description of citizens supposed to have suffered were notified that on furnishing them to the Executive due measures would be taken to obtain redress of the past and more effectual provisions against the future. (Volume 4, Annals of Congress, page 15.)

To show the importance of this circular letter and the extract from Washington's message, I call attention to the following comments of Senator Clayton, once Secretary of State, in his address delivered in the Senate of the United States, April 23 and 24, 1846. He said:

It appears this circular was carefully distributed among the merchants in all the seaports of the United States. It presents the extraordinary case, the only one I am aware of in the history of this Government, of a direct communication from the Executive to all concerned in foreign commerce and navigation. Its object, on its own face, is not merely to assure them of indemnity for the past—it does not assure them that due attention will be paid to any injuries they may have suffered, but it does, in the most solemn manner, pledge the faith of this Government to them "that due attention will be paid to any injuries they may suffer on the high seas, or in foreign countries, contrary to the law of nations or to existing treaties." And it does solemnly further pledge the faith of the Government to all those who may thus hereafter suffer, that "on their forwarding (to the Department of State) well authenticated evidence of the same, the proper proceedings will be adopted for their relief."

If before the promulgation of the Jay treaty our revenues fell off so severely, we may consider that nothing but the assurances of our Government in the circular letter of Mr. Jefferson kept American commerce upon the high seas; but the depredations still being great, our Government resolved upon negotiations, and on July 15, 1797, appointed Charles C. Pinckney, John Marshall, and Elbridge Gerry as envoys extraordinary to the French Republic. Their instructions were voluminous and contained the following:

Finally, the great object of the Government being to do justice to France and her citizens if in anything we have injured them, to obtain justice for the multiplied injuries they have committed against us, and to preserve peace, your style and manner of proceeding will be such as shall most directly tend to secure these results.

This imposing overture of agency by the Government (which has never been repealed or modified) was anxiously accepted by the claimants against both England and France, who were then at war, and both equally depredators on our commerce, and they accordingly hastened the evidence of their losses to the Department of State for prosecution against both.

The claims against England were successfully prosecuted under the treaty with her of November 19, 1794, through a board at London, to the amount of $11,650,000, as recorded by Col. John Trumbull, the fifth umpire member of said board, as stated in his volume entitled Reminiscences of My Own Times, page 238.

But the evidence of claims against France fared very differently. It was sent to our minister at Paris, Mr. Monroe, and after his recall to

the envoys, Messrs. Marshall, Pinckney, and Gerry, to whom the French Government made the following proposition on the 8th of November, 1797:

2. There shall be named a commission of five members, agreeably to a form to be established, for the purpose of deciding upon the reclamations of the Americans relative to the prizes made on them by the French privateers.

3. The American envoys will engage that their Government shall pay the indemnifications or the amount of sums already decreed to the American creditors of the French Republic, and those which shall be adjudged to the claimants by the commissioners. This payment shall be made under the name of an advance to the French Republic, who will repay it in a time and manner to be agreed on. (Document 102, page 467.)

This proposition was at first coupled with a conditional loan to France, but the condition was afterwards withdrawn. The envoys, however, discarded the proposition on the ground that England would regard it as a covert aid to France, which might provoke England to make war against the United States. This refusal was offensive to France. But in all the subsequent negotiations, and to the very end, she uniformly acknowledged her liability for the spoliation claims and constantly proposed to provide for them in conjunction with a like provision in her favor by the Government of the United States for her national claims which she insisted on.

France not being in a temper for reconciliation, the mission failed, France stating that her finances were practically exhausted by her wars; and, while admitting her liability for these spoliations freely and promptly at all times, declared she could not pay in money for them. She offered to our envoys the following proposition on November 8, 1797:

There shall be named a commission of five members, agreeably to a form to be established, for the purpose of deciding upon the reclamations of the Americans relative to the prizes made on them by the French privateers.

The American envoys will engage that their Government shall pay the indemnifications, or the amount of the sums already decreed to American creditors of the French Republic, and those which shall be adjudged to the claimants by the commissioners.

This payment shall be made under the name of an advance to the French Republic, who will repay it in a time and manner to be agreed upon.

The American envoys, however, refused to sanction it as being outside their instructions, particularly stating that England would regard it as surreptitious aid given to France.

On the 22d of October, 1799, a second mission to France was appointed, consisting of Oliver Ellsworth, William R. Davie, and William Vans Murray, with instructions that contained the following ultimata:

The following points are to be considered as ultimata: First, that an article be inserted for establishing a board with suitable powers to hear and determine the claims of our citizens for the causes hereinbefore expressed, and binding on France to pay or secure payment of the sums which shall be awarded.

First, at the opening of the negotiations, you will inform the French ministers that the United States expect from France as an indispensable condition of the treaty a stipulation to make to the citizens of the United States full compensation for all losses and damages which they shall have sustained by reason of irregular or illegal captures or condemnations of their vessels or other property under color of authority or commissions from the French Government or its agents.

These discussions were elaborately considered at Paris until the 30th of September, 1800, and it is not too much to say, in the light of the voluminous proof contained in Document 102, submitted to the Twenty-fourth Congress, that the right of our citizens to pay for these spoliations committed upon their property was conceded at all times by both France and the United States; yea, uniformly conceded and never denied during the entire negotiations.

The instructions to our ministers in 1797 were as follows:

Although the reparation for losses sustained by the citizens of the United States, in consequence of irregular or illegal captures or condemnations or forcible seizure or detentions, is of very high importance and it is to be pressed with the greatest earnestness, yet it is not to be insisted on as an indispensable condition of the proposed treaty. You are not, however, to renounce these claims of our citizens, nor to stipulate that they be assumed by the United States as a loan to the French Government. (Document 102, page 455.)

In 1799 the instructions were somewhat varied:

At the opening of the negotiation you will inform the French ministers that the United States expect from France, as an indispensable condition of the treaty, a stipulation to make the citizens of the United States full compensation for all losses and damages which they shall have sustained by reason of irregular or illegal captures or condemnation of their vessels and other property under color of authority or commissions from the French Republic or its agents. (Document 102, page 562.)

On the 11th of August, 1800, the French ministers, Joseph Bonaparte, Fleurieu, and Roderer, submitted this proposition to our envoys:

If the reflections presented on this subject in the note of the French ministers of the 5th of the present month suffice to lead the ministers of the United States to the acknowledgment of the treaties, the first consequence which will result from them, and which the ministers of France will be eager to recognize anew, is, that the parties on both sides ought to be compensated for the damages which have been caused by their mutual misunderstanding. Thus, the first proposition of the ministers of France is to stipulate a full and entire recognition of the treaties, and the reciprocal engagement of compensation for damages resulting on both sides from their infraction.

At the foot of the communication they submitted a second modified or alternative proposition, as follows:

Either the ancient treaties, with the privileges resulting from priority, and the stipulation of reciprocal indemnities, or a new treaty assuring equality, without indemnity.

Our envoys were expressly forbidden in any manner to give recognition to the old treaties of 1778, nor could they negotiate to give "equality in our ports to France," since by the Jay treaty of 1794 we had given the exclusive right to the use of our ports to Great Britain and could not recall it without an immediate war with England. The French ministers were rigid and unbending in their determination to stand by the propositions just stated so far as related to our guaranty of the French islands and the use of our ports.

The French ministers did consent to take 10,000,000 livres and release America from any future guaranty of assistance to France, but France insisted that no consideration whatever would or could compensate her for the loss of the use of our ports. The result was a deadlock in the negotiation. It is useless for me to attempt to detail all efforts made to break it. Suffice it to say that finally this proposition by our envoys was submitted: That a new treaty should be prepared with an article in it that should recognize all claims on both sides, and defer their decision to some future convenient time. This proposition was accepted by France, and constitutes the second article of the new treaty so prepared, afterwards concluded as a "convention," of which the second article was as follows:

The ministers plenipotentiary of the two parties not being able to agree at present respecting the treaty of alliance of 6th February, 1778, the treaty of amity and commerce of the same date, and the (consular) convention of November 14, 1788, nor upon the indemnities mutually due or claimed, the parties will negotiate further on these subjects at a convenient time; and until they may have agreed upon those points the said treaties and convention shall have no operation, and the relations of the two countries shall be as follows.

This second article was promptly and quickly ratified by Bonaparte, the First Consul. Its moral and legal effect was the same as if France had given her bond pledged to pay in the future the spoliation claims; and if it does not declare the amount, yet I can confidently state that it was an acknowledged debt, adjudged in every respect except the amount, for France through her ministers had always acknowledged her liability for these claims. The bond, in the shape of an "article" in the "convention" agreed upon by the ministers on both sides, was taken charge of by the United States in the character of a trustee for all her citizens who had claims of spoliation, with powers to enforce collection.

The Senate of the United States, without any assent or knowledge on the part of the claimants, in executive and secret session, struck out article 2, and when this was ratified by France the United States had practically paid their obligations and debt to France with the said bond, which represented the value of all the claims of the United States citizens. No reasons have ever been made public why the Senate struck out the said article. Whatever their motives were at the time, there is nothing extant, so far as is known, to show what their motives were for striking it out; but all the facts surrounding, connected with, and leading up to the final consummation of the treaty as eventually ratified by both of the great powers make it self-evident that there could be but one reason, and that a desire upon the part of the Senate to release the United States from our treaty obligations with France incurred during the war of the Revolution.

It seems that when the action of our Senate was first conveyed to the First Consul he expressed surprise and dissatisfaction, because it was well known that this article was inserted at the instance of our own envoys; but that astute minister of state, Talleyrand, informed the First Consul that a simple nullification of article 2 would not only lose the old treaties to France, but would have the additional effect to make her liable for the spoliation claims under international law. On this advice of Talleyrand, the First Consul immediately wrote and added the following proviso, and then ratified the modified convention:

Bonaparte, First Consul, in the name of the French people * * * approves the above convention in all and each of the articles. * * * The Government of the United States having added to its ratification that the convention shall be in force for the space of eight years, and having omitted the second article, the Government of the French Republic consents to accept, ratify, and confirm the above convention, with the addition, importing that the convention shall be in force for the space of eight years, and with the retrenchment of the second article: *Provided*, That by this retrenchment the two states renounce the respective pretensions which are the object of said article.

This conditional ratification being again sent across the waters and submitted to the Senate, was by it confirmed as fully ratified, and so returned to the President, who, by his proclamation of December 27, 1801, declared it to be the supreme law of the land. The original convention was confirmed and signed by John Adams, President, and John Marshall, Secretary of State. The final ratification was signed by Thomas Jefferson, President, and James Madison, Secretary of State. If, then, according to the original view taken by France, that article 2 if stricken out from the treaty would leave France liable under international law, and after due notice, by the First Consul, "that by the retrenchment of article 2 the two states renounced the respective pretensions which are the object of said article 2," it must be absolutely clear and apparent to every person that the Senate of the United States, acting as duly authorized agents of the United States in ratifying the treaty, destroyed and annihilated all rights of American claimants to recover from France, and since these claims were recognized in article 2 and duly provided for in the future as recognized and valid claims to be liquidated and settled at a more opportune time in the future, there can be but one opinion—that the United States appropriated private property to the payment of a national obligation, and have thereby brought the nation strictly within the provisions of the Federal Con-

stitution, which declares "that private property shall not be taken for public purposes without just compensation."

No rational man believes or can believe that the United States surrendered these claims without consideration. Manifestly not. The United States relinquished and the United States received the property of our citizens as the equivalent for the exoneration of the United States from heavy national obligations to France as well as from the claims of her individual citizens.

This is the simple common-sense view of the transaction, and it was the view entertained at the time by the Government of the United States.

ARE THESE CLAIMS WAR CLAIMS?

The only objection I have ever heard urged to these claims, while admitting that they were originally just claims against France, are that, originating in a state of war between the two countries, the treaty of September, 1800, was a treaty of peace, and there being no provisions in it for the payment of these claims, the United States did not become liable for them. If it can be shown that there was no war existing at any time between the United States and France between the years 1793 and 1801, then of course this objection falls to the ground. The Constitution of the United States expressly declares that "Congress shall have power to declare war." This being a special prerogative granted by the Constitution to Congress, it must be and is exclusively within the power of that department of the Government to determine and declare when a state of war exists.

I presume it will be conceded, for the fact was actually so, that there was never any declaration of war on the part of either country; and it seems almost impossible to conceive of a general public war without such declaration. If this position be impregnable, as I claim it is, it settles the question. But my reading shows me that there is no necessity to stop with this. Fortunately there are many proofs that the two parties most interested either did not know that a general war existed between them, or if they did they both uniformly and on all occasions denied it and asserted that while contention and a certain amount of bad feeling existed, yet the condition was one of peace and not war; and both of the great contracting powers by their highest officials have said officially and plumply that no war prevailed, that no war existed, time and again.

In a letter from M. Talleyrand, minister of exterior relations, to M. Pechon, French minister at The Hague, dated August 28, 1798, he says:

France, in fine, has a double motive, as a nation and as a republic, not to expose to any hazard the present existence of the United States; therefore, it never thought of making war against them, nor of exciting civil commotions among them, and every contrary supposition is an insult to common sense. (Document 102, page 649.)

During the negotiations at Paris, on the 20th of August, 1800, the French ministers wrote to our envoys as follows:

In the first place (the French ministers) would insist upon the principle already laid down in their former note, namely, that the treaties which united France and the United States are not broken; that even war could not have broken them, but that the state of misunderstanding which has existed for some time between France and the United States, by the acts of some agents rather than the will of the respective Governments, has not been a state of war, at least on the side of France. (Document 102, page 616.)

And the Emperor Napoleon at St. Helena, in dictating for his history the events of his reign, said:

The suppression of this article (the second article of the convention of 1800) at once put an end to the privileges which France had possessed by the treaty of 1778, and annulled the just claims which America might have made for injuries done in time of peace. (See Gourgaud's Memoirs of the History of France, volume 2, page 129.)

And in the French tribunal or congress, on the final ratification of the convention of 1800, the report advising it contains the following, namely:

"I was getting past recovery. War would have broken out between America and France if the Directory, changing its system and following the counsels of prudence, had not opposed moderation to the unmeasured conduct of the President of the United States. * * *

Commissions granted by the President to attack the armed vessels of France are not to be regarded as a declaration of war; the will of the President does not suffice to put America in a state of war; it requires a positive declaration of Congress to this effect. None has ever existed. The Republic was therefore justified in claiming the enjoyment of the stipulations comprehended in the old treaties, and indemnity for the non-execution of those stipulations. (Code diplomatique, par Portiez (de l'Oise), tribun à Paris, messidor, an X. Translation, page 6.)

The instructions of our Government to the envoys to France, Messrs. Ellsworth, Davie, and Murray, of October 22, 1799, contain the following, namely:

This conduct of the French Government would well have justified an immediate declaration of war on the part of the United States, but desirous of maintaining peace, and still willing to leave open the door of reconciliation with France, the United States contented themselves with preparations for defense and measures calculated to protect their commerce. (Document 102, page 561.)

On the 20th of September, 1800, Mr. Marshall, Secretary of State (late Chief-Justice), wrote to our minister at London as follows:

The aggression, sometimes of one and sometimes of another belligerent power, have forced us to contemplate and prepare for war as a probable event. (Document 102, page 452.)

It so happened that at the date of Mr. Marshall's letter the American envoys at Paris had concluded an arrangement by a convention (of September 30, 1800) which declares on its face "to terminate the differences which have arisen between the two states," etc., and the President's proclamation of the convention is in these words: "Whereas a convention for terminating certain differences which had arisen between the United States and the French Republic," etc. (Laws United States, volume 1, page 114.)

A number of legislative acts were passed by Congress evincive of the indignant feeling which the course of conduct pursued by the French Government had produced and showing a determination to resist them by force. These are the most important:

Act of 28th of May, 1798, authorizing the capture by public vessels of the United States of "all armed vessels of the Republic of France which have committed, or shall be found hovering on the coast of the United States for the purpose of committing, depredations on the vessels belonging to the citizens thereof."

Act of 18th June, 1789, "suspending intercourse with France, under penalty of the forfeiture of vessels carrying on such intercourse."

Act of 25th June, same year, authorizing American merchant vessels to oppose searches, etc., made by French vessels to capture the aggressors and to recapture American vessels taken by the French, but with a proviso that—

Whenever the Government of France, and all persons acting under or by their authority, shall disavow and shall cause the commanders and crews of all French armed vessels to refrain from the lawless depredations and outrages hitherto encouraged and authorized by that Government against the merchant vessels of the United States, and shall cause the laws of nations to be observed by the said French armed vessels, the President of the United States is hereby authorized to instruct the commanders and crews of the merchant vessels of the United States to submit to any regular search by the commanders or crews of French vessels, and to refrain from any force or capture to be exercised by virtue thereof.

The act of June 28, 1798, "declaring the condemnation and sale of French vessels taken in pursuance of the act of May 28."

The act of July 7, 1798, declaring, for the reasons recited in the preamble—

That the United States are of right freed and exonerated from the stipulations of the treaties and of the convention heretofore concluded between the United States and France, and that the same shall not henceforth be regarded as legally obligatory on the Government or the citizens of the United States.

The act of July 9, of the same year, "authorizing the public vessels of the United States to capture all armed vessels of the Republic of France on the high seas, and giving authority to the President to issue commissions for the like purpose to private armed vessels."

It will be observed that in none of these acts is war declared nor the statement made that war existed.

[Extract from the Code diplomatique, relative to the convention of September 30, 1800, between the United States and France.]

Grounds of the projected law relative to the convention concluded between the French Republic and the United States, laid before the Corps Législatif by Citizen Roderer (who, with Messrs. Joseph Bonaparte and C. P. Claret-Fleurieu, on the part of France, and Messrs. Ellsworth, Davie, and Murphy, on the part of the United States, negotiated the convention on September 30, 1800), counselor of state, charged by the consuls with the presentation thereof:

Session of 5 frimaire, an X (26th November, 1801).

Citizen Legislators: The treaty which I have the honor to present to the Corps Législatif has terminated the misunderstanding between France and America, from which neither their distance nor the recollections dear to the two nations have been able to preserve them during the revolution.

The French ministers then gives a digest of the treaty obligations of the two nations, and of the causes that led to negotiations for a settlement of respective contentions, as finally concluded in the convention of September, 1800. They then proceed:

Such was the state of things when three American negotiators arrived at Paris, led thither by the desire and the hope of preventing a signal rupture.

American commerce was alleged to have suffered considerable losses. The negotiators demanded indemnity for them.

The French Government had also to allege claims for her commerce, which had suffered for a long time; it recognized that it was just to liquidate, compensate, and close, if it were possible, the indemnities which might be respectively due; but it put forth as a condition to any stipulation on this subject that the former treaties between France and the United States should be previously recognized, considering that indemnities could only be an acknowledgment of uninterrupted friendship between the two states, a disavowal of all the violences which might have grown out of a simple misunderstanding, a sort of protest against everything which might have announced a hostile intention, a new assurance of fidelity to the old conventions—in a word, considering that indemnities could be only the execution of the old treaties and not a preliminary of a new one, since avowing their annihilation would have been avowing war and imposing on that one of the two nations which would have to pay the other a balance of the indemnity the shameful obligation of purchasing peace.

The American negotiators considered themselves bound by the act of Congress which had declared the treaties null and decided that it was impossible that they could recognize them. It consequently became necessary to adjourn the respective pretensions, and to regulate by new stipulations the relations of amity and commerce which the negotiation was to re-establish. Such has been the object of the convention concluded at Paris on the 8th vendémiaire, an X (30th September, 1800), which is now presented to the Corps Législatif.

The bases of this treaty are, the most perfect equality between the two nations and exact reciprocity in all cases susceptible there, a great liberality of principles, and a reciprocal assurance of treating each other in all species of relation upon the footing of the most favored nation. Such ought to be the characters of a treaty concluded between two nations who are proud of their liberty.

The following report was made to the *tribunat* by A. P. Adet (minister of the French Republic to the United States, in 1795), one of its members, in the name of a special commission, upon the convention concluded between the French Republic and the United States of America, at the session of the 13 frimaire, year X (December 4, 1801):

Tribunes: Gratitude attached the Americans to the French, under the mo-

narchical government. At the commencement of the Revolution a more lively sentiment existed between them; everything was concurring to strengthen the ties which united the two nations, when the passions of men who were governing them came to interpose between and separate them. The American Government, forgetting the duties of neutrality, had concluded, under the influence of the enemies of France, a treaty which wounded our interests.

Congress on the 7th of July, 1798, enacted the following bill:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States are of right freed and exonerated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France, and that the same shall not henceforth be regarded as legally obligatory on the Government or citizens of the United States."

In consequence of this bill, the American Government suspended the commercial relations of the United States with France and gave to privateers permission to attack the armed vessels of the Republic. The national frigates were ordered to seek them and to fight them. A French frigate and sloop of war, successively and unexpectedly attacked by the Americans, were obliged to yield to force, and the French flag (strange versatility of human affairs!) was dragged, humiliated, before the same people who a little while ago, with eager shouts, had applauded its triumph.

"I was getting part recovery. War would have broken out between America and France if the Directory, changing its system and following the counsel of prudence, had not opposed moderation to the unmeasured conduct of the President of the United States. In this way it rendered null the projects of the American ministry, which would have declared war against us if it had only its wishes to consult.

[Letter from Ex-President John Adams.]

QUINCY, *May* 9, 1823.

SIR: I have received your letter of the 26th of April. You are entirely mistaken in supposing that the second article of the convention of (1800 with) France was stricken out by my desire or information. On the contrary, I was desirous of retaining them (it); so much so that I sent a message to the Senate and explicitly told them it would have been more agreeable to my inclination to have ratified the convention as it stood.

As to my address, and answers, and escorts, and parades, and all the pomposities of that time, I wish to forget them forever; they were extremely disagreeable to me at that time.

To explain all the mysteries of that period never was and never will be in my power; it would require volumes to give a simple history of it. All that I can say of it is, there was war between St. Denis and St. George; each had an army in America constantly skirmishing with each other, and both of them constantly stabbing me with lances, pikes, and spears. My sole object was to preserve the peace and neutrality of the country; and that, I thank God, I obtained, at the loss of my power and fame with both sides.

I am, sir, respectfully, your most obedient, humble servant,

JOHN ADAMS.

JAMES H. CAUSTEN, Esq., *Baltimore.*

M. de Onis, the minister of Spain, in negotiating the Florida treaty with Mr. J. Q. Adams, and in reference to our claim for spoliation against Spain, says:

The United States were not at war with France; consequently their recourse, as the aggrieved party, was always open to the Government and tribunals of the aggressor. (Vide Wait's State Papers, volume 12, page 46.)

Hence the conceded liberality of Spain.

In President Jefferson's message to Congress of 8th December, 1801, the following appears:

It is a circumstance of sincere gratification to me that on meeting the great council of the nation I am able to announce to them, on the grounds of reasonable certainty, that the wars and troubles which have for so many years afflicted our sister nations have at length come to an end; and that the communications of peace and commerce are once more opening among them. While we devoutly return thanks to the beneficent Being who has been pleased to breathe into them the spirit of conciliation and forgiveness, we are bound, with peculiar gratitude, to be thankful to Him that our own peace has been preserved through so perilous a season and ourselves permitted quietly to cultivate the earth and to practice and improve those arts which tend to increase our comforts.

I shall not attempt any further argument to show that the hostile feelings between the two nations, the capture and recapture of armed vessels, privateers, and merchantmen, was not general war, whatever it was, for if Adams and Jefferson, our Presidents during the whole time of the spoliations, and the great Bonaparte, master of the art of war, as well as the great ministers of state on both sides of the water, did not know what constituted peace and what war I am sure I do not, and I am very fearful but few, if any, of my colleagues upon the floor of this House are any wiser or better informed upon the distinctions of the two conditions than I am. Inasmuch as these great rulers say it was not war I agree with them.

CONTEMPORANEOUS AND SUBSEQUENT OPINIONS.

Incidentally much has already been cited showing what the opinion of many of the great men of the period, contemporaneous with these claims, was of their justice and what government was liable for them. Such quotations have heretofore been used by me for other purposes than expressions of opinion of the legal liability of the United States for their value.

I now quote from the recorded statements of a few our great statesmen upon this point.

Here is the testimony of our Secretary of State, who controlled the negotiations for us:

[Extract of a letter from Hon. Timothy Pickering, Ex-Secretary of State, to James H. Causten, dated Salem, November 19, 1824.]

When, in 1797, Pinckney, Marshall, and Gerry were appointed ministers plenipotentiary to negotiate with the French Government, then administered by the Directory, on all the differences between the United States and France, those ministers were instructed to agree on an equitable mode of examining and deciding on the claims of our citizens in respect to the depredations of our commerce. But, although they were to press those claims with the greatest earnestness, they were not to insist on them as an indispensable condition of the treaty. They were enjoined, however, "not to renounce them." But a regard to justice was of all things the most remote from the views of the Directory. You must be acquainted with the result of that mission. The Directory would not even receive our ministers.

By the second article of the treaty negotiated by Ellsworth, Davie, and Murray (in 1800), it appears that our Government felt itself bound in duty to its injured citizens to demand of the French Government compensation for the depredations; but as a set-off the latter demanded a renewal of the treaty of alliance, etc., of 1778, and of the consular convention of 1788, all of which Congress, in 1798, had justly declared void, in consequence of their notorious violations by the French Government. The Senate of the United States, unwilling to renew those treaties, advised the ratification of the new treaty, expunging the second article, thus leaving the reciprocal claims of the two Governments undecided and subjects of future negotiation, and adding a limitation of the treaty to eight years. President Adams ratified it accordingly.

The French Government gave its assent, and with the proviso that by the retrenchment of the second article the two states renounced the respective pretensions which were the object of that article, and in this form Bonaparte, then First Consul, ratified it. The treaty in this situation being laid before the Senate by President Jefferson, was returned as fully ratified, without any further act of the Senate. This implied a reciprocal abandonment of the old treaties and of the claims for depredations up to that time, September 30, 1800.

Thus the Government bartered the just claim of our merchants on France to obtain a relinquishment of the French claim for a restoration of the old treaties, especially the burdensome treaty of alliance by which we were bound to guaranty the French territories in America.

On this view of the case it would seem that the merchants have an equitable claim for indemnities from the United States. If the treaty of September 30, 1800, containing the relinquishment, is obligatory on the United States, and as such to be insisted on by the present French Government, it amounts to an admission that the Government *de facto* had a right to bind the French nation as effectually as if the treaty had been negotiated with the present legitimate Government; and such, doubtless, is the principle of public law. It follows, then, that if the relinquishment had not been made the French Government would be responsible. Consequently, the relinquishment by our own Government having been made in consideration that the French Government relinquished its demand for a renewal of the old treaties, then it seems clear that, as our Government applied the merchants' property to buy off those old treaties, the sum so applied should be reimbursed.

[Letter of Hon. Ex-Senator William C. Preston, with the opinion of Chief-Justice Marshall.]

COLUMBIA, *January* 29, 1844.

SIR: I have this moment received your letter of the 24th instant, inquiring of me concerning Judge Marshall's opinion of the claims for French spoliations anterior to 1800.

When that subject was under discussion in the Senate some years since, as a member of the committee to which it had been given in charge, I bestowed no little pains in the investigation of it, and, as I believe will happen to every one that does so, I became thoroughly satisfied of the justness of the claims.

While they were under discussion in the Senate they happened to be the subject of conversation between Mr. Leigh, Mr. Calhoun, and myself one evening in our mess-parlor, when Judge Marshall stepped in, and having overheard or been informed of the subject of conversation, asked to share in it, saying that having been connected with the events of that period, and conversant with the circumstances under which the claims arose, he was, from his own knowledge, satisfied that there was the strongest obligation on the Government to compensate the sufferers by the French spoliations. He gave a succinct statement of the leading facts and the principles of law applicable to them, in so precise and lucid a way that it seemed to me a termination of the argument by a judicial decision. It was apparent from his manner that he felt an interest in the inculcation of his opinion, arising from deep conviction of its truth.

I most heartily desire that the long-delayed and very inadequate justice now proposed to those unfortunate claimants will be made this session.

I am, dear sir, your obedient servant,

WILLIAM C. PRESTON.

JAMES H. CAUSTEN, Esq., *Washington.*

In the Fiftieth Congress I heard it asserted that it was doubtful whether Chief-Justice Marshall had ever expressed any opinion upon the liability of our Government for the French spoliation claims. His great name and fame, as well as the additional fact that he was one of the commissioners who negotiated the treaty of September, 1800, would make a statement coming from his lips the equivalent of a judicial decision from any other person our country has yet produced. To strengthen the letter just read of Mr. Preston's, I call attention to the following extract in a speech of Senator Clayton, delivered in the Senate of the United States April 23 and 24, 1846:

It was my fortune, on one occasion during the year 1835, to hear Judge Marshall express his opinion in favor of the bill then before the Senate for the payment of these claims. A gentleman who has long been the agent of these claimants has kindly placed in my hands, at my request, the following letter from Mr. Preston stating the opinion of Judge Marshall (*clarum et venerabile nomen!*) on the same subject, and, as I suppose, expressed about the same period to which I referred.

[Here the Secretary read the letter of Mr. Preston's above cited.

After the reading of this letter, Mr. Calhoun rose, but spoke in a voice scarcely audible to the reporter. He was understood to say that there could not be a shadow of a doubt of the perfect correctness of Mr. Preston's statement, but that owing to the multiplicity of public business that pressed upon his mind during the session of 1835, and other causes, he had not retained a distinct recollection of the conversation referred to. He had no doubt that the recollection of Mr. Preston was correct.]

To still further strengthen this statement of Judge Marshall, attention is now called to the following letter from Ex-Senator Benjamin Watkins Leigh:

RICHMOND, *August* 17, 1846.

MY DEAR SIR: I received in due time your letter of the 11th, and I should have answered it immediately, but you intimated that you had sent me at the time a copy of your speech containing Mr. Preston's letter, and I was desirous of seeing it in order that I might see how far his recollection agreed with mine. However, the copy of your speech has not yet come on, and now I think it better to write at once than to wait longer for the information.

I have, then, to state that the late Chief-Justice Marshall did, in conversation with me and some two or three others, while a bill was before the Senate for the payment of the claims for French spoliations prior to 1800, express an opinion, distinctly and positively, that the United States ought to make provisions for the payment of those claims; and the opinion made the more impression

on my mind since it was contrary to an idea which I had taken upon the subject, and it determined me to examine it with greater care and deliberation than I had before given it.

You may make whatever use of this letter you please.

I remain, with old and constant respect and esteem, yours truly,

B. W. LEIGH.

Hon. JOHN M. CLAYTON.

The query may arise with many, why Chief-Justice Marshall was so reticent. The answer is, that between the convention of September, 1800, and its final ratification by the high contracting powers he was appointed and confirmed Chief-Justice, and assumed his seat on the bench in August, 1801. Such was, and justly, his sense of the dignity of his position that it sealed his lips to all public utterances on this subject.

Here is the opinion of Mr. Madison:

[Extract from the instructions of Mr. Madison, Secretary of State (Mr. Jefferson, President), to Mr. Charles Pinckney, our minister in Spain, dated February 6, 1804, Spain having contended that injuries committed on our citizens in Spanish ports by Frenchmen were included in the release of France by the United States in the convention of 1800.]

The plea on which it seems that the Spanish Government now principally relies is the erasure of the second article of our convention with France (of 1800), by which France was released from the indemnities due for spoliations committed under the immediate responsibility to the United States. This plea did not appear in the early objections of Spain to our claims. It was an afterthought, resulting from the insufficiency of every other plea, and certainly as little valid as any other. The injuries for which indemnities are claimed from Spain, though committed by Frenchmen, took place under Spanish authority; Spain, therefore, is answerable for them. To her we have looked, and continue to look, for redress. If the injuries done to us by her resulted in any manner from injuries done to her by France, she may, if she pleases, resort to France as we resort to her. But whether her resort to France would be just or unjust, is a question between her and France, not between either her and us or us and France. We claim against her, not against France. In releasing France, therefore, we have not released her. The claims, again, from which France was released were admitted by France, and the release was for a valuable consideration, in a corresponding release of the United States from certain claims on them. The claims we make on Spain were never admitted by France, nor made on France by the United States; they made, therefore, no part of the bargain with her, and could not be included in the release.

OPINION OF MR. MURRAY, OUR ENVOY.

Mr. Murray, commissioned to exchange the ratifications of the convention of 1800 with France, to Mr. Madison, Secretary of State of the United States, dated—

PARIS, *July* 1, 1801.

SIR: By the Nos. 14 and 15, which I have the honor to inclose, you will see that the French ministers have refused to agree to the unconditional suppression of the second article.

To you, sir, I can say that I wish I had been authorized to subscribe to a joint abandonment of treaties and indemnities. As claims they always will be set off against each other; and I consider the cessation of their claim to treaties as valuable.

I believe that they will offer a conditional ratification, similar to ours, with the suppression of the second article and the admission of the new one, provided the two Governments exchange declarations by which all claims to treaties and indemnities be mutually abandoned.

I write in haste, by post, to reach the frigate, which I hear this moment has not sailed.

I am, with great respect, sir, your most obedient servant,

W. V. MURRAY.

Mr. Giles, in his report dated April 22, 1802, to the House, within two months of the final ratification of the treaty, it being the first report made on these claims, says:

From these circumstances, and a recurrence to the fifth article of said convention, in the following words, "the debts contracted by one of the two nations with individuals of the other shall be paid, or the payment may be prosecuted in the same manner as if there had been no misunderstanding between the two states; but this clause shall not extend to indemnities claimed on account of captures or confiscations," it appears that the exclusion of the second article of the convention was considered as a renunciation of the indemnities claimed by the citizens of the United States for spoliations and depredations upon their commerce, so far as the Government might otherwise have been instrumental in obtaining such indemnities.

Mr. Marion, on July 18, 1807, reported to the House as follows, it being the second report made on these claims:

From a mature consideration of the subject, and from the best judgment your committee have been able to form on the case, they are of opinion that this Government, by expunging the second article of our conven ion with France of the 30th of September, 1800, became bound to indemnify the memorialists for their just claims, which they otherwise would rightfully have had on the Government of France, for the spoliations committed on their commerce by the illegal captures made by the cruisers and other armed vessels of that power, in violation of the law of nations, and in breach of treaties then existing between the two nations; which claims they were, by the rejection of the said article of the convention, forever barred from preferring to the Government of France for compensation.

Mr. Holmes, in his report to the Senate, July 8, 1827, says:

From the best consideration that your committee have been able to bestow upon the subject, they are of opinion that the claims of our citizens against France for indemnity, which were released by the convention of the 30th September, 1800, when examined and liquidated, would not exceed $8,000,000.

Much of the evidence in support of these claims is wanting, and is supposed to be deposited with our minister or the agent for claims at Paris. Your committee are of opinion that measures should be adopted to procure the evidence which is there, or elsewhere, that the claims should be examined and liquidated and thereupon provision ought to be made for the payment of a reasonable sum for their final discharge.

Robert R. Livingston, minister to France, April 27, 1803, says:

The payment for illegal captures, with damages and indemnities, was demanded on one side and the renewal of the treaty of 1778 on the other; they were considered as of equal value, and they only favored the subject of the second article. (Document 102, page 717.)

John Marshall (one of the ministers) says:

I would positively oppose any admission of the claims of any French citizen, if not accompanied with the admission of the claims of American citizens for property captured and condemned for want of a *rôle d'équipage*. My reason for conceiving that this ought to be stipulated expressly was a conviction that if it was referred to commissioners it would be committing absolutely to chance as complete a right as any individual ever possessed. (Journal of Envoys, No. 316, page 471.)

[Extract from a report of Mr. Clay, Secretary of State, to President John Q. Adams, dated May 20, 1826, and by message of the President was laid before the Senate on the same day.]

After describing the original convention of 1800, the striking out the second article thereof, the condition of mutual relinquishment of claims prescribed by the French ratification, and the acceptance of said condition by the Senate:

"The two contracting parties thus agreed, by the retrenchment of the second article, mutually to renounce the respective pretensions which were the object of that article. The pretensions of the United States, to which allusion is thus made, arose out of the spoliations under color of French authority, in contravention to law and existing treaties. Those of France sprang from the treaty of alliance of the 6th of February, 1778, the treaty of amity and commerce of the same date, and the convention of the 14th of November, 1788. Whatever obligations or indemnities from those sources either party had a right to demand were respectively waived and abandoned, and the consideration which induced one party to renounce his pretensions was that of the renunciation by the other party of his pretensions.

"What was the value of the obligations and indemnities so reciprocally renounced can only be matter of speculation. The amount of the indemnities due to citizens of the United States was very large, and on the other hand the obligation was great (to specify no French pretensions) under which the United States were placed in the eleventh article of the treaty of alliance of 6th of February, 1778, by which they were bound forever to guaranty, from that time, the then possessions of the Crown of France in America as well as those which it might acquire by the future treaty of peace with Great Britain, all these possessions having been, it is believed, conquered at, or not long after, the exchange of the ratifications of the convention of September, 1800, by the arms of Great Britain from France.

"The fifth article of the amendments to the Constitution provides, 'nor shall private property be taken for public use without just compensation.' If the indemnities to which citizens of the United States were entitled for French spoliations, prior to the 30th of September, 1800, have been appropriated to absolve the United States from the fulfillment of an obligation which they had contracted, or from the payment of indemnities which they were bound to make to France, the Senate is most competent to determine how far such an appropriation is a public use of private property, within the spirit of the Constitution, and whether equitable considerations do not require some compensation to be made to the claimants."

Daniel Webster, in the Senate of the United States, January 12, 1835, said:

Mr. President, I have performed the duty of explaining this case to the Senate, as I understand it. I believe the claims to be as just as were ever presented to any Government; I think they constitute an honest and well founded debt, due by the United States to these claimants; a debt which, I am persuaded, the justice of the Government and the justice of the country will, one day, both acknowledge and honorably discharge.

I commend this language of Senator Prentiss in the Senate of the United States, January 13, 1835, to members of the House:

Sir, to falsify one's own words and acts, we can readily see, would disgrace an individual, and I am altogether unable to understand how the same thing can fail to dishonor the Government. The simple question presented for my consideration and decision and for the consideration and decision of every honorable Senator is, is this money justly due from the Government? And in deciding this short question, I, for one, can not allow myself to yield to arguments, however ingenious or plausible, which are founded upon assumptions totally repugnant to the whole tenor of the negotiations with France and flatly contradicted by the uniform declarations and acts of the American Government.

Mr. Cushing, in his report above cited, says:

Looking only to the negotiations, and to the treaty in which they resulted, it would seem plain that this indebtedness was determined by that treaty, and in the way of set-off. Throughout the whole talk of the commissioners the whole talk is of counter-demands. The United States demanded indemnification in behalf of our citizens for the losses they had sustained. France, admitting that our citizens were entitled to indemnity, insisted that she had claims against the United States, as a nation, under the treaty of alliance for the guaranty of her possessions in the West Indies and under the treaty of amity for important exclusive privileges in our ports; and also claims on behalf of individuals.

The United States felt the pretensions of France in those respects to be so well founded and so embarrassing that she offered to purchase a discharge of them with money. These counter-demands were advanced together. They were discussed together. Being found to be difficult of adjustment, they were reserved together in the second article and adjourned for future negotiation. It was then solemnly declared by one party and solemnly acknowledged by the other that they were mutually released; and the release on the one side was the equivalent or consideration for the release on the other. Did France renounce and abandon without consideration her claims on the United States under the treaties of alliance and of commerce, for a discharge from which claims the United States had actually offered to pay 8,000,000 francs? Did the United States renounce and abandon the claims of its citizens without consideration? Manifestly not.

Hon. Edward Everett, in the House of Representatives, February 21, 1835, said:

So long as the present class of claims remains unadjusted a large number of the citizens of the United States will remain under the painful impression—an impression fortified by a solemn act of the Senate of the United States—that their property has been taken from them without their consent, and without compensation, by the Government of their own country.

It deserves particular remark, in this connection, that this class of claims is the only class for which satisfaction has not been obtained by our Government. In the collisions with foreign countries to which we have been exposed while carrying on a neutral commerce with numerous belligerent nations we have had to complain of illegal seizures and acts of violence on the part of almost every nation. The claims against England, arising from these illegal and violent acts, at a period coeval with the spoliations of France for which indemnity is now sought, were satisfied by Great Britain more than thirty years ago.

After a lapse of twenty years the claims against Spain, in nature identical with the present class, were satisfied under the Florida treaty. The claims for supplies, for embargoes, and for captures, for which restitution was ordered by the council of prizes, were satisfied by the Louisiana convention in 1803 to the amount of 20,000,000 francs. Claims to a smaller amount on the Governments of

Russia, Sweden, Denmark, and Naples have been at different times satisfactorily discharged by those powers.

Mr. Sumner, in his report to the Senate, April 4, 1864, says:

It was the peculiarity of this case that on one side the claims were national and on the other side individual. But a set-off of individual claims against national claims must, of course, leave that Government responsible which has appropriated the individual claims to this purpose. The set-off and mutual release is between nation and nation; but if the claims on one side are only individual and not national, the nation which, by virtue of this consideration, has been released from national obligations must be substituted for the other nation as debtor, so that every individual whose claims have been thus appropriated can confidently turn to it for satisfaction. On this point there can be no doubt, whether we regard it in the light of common sense, reason, duty, Constitution, or authority.

The value of these opinions can not be too highly estimated. If great ability combined with large experience in affairs of state can enable men to speak with authority, then it is true that in all the past no such galaxy of names in America and France can be produced to counterbalance the authority that should be given to and go with the opinions I have gathered together and cited.

Prior to the late war fourteen States had by resolutions of their Legislatures indorsed the validity of these claims and demanded their payment. Of these States New York has twice, Massachusetts five times, Maine eight times, Connecticut twice, and Rhode Island four times, in this solemn and persuasive way, testified their belief in the justice of these claims and made demand for their payment.

Here is a list of the States, and the day and date of such indorsements, taken from Congressional documents:

No. 1. New York Legislature, May 8, 1848.
No. 2. New York Legislature, April 7, 1856.
No. 3. Ohio Legislature, February 23, 1847.
No. 4. Louisiana Legislature, February 2, 1848.
No. 5. Massachusetts Legislature, February 24, 1841.
No. 6. Massachusetts Legislature, January 23, 1844.
No. 7. Massachusetts Legislature, March 5, 1844.
No. 8. Massachusetts Legislature, March 4, 1852.
No. 9. Massachusetts Legislature, March 7, 1856.
No. 10. Maine Legislature, April 9, 1840.
No. 11. Maine Legislature, June 18, 1841.
No. 12. Maine Legislature, February 21, 1844.
No. 13. Maine Legislature, February 21, 1845.
No. 14. Maine Legislature, May 6, 1854.
No. 15. Maine Legislature, January 3, 1856.
No. 16. Maine Legislature, December 18, 1857.
No. 17. Maine Legislature, January 20, 1858.
No. 18. Connecticut Legislature, June 4, 1838.
No. 19. Connecticut Legislature, December 22, 1843.
No. 20. Connecticut Legislature, December 10, 1844.
No. 21. Delaware Legislature, January 10, 1842.
No. 22. Rhode Island Legislature, January, 1832.
No. 23. Rhode Island Legislature, February 23, 1844.
No. 24. Rhode Island Legislature, May 20, 1846.
No. 25. Rhode Island Legislature, April, 1856.
No. 26. Maryland Legislature, April 11, 1836.
No. 27. Alabama Legislature, January 9, 1841.
No. 28. Pennsylvania Legislature, March 12, 1838.
No. 29. New Hampshire Legislature, March 2, 1839.
No. 30. New Hampshire Legislature (against), February 14, 1842.
No. 31. Virginia House of Delegates, February 18, 1850.
No. 32. Arkansas Legislature, December 12, 1844; against, January 18, 1847; in favor, January 29, 1851.

WHAT WAS SUBMITTED TO THE COURT OF CLAIMS?

There is one other point in relation to these claims that I desire to urge upon the consideration of this House. It is, that under the act of January 20, 1885, whereby we referred these claims to the Court of Claims, we provided "that the court shall examine and determine the validity and amount of all the claims included within the description" of the act.

The question of their "validity" has therefore been expressly submitted to the court by the jurisdictional act. The decisions reported to Congress show that the question has been fully and carefully considered, and the court decides that those reported favorably to Congress constitute "valid obligations" of the United States.

It is true that these are not final judgments and power to render final judgments was not conferred upon the court, but we did refer it to the court to ascertain "the validity and amount," and as bearing on those questions Congress has incurred the expense of sending abroad for evidence to be used on either side and has devolved heavy expenses on the claimants in the prosecution of these claims before the court. Now, after five years of investigation by the court of our own selection, petitions asking nearly $20,000,000 have been finally disposed of and only $1,666,748.15 have been allowed as constituting "valid obligations." There is no place for any bugbear in these claims, and the duty of Congress in the face of that decision of our own court to which we sent the claims is too manifest for discussion.

WHAT AMOUNT IS PROBABLY REQUISITE TO FINALLY LIQUIDATE THESE CLAIMS?

Senator Sumner, in his elaborate report of April 4, 1864, enters exhaustively into a detail of the number of vessels captured and their value, and from an average of 1,547 vessels paid for to the United States under conventions for the payment of similar claims by Great Britain, Spain, France, Denmark, Naples, Mexico, and Colombia, 1,547 in all, he deduces a general average of $14,336 for the cargo of each vessel, and puts the full number of vessels unsettled for by France at 898, amounting to $12,572,000. In my report made to this Congress, page 53, I state the Attorney-General states in his report for 1889 that petitions aggregating about $30,000,000 have been filed in the Court of Claims. I call the attention of the House to that part of my report on the value, and will only add, that of that $30,000,000 in round numbers, out of which there have only been allowed to the claimants the sum of $1,666,748.15, I do not believe that in the $10,000,000 of claims still remaining for adjudication there will be any such disproportionate dismissals as prevailed among the $20,000,000 so far adjudicated.

When I consider that so far the claimants have presented select cases, those that are most easy to be proven, and when I remember that by the provisions of the law of January 20, 1885, referring these claims to the Court of Claims for adjudication, that the court is required to determine the amount and validity of all claims, together with present ownership, under the forms and rules of law, and upon competent evidence, I feel confident that not more than one-half of the remaining $10,000,000 can possibly be put into judgments by that court; in which event, under all the safeguards thrown around these cases by the United States in the requirements of proof, I can not believe that more than $7,000,000 of money will be required to liquidate and settle all claims, including those in the pending bill and those hereafter to be allowed.

The Tariff.

REMARKS
OF
HON. JOHN DALZELL,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 27, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. DALZELL said:

Mr. SPEAKER: We have now reached a place where it is safe to assume that the people of this country are to enjoy the benefits of a wise protective-tariff law enacted upon the line of protective principles and in redemption of the pledges of the Republican party. Secure, as we believe, for the future in the promise of material prosperity to result from this wise, economic measure, we are led to hope that the day is not far distant when legislation equally wise in another direction shall secure to every citizen of the Republic his constitutional right, without fear of fraud or intimidation, to cast his ballot and have it counted as cast. The necessity for a Federal election law and the benefits to result therefrom are so clearly and emphatically expressed in the paper that I hold in my hand that I satisfy myself without further intrusion upon the House with submitting it as part of my remarks:

FAIR ELECTIONS OR FOUL, CHOOSE—SHALL THE DEMOCRATIC PARTY CONTINUE TO OCCUPY FIFTY-ONE STOLEN SEATS IN CONGRESS?—WHAT THE NEW LAW SAYS—IT IS NATIONAL, FAIR, SIMPLE, DIRECT, AND EFFECTIVE—CENTRALIZATION IN THE SOUTH—HOW THE ELECTORAL MACHINERY IN THE SOUTHERN STATES IS HELD IN A FEW STRONG HANDS—SOUTHERN TESTIMONY AS TO SOUTHERN METHODS—BY SUPPRESSING REPUBLICAN BALLOTS TEN MEN GET INTO CONGRESS FROM THE SOUTH ON FEWER VOTES THAN ARE REQUIRED TO ELECT ONE CONGRESSMAN IN THE NORTH—THE SUPREME COURT'S WARNING NOTE.

No issue in the present campaign is more important to the individual citizen than that which arises upon the Federal elections bill. The House of Representatives is a national body. Its members represent not a sovereign State, nor the sovereignty of a Congressional district, but the indivisible sovereignty of the American people. The man who takes a seat in the House of Representatives through a certificate which fraud or violence has given him commits a gross outrage, not merely upon the people of the district he is falsely alleged to represent, but upon the people of every other Congressional district in the Union.

It has been said that the elections bill passed by the present House is sectional in its character. Nothing but a guilty conscience can explain such a charge. The bill says that ballot-box stealing shall be a crime; that false registration and unlawful interference with registration, and the making of false poll-lists, and bribery, and the willful rejection of legal votes, and the willful acceptance of illegal votes and the fraudulent substitution of one ballot for another, and the placing of ballots not lawfully cast in a ballot-box, and the unlawful removing of lawful ballots from a ballot-box, shall all be crimes. It says that these acts shall be crimes everywhere, in every district of the Union—wherever they occur. There is nothing in this that imputes dishonor to one part of the country. The bill is "sectional" only in its application to any section and every section where such crimes are committed.

The Republican party does not pretend that in practice the bill will not apply more largely to the South than to the North; but this is the fault only of the Southern people. No condition of fact is taken for granted which Southern leaders and Southern newspapers have again and again declared to exist. It is not to Republican authorities, North or South, that the intelligent voter needs

to go for evidence of the unrighteous crimes that are perpetrated in every election throughout the Southern country.

In a dispatch to the New York Sun, a Democratic organ, dated September 11, 1890, at Jackson, Miss., where a convention is now in session to revise the constitution of that State, a long account is given of a speech delivered by Judge Calhoun, the president of the convention. These extracts are taken from that dispatch:

BOUND TO TELL THE TRUTH IF THINGS GO TO PIECES.

The judge reviewed all the franchise plans submitted to the convention, and insisted that none but the Campbell plan and that which he had presented himself would insure white control in the State. It was a law of divine ordination, he said, that the white race can not tolerate divided sovereignty, and any Legislature would have the stamp of idiocy upon it that would assemble such a body as this, with the enormous attendant expense, with an object short of this. Let the truth be told, if it bursts the bottom out of the universe.

FRAUD AND FORCE AND MURDER UPON INDIVIDUALS TO BE CHANGED TO FRAUD, FORCE, AND MURDER UPON THE STATE.

He did not propose to mince matters and hide behind a subterfuge, but if asked by anybody if it was the purpose of the convention to restrict negro suffrage he would frankly answer:

"Yes; that is what we are here for."

The fiat had gone forth that fraud, force, and intimidation must cease, and if the convention failed to insure white supremacy by peaceful methods he would, in case a negro was hereafter killed in a political riot, regard himself and every member of the convention an accessory to the murder.

The speaker then made an elaborate constitutional argument to prove that the plan he favored was republican in form. This plan divides the State into thirteen gerrymandered election districts, eight of which will have white majorities, and electors of these districts shall elect all State and county officers, and the senate and the Legislature shall alone be elected by the people.

CENTRALIZED SOUTHERN GOVERNMENTS—NO SUCH THING EXISTS IN THE SOUTH AS THE TOWN MEETING OR GENUINE LOCAL SELF-RULE.

There is a brutal frankness about Judge Calhoun's speech which is of great value in enabling the people of the United States to come to a correct judgment as to the attitude of the Southern Democracy toward the colored race. This is not the sort of language usually heard from Southern men in Congress or when they visit at the North. They come into the Capitol or at the New York and Boston dinners of the New England Society, and talk for hours of the "harmony between the races" and the "growing sentiment of good-will." They invoke the shades of their "old mammies" to witness their affectionate regard for the negro. But there are Southern men who, like Judge Calhoun, prefer to be honest and brutal than uncandid and suave, and certainly the honest way is the better way. It leads to a fair understanding all around.

Judge Calhoun says, then, that the Mississippi convention is assembled for the purpose of "restricting negro suffrage." He says the people are tired of "force, fraud, and intimidation," a statement which comes hard upon the multiplied declarations of Southern Congressmen that such things do not exist. But the people are not tired of the object which these crimes were committed to secure. That object must still be accomplished, and he proposes the way. He will put the government in the hands of a select body of white men, chosen from the white counties. This star chamber, with the selection of which only a minority of citizens shall have anything to do, is to be supreme in all affairs. It is to elect State officers, county officers, township officers. It is to levy the taxes and to spend them. It is to be sovereign and irresponsible!

NOT A NEW SCHEME.

And this is what Southern Democrats call "local self-government." This is the "liberty" they have been denouncing the Republicans for venturing to assail! Every Democratic speech against the Lodge bill has been an appeal for the vindication of "local self-government" against the "revolutionary measures" of the Republicans. And this is a sample of the priceless boon they are striving to protect.

Judge Calhoun's scheme is not a new one. In motive and in effect, if not in form, it is already in operation in every Southern State. Delaware has accomplished it by means of a poll-tax which is so administered that no negro can get his name on the poll-list, and therefore no negro can vote. Maryland's last Legislature, which gerrymandered the State to prevent the re-election of its present Republican Congressmen, also adopted a star-chamber scheme by which all government is invested in a few officials. Congressman HAUGEN, in a recent speech, stated the situation in these impressive words:

"In none of the southern tier of States is the choice of election officers lodged in the community in which they are to serve. In Virginia the system is a perfect wheel with the Legislature at the crank. There never was a more perfect invention for self-perpetuation in office. In Maryland, from the very beginning of colonial government down to the session of the last Legislature, the power of appointing local election boards was vested in the sheriff of the county. But some of the counties elected Republican sheriffs, and the late Democratic Legislature placed the power of appointing local election officers in the hands of the governor.

"In Mississippi an electoral commission, consisting of the governor, lieutenant-governor, and secretary of state, forms the fountain-head from which flows all authority to supervise and control elections. In Alabama this power is vested in certain county officers; in South Carolina it is in the State, and likewise in Florida and North Carolina. In short, you may look all through the Southern States in vain for a discoverable trace of the home, town, or city government inherited from New England. The tendency is all the time in the opposite direction—to rob the local community of the privilege of controlling its own affairs."

It will not be uninteresting nor impertinent to reproduce in this relation a sentence from a speech delivered by Congressman MCCOMAS. It throws a glaring light on the results of the centralized system. It is a complete answer to the Democratic allegation that the so-called "negro governments" ruined the South and rendered white supremacy necessary for the honest administration of government. "Within a short period," said Mr. MCCOMAS, "the treasuries of half the States in the South have been plundered by defaulting State treasurers: by Vincent, of Alabama; by Polk, of Tennessee; by Tate, of Kentucky; by Burke, of Louisiana; by Nolan, of Missouri; by Hemmingway, of Mississippi, just convicted, and by Archer, of Maryland. Minority rule is inevitably corrupt rule."

A SAMPLE SOUTHERN JUDGE.

He explains that fraud and murder are "undemocratic," and says they should be avoided, "if possible."

In Judge Calhoun's speech, quoted above from the New York Sun, he refers to the "Campbell plan." This is a plan, not unlike his own, which is suggested by Hon. J. A. P. Campbell, now a member of the supreme court of Mississippi. In an address issued to the people of that State in anticipation of the constitutional convention now sitting, Judge Campbell used these words: "I know full well we can continue to govern this country. I have no fears as to that. But if we should have to resort to shotguns and Winchesters, or to fraud, that would be too undemocratic for me, and it would be destructive of that liberty, equality, and fraternity so dear to us, and should be avoided if possible."

"If possible!" Just think of that! Think of the diseased condition of public sentiment which would admit the possibility of such language as this from a judge of the highest court of a free American Commonwealth! Just think of such an official, feeling himself called upon to explain that "shotguns, Winchesters, and fraud" are "undemocratic" and "destructive of liberty and equality!" Think of the grim satire contained in the phrase "so dear to us!" And think of a supreme court judge urging his fellow-citizens, to whom this "liberty" is "so dear," to avoid murder and fraud, "if possible!"

The Charleston News and Courier, the leading Democratic newspaper of South Carolina, recently remarked that it was "appalled at thinking that the rising generation of white men in the South is being taught that elections are to be carried, not by the honest vote of a fair majority, but by rank intimidations, subterfuge, and evasion."

It may well give this cry of alarm. It may well summon its people to stop and to think. It may well ask them to consider the results upon domestic as well as public morals when these methods are openly practiced by Anglo-Saxons and professed christians. "We have carried this sort of thing," said the Columbia Register recently, "as far as it can possibly go, and the result is that we are fast getting to be a set of rascals within our party limits, if we have not got there already." It is a pity that these warnings and confessions are not oftener heard in the South. They usually come not as open confessions, but as insolent boasts, as bravado, or as cynical mockery. In the debate upon the Lodge bill Congressman HEMPHILL, of South Carolina, was bold enough to say, "We know that we must either rule the South or leave it, and, for myself, I swear we will not leave it!"

The New Orleans States, commenting on a speech of General Chalmers in his late contest, declared with cold bluntness, "It is true that the people of Mississippi do suppress the negro vote, and they make no effort to conceal that fact." The Birmingham (Ala.) Age, seemingly dull to the grim humor of its statement, defended its people recently by asserting that "There are no places where the negro is not allowed the unrestricted right of ballot, unless it be in those regions where he constitutes a majority!" And Henry Watterson, the bravest and certainly the ablest of the Democratic editors of the South, has honestly proclaimed the dishonesty of his neighbors in these plain, straightforward words: "I should be entitled to no respect or credit if I pretended that there is either a fair poll or count of the vast overflow of black votes in States where there is a negro majority, or that in the nature of things present there can be."

WHAT THESE METHODS LEAD TO.

These glimpses into Southern acts and motives enable us to understand and appreciate the tone of sad regret which rendered a recent remark of General SPINOLA, the Tammany Congressman, so moving. The general was bewailing the difficulties under which Northern Democrats labored in their efforts to get into Congress. "With us," he said, "it is a struggle to put a man into this House. A tremendous battle has to be fought in every Congressional district of the North. But how easy a matter it becomes below Mason and Dixon's line! One gentleman is declared to be the candidate, his neighbors rally around him, he is put to no expense, he is called upon to perform no labor in the canvass, the ballots are printed, and they are deposited, and he is elected."

How very fine, to be sure! How very nice and slick and comfortable! But the Tammany cynic could scarcely have had before his eyes the dreadful dramas that these methods are enacting. Men, even if their skins are dark, do not easily resign a liberty once gained and exercised. They do not willingly relinquish their right to speak their thoughts and act their will. Over against the agreeable situation that this Northern Democrat so much covets and admires, let the picture of its results be placed as they were sketched by Judge Cunningham, the Democratic magistrate who urged his grand jury to discover the rascals through whose atrocious crime Clifton R. Breckinridge was covered with the stolen mantle of the dead:

"There is no man who does not know that murder and assassination are the results and will continue to be the results of the political methods that have been employed in this country to carry the last election, and the meanest man in the country is the professed politician who advocates or indorses such methods. You must stop this ballot-box stealing, force, and fraud, or the title to your property will not be worth the paper it is written on. Democracy means that the people shall rule, and we are told that it is undemocratic to denounce bulldozery, ballot-box stealing, and assassination. If this be true, then I am no Democrat. If apology for bulldozery, ballot stealing, and assassination constitute Democracy, then may the angels and ministers of grace protect me from such Democracy!"

CURIOUS SOUTHERN FIGURES—THEY SHOW HOW THE COLORED VOTE IS SUPPRESSED AND HOW THE POLITICAL CHARACTER OF CONGRESS IS THEREBY REVERSED.

It is not pretended by the Republican party that it can legislate virtue into communities that are insufficiently provided, or that it can send the Northern people down South to see that the Southern people behave themselves on election day. It is not pretended that the Federal authorities have any power or duty with regard to State elections. It is simply claimed that by the Constitution Congress is a national body, and that the rights of all the people everywhere are involved in every Congressional election.

It is an outrage on New York and New England if the votes of their Congressmen are nullified by the votes of an equal number of persons who are sitting in Congress on a certificate secured through fraud and murder. The Constitution was not unmindful of the possibility of such a situation, and it gives Congress an authority over Congressional elections which the Supreme Court has pronounced to be supreme and paramount.

If that authority is ever to be invoked, surely now is the time and here is the occasion. The Southern people are represented in Congress according to their population. The colored people are counted to give the South its representation, but they are not permitted to have a voice in deciding of whom that representation shall consist. Their existence serves to double the South's numerical strength in Congress, and then they are disfranchised, and thus the vote of a Southern white man counts for twice as much as the vote of a Northern man. A glance at the returns of the last election in Mississippi shows how the suppression of the colored vote is managed.

According to the last census, Mississippi contained 108,245 white males of voting age and 130,278 colored. There are fourteen counties in the State where the whites have a clear majority, and fourteen other counties where the colored voters are numerically in the majority. Now, in the white counties the negroes were not materially interfered with, and 62 per cent. of them actually voted. But in the counties where their strength naturally gave them a fair chance of success they were not permitted to vote, and less than 12 per cent. actually got their votes cast and counted.

In Claiborne County, for instance, where there are 986 white voters and 2,566 colored, Cleveland received 590 votes and Harrison only 12. In Lowndes County, where there are 1,490 white voters and 5,006 colored, Cleveland received 1,122 votes and Harrison only 17. In Yazoo County, where there are 2,238 white voters and 5,363 colored, Cleveland received 1,196 votes and Harrison only 7; and in Noxubee County, where there are 1,360 white voters and 4,819 colored, the returns, as they were counted, gave Cleveland 845 votes, and Har-

rison not one! This is the State where Judge Calhoun and Judge Campbell are now laboring, as they openly declare, to restrict the colored vote. If they succeed in restricting it any more than it is already restricted, what on earth will they do with it?

TWENTY-SIX STOLEN SEATS.

South Carolina and Kansas are each of them entitled to seven Congressmen. Each contains about the same number of voters. This table shows the total votes cast in each of the Congressional districts of those two States in 1886:

South Carolina.			Kansas.		
District.	Name.	Votes.	District.	Name.	Votes.
First	Mr. Dibble	3,317	First	Mr. Morrill	31,287
Second	Mr. Tillman	5,235	Second	Mr. Funston	34,792
Third	Mr. Cothran	4,499	Third	Mr. Perkins	36,716
Fourth	Mr. Perry	4,479	Fourth	Mr. Ryan	38,084
Fifth	Mr. Hemphill	4,701	Fifth	Mr. Anderson	35,996
Sixth	Mr. Dargan	4,469	Sixth	Mr. Turner	33,025
Seventh	Mr. Elliott	12,476	Seventh	Mr. Peters	61,465

Total for seven Congressmen in South Carolina 39,077
Total for seven Congressmen in Kansas 271,365

In other words, one voter in South Carolina exercised as much influence in Congress as seven voters in Kansas.

There are twenty-six Congressional districts in the five Southern States of Alabama, Georgia, Louisiana, Mississippi, and South Carolina, where the colored people are in a clear majority according to the census of 1880. Every one of these districts is, and for years has been, represented by a Democrat. This table tells the story:

State and district.	Representative.	Term.	Total vote as returned.	Majority for Representative as certified.	Colored majority in district as returned by census 1880.
ALABAMA.					
First	R. H. Clarke, Democrat	First	18,699	4,489	2,858
Second	H. A. Herbert, Democrat	Seventh	21,244	6,838	249
Third	W. C. Oates, Democrat	Fifth	16,216	10,478	3,149
Fourth	L. W. Turpin, Democrat	First	24,403	13,153	26,612
GEORGIA.					
Second	H. G. Turner, Democrat	Fifth	11,000	11,000	3,763
Third	C. F. Crisp, Democrat	Fourth	12,750	6,124	2,431
Fourth	T. W. Grimes, Democrat	Second	13,923	5,673	2,947
Sixth	J. H. Blount, Democrat	Ninth	8,934	8,934	8,229
Eighth	H. H. Carlton, Democrat	Second	9,634	5,182	4,180
Tenth	G. T. Barnes, Democrat	Third	7,374	5,780	6,145
LOUISIANA.					
Fourth	N. C. Blanchard, Democrat	Fifth	17,265	15,339	5,752
Fifth	C. J. Boatner, Democrat	First	22,670	20,124	22,154
Sixth	S. M. Robertson, Democrat	Second	16,812	7,964	4,545
MISSISSIPPI.					
Second	J. B. Morgan, Democrat	Third	19,902	8,161	2,468
Third	T. C. Catchings, Democrat	Third	16,238	7,010	14,720
Fourth	Clarke Lewis, Democrat	First	15,251	10,459	5,973
Fifth	C. L. Anderson, Democrat	Second	20,269	12,271	1,570
Sixth	T. R. Stockdale, Democrat	Second	14,084	9,116	1,327
Seventh	C. E. Hooker, Democrat	Sixth	15,864	8,691	6,440
SOUTH CAROLINA.					
First	Samuel Dibble, Democrat	Fourth	9,855	7,244	2,236
Second	G. D. Tillman, Democrat	Fourth	12,337	9,299	6,643
Third	J. S. Cothran, Democrat	Second	8,774	8,759	1,210
Fourth	W. H. Perry, Democrat	Third	11,416	11,410	1,599
Fifth	J. J. Hemphill, Democrat	Fourth	9,586	9,559	2,610
Sixth	G. W. Dargan, Democrat	Fourth	8,972	9,259	3,296
Seventh	William Elliott, Democrat	Second	15,435	1,355	24,899

Total vote in all these districts 378,897
Number of Congressmen elected 26

This total vote is but little greater than the total vote of the single State of Wisconsin in that same election. In Wisconsin, 353,691 votes were cast, and they elected nine Congressmen. In these five Southern States the total vote was 378,897, and it elected twenty-six Congressmen. Is that fair and honest? It would be bad enough were it the result of popular indifference to the duties of citizenship, but when twenty-six seats in Congress can be continuously stolen, year after year, and are so stolen, by intimidation, ballot-box stuffing and stealing, force and fraud, thus completely reversing the political character of the popular branch of Congress, a situation is produced which makes legislation necessary for the very safety of the Republic. In deciding the famous Yarborough case the Supreme Court uses these portentous words:

"If the Government of the United States has within its constitutional domain no authority to provide against these evils (force and fraud), if the very sources of power may be poisoned by corruption, or controlled by violence and outrage, without legal restraint, then, indeed, is the country in danger, and its best powers, its higest purposes, the hopes which it inspires, and the love which enshrines it, are at the mercy of the combinations of those who respect no right but brute force on the one hand, and unprincipled corruptionists on the other."

Is free government worth preserving? Is the nation's plighted faith to be preserved? Are citizens to be cheated and outraged merely for insisting on their plain rights as citizens? The issue is clear. Come, now, what do you say?

I conclude in the language of Senator Frye:

Cowardice never yet won a battle—never yet preserved a friend.

The Tariff.

SPEECH
OF
HON. MARK H. DUNNELL.
OF MINNESOTA,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, September 27, 1890.

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. DUNNELL said:

Mr. SPEAKER: The hour has come for a vote in this House upon a subject-matter of legislation which has occupied the time of committees, the House and the Senate, from the very beginning of this session, nearly ten months ago. The imposition of duties upon foreign imports has been followed from the very first months of our national existence under the Constitution. The right to lay duties for purposes of revenue for the support of the Government has never been questioned by any party or any class of men. It is not my purpose to enter upon a general discussion of the tariff question at this time.

While I shall give my vote for an adoption of the pending report it will be given me to say that while I fully indorse and indeed congratulate all classes of the country upon many provisions of the bill, there are some which I would have different. This report will have my vote because the good provisions of the reported bill, as I call them, far outnumber those which have seemed objectionable. No thoughtful person can fail to discover the difficulties attending the arrangement of duties. Sections of the country are differently affected by any tariff.

The diversified capabilities of the nation render it well-nigh impossible to make a tariff which shall bear upon each State and each industry of all the States with exactly equal weight. It has been the duty of Congress to seek the least possible inequality. Taxation, either direct or indirect, is necessary. No government can exist which does not impose some burdens upon its subjects.

Indirect taxation has been the method of the United States in raising revenues for the support of the Government. There has been no Administration of the Government, from Washington to this time, which has not, in the adjustment of duties for the purposes of revenue, had in view at the same time the encouragement and protection of home industries. The amount of this protection did not really divide or characterize parties till the Administration of Jackson. While he was a protectionist, his party became more distinctly the party advocating a tariff for revenue with incidental protection. It was not my purpose to go into a history of protection. It may, however, be proper to refer to the national election of 1888.

The Republican party was for protection to American industries and to American labor. The Democratic party came to the very borders of free trade. The protective features of the pending tariff bill are the demand of the people as proclaimed in the election of Benjamin Harrison. The measure of protection, or rather the amount, has more or less divided the friends of the bill. It seemed to me that the increase of duties on woolen goods was more than the increase of the duty on wool; but when I am informed that, under the present low duty on wool, 160,000,000 pounds of wool came into this country the last year in manufactured cloth and that not less than $100,000,000 were paid out for foreign-grown wool, every pound of which we could have raised at home, I am better content with the wool schedule. It can also be stated that the increased duty is upon the high-priced woolens, while there has been a reduction in the duty on the cheaper woolens.

When the tariff bill was first before the House I offered an amendment to the tin-plate clause for a reduction of the proposed duty of 2.2 cents per pound to 1 cent per pound, the present duty. This motion was ruled out of order and no vote was taken on it. I then voted for the clause now found in the bill, for it was a very favorable modification of the original clause in the bill affecting the duty on tin-plate. I continue in the belief that the tin-plate provisions of the bill are wrong; that the bill gives a large protection to an industry very largely imaginary. I hope for a favorable result and am willing to insert in my remarks the following sentences from the speech of the honorable gentleman from Wisconsin [Mr. LA FOLLETTE]:

What will a protective duty on tin-plate accomplish? It will enable us to make from twenty to twenty-five million dollars' worth of tin-plate in this country annually. What does that mean? It means that to produce the 1,000,000 tons of additional iron ore, the 2,000,000 tons of additional coke and coal, the 450,000 tons additional pig-iron, the quarrying of 700,000 tons of additional limestone, the 15,000 tons of Dakota block tin, the 3,000 tons of additional lead, the 6,500 tons of additional tallow and oil, the 20,000 tons of additional sulphuric acid, the 30,000,000 feet of additional box lumber, to turn the pig-iron into sheet-iron, to make the machinery and keep it in repair, and to freight the materials will give constant and remunerative employment to 40,000 men, with their families, making a population of 200,000 directly dependent on this great industry, which will build up quickly in this country under this bill. To these added wage-workers will be paid annually $21,000,000 in wages, to be in large part expended among the farmers and merchants of this country.

That is what this increased duty will do. It will do more; it will give us very soon tin-plate at a cheaper rate than we pay to-day, give us a steady and reliable market which will re-p nd to the gradual cheapening cost of production and the controlling laws of domestic competition.

The honorable gentleman from Michigan [Mr. BURROWS] further defends the tin-plate provision of the bill as follows:

No valid reason can be furnished for continuing our dependence upon a foreign country for the supply of this article of prime necessity in every household. No reason can be assigned why we should continue to pay tribute to England, as we did last year, at the rate of $22,000,000 annually, to be continued in ever-increasing exactions.

This proposition to increase the duty on tin-plate will undoubtedly provoke the severest criticism of the Democratic party. This is to be anticipated. It is in conflict with its theories of "free trade." It would never occur to modern revenue reformers to build up a new industry in the United States by the imposition of a protective duty on the competing foreign article. They much prefer a tariff for "revenue only," and when under such a duty the domestic industry languishes, instead of throwing over it the shield of governmental protection they would expose and abandon it to the assaults of a merciless foreign competition, to which it must inevitably succumb.

We are determined that this disgraceful surrender shall not be consummated. We can make our own tin-plate. We have the material, the capital, the labor, the skill, the genius, and under this bill, when enacted into law, a new industry will spring into life, bringing to the American people a renewed source of wealth and to labor increased employment.

Here is an ordinary pail [exhibiting sample] such as is used by workingmen, containing a coffee receptacle and a tin cup. This whole outfit costs at wholesale 25 cents and at retail in Philadelphia just 35 cents. Removing the wire handle, the weight of the remainder is just 18½ ounces; allowing one-half ounce for wire and solder used in its manufacture and we have 18 ounces, or 1⅛ pounds of tin-plate in this dinner-pail. Now, assuming that the present duty of 1 cent a pound on tin-plate is included in the price (35 cents), the 18 ounces of tin-plate used in the manufacture of this pail would represent exactly 1⅛ cents.

If the duty were now to be doubled and the cost of tin-plate should be increased correspondingly, and this increased duty should be added to the price of the dinner-pail, it would cost the workman 36⅛ cents instead of 35 cents he now pays. One and one-eighth cents is therefore the full measure of the additional burden he would be called upon to bear, as a compensation for the establishment of a great industry in the United States, which would give employment to 35,000 of his fellow-workmen, whose annual wage earnings would be $23,000,000.

It is a matter of congratulation that there has been a large increase in the protective duty upon all the products of the farms of the country, while the Mills bill of 1888 had a large reduction of the duty, and many of them were placed upon the free-list. There were imported into the country the last year of farm products $200,000,000 worth. The bill also makes a large reduction in the duty on steel rails and in the metal schedule many reductions are found. The following statement is taken from the speech of Mr. LA FOLLETTE:

This bill reduces the duty upon iron, round, square, and flat, such as used by the blacksmith; upon beams, girders, and all structural iron; upon forgings of iron or steel; upon hoop or band iron when not cut to length, flared, or otherwise manufactured; upon steel rails; upon blacksmiths' tools; upon wedges, crowbars; upon bolts and nuts; upon cast-iron pipe; upon all castings of iron; upon chains of all kinds; upon files; upon cut-nails and spikes; upon certain sizes of wire nails; upon cut tacks and brads; upon needles, and places sewing-needles upon the free-list, reduces copper one-half and puts nickel on the free-list, and upon all items of the metal schedule where reduction can be safely made without risk to producers or consumers in this country.

The country will applaud the provisions of the bill that places all sugars under No. 16 in color upon the free-list, saving annually to the consumers of this article of universal use not less than $56,000,000. To the farmers of the West this bill furnishes a great relief by a reduction of the duty on binding-twine from 2½ cents per pound to 7 mills per pound. The Mills bill fixed it at 15 per cent. ad valorem, equivalent to 1½ cents per pound. These real and substantial provisions far outweigh any apparently high duties on other articles. It will, therefore, have my vote and my defense before my constituents.

That a proper protection tends to a reduction in the price of articles manufactured at home can not be controverted. I insert some letters found in the speech of Mr. LA FOLLETTE. The writers are personally known to me and their statements are entitled to the utmost confidence:

FULLER & JOHNSON MANUFACTURING COMPANY,
Madison, Wis., April 29, 1890.

DEAR SIR: Your favor of 26th received, and I hasten to name the prices of some of the leading articles of agricultural machinery in the years named: 1870 to 1875, self-raking reapor, $160 to $190 currency; 1880, self-raking reaper, $145 to $150 gold; 1885 to 1889, self-raking reaper, $60 to $70; 1876 to 1882, self-binders, $300 to $325; 1888 to 18-9, self-binders, $115 to $130; 1870 to 1875, mowing-machines, $100 to $120 currency; 1880, mowing-machines, $80 to $90; 1883 to 1890, mowing-machines, $50 to $60; 1870 to 1875, horse-rakes, $40 to $45; 1880 to 1890, horse-rakes, $20 to $27.

Other farm machinery would run in about the same proportion. There has been a proportionately greater fall in the price of self-binders than other machinery, because they were not manufactured prior to 1875. It should also be remembered that the self-binder now bought for $115 is a much better machine than the one they paid $300 for. The same rule holds in other machinery, but not to so great an extent. Yet all farm machinery has improved very much in the last twenty years.

Yours truly,

J. A. JOHNSON.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

THE S. L. SHELDON COMPANY,
Madison, Wis., May 1, 1890.

DEAR SIR: It is with pleasure that I comply with your request and furnish you the retail prices of different prominent machines during the years mentioned.

Retail prices to farmers were as follows in 1870: Grain drills, from $100 to $115 each; broad-cast seeders, from $75 to $80 each; self-raking reapers, from $165 to $175 each; hand-raking reapers, from $130 to $140 each; mowers (for cutting grass), from $80 to $85 each; lumber-wagons, from $85 to $95 each; bob-sleds, from $40 to $50 each.

Between 1870 and 1880, and since, some prominent machines were invented, among which is the grain-binder and disk-harrow, which largely took the place of reapers and ordinary cultivators and harrows, and where machines were not superseded by others the machines in use were very much improved in capacity; and in spite of the material decline in prices they are very much better made and finished than formerly.

The prices were as follows in 1880: Grain-drills, $75 to $80 each; broad-cast seeders, $55 to $60 each; self-raking reapers, $120 to $130 each; mowers, $65 to $70 each; lumber-wagons, $65 to $70 each; bob-sleighs, $25 to $30 each; corn-planters, $45 to $50 each; sulky cultivators (for corn), $35 to $40 each; grain-binders, $200 to $250 each; binders, both wire and twine, were sold at $300 apiece for some years after they were invented, but had begun to decline in price in 1880.

Prices in 1885: Grain-drills, from $65 to $70 each; broad-cast seeders, from $45 to $50; self-raking reapers, from $90 to $85; mowers, from $55 to $60; lumber-wagons, from $55 to $65; bob-sleighs, from $23 to $25; corn-planters, from $35 to $40; sulky cultivators, from $28 to $35; grain-binders, from $140 to $160.

Prices for 1890: Grain-drills, from $55 to $65; broad-cast seeders, $35 to $40; self-raking reapers, from $60 to $65; mowers, from $45 to $55; lumber-wagons, from $50 to $60; bob-sleighs, from $18 to $23; corn-planters, $30 to $35; sulky cultivators, from $24 to $28; grain-binders, from $115 to $135.

Hoping this statement will reach you in time, I remain

Yours truly,

S. L. SHELDON.

Hon. ROBERT M. LA FOLLETTE,
Washington, D. C.

There has been a large reduction in the price of articles which enter into daily use and consumption on every farm, and also in the price of articles purchased for use in every family as well. Some of these articles and their prices in 1880 and in 1890 I will insert below.

These prices emphatically refute the oft-repeated charge of the free-trader that the tariff is a tax paid by the consumer. There are many instances, as in the case of cut and wire nails, where we purchase the domestic article for less than the duty, and how can it be said in such cases that their cost is enhanced by the amount of such duty?

Articles.	Price in 1880.	Price in 1890.
Barbed wire, per pound	$0.10	$0.04
Fence staples, per pound	.10	.05
Iron nails, per keg	6.00	
Steel nails, per keg		2.80
Plain wire, per pound	.06½	.03½
Wash-boiler	2.25	1.75
Stove-pipe joint	.25	.20
Horseshoes, per keg	8.00	4.50
Tool steel, per pound	.20	.12½
Plow steel, per pound	.13½	.08½
Cook stove	$33.00	$24.00
Mattock and handle	.40	.85
Wrench	.75	.40
Blossburgh coal, per cwt.	.80	.45
Bull ring	.40	.25
Putty, per pound	.10	.05
Shot, per pound	.12½	.08
Iron, per pound	.05	.03
Four-tined fork	.75	.50
Seat spring, pair	1.75	1.00
Lantern	1.50	.75
Common clevis	.20	.10
Milk pans, per dozen	2.25	1.00
Buggy springs, per pound	.20	.10
Swedes iron, per pound	.12½	.06
Cartridges, per box	.35	.15
Wire cloth, per foot	.06	.03
Post-auger	2.25	1.25
Sugar, granulated, per pound	.12½	.07
Sugar, standard A	.11	.06⅞
Sugar, C	.10	.06½
Kerosene oil, 150 test, per gallon	.25	.13
Kerosene oil, 175 test, per gallon	.35	.15
Salt, per barrel	2.25	1.25
Unbleached muslin, per yard	.08	.06
Calico, per yard	.07	.05
Gingham, per yard	.12½	.10
Worsted dress goods, per yard	.15	.12½
Do	.35	.25
Do	.65	.50
Do	1.00	.75

I have failed to enter my hearty approval of the reciprocity provisions placed in the bill by the Senate, and further failed to state that the duty has been reduced on pine lumber 100 per cent.

With the passage of the tariff bill the work of the first session of the Fifty-first Congress will end.

No single session in the history of the Government, in a time of peace, has achieved so much for all the people of the country as this. The Cleveland Administration held possession of the Government for four years, but it was completely barren of results in the interest of the people. I will name some of the acts passed by this Congress:

1. The anti-trust act, prepared with great care that it may not be held unconstitutional, and intended to prevent trusts and combinations in domestic trade and commerce.

2. The disability pension act, by whose humane and just provisions every disabled defender of the Union, his widow and orphan, will be cared for. President Harrison gave the act a ready approval, while President Cleveland vetoed a similar bill.

3. The silver act, by which an additional sum of two and one-half millions of coin certificates each month are to be issued; a measure

which the agricultural and other business interests of the country are already and most favorably feeling. It is worthy of mention that the very month that Harrison was nominated for President the bullion in our silver dollar was worth but 70.57 cents, and on the 1st of this month it was worth 92.4 cents. This is Republican legislation, and the people will not be slow to note the effect. With this object-lesson before us it is safe to predict that the legislation of the Republican party will speedily bring the two metals together, so that our mints can be safely opened to the free coinage of both without doing violence to the convictions of our most conservative people or the teachings of sound economic principles.

4. The original-package act, a measure of great importance and made necessary by a decision of the Supreme Court.

5. The meat-inspection act, in the interests of the meat producers and exporters.

6. The land-grant forfeiture act, by which 8,000,000 acres of land are restored to the public domain and open to entry under the land laws of the country.

7. The anti-lottery mail bill, demanded by all good citizens.

8. The contract-labor bill, called for by all the labor organizations of the land.

[illegible] sent to the Senate the compound-lard bill, giving protection to the pork producers of the country; the bankrupt bill, demanded by creditors and debtors in every section of the land; the election bill, designed to secure honest elections in every Congressional district of the Union, a result that every patriotic citizen should devoutly desire; also a bill making it unlawful to employ convict labor upon public works; a bill forbidding the purchase by the Government of the products of convict labor, and a bill of national importance, an enlargement of the circuit-court system of the country in the interest of speedy justice. There are also pending in the House the pure-food bill, the Butterworth anti-option bill, and two very important shipping bills. If these bills are not reached this session they will become acts early in the next.

Land-Loan Bill.

SPEECH

OF

HON. LEWIS P. FEATHERSTON,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 27, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. FEATHERSTON said:

Mr. SPEAKER: I do not desire to discuss this tariff bill—volumes have been given to that subject—but simply to avail myself of this opportunity to get into the RECORD some reasons in support of the land-loan bill, introduced some time since by myself and referred to the Committee on Agriculture, but from which committee I have as yet been unable to obtain a report.

The purpose of the bill is to establish a land loan bureau, to be under the control of the Treasurer of the United States, by which loans are authorized to be made on cultivated farms, to the actual owners who are residents thereon, at 2 per cent. interest.

The increase in the currency to be accomplished by the recent silver legislation is a step in the right direction, and will do much to relieve present stringency and bring prosperity. But the difficulty which confronts us is to get into the hands of the people this increase of circulation, and whatever more is needed. The hope in introducing this measure is to open new channels by which the currency of the country may get to those of our citizens who are in distress for the want of it, and who can furnish ample security for its return.

For twenty-seven years our Government has furnished to the bondholders, whenever organized as national bankers, the currency of the nation at a cost of not exceeding 1 per cent. We will not here comment upon the wisdom of a policy which placed the control of the volume of the currency under the management of a number of corporations, under one general organization. I only desire to call your attention to the fact that within the next few years these bonds will be due, and can be and ought to be paid; also, that for the past several years the payment of these bonds has operated to contract the currency, while the production and business of the country has been rapidly expanding, $354,408,008 of such notes being in circulation in 1875 and less than half that sum of the same notes being in circulation at the present time. This, too, in the face of the fact that during the same time our population and production have about doubled themselves. Nothing has been done to counteract this contraction which to any extent keeps step with our development.

The facts and figures furnished officially by the Bureau of Statistics under the direction of the Secretary of the Treasury show that although the acreage and products of agriculture have more than doubled in the last twenty years the same amount of money purchases the increased product, and in fact less money is required to buy the corn crop of 1889 than it took to buy the crop of 1869, the acreage of 1869 being 37,103,245, with a production of 874,520,000 bushels, valued at $658,532,700, and that of 1889 being 78,319,651, with a production of 2,112,892,000 bushels, valued at $597,918,829; although more than twice the acreage and yield, the crop did not bring to the producers as much money as the crop of 1869 brought them. Other cereals show the same conditions. Official statistics will verify this statement. The same is shown as to the cotton crop. The crop of 1869 amounted to 2,260,557 bales, realizing $225,000,000; 1889, 6,935,082 bales, three times as much, worth only $292,139,209.

Here we have a threefold production bringing to the producer only a small amount more in money than he received for the crop of 1869.

This conclusively shows that the volume of the currency controls the price of products; that the money of to-day will purchase three times the quantity of production that the money of twenty years ago would have done.

I introduce these statistics not as an argument in favor of inflation, but to establish the fact beyond dispute that the volume of currency is the measure of values, and to show that those who control the volume of currency can exert an influence which should at no time be placed in the hands of a few soulless corporations or individuals. Such power can not be safely placed anywhere but with the nation.

A careful consideration of facts brings the inevitable conclusion that while the producer in general has been the sufferer under this system of contraction and uncertainty, the farmer has been the chief loser; he has planted under one price and gathered under another, and the profits which urged him forward under sunshine and through storms for a weary year have almost invariably slipped from his grasp with reduced prices. It is pertinent to this discussion to ask who are the beneficiaries of this system of contraction.

The bondholder has gathered in annual interest and principal together a sum equal to his original bond and 50 per cent. more, and his bonds now are worth as much corn or as much cotton or as much wheat as they were twenty-five years ago.

The bondholder and the national banker have controlled the volume of currency, and these are the results. Patiently, and partially from ignorance, the producers have submitted to this system. Three millions of them, now organized in open revolt, indicate that the weary toiler will not consent longer to so unfair a condition.

The law creating the national banks prohibits the loaning of money upon real estate as security. It conveys exclusive control of the volume of the currency to these corporations, and restricts their operations to ninety-day transactions upon personal security.

I am not ready to conclude that it was the intention of the Congress which formulated and passed this law to create a preferred class.

I shall not contend that it intended to place the farmers, whose productions were annual, at the mercy of the national banker and the merchant; and yet no man of intelligence and observation can deny that this has been the result.

The Government furnishes the banker the national-bank notes at a cost of 1 per cent. or less. The national bank supplies the merchant at ninety days at the rate of from 6 to 12 per cent.

This, then, goes to the producer, through the medium of the merchant, either in cash or supplies, at rates varying from 10 to 50 per cent. Under the law the farmer can get the necessary money to conduct his business upon no other basis.

His lands are not valid security. His crops require a year to be planted, gathered, and marketed. A loan for ninety days can be of no service to the farmer. So he must secure his accommodations from his merchant. This accounts for the unprecedented prosperity of our cities and towns, and the poverty and incessant labor of the farmers and producers generally.

This is a grievous fault in our financial system.

There is no one, I presume, to defend this condition upon the grounds of fairness or justice. The plea urged is that we know of no other way to conduct the finances of this nation.

We fear the results of any innovation upon the present system.

We desire to suggest that this financial plan was never completed. The genius which conceived it was too soon removed from the financial arena.

The branch which was to have supplied, at a low rate of interest, currency to the producer and manufacturer upon real estate as collateral was not added to the system, as evidently must have been the original intention.

Under the present plan, by which the Government prefers the banker and merchant of the country, they have accumulated thousands, if not millions.

The farmer has labored zealously, supported his family with difficulty, and finds himself in debt.

This bill asks that the balance of the financial plan be carried out, and that the Government do for those who feed the nation exactly the same thing which it has been doing for years for the national banker.

We do not object to paying tribute to our Government, but we oppose the creation of corporations by the nation which are to be empowered to distress the people of the nation. Let us have the currency direct and without the various arbitrary profits and circuitous methods of soulless corporations.

I ask you to come to the relief of the great mass of this people, whose labors have given us the crowning glory of civilization.

In this bill we ask that the Government broaden its financial policy. We ask that it secure to itself the interest it now allows and authorizes national banks to gather from its people.

We propose to furnish the unquestioned title to our homes, and only ask that there be loaned us one-half their appraised value. You loaned the bondholder 90 per cent.

You charged the banker 1 per cent.; we offer you 2 per cent. We could well afford to pay you 4, for we now pay your national banker 10. Why should he come between us and our Government? Why should you prefer him to us and force us to pay tribute to any one save "our country?" The interest-gatherer alone will complain of this departure.

The exact provisions of this bill are not material to us. We do not desire to dictate as to details. You may, if you fear inflation, limit the amount to be loaned and distribute it proportioned to the agricultural population of the different States, giving preference to the half million American farmers soon to be evicted from their homes because they can not longer support their families and pay 10 to 50 per cent. on their mortgages. For my part, I can see no danger from inflation when every dollar of your currency is backed by $2 of actual value.

Were one-half the amount of interest now paid to mortgage-holders on the homes of American farmers going into the Treasury of the nation there would be no need of the complicated and expensive system of revenue collection to which the nation must now resort to meet necessary expenses; thus another source of relief. Shall a republic search the archives of monarchies for precedents?

For one hundred years this Republic has been blazing a path through the trackless provinces of an unknown and unrealized destiny. Her audacity has been coupled with a success which has startled the world, and where a half-century ago she moved with uncertainty has now become the beaten road of all civilization.

By reference to the financial system of Russia you will observe that even this absolute monarchy came to the relief of a distressed agricultural population by similar loans within the past century.

During that period most of the countries of Europe have found it necessary to devise means by which money could be furnished to agriculture at a low rate of interest.

ENGLAND

in the year 1846 authorized the loaning to land-owners and did loan several millions to them at a less rate of interest than 2 per cent.

A parliamentary committee has recently made a report recommending the loan of $25,000,000, at a similar rate of interest, for the purpose of encouraging agriculture.

DENMARK.

In 1786 the government founded a Credit-Kasse, for the purpose of making advances for the improvement of agriculture, at 2 per cent. It has since then founded several savings-banks for the same purpose.

In 1850 a law was passed to form the establishment of banks to loan upon lands.

NASSAU.

In this little state a state bank was founded in 1840 to furnish advances to the communes and landed proprietors to redeem their ancient debts, tithes, and other burdens, to assist agriculture and commerce generally.

BELGIUM.

There are two in operation, one, Caisse des Propriétaires, a limited liability company, founded in Brussels in 1835 and incorporated for ninety-nine years.

It lends to the amount of 66 per cent. of the value of the land. The interest is fixed from time to time. The borrower pays besides something to extinguish the capital and not more than 1 per cent. on the loan for commission.

He may regulate the annuity so as to extinguish the debt in terms of from five to sixty years.

POLAND.

The Société de Crédit Foncier de Pologne was founded in 1825, and reformed in 1838.

It issues bonds bearing 4 per cent. interest, transferable by indorsement or delivery. The borrowers pay 4 per cent. interest, 2 per cent. to form a sinking fund, and a fee of 1 florin for notes of 200 or 500 florins, and 2 florins for those of 1,000 florins.

By this means the debt is redeemed in twenty-eight years. The sum advanced does not exceed one-half the estimated value of the land.

Is there a necessity for some such action upon the part of Congress? I quote from Judge Pepper, of Kansas:

The time has come for study; civilization is opening new fields for exploration. New phases of old things appear. There is a growing demand for larger liberty and greater equality of privileges. Half the wealth of the country is owned by a few thousand persons. Seventy men are rated at an average of $37,500,000 each, making an aggregate of $2,700,000,000; thirty other persons are put down at an average of $15,000,000 each, making a grand total of $3,000,000,000 as the ascertained wealth of one hundred citizens of the United States. And these are only conspicuous examples. It is estimated by a careful student, Thomas J. Shearman, that "the United States are practically owned by less than 250,000 persons." The distribution is expressed in these figures:

Class.	Families.	Wealth in millions of dollars.	Average per family.
Rich	182,090	43,367	$238,135
Middle	1,200,000	7,500	6,250
Working	11,620,000	11,215	968
Total	13,002,090	62,082	4,775

Poverty is increasing absolutely and relatively; farm values in all parts of the country are decreasing; renters and debts are increasing; agriculture is profitless, and wages are barely supporting. Money alone is returning large gains. Government bonds command 25 per cent. premium, and money dealers are reaping rich harvests, while farmers, with large crops, can pay little if any more than their taxes and the interest due on their debts. A change is inevitable.

Is the proposed plan practical? I quote from the same authority, discussing a similar plan, and I think applicable to the one submitted for your consideration:

The Government lending money to the people is not a new thing. It is at least twenty-seven years old. The national-bank act was passed for the very purpose of lending money to the people. Government bonds are deposited as security to bill-holders, the Secretary of the Treasury issues notes to the banks, and they lend them to the people. Upward of $358,000,000 of that kind of money was out among the people at one time, and there is now $181,000,000 of it.

The banks were made the agencies through which the money was distributed, and care was taken to apportion the number of banks to be established, so that the different parts of the country should be fairly supplied. And at this hour $47,000,000 of public money is held by 270 of these banks, placed there by the Secretary of the Treasury, without charge to the banks, simply to have it where the people can get it if they want it at bank rates of interest. * * * The Treasurer of the United States, in his report for the last year, calls attention to the money-lending feature of the Government's work.

"In becoming practically the sole issuer of currency," he says, "the Government has assumed the duty of supplying the needs of the public for a circulating medium." He devotes all of page 12 to this subject, suggesting points of interest, all having reference to the present method of getting money to the people through banks. Why not dispense with this costly method, and instead of giving money to the people charged with 6 to 10 or 12 per cent. interest—the profit of the banks—give it to them directly through Government agents, charging for the service only what the work is really worth?

If the money is for the people, why not give it to them directly without the intervention of persons who make a profit on the transaction? Do away with banks for this purpose altogether, and furnish money to the people at cost of distribution, just as other things which the Government furnishes are supplied. If the banks will act as Government agents, well; if not, employ private persons to do the work. Get the money to the people at cost; that is the great work to be done.

* * * The Comptroller's report of 1888 says: "The monetary transactions of the Government have been conducted through the offices of the Treasurer of the United States, nine assistant treasurers, and 297 national-bank depositaries." The Treasurer's report for 1889 shows that of the 3,262 national banks doing business, the Government had designated 270 of them as depositaries through which the Treasury acts in distributing money direct from the Treasury, and they hold public moneys amounting to $47,259,714.

A year ago the amount was $68,712,511. The plan proposed would not require any more agencies than the Treasury now has, and it would not require the local deposit of any more money than is now deposited there. Nor would it require the services of more people than are now employed in these depositary banks. The business of the whole country could be done through about three hundred agencies with a force of three to four thousand persons.

The Comptroller of the Currency, with a force of ninety-two assistants and a corps of bank examiners, superintends the business of over 3,200 national banks. These banks employ an average force of ten persons at least, making a total of 32,000 persons engaged in national banking, all looked after by one man in Washington on a salary of $5,000 a year. And this is practicable; it has been going on a long time.

Has Congress the power?

I deem it useless to refer gentlemen of the committee to the well-known decisions of the Supreme Court, and ask to be allowed to quote from Judge Henry C. Caldwell, long recognized as one of the soundest patriots of the nation, and whose ability as a lawyer has never been questioned during a service of twenty years as United States district judge, and who is now serving as circuit judge of the United States:

WHAT MONEY IS, WHO CREATED IT, AND WHAT FUNCTIONS IT WAS CREATED TO PERFORM.

Money as a measure of value and a legal tender in the payment of debts is a creation of the law. It may be of gold, silver, copper, paper, or any other substance; but, of whatever substance made, its value as a circulating medium and a legal tender in payment of debts is derived from the laws of men, and not from the laws of nature.

The Constitution of the United States declares that "the Congress shall have power * * * to coin money" and "regulate the value thereof."

The Supreme Court of the United States has decided that Congress has power to make money out of paper and make that paper a legal tender in payment of debts.

Observe, the grant of power to Congress not only includes the power to "coin money," but also to "regulate the value thereof."

The present standard silver dollar is a legal tender in payment of debts for 100 cents on the dollar, and yet until the recent rise in silver bullion it contained less than 90 cents' worth of silver. The material of which a one-thou-

sand-dollar legal-tender note is composed is not as valuable as an ounce of cotton or an ear of corn. It derives its value from the law, which makes it a legal tender in payment of debts for the amount expressed on its face.

Gold and silver in bullion, or in spoons, plates, or ornaments, is not money. In all these shapes gold and silver are mere commodities to be bought and sold in the market like cotton or any other commodity. It must be coined by the Government, and its value fixed and stamped upon it by law, before it becomes money.

Money was created to be a circulating medium, a measure of value and a legal tender in payment of debts, and it only performs its true function when actively employed in settling balances, facilitating exchanges, and in industrial pursuits. It is a barren thing, it gives birth to nothing. Horses and cattle multiply and increase the wealth of the country; farms and factories yield their productions, but money is as incapable of producing anything as a yard-stick or a half-bushel.

It may be endowed by law with the power to accumulate; that is, to draw interest. But this power is a gift of the law and may be withheld altogether or granted to the extent only that it is found to be beneficial to the people.

The rapidity with which we are passing towards the condition which has preceded the decline of other republics should be a matter of vital concern to those intrusted with the welfare of the people and guidance of the affairs of the nation. When all history points us with unerring precision to the rock upon which sister republics have been wrecked, I sincerely hope we have both the intelligence and nerve to avoid that spot.

This bill and these remarks are submitted for your careful consideration, sincerely believing that a sense of fairness and patriotism will awaken investigation which will result in the adoption of some method or system which will accomplish the much needed relief, which will place agriculture upon the pedestal of independence and weave for her the garland of glory which it is her due to wear.

Taxation and Public Expenditures.

To persuade my countrymen, so far as I may, that it is not in a splendid government, supported by powerful monopolies and aristocratic establishments that they will find happiness or their liberties protection.—*Andrew Jackson.*

SPEECH

OF

WILLIAM S. HOLMAN.

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 27, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. HOLMAN said:

Mr. SPEAKER: All reasonable men admit that the main portion of the revenues for the support of our Government should be raised by a tariff on goods imported from foreign countries. It has been the policy of our Government from the beginning and will probably be our policy for generations to come. The point of difference between the political parties of our country has been as to the principle on which the duties on imported goods should be imposed.

The theory on which the Democratic party has proceeded ever since the days of President Jefferson has been that the duties should be levied impartially, without favoring one class of our people or oppressing another, without building up the wealth of one class by the impoverishment of another class of our people. Prior to the time when the Republican party came into power, in 1861, the Democratic party had mainly framed our tariff legislation from the inauguration of Jefferson as President, and especially from 1846 to 1860.

The statistics of 1850 and 1860 demonstrate conclusively, and I think all fair-minded men admit the fact, that under the impartial and moderate tariff of 1846, which remained in force substantially until 1861, this country enjoyed an unexampled prosperity. I do not mean that wealth was rapidly increased, but I mean that during that period there was a steady growth of wealth and that wealth remained in the hands that produced it. There was no law during that period "to take from the mouth of labor the bread it had earned;" there were no great estates and no cry of our people for bread; there were during that period reasonable taxation and frugal expenditure.

It was the golden period of our history; and, above all, that greatest of all American industries, agriculture, enjoyed unbroken prosperity. No man who has examined the statistics of agriculture in the censuses of 1850 and 1860 can or will deny this. It was not such a development of agricultural industries as we have witnessed in the last twenty years, where land-grant railroad corporations with hundreds of millions of acres of land, a free gift of Congress to corporate monopoly, have imported from Europe hundreds of thousands of farmers to develop and increase the value of the imperial gift made to those corporations by Congress, but a progressive and steady improvement, the farms and their products growing in value every successive year, the log cabin steadily giving place to the more comfortable and cheerful family mansion, with school-houses and churches adorning every neighborhood, while prosperity, plenty, and contentment, with the assurance of hope for the future, gladdened the homes of our country.

It was not a period of feverish speculation, when under the encouragement of class legislation overgrown estates are made in a year and multitudes are impoverished, but when all men had an equal chance for life.

The truthful historian of the future will point to that period of moderate and reasonable taxation and frugal expenditure in all departments of our Government, State and Federal, as the golden period in our history.

The art of the politician is to overshadow this question of tariff taxation with obscurity. It is not a complicated subject. The complicated tables and endless comparisons of results of tariff taxation at different periods seldom aid honest inquiry and generally confound the judgment and obscure the real matter at issue.

The spirit of the pending bill, the McKinley bill, so called, is as completely expressed and exposed by comparing half a dozen of its provisions taxing articles of luxury, a tax that falls on the wealthy, and the tax on articles of actual necessity in every-day life, a tax that falls on the masses of our laboring people.

Make this comparison, gentlemen, and, as by volumes of statistics, unless wholly blinded by party prejudice, the fact will appear as clear as the light of day. No tariff bill was ever considered by Congress when the fact was so clearly manifest that the measure was intended to enrich the few at the expense of the many.

I intend to be brief, and yet the few facts I will mention will expose the character of the bill, I think, as completely as would a volume of comparisons, and yet I will only mention comparatively minor subjects of taxation, for they more clearly express the spirit of the bill.

By the seven hundred and thirty-third paragraph of the bill, "woods, namely, cedar, lignum-vitæ, lancewood, ebony, box, grenadillo, mahogany, rosewood, satin-wood, and all forms of cabinet woods in the log, rough hewn," are on the free-list, while all other lumber (except cross-ties for railroads and timber for building wharves) pays a duty of from $1.50 to $2 per 1,000 feet, and yet railroad cross-ties are on the free-list.

Here the woods used in articles of taste and luxury and by railroad corporations come in free of tax, while lumber indispensable on every farm and in the construction of the building of every home pays a high tax.

Again, such works of art as "oil paintings" and "statuary," being purely articles of taste and luxury, have in all former tariff laws borne at least moderate taxation, 30 per cent. ad valorem; yet by the House bill they are placed on the free-list and by the Senate bill only taxed 15 per cent. ad valorem, while common blankets pay a tax increased from 66.97 to 93 per cent. ad valorem, and the tax on tin-plates, an article used in every household, is increased from 34.66 per cent. to 76.24 per cent. ad valorem. (See paragraph 137.) Yet diamonds pay a tax of only 10 per cent. ad valorem.

It is not my purpose, as I have stated, to enter into the details of this bill. It has been done by a number of gentlemen on both sides of the House and the figures are absolutely bewildering. This tariff bill is fearfully and wonderfully made. Its provisions are so obscure that even an expert can not tell for the present exactly its effects. It is not politic to clearly state the methods by which the mass of our people are impoverished year by year and a few amass overgrown estates.

But there is one matter of detail to which I must refer by way of comparison. I have stated that "oil paintings and statuary" are for the first time in our history placed on the free-list by the House bill and taxed only 15 per cent. ad valorem even by the Senate bill. All men know that "oil paintings and statuary" are only imported into this country by people of wealth, yet lithographs are taxed at 35 per cent. ad valorem and common engravings are taxed 25 per cent. ad valorem.

Think of this, gentlemen. A man of wealth returning from Europe may import a costly oil painting for his private gallery or a costly article of statuary to decorate his halls or elegant grounds around his mansion free of tax, or at most at 15 per cent. ad valorem, but the cheap lithographs and engravings that decorate the homes of our people must pay a tax of 25 per cent. on the one and on the other 35 per cent. ad valorem. Is there any Americanism in this? It is straight-out British snobbery, an insulting favoritism of wealth. "Oil painting and statuary" free, tin-plates 76.24 per cent., and blankets 93 per cent.! And this is equal taxation under the McKinley tariff bill! While every article of universal use—salt, coal, pine lumber, and all the rest are heavily taxed, the farmer is protected by an import tax of 25 cents a bushel on wheat; but all the wheat imported is manufactured into flour for export, and the manufacturer has a drawback of 99 per cent., leaving the protection 2½ mills on the bushel.

But I will not enter into further details. The items I have given are an index to the entire bill; the same principle of favoritism to the rich and excessive taxation of the mass of our people pervades the whole

instrument. But still I must call to mind another item. At least fifty thousand of our wealthy people spend their summers in the gay capitals of Europe. What do you think of the provision of the bill that authorizes each of them to bring $500 worth of clothing, equal in value to $965.00, into this country? What do you think of that? Even in the matter of clothing your millionaires are to escape taxation, while your laboring people must pay 93 per cent. ad valorem, even on blankets to protect their children from the cruel blast of winter! And such is the McKinley bill!

BUT TARIFF DUTIES ARE NOT A TAX ON THE CONSUMER, WE ARE TOLD!

Yes, we are gravely informed that the revenue which annually comes into the Treasury is not a tax on our people, but is paid by foreigners for the privilege of trading with us. If that is true, why do you relieve those foreigners from paying a tax on "oil paintings and statuary" imported into this country by wealthy citizens? A tax on an "oil painting or article of statuary" which runs up to a million dollars a year, why do you release them from paying that?

Why not generously release them from the payment of the 93 per cent. ad valorem duty on blankets? If the tariff is not a tax on the consumer, why do you release the foreigners from paying the duty on clothing up to the value of $500, which you propose to permit the wealthy people, who annually go to the European capitals to make a vulgar display of their wealth, to bring into this country free of taxation? This is a miserable pretense. As a general rule the consumer pays the duty, and he pays the same measure of duty whether the goods are imported or not. The goods the millionaire is permitted to bring from abroad cost him $500; if purchased from the protected manufacturers in this country they would cost him $965. That is all there is in it.

BOUNTIES.

Here we have a new departure, one thoroughly un-American, sugar on the free-list and the whole people taxed to pay the wealthy planter of Louisiana 2 cents on every pound of sugar he produces. Sugar, of course, ought to be on the free-list. I have always advocated that ever since the condition of our affairs justified the abolition of the tax on tea and coffee. A bounty on producing sugar! And fastened on the Government for fifteen years, no matter how peremptorily the people denounce and condemn it! A bounty of $1 a pound on raw silk for ten years, even if every voter in the United States pronounces it unjust and un-American. Just think of it, a "bounty" of $1 a pound on raw silk, and even the common calico dress of the working women of our country taxed at 50.79 per cent. ad valorem.

Wealthy planters of Louisiana with their great plantations are to be paid in "bounties" $8,000,000 a year by the laboring men and women of this country, and the syndicate of wealthy gentlemen who manufacture raw silk are to be paid large bounties, and that too by laboring people who pay taxes unknown in any other country of the world, and all this to enrich favored classes at the expense of the whole people.

I trust in God that this infamous and wholly un-American system, hitherto well known to monarchies, but never to a republic, will receive from our people a signal rebuke, an emphatic condemnation. This bounty system has in all the ages belonged to that political theory common to monarchies, "Let the government take care of the rich, and the rich will take care of the poor." God have mercy on the poor if this infamous system of bounties is to prevail in America. We will pay, to begin with, $8,000,000 a year. No one can guess how much within the fifteen years.

GENERAL PROSPERITY IN MANUFACTURING STATES.

We are told here that the manufacturing districts of the East are prosperous. Why not, even under the present tariff? The pending tariff bill, if it becomes a law, will of course greatly enlarge the prosperity of the few beneficiaries of an excessive tariff. Mr. Carnegie will, of course, be able to purchase other castles and make other munificent gifts in Europe at the expense of his impoverished employés in America.

These excessive tariff gentlemen inform us that the country in general is prosperous under the present tariff. Wall street says that on the whole the country is prosperous, and it is proposed to enlarge the general prosperity of the country by an increased taxation, and insist that the McKinley bill, while increasing the present average of 47 per cent. of taxation enormously beyond that, will open up a new era to labor and infuse new life and energy into all the industries of our country. So, sir, increased taxation and increased burdens are to give encouragement and hope to labor! Can any intelligent man in America believe that so preposterous and infamous a proposition is true?

It is true that the manufacturing industries of the East are prosperous so far as the manufacturers are concerned; great fortunes are being made and increased steadily by the men who control the great manufacturing industries of the Eastern States, but the poverty and wretchedness of the laborers in the mines and manufactories of that section of the Union have no parallel in our country; and yet, under even the present tariff, overgrown estates, wrung from the sinews and life-blood of multitudes of laboring men, are secured by the manufacturers year after year.

Every year furnishes its crop of millionaires and every year witnesses the increased number of poverty-stricken and wretched families.

I am compelled to admit that under the present tariff wealth steadily increases, but the result of it all is the unbridled arrogance and stately mansions and luxurious life of the few and the hovels and hopeless poverty of the multitudes of men whose unrequited labor has created their wealth.

But admitting that there is prosperity in the manufacturing districts, a fact that must be admitted as to the manufacturers, how is it as to other industries?

AGRICULTURE.

It will readily be admitted that the greatest industry of our country is agriculture. It will remain the greatest industry in our country as long as our free institutions exist. I have often called attention to the fact that the only guaranty the American people possess for the permanency of their system of government is to be found in the natural conservatism of the men engaged in agriculture, the farmer a freeholder and the plow in the hand of its owner.

In a country like ours, differing from all other countries in the fact of our possessing a greater, in fact an imperial, expanse of fertile lands, extending from the one great ocean to the other, it would naturally have occurred that the interests of agriculture would be the great interest of the nation. All men have known that to make our agriculture profitable the product of our lands must find a market for its surplus in countries less favored than our own, countries where manufactures, not agriculture, are the leading industry.

This idea controlled our legislation for nearly three-quarters of a century. During that period no statesman suggested a measure or policy that should make agriculture subordinate to any other industry of the country. Manufacturing industries were of course encouraged, but no one even suggested that agriculture should be made subordinate to any other industry. But all fair-minded men now understand that for the last twenty years our legislation has been in the interest of manufactures, and in fact against agriculture.

During the war we only sought for revenue without regard to the effects of legislation on any given industry. But that war legislation suggested the idea of the rapid creation of fortunes by class and high-tariff legislation in behalf of manufacturing industries, without regard to its effects on our naturally greatest industry, agriculture.

WHAT HAS BEEN THE RESULT?

The cause and the result are apparent to all intelligent men, unless prejudiced against the interests of agriculture and in favor of manufacturing industries, excessive tariff taxation, which, while its weight fell on our people, it diminished the demand in other countries for our products, and resulted in Germany, France, and other European powers partially excluding the products of our farms from their markets. All men understand this; and while we still export over five hundred millions' worth of the productions of our lands to Europe, mostly to England, it is not half that we would have exported under natural conditions to the countries needing the products of our lands.

Your policy of promoting the one industry at the expense of the greater industry has resulted in Germany and France and other European powers in extraordinary efforts during the last twenty years to develop agricultural industries of their own and in their colonies in competition with our agricultural industries. Hence the markets of Europe, with rare exceptions, are largely closed against us. Under a natural policy that gave equal chance to agriculture and manufacture both would have prospered, the latter with an always increasing local demand for its products, the former with an always increasing demand for its products in the markets of the world.

There are two other causes for the extraordinary decline in the value of farms, and of course of farm products, in the United States, and only two.

First. The unexampled and un-American policy of the Republican party in granting to railroad corporations a body of land equal in area to nine such States as the State of Ohio has naturally resulted in an unexampled effort of colonization of foreign farmers on the lands claimed by these corporations. Hundreds of thousands of these farmers have been imported within the last eighteen years by these corporations to occupy their enormous landed possessions—an artificial system of colonization hitherto unknown to this country. Of course, there is overproduction when your policy imports farmers from Europe by great corporations and an excessive tariff almost closes the ports of Germany, France, Austria, and Denmark against us!

Secondly. The excessive taxation to which the farming industries of this country have been subjected. I have called attention to this time and again in this House. The farmers, while enjoying no "benefits" from the enormous taxation you impose on them by an enhanced cost of every article in every form employed or required by them, are left subject to the full weight of that taxation. You promised a home market, yet the farmers of Pennsylvania and Connecticut suffer almost as much by the artificial policy of the tariff-taxing schemes of concentrating wealth as the country west of the Alleghanies, for the benefit of manufacturers.

High and excessive taxation has now continued in a time of peace for twenty-five years. What are the results? An enormous and unprecedented increase of the capital of the manufacturing districts on the one hand, and the greatest interest and the conservative force under-

lying this Republic, its bulwark and defense, agriculture, on the other hand, depressed, disheartened, discouraged, lands mortgaged, and homes desolate. A decline in all values of at least 40 per cent. in farms and products of farms in fifteen years, while the earnings of the States east of the Alleghanies, in every field of manufacture, riot in overgrown estates.

"By their fruits ye shall know them" are the divine words. The fruits of the policy of the leaders of the Republican party during the last twenty-five years has been great estates for the few, the great farming interests of our country depressed and discouraged, farms reduced in value, or at least in price, to an extent never known before in any country except as the result of desolating war, and an ever increasing portion of our people wretched and homeless.

What a contrast this is to the condition of our country through its first seventy-five years. Whether prosperous or not, the equality of our people in material wealth was maintained. No great estates of the few to exult over the poverty of the many! With land ever increasing in value the farmer and his wife and children were contented and prosperous and always cheered by the assurances of hope.

By their fruits ye shall know them.

And what bitter fruits have this system of class legislation, this favoritism of capital, this oppression of labor by unnatural and un-American laws produced? You boast of the enormous increase of wealth your policy has produced. Yet the condition of our country proclaims the fact to all the world that, while your policy has created overgrown estates, it has oppressed labor and struck a deadly blow at the very heart of the great industry which in all the centuries has been the champion of liberty, the bulwark and shelter of Republican government!

REDUCED COST OF MANUFACTURED ARTICLES.

We are told by the champions of great estates that the tariff has reduced the cost of manufactured articles. What an absurd suggestion. Has not the cost of those articles been reduced much greater in every other country, whether "free trade" or "high tariff" governments? The inventions by which one man with machinery in most fields of manufacture can do the work formerly requiring the labor of ten or twenty men is the cause of that.

HOME MARKET.

We hear everlastingly the siren song of a home market for the products of our farms. Let us go to the farms of New England, right under the shelter of the great protected industries of our country. Here is an example:

VACANT FARMS IN NEW HAMPSHIRE.

Quite recently during this year the commissioner of agriculture and immigration of New Hampshire issued a book in which it was stated that there had been reported to his office 1,442 vacant farms with tenantable buildings in various parts of the State. He says:

"Many of these farms can be purchased for less than it would cost to replace the buildings and for one-fifth of the cost of the permanent improvements upon them.

"I notice that the purely agricultural county of Coos has only two hundred abandoned farms, while the county of Hillsborough, of which the manufacturing city of Manchester is the county-seat, has two hundred and twenty-eight of them.

"Judge Nott, of the Court of Claims, has issued a pamphlet on 'The reason for the decline of farm values in New England,' in which appears this pathetic description of a deserted New England village. The poetry of a Goldsmith could add nothing to the effect of the plain statement:

"'Midway between Williamstown and Brattleborough'—

"Says Judge Nott—

"'I saw on the summit of a hill against the evening sky what seemed a large cathedral. Driving thither I found a huge old-time two-story church, a large academy (which had blended in the distance with the church), a village with a broad street, perhaps 150 feet in width. I drove on and found that the church was abandoned, the academy dismantled, the village deserted. The farmer who owned the farm on the north of the village lived at one side of the broad street, and he who owned the farm on the south lived on the other, and they were the only inhabitants. All of the others had gone to the manufacturing villages, to the great cities, to the West. Here had been industry, education, religion, comfort, and contentment, but there remained only a drear solitude of forsaken homes.'

"Writing of this pamphlet to its author the venerable poet Whittier says:

"'DANVERS, MASS., *December* 1, 1889.

"'MY DEAR FRIEND: I thank thee for thy noble 'testimony' in regard to the sad decline of New England agriculture. Every year when I go to the New Hampshire hill country I find more and more abandoned farms, and the sight takes away much of the pleasure of a sojourn in view of the mountains.

"'I hope thy article, with which I fully agree, will be widely read. It should be published in pamphlet form and scattered broadcast.

"'I am, very faithfully, thy friend,

"'JOHN G. WHITTIER.'"

There is something really pathetic in this letter of the great poet John G. Whittier, who loves the once fruitful fields of New Hampshire and of all New England with the sincere affection of a poet. And so the fair fields of New England are made desolate by a policy that aims only at the creation of great estates. Thousands impoverished that a few may become millionaires! Every man who loves his country and his race ought to resolve that he will labor to place the brand of eternal infamy on such a policy, a policy the fruits of which are bitter and deadly.

PROFLIGATE EXPENDITURE.

Mr. Speaker, one of the most fatal results of excessive tariff taxation and excessive revenues is the extravagant and corrupt expenditure of the money drawn from the labor of our people. High tariff and profligate expenditure go hand in hand.

Let us compare for a moment the expenditures of our Government under reasonable safeguards and under the unrestricted sway of excessive tariff taxation with its natural result of extravagance. In the Forty-fourth Congress the Democrats controlled the House; the Republicans, the Senate and Executive. I was the chairman of the House Committee on Appropriations which made the appropriations for the year ending June 30, 1878. The entire annual appropriations made for that year were $144,592,149.23.

The annual appropriations for the present fiscal year, up to this day, are $361,451,688.03. This $361,451,688.03 does not include one dollar of appropriations on account of the dependent pension law passed this session, which will perhaps require an annual appropriation of $36,000,000. That appropriation will be made next session. The country will not complain of this increase of the pension-list. The appropriations for the present fiscal year include $69,924,461 more for pensions than was appropriated for pensions for the year 1878. So the comparison of the appropriations of the years 1878 and 1891, made this session, equalized as to pensions, stands thus:

Appropriations for 1891	$361, 451, 688. 03
Deduct increase of pensions since 1878	69, 924, 461. 00
	291, 527, 227. 03
Deduct entire appropriations for 1878	144, 592, 149. 23
	146, 935, 077. 80

So that the "ordinary current annual" appropriations, the pension-list equal, have more than doubled in twelve years, a result without any parallel in our history except in time of war.

There is no approach to this profligate extravagance in our history. The increase should not have exceeded $15,000,000 in those twelve years (except as to pensions, which I have equalized in the foregoing statement), and yet the increase in the "ordinary" appropriations in twelve years reaches the enormous sum of $146,935,077.80—more than twice the entire annual expenses of the Government before the war. In 1860 the appropriations were $60,000,000 in round numbers, and this was seventy-three years after the Constitution of the United States was adopted. The Secretary of the Treasury estimates the entire revenues of the Government for the year 1891 at the sum of $450,414,000. The annual appropriations for this fiscal year, 1891, are $361,451,688.03, and the "permanent" appropriations for this year are $101,628,453, making the entire expenditures for the year $463,080,141.03. So the account for 1891 stands thus:

Annual and permanent appropriations for 1891	$463, 080, 141. 03
Receipts from all sources in 1891	450, 414, 000. 00
Deficit	12, 666, 141. 03

Agriculture bears the largest portion of the burden of taxation, Federal and local. Can you hope that that great industry can prosper with this ever-increasing enormous annual drain on its earnings? If you wish agriculture to flourish you must remove the excessive burdens you have imposed on it. Remove them and the old-time prosperity will be measurably restored.

And so the "ordinary" current appropriations have increased in twelve years $146,935,077.80 without regard to the pension-list!

And yet, under the comparatively frugal appropriations of 1878 the Departments of Government were more efficiently administered than in former years, although the appropriations for 1878 were $34,574,060.67 less than the appropriations made for the corresponding session of the preceding Congress. The Departments were more efficient because there was less money for prodigal and corrupt employment. In fact, in 1878 $144,592,149.23 was at the least $40,000,000 more than was required for the honest, efficient administration of the Government; but the Republican Senate fought for every dollar of the profligate estimates, and a reduction of $34,574,060.67 was all that could be secured. Yet in twelve years the annual appropriations have reached the enormous sum of $361,451,688.03.

I trust the laboring men of this country will notice the remorseless increase in the expenditures of Government under this Administration. I trust they will consider how steadily high taxation and extravagant expenditures go together. They bear the burden and surely ought to demand that it should not wantonly be increased.

I hope the farmers of this country and all men who work for a living, now fully aroused, will see to it that taxation shall not exceed the honest necessities of the Government, Federal and State, and that this carnival of excessive taxation shall cease. You will find, gentlemen, that when Federal taxation and expenditures are excessive and prodigal the States uniformly follow the example.

Considering the present condition of affairs in our country, may we not hope that all men who love their country more than party will unite in demanding that the old-time frugality shall be restored, that the old-time equality in the opportunities of all men under the laws of this land shall be recognized by Congress, re-establishing the great principle of a free government, "Equal protection to all men, favors to none?"

Maple-Sugar Bounty.

REMARKS
OF
WILLIAM W. GROUT,
OF VERMONT,
IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 27, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports.

Mr. GROUT said:

Mr. SPEAKER: The proposition to pay a bounty for the purpose of fostering our industries is new in the legislation of the United States though much practiced by European countries, where it has proved a great success. I am free to say that I would not favor this proposition for a bounty on sugar as a part of a general system wherewith to encourage production, for in most cases it can be better done by a duty on imports. But the fact is, the sugar question, which is really the great one in this bill, is exceptional and should be treated upon the grounds peculiar to itself. We have paid for the last ten or twelve years on an average about $95,000,000 annually for foreign sugars, thus sending that sum in gold and silver out of the country each year. There is nothing plainer than that if we were to produce our own sugar, and thus keep this immense sum at home, we should as a people be $95,000,000 richer every year. In other words, we should keep $95,000,000 in our circulating medium which now goes out from it. That surely "were a consummation devoutly to be wished."

It would meet in a perfectly legitimate way the demand of those who advocate an increased volume of currency as the cure of all public and private ills. On every account it is greatly to be desired. To accomplish it the present and preceding tariffs were so framed as to give large encouragement to the production of sugar, and to this end between $50,000,000 and $60,000,000 duty has been annually paid for the last fifteen years as a duty on foreign sugar. This duty for the last fiscal year was $54,896,437.38, and from the fact that this duty has thus far failed to increase production, thereby reducing the price, it has all the time been a tax upon the consumers of sugar, who have really paid every dollar of these vast sums.

THE PROBLEM

for solution is, how, without crippling our revenues, to relieve the people of this immense burden which is a tax of almost $1 per capita annually upon our entire population upon this single, essential article of food.

The whole problem is, how to do this and at the same time so stimulate production as to ultimately make our own sugar and thus save the $95,000,000 now paid annually for foreign sugar, as well as the fifty or sixty millions duty upon that sugar. With a surplus in the Treasury and this bill a law, as it will be in a few days, no one will contend but that we can spare the revenue derived from the duty on sugar and also easily pay the proposed bounty, which upon present production would be about $6,000,000. The present duty on sugar is something less than 2 cents a pound, and the proposed bounty will give the American producer better protection than he enjoys under the existing tariff. This is as it should be; for the amount of our sugar product is not increasing, as will be seen from the following figures furnished by the statistician of the Agricultural Department, the ton being reckoned at 2,240 pounds:

Cane crop.

States.	1887.	1888.
	Tons.	*Tons.*
Louisiana	154,971	144,287
Other Southern States	9,843	9,031

Maple, beet, sorghum, etc.

	1888.	1889.
	Tons.	*Tons.*
Maple	20,000	22,000
Beet, sorghum, etc	2,000	3,099

From this examination of the subject it will be seen that the people will be saved from taxation the difference between the present duty, about $55,000,000 a year, and the proposed bounty, about $6,000,000, making a net saving of $49,000,000 annually in round numbers, and at the same time have greater encouragement than now for the production of domestic sugar. And who will say it is not wise to put sugar on the free-list and pay the proposed bounty? Who will say that it is not good economy, good housekeeping? But our Democratic friends say there is no warrant for it in the Constitution. Let us see.

THE CONSTITUTION

gives express authority to Congress to raise money from the people and expend it for the "general welfare." And if it is not for the "general welfare" of the American people to save for them at once forty-nine millions annually, and prospectively between ninety and a hundred millions annually in addition thereto, then it is not constitutional to pay this bounty; otherwise it is. It seems to me that the above statement of the case carries with it a complete answer to the constitutional point, and upon that I leave it.

From the above statement of the statistician of the Agricultural Department it will be seen that

MAPLE SUGAR

forms no inconsiderable part of the whole American product. It is about one-seventh, and amounted in 1889 to a trifle less than 50,000,000 pounds, which at 6 cents a pound, for which the bulk was probably sold, was worth just about $3,000,000. Here is another statement from the same officer, showing the maple-sugar production by States according to the census of 1859, 1869, and 1879:

States.	1859.	1869.	1879.
	Pounds.	*Pounds.*	*Pounds.*
Alabama	228		
Arkansas	3,077	1,185	
Connecticut	44,259	14,266	44,092
Georgia	991		
Illinois	134,155	136,873	80,193
Indiana	1,541,761	1,332,332	225,117
Iowa	315,476	146,490	50,710
Kansas	3,742	908	
Kentucky	380,941		66,535
Louisiana		269,416	
Maine	393,742	160,805	153,334
Maryland	63,283	70,464	176,076
Massachusetts	1,006,078	399,800	878,793
Michigan	4,051,822	1,781,855	3,423,149
Minnesota	870,669	210,467	76,972
Mississippi	99	125	
Missouri	142,028	116,980	58,964
Nebraska	122	10	402
New Hampshire	2,255,012	1,800,704	2,731,945
New Jersey	3,455	419	2,496
New York	10,816,419	6,692,040	10,693,619
North Carolina	30,845	21,257	4,103
Ohio	3,345,508	3,469,128	2,895,782
Oregon		11	
Pennsylvania	2,767,335	1,545,917	2,866,019
South Carolina	205	2	
Tennessee	115,620	134,968	31,206
Vermont	9,897,781	8,894,302	11,261,077
Virginia	938,106	245,093	85,693
West Virginia		490,606	310,866
Wisconsin	1,384,451	907,192	448,837
The United States	40,120,205	28,44—— 3,645	36,576,061

The above table shows that the maple-sugar industry extends to thirty-one States of the Union, and though not large in a strict commercial sense, yet when the number and character of those engaged in it are taken into account its importance is more apparent. It is withal an industry in no sense sectional, but in every sense national. It is found in the South as well as in the North, in the West as well as in the East. There must be nearly, if not quite, two hundred thousand producers of maple sugar in this country. And who are they? The hardy tillers of the soil, the men who eat their bread in the actual sweat of the face, men of intelligence and character, who "know their rights, and, knowing, dare maintain" them. They are the men spoken of by Goldsmith as—

> A bold peasantry, their country's pride,
> When once destroyed, can never be supplied.

Now, what reason can be given these hard-working, hard-handed farmers, who, all agree, are just now having a hard time, for not allowing them the same bounty a pound on the few hundred pounds of sugar they produce that you give to the men of large means who produce a large quantity? In other words, why should not the small farmer have precisely the same encouragement in the production of sugar that is given to the Louisiana planter, or to Claus Spreckels, the millionaire beet-sugar maker? Let those who doubt the propriety of extending this bounty to maple sugar answer this question. It is said by some that as there can be no reasonable expectation of producing our supply of sugar from the maple tree, there is no object in encouraging production.

Well, I admit that the sugar consumed in this country could in no probability be produced from the maple, but at the same time I assert that there is no better ground for expecting it from the cane, and yet there is no objection to the bounty on cane sugar. The cane is really an exotic, even in the climate of Louisiana. Every few years a killing frost so affects the crop that it makes the business uncertain. This is shown by the figures already given in a lessened product of 11,496 tons in a single year, whereas the same figures show an increase in the maple

product of 2,000 tons in the year 1889. It also appears that the maple tree is indigenous in every part of the country, and being so, it argues the possibility of a

LARGELY INCREASED PRODUCTION,

and I predict that under this bounty it will be more than doubled within five years. In this connection let me read from a letter written in April last by a farmer in my district, upon whose presentation of this point there can be no improvement:

I am so glad the duties are to be taken from sugar. I have advocated this for years, and I stood alone for a long time in this town in the matter. I always advocated a bounty, too, but I am very sorry that the wise ones think it unnecessary to encourage the production of maple sugar. Perhaps they think a bounty would not stimulate the production of this article, but they are mistaken. In this town alone there are several sugar orchards, numbering twelve thousand trees at least, that are lying idle on account of the high wages demanded and the low price of the sugar. I have two such places myself that are not used. One is fitted with buckets, too, and this is the case in nearly every town in this vicinity. Now, those twelve thousand trees might have made 36,000 pounds (18 tons) of sugar this year. If all the two hundred and forty towns in the State would do as well, we have 4,320 tons extra production in one year.

Other farmers write upon this same point as follows. One says:

I think a bounty on maple sugar would greatly aid in retaining if not increasing the maple forests on our hills, which is so desirable. I am very much interested, as I am tapping three thousand trees now, and with proper care can soon double that number.

Another:

Only about one-half of the maple trees in Vermont are in use because it does not pay the farmer, especially if he has to hire help. If the duty is taken off sugar and no bounty given, it will be still worse.

Another:

A few years ago many farmers in this vicinity cut down their maples because there was no profit in making maple sugar. The past year or two the demand is somewhat better. Of course with a small bounty we should be encouraged to save our maples, large and small, and build up this important industry. Why should we not encourage sugar-making in Vermont as well as in Louisiana?

I might multiply witnesses, but this must suffice, and I repeat that as much by way of increased production may be expected from the maple as from the cane. But what of the beet and sorghum industry? A great production is expected from them, and I think reasonably too, but as yet this industry is in an experimental stage. The total product in 1889 from both beet and sorghum was less than one-seventh what it was from the maple. Now, what is

THE LESSON

to be drawn from the foregoing facts? Simply this, if the American people ever produce their own sugar it will be by encouraging every source of supply and neglecting none; and if we are able to supply our wants from the cane and maple and from sorghum and beets all combined we shall do exceedingly well, for we are the greatest sugar-eating people on the face of the earth.

It is also said by some who doubt the propriety of extending the bounty to maple sugar that it already sells at a price sufficient to insure continued production, even though sugar goes upon the free-list. This is

A GREAT ERROR

and needs correction. It is true that a small part of the whole product, that made from the "first run" and with utensils in every respect first class, which means not only of the most improved kind, but of absolute cleanliness in every respect—I say that it is true that a small share of the whole product thus made and sold to consumers who do not care what they pay for the sirup or the butter they eat on their griddle-cakes for breakfast brings something more than the regular market price; but the proportion of maple sirup of this exceptionally fine grade is not as large as the proportion of fancy butter which brings 50 or 75 cents a pound. And who ever thought of refusing protection to butter because the gilt-edged part of the product sells for a price above the rest? Instead of this, this bill wisely gives increased protection to butter.

The real fact is the great bulk of maple sugar goes upon the market at the price of other sugars, namely, from 5 to 7 cents a pound. Now, upon this point I do not ask you to take my word. Last winter, when the matter of a bounty on maple sugar came up, I found the impression prevalent that it was all sold as a luxury and at a high price, and I at once wrote several large dealers in our State, and the following is the substance of their replies. One said:

I can not say exactly how much I bought, but from 400 to 700 tons, more or less. The price ranged from 6 to 7 cents a pound.

Another says:

A large majority of the maple sugar sold in this section the last few years has been sold for from 6 to 7 cents a pound, not including inferior, which has sold for less, nor superior, which has sold for fancy prices.

Another, who devotes himself exclusively to handling sugar, says:

The ruling price in the Chicago and New York markets for the past year has been 7 cents, delivered, net. This would net the producer in Vermont less than 6 cents, taking out transportation and storage.

Another firm, extensive dealers, after speaking of a class of sugar that brings 8 or 9 cents a pound, say:

But there is not market enough for this kind of sugar; but we could sell almost any amount for from 6½ to 7 cents a pound.

Another, probably the largest dealer in our State, writes:

I have bought for the last six years from one to one and three-fourths million pounds of maple sugar yearly; price paid, from 5 to 7 cents.

This ought to satisfy all of the erroneous impression that maple sugar sells for a high price. But, as illustrating this and other phases of the question better than I can do, let me give the following extract from the letter of a gentleman of wide acquaintance and excellent standing with the people of Vermont, especially the farmers:

Hence it is that the bulk of the sugar made in this State goes upon the market at a low price and must come in competition with the sugars of commerce to a greater or less extent. While, as I said above, the price received for the bulk of the sugar is barely above the cost of production, yet it is a money crop and to many farmers about the only source of obtaining money for interest and taxes, or a means of paying the inevitable "store bill." If sugar is placed on the free-list it can not fail to affect the price of the maple which is sold in the general markets. If it should cause a decline in maple of 2 cents a pound, and I fear it would, it would practically prohibit the manufacture of sugar in this State, except that portion which is strictly fancy and used as a table luxury.

This proposed discrimination would not only be unjust, but it would be a great wrong for Congress to check the material prosperity of the farmers of our State in this way. It would virtually rob the farming population of one of the smallest States in the Union of nearly half a million dollars annually, and possibly more. The farmers of Vermont have always done their duty to the Government; why should they be punished in this way? We do not object to free sugar, but we do object to this unjust and unwarranted discrimination. The sturdy farmers of cold, rocky, hilly Vermont should have an equal chance with the cane and sorghum growers who till the fertile soil of the Mississippi Valley.

Mr. Speaker, this is the story of a Vermont farmer—and who better than those engaged in the business can tell us about it? I will let them still further speak for themselves. One says:

To remove the tariff on sugar without a bounty on maple would be destructive of the industry.

Another says:

If we should not get the same encouragement as other producers it means the death of the maple-sugar business in this State.

Another:

No bounty for us means the destruction of the sugar industry of Vermont and the transfer of the maple orchards to the lumber-yards.

Another:

It would be impossible that other sugars could be cheapened without affecting maple. If Congress should fail to include maple for a bounty it would be a decided sectional discrimination.

Another:

We can hardly make maple sugar pay at present prices. Free sugar and no bounty will kill the business, and Congress will hear an indignant cry from the maple-sugar-makers all over the country.

Another says:

As maple-sugar-makers we know that with the tariff off Canadian sugar will come into competition with ours and we could not live.

And another, a dealer, speaking of the past, says:

Canadian sugar has hurt the price of ours.

Now, if this has been the case with a duty of 1.8 cents a pound, what will be the result with the duty taken off and no bounty? The

CANADIAN PRODUCT,

by the Canadian census of 1881, was 20,546,049 pounds, almost two-thirds that of the United States. The maple tree is nowhere plentier nor thriftier than in Canada and she could easily tenfold her product of maple sugar, and with our markets open to that product, and no bounty for the protection of our own, she would soon control the business. Production would increase on her side of the line and fall off on ours. Her maple forests would be enhanced in value and ours correspondingly decreased. The tendency would be to make her farmers more contented and happy and ours less so. An industry aggregating $3,000,000 annually would be seriously crippled, if not practically destroyed, and discontent, the precursor of social and political upheavals, would surely follow with the already restless farmer throughout the whole belt of Northern and Middle States.

If this picture does not please it can be

COMPLETELY REVERSED

by giving to every man who adds to the country's sugar supply the same bounty; in other words, by treating all alike. Then the farmer, whose humble station perhaps increases his sensitiveness, will not feel that he has been ignored; but knowing that according to his works will be his reward, he will make the most of his opportunities for the production of sugar. Every maple tree would then be utilized; the maple groves and forests would be worth preserving and, as the result, would be preserved. Not only would the farmers be benefited, but the maple-sugar-outfitters as well. The manufacturers of buckets, both from tin and wood, of spouts and evaporators, boiling-pans and heaters, and the foundrymen also, who make the arches, would all realize that the maple-sugar industry had received an impetus instead of a set-back—would, in short, all share in the benefits, thus exemplifying the practical fruits of protection.

It has been said that this maple-sugar bounty

IS SMALL BUSINESS,

and some laugh at it, while others sneer. Mr. Speaker, it can not be that this Republican House, this protection House, will turn this great

army of sugar-producers away empty because the industry is a humble one. We have seen that it is worth three millions of dollars annually to the American people. This may look small to gentlemen who habitually dwell among the figures which express the immense revenues and expenditures of this great Government, but I can assure you that it does not look small to that great number of our people who win their bread by daily labor; it does not look small to the people of my State who make almost one-third of our whole maple product. And if excuse be wanting for the warmth with which I have pressed this matter upon those having it in charge, sometimes perhaps to the verge of annoyance, it may be found in the active interest which the people of my State have taken in the subject since it was understood sugar was to go on the free-list.

A small affair! It is not always easy to determine definitely just what things are small, influences are so subtle and quantities so often not what they seem. Besides, many small things lead to great results; hence it has been said in great wisdom, "Who hath despised the day of small things?" We are also told on the same authority that ships are "turned about with a very small helm."

Here is an illustration of the effect of a small matter. The London Nautical Magazine says the new rules as to life saving appliances, which go into effect November 1 in the British life-saving service, provide for the apparently insignificant thing that every boat of a sea-going vessel and every life-boat shall carry a gallon of oil and a vessel of approved pattern for distributing it upon the water in rough weather. Then follows, in the same number of the magazine, the abstract of a lecture delivered before the Royal Institute by the physicist, Lord Rayleigh, explaining why it is that oil is effective in calming the waves of an angry sea.

Mr. Speaker, this bounty to the two hundred thousand maple-sugar-makers of the country would amount to about $1,000,000 annually, and would be more than a gallon of oil upon the great sea of unrest among our agricultural classes. It would be more because it would be just, and this question is not one in physics, but extends to the domain of morals, where justice, with conscience quick and judgment strong, never fails to approve the right. Let "even-handed justice" prevail as to all the sugar-makers of the country, and when this bill goes upon trial before the American people, and Congresses and Presidents are elected upon the issue, from hill-top and plain, from forest and field, shall be heard these two hundred thousand voices in approval. Indeed, this provision of the bill, being just, will defend itself.

Contested-Election Cases in Fifty-first Congress.

SPEECH
OF
HON. JOHN F. LACEY,
OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, September 27, 1890,

On the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. LACEY said:

Mr. SPEAKER: Gentlemen have seen fit in the discussion of this economic measure to again thrash over the old straw, and again and again refer to the contested-election cases in the Fifty-first Congress.

They have denounced the election law as a "force bill" and have sought to prevent its passage by the continued calling of hard names.

It is a "force bill" only in this: it forces the bulldozer, the ballot-box-stuffer, and the maker of false certificates out of business. It drives force away from the polls and eliminates physical force as the controlling influence at the ballot-box.

It is a sad commentary upon the morality of a political party that it should so earnestly assail a law that would protect and purify Federal elections. Let us briefly review the election cases in the present Congress and see if their complaint of the proposed law and of the results in these trials is not equally ill founded. Contests were instituted in twenty-one cases, but in one district in Illinois, one in California, and one in Mississippi the contests were abandoned, leaving eighteen for consideration.

Of these cases seventeen have been decided by the Elections Committee and one is undecided, the case still unsettled being the Tennessee case of

EATON VS. PHELAN.

This case was delayed by the illness of Mr. Phelan, who, though too ill to appear at the hearing of his case, seems to have been able to challenge an opponent in Tennessee to fight a duel according to the approved rules of the code of honor.

Four other cases were reported by the committee and are still pending in the House. The committee has reported in favor of unseating eleven of the sitting members and has reported in favor of six of the contestees. And strange to say not any one Democrat, either in committee or on the floor of the House, has voted against a Democratic contestee in a single one of these cases.

IN BOWEN VS. BUCHANAN,

from Virginia, the committee found that there was much to be condemned in the manner of the election, but they unanimously voted to retain Mr. Buchanan, the Democrat, in his seat.

IN CHALMERS VS. MORGAN,

the noted General Chalmers was the contestant. He showed fraud on the Mississippi plan amounting to several thousands of votes, but the changes proved were held by the committee to be insufficient in amount to overturn the large majority returned for contestee. To this finding the Democrats gave their ready assent on the committee and in the House.

IN KERNAGHAN VS. HOOKER,

in Mississippi, much fraud was shown, but insufficient on account of the great majority certified for the sitting member.

IN HILL VS. CATCHINGS,

from the same State, a like result was reached as in the Chalmers case, and the Democracy concurred.

IN THREET VS. CLARKE,

from Alabama, the majority for the Democratic contestee was successfully reduced upon the hearing, but the general result was unchanged.

IN POSEY VS. PARRETT,

from Indiana, the case turned upon the right of twenty students to vote at a college town. Under the peculiar facts of the case it was held that these students' place of voting was at their school, and again the Democracy were content.

But in all the other cases

NO DEMOCRATIC CONSCIENCE

seems to have been touched. It was assumed by every member of the minority that a certificate to a seat on the Democratic side was unimpeachable; and even the six Democrats whose title was reported favorably by the committee not only voted against the committee in all the other cases, but gracefully retired to the corridors and restaurant to prevent a quorum from deciding the cases of Langston and Miller.

Three cases came up from West Virginia. The superserviceable Democratic governor of that State

TOOK THE CONTRACT

of furnishing enough certificates to give his party the organization of the House.

IN SMITH VS. JACKSON

the result was very close. At one precinct eight hundred and two votes were returned for Jackson. This was not enough. But the word "two" was so written as to look like "twe," and the governor put on his Democratic goggles and pronounced it "twe," and judicially determined that "twe" was an abbreviation of "twenty" or "twelve," and as twelve was enough to change the result he determined that "twe" meant "twelve" instead of "twenty." This sounds like a joke from Pinafore or the Pirates of Penzance, but it was gravely sustained by the Democrats in the House, and the Republicans were denounced as revolutionists, and the Speaker received his famous title of "Czar" in the heat of the contest over this case.

IN M'GINNIS VS. ALDERSON

the same governor gave the defeated candidate the certificate, and he took his seat and is still drawing his pay, and all the Democrats in the committee sustain his title. In Kanawha County a contest arose in this case in regard to a recount. The ballots from one precinct were put in a bag and thrown up over a storm-door in the clerk's office; the ballots from another precinct were put in a wooden box and the box nailed up. All these ballots had been evidently opened and the chisel-marks on the box showed how it was done. Litigation arose about the propriety of a recount. While this litigation was going on the governor omitted this county from his computation, although there was a Republican majority of over 1,300 in it, and gave the Democratic candidate the seat. Even this did not turn the Democratic stomach, and no one of the minority concurred in giving back to McGinnis the stolen seat.

IN ATKINSON VS. PENDLETON,

in the same State, another close district was changed by a recount. It was not known exactly how many changes were needed, and the judge of one of the county courts was called home by the pretended illness of his wife, a bogus telegram announcing her sickness having been received by him and paraded in the court-room. When he returned a few days afterwards from his home, where he found his wife happily attending a merry-making, the ballots were found changed just enough to change the result. A conservation of villainous force was exercised; only just enough to change the result and no more. The delay enabled the opponents of a Federal election bill to make just changes enough to put in the man who had been rejected at the polls.

In the bloody case of

FEATHERSTON VS. CATE,

from Arkansas, the Union Labor candidate was cheated out of his seat by force, intimidation, and fraud, and murder played a prominent part. Double-slotted ballot-boxes were used by which the judges could turn the ticket into the box or out of it, as they saw fit, and to the voter it looked fair. Even the bold and bare-faced frauds shown up in this case were not enough to shame the opposition, and the double-slotted ballot-box received the unanimous indorsement of the entire Democratic side of the House.

IN THE BRECKINRIDGE CASE,

even the murder of the contestant seems to have made no impression upon the opposition, and not one single Democratic vote was cast either in the committee or the House to turn him out of the bloody seat of John M. Clayton. The larceny of the ballot-box and the wholesale withdrawal of Republican tickets and substitution of Democratic ballots in their place did not shock the conscience of the minority. And, in connection with the murder of Colonel Clayton, even the most recent murder of Mr. Cook, of Mississippi, who had contested Mr. Anderson's seat, but had abandoned the contest, seemed to make no impression upon our opponents. "A Democrat once in must stay in," seems to have been their motto.

In Alabama a black district with 26,000 Republican majority had been set apart by the gerrymanderers of that State. McDuffie ran against Turpin, and was elected by a large majority, but the natural majority of 26,000 for the Republicans was changed to 13,000 for the Democratic candidate, and one Republican was murdered by a deputy sheriff at the polls because he was taking a list of the voters so as to be able to testify to the names of voters. The Republicans were expecting to be counted out and this man was preparing the evidence. He lost his life, but the Democratic deputy sheriff remained in office and was never punished, and has now been indorsed by the unanimous vote of his party in Congress.

IN WADDILL VS. WISE,

in Virginia, a more peaceable method, but none the less illegal, was adopted. Skillful challengers were placed in Republican wards to make frivolous challenges, and by collusion with the Democratic judges the voters were so delayed that over 500 voters were still in line when the polls were closed in their faces at sundown. These tactics gave the Democratic candidate his seat, and the Democratic majority of the House for the first, last, and only time during the present session decided that the contestee was not entitled to his seat. But they would not agree that Waddill should be seated, and whilst they voted to eject Wise, they insisted on giving him a new trial at the polls.

IN LANGSTON VS. VENABLE,

the Democratic minority claim that General Mahone was opposed to giving Langston the seat, and the unanimity with which the Democracy have in this instance rallied to the supposed assistance of Mahone would indicate an entire "readjustment" of their political feelings. Frauds were clearly shown sufficient to change the result, but the Democratic party fled to the corridors, and for many days delayed this House from tendering justice to Langston. But justice came at last, and the scholarly Langston took his seat.

IN MILLER VS. ELLIOTT

the boldest and most bare-faced fraud was perpetrated. Ballot-boxes were concealed behind a board screen and shuffled to cause the tickets to be put into the wrong boxes so that they might be taken out and destroyed under a provision of the statute of the State to that effect.

At one poll an enterprising negro climbed a tree, from which he could see the boxes, and when they were changed he would shout, "Change dem tickets, de boxes is shifted."

This action upon his part was denounced in unmeasured terms by contestee's attorney before the committee as a fraud. Ballot-boxes were stuffed and the district made Democratic. It was a marvelously shapen or rather a marvelously misshapen district. Voting precincts were cut in two, and the Republican voters all put into that district as far as possible. Its appearance on the map was a marvel. The McKinley district in Ohio is a thing of beauty compared to this ingenious work of art. Colonel Cooper, of Ohio, said of it in the Fiftieth Congress that it "was not wrong to worship it, for there was nothing like it in the heavens above or the earth beneath or in the waters under the earth."

Even this skillfully formed district, in which it was attempted to mass the Republican vote of South Carolina and in which there is a clear Republican majority of 20,000, was shamelessly stolen. The governor refused to appoint any Republican representative on the election boards, and in a grave and serious public document announced that he did so "to keep up the high standard of purity of elections for which South Carolina was so noted." And even this case did not pall upon the Democratic palate in committee, but happily the mass of the party had retired to break a quorum and did not record their votes in favor of perpetuating the fraud.

IN GOODRICH VS. BULLOCK,

from Florida, we have the old, old story of fraud in its most disgusting form. Bullock still retains his seat, but the Democratic members of the committee have stood by him with the rest.

In Maryland the case of

MUDD VS. COMPTON

involved the intimidation of negro voters at a single precinct and mistakes in the count at other precincts. The returns were by mistake locked up with the ballots in the ballot-box from one precinct, and legal proceedings were instituted to open the box and procure the return for the governor. The law was understood to forbid the opening of the box. Whilst this proceeding was going on the governor gave Mr. Compton the certificate, although the full returns showed that Mr. Mudd was elected. The case was a simple one and free from all difficulty, and the full and counted returns gave the majority to the Republican contestant. Again the minority united in unbroken opposition.

This, Mr. Speaker, is a brief outline of the cases which have been heard or are reported to this House. I will not comment upon the Eaton-Phelan case which is still unreported.

These cases only show by sworn testimony, what no one denies outside, that fraud, murder, intimidation, and force are potent factors in twenty or thirty of the Congressional districts of the United States. We can not shut our eyes to these facts, nor can we shirk the responsibility that rests upon us. The passage of a law to prevent such evils, and its rigid and faithful enforcement, is the imperative duty of the hour.

The Tariff.

SPEECH
OF
HON. LEVI MAISH,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Wednesday, October 1, 1890,

On the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

Mr. MAISH said:

Mr. SPEAKER: Our country can never reach its highest prosperity without foreign commerce. We must trade with other countries to dispose of our redundant productions. We can undoubtedly stimulate our manufacturing industries by the imposition of duties upon the importation of manufactured articles. To the extent that this is done foreign commerce is abridged. What class of our people does this most affect? Unmistakably the class that depends most upon foreign commerce.

The natural and normal condition of our people is that of agriculture. In this field we have no competitors, and every effort that is made to promote the manufacturing industries of this country is made at the expense of the agricultural industries of our people. How far they should be made to suffer in the interests of other industries is a question that the farmer should be permitted to answer.

Mr. A. B. Farquhar, of York, Pa., has discussed this question with so much ability and learning that I will incorporate his article entire as a part of my remarks. He is an extensive manufacturer of agricultural implements and a few years ago was an ardent Republican. His experience and studies upon the tariff question have constrained him to advocate the policy of the Democratic party.

Mr. Farquhar's article is as follows:

PROTECTION AND AGRICULTURE—THE M'KINLEY BILL AS IT AFFECTS THE FARMER—A BOLD BID FOR HIS VOTE—CONVINCING ARGUMENTS TO SHOW THAT TAXES UPON IMPORTS ARE A HINDERANCE TO AGRICULTURAL PROSPERITY.

Will you allow me, farmers of a great Republic, the privilege of addressing you some earnest words? You are not suffering for lack of advisers on this question of protection, I am well aware. Indeed, you have never yet been more surfeited with pretended sympathy. In the elaborate tariff bill reported by Hon. WILLIAM MCKINLEY from the Ways and Means Committee of the present House of Representatives your interests (or rather what he expected to pass off as your interests) have been very deeply considered. The majority report accompanying the bill is especially eloquent over your condition and your claims. A long letter has been written by the head of the Agricultural Department, which pledges to the support of this new measure the whole weight of Secretary Rusk's official position, past services, and popularity.

These are but specimens of what is done and said every day. An exhaustless torrent of speeches, editorials, magazine articles, and pamphlets has been increasingly poured forth upon you with the design of overwhelming your reason, persuading you that the policy of imposing high duties on imports is particularly beneficial to you, and thus engaging your votes for men who are trying to raise them higher.

In the face of this mass of argument, I shall undertake to show that those same high duties are really working you a grievous injury; that they are largely the cause of the lamentable depression in farming interests, now acknowledged on every hand; that you have at this hour no more urgent demand upon your legislators than for their abatement, and that there is nothing but evil for you in the increases proposed by the bill. I shall not merely set assertions of my own in opposition to the assertions of the distinguished gentlemen I have cited. I hope to succeed in proving my points by facts and reasoning so clear that they need only to be understood to carry conviction, and only be examined to be understood. I unhesitatingly take up the gage of bat-

file they have thrown before me; you shall be judges of the contest, according me nothing more than fair treatment. On a question which so closely concerns yourselves you may be worse losers than I if you dismiss me without a patient hearing.

FARMER AND FARM-IMPLEMENT-MAKER UNITED IN INTEREST.

The burdensome duty of declaring the truth as I see it is one from which I would gladly be excused if I could. But a special responsibility is thrown upon me by two circumstances: I happen to have attained some degree of business success, and may therefore expect people to listen to me who would not listen otherwise; and my interests as a manufacturer are known to be in every way identical with those of the agriculturist. I can make no pretensions to the chair of the instructor. I never studied political economy under the professors, nor has the book-and-closet side of the subject ever had so much attraction for me as the practical side, in which I am vitally concerned, and whatever importance may attach to my views is due to their origin in business experience—in the many years of arduous toil, close application, vicissitudes of prosperity and disaster that have impressed them upon me.

Since there is no escape, in a tariff discussion, from the suspicion that judgment is warped by private interests, it is well to bear in mind that, on this point, I have not an interest in the world that is not yours also. The better your condition, the more of my tools and machinery you can buy and when prosperity fails you it can not abide long with me. If I want cheaper raw materials for my manufacture (and except for these I have never had any interest in the importing business) it is not because I hope to keep the benefit all to myself; my customers must share it with me, whether I will or no. My feelings are with you, no less than my business interests. I have always loved country life and can never forget that I was born a farmer's boy.

My opinion of protection, it is worth while to state, is not regulated by political predilections. I was an earnest Republican from the foundation of the party until long after the war issues were settled and its mission was finished. My place has always been on the side of freedom. In the earlier and better days of the party that side was with the Republicans. I never turned my back on the party till the party turned its back on freedom—and your welfare in the same act. Do you believe that it is any wiser to travel with a party merely because it was going in the right direction a few years ago than to travel on a stage-coach for the same reason?

CAN WE ACCUMULATE MONEY BY TAXING IMPORTS?

Questions of national economy are not, in reality, so intricate as many suppose. They are determined by the same principles of clear common sense which you apply to questions of private economy, and no mind able to meet all demands for foresight and contrivance, that have to be met by the successful farmer, need fear in the least to trust itself with the larger questions when the necessary facts are all before it. You must not, then, give ready credence to the man who is able only to bewilder you; and you can not be too careful to have all the facts that bear upon a question before yielding your decision.

Mr. MCKINLEY, in one of his speeches during the Presidential campaign, advocating measures for hindering the importation of goods, claimed for them the same merit that we allow to the head of a household when he prudently resolves not to buy too much from others, but save up his capital, arguing that to the nation, as to the family, more saving brought more strength. This passage looks at first sight like the very appeal to plain, practical common sense that I have been commending; and the reason it is not is because of the importance of one or two facts it conceals. If Mr. MCKINLEY had called attention to one vital difference between the private citizen's storing up money in his own strong-box by skill in selling and economy in buying, and the nation's trying to do the same thing—the fact, namely, that additions to money saved have no tendency in the one case to lessen the relative value of previous savings, while they have in the other—he could not have drawn the same conclusion.

Perhaps I would better explain my meaning more clearly. If one of your neighbors were to save up some money or have it left to him, no effect would be produced on the purchasing power of what you and other people held; you could do as much with it and prices would not change. That is because he is only one in a multitude. Suppose every man in your community—your whole township—should make a sudden gain in wealth, say, by the discovery of a mine; you would notice little difference in the value of money even then, for you would continue to trade with outsiders. If your trade should by any cause be confined to your own neighborhood you could not fail to feel it. Let us suppose again that the supply of additional money were to be distributed over a whole State and that trade with other States were somehow cut off. Can there be any doubt whatever that the value of a dollar would become very much smaller?

You may say that prices would become higher, if you choose; the two expressions mean exactly the same thing. If you have any doubt have a talk with some one who was in California within the first few years after the rich gold discoveries there in 1848, when it was practically an isolated State. The precious metal was to be had in abundance by almost any one with strength to get it out; but a clay pipe cost 25 cents, a drink of vile whisky a dollar, and other things in proportion; so that for every practical purpose $1 in our Eastern States had the same value as twenty or more in the region where so many of them were to be had. Do you see how, if Mr. MCKINLEY's policy really succeeded in bringing a good deal of money to this country, the same results could fail to follow? The last dollar brought here in return for the produce of our hard labor, while it cost us quite as much as the first one, would be certain to be worth less to us. Having to spend it within the country we should find ourselves confronted with advanced prices.

If this result—cheap money and high prices—does not in fact follow the enactment of laws of the kind Mr. MCKINLEY advocates (laws that hinder importation by collecting duties on imported goods with a view of encouraging sales of our products for money), you can not be at a loss to tell the reason. It is because those laws do in fact little or nothing to bring money to the country. That state of things ought not to surprise you in any way. Suppose, in consequence of this legislative discouragement of importation, the foreign country to which we sent our goods should send us a large sum of gold in payment. Before we did any trading with that country again we should find that two changes had occurred: First, in consequence of the increased supply of money with us, the value of a dollar had fallen off—that is to say, prices had risen; and as the cost of producing our goods rose we could worse afford to sell at the same price. For the second change, money having become scarcer in the country with which we traded, its people could worse afford to buy our goods at the same price. Is it not perfectly plain that this state of things could not go on very long without putting a stop to trade of this kind altogether?

As a matter of actual experience it does not go on long. However high our tariffs are put very little of our trading is done for money. To yourselves, of course, when you deliver wheat to a merchant who is going to ship it to Liverpool and are paid for it, or when you buy a garment of imported wool, foreign commerce appears as a cash transaction; but the money given you has not crossed the ocean, nor will that paid by yourselves make the voyage. Could you see how the great importing and exporting houses manage the actual business of exchange—the great bulk of it by paper representing credit, only enough specie being sent across to pay the small balance, or difference between one side and the other, usually less than one-fifteenth of the whole amount—the transaction would wear a different appearance. Even the fact that the West Indies and South American Republics send us from three to seven times as much merchandise as we send them does not make large shipments of money necessary, for we pay the difference by drafts on London, where we have a large credit from exportations of cotton, beef, and breadstuffs, while the English square matters by sending their wares to the countries of which we buy. As a matter of actual experience, Mr. MCKINLEY's favorite legislative devices have no such effect as he claimed for them in his speech, and a very little study of the subject has shown us why they could not have. The facts concealed by him—I can hardly suppose him ignorant of them—are fatal to his claim.

Two circumstances may sometimes cause a difference between the total value of merchandise exported and that imported by a country; while they operate, it will not do to set down as a firm and fixed law that the two values must necessarily be equal. Both are illustrated in the recent history of our own country. The effect of the California gold discoveries made itself felt after 1849; and the tables of our total imports and exports show that while there was very little difference between the sums up to that date—first one being greater, then the other, without any long continuance of either condition—the value of imported goods began then to be in excess, and continued so for a quarter of a century, through the civil war and all its changes, with scarcely an interruption.

That is just what we ought to have expected; silver and gold are subject, like other commodities, to the law of demand and supply, by which, when we began to produce a relative excess of them, they flowed to countries producing less, and were replaced by goods which we found it easier to get in that way than to make by our own efforts. After 1874 the balance turned, and down to 1888 our exports of merchandise exceeded the imports in value; the movement of specie, which had in the preceding twenty-five years been prevailing outward, then sinking (except during the year or two when we were making large importations for a fund to sustain resumption) to an even balance. The change, like all financial changes, had its reason; it appears to be owing to increased investments of British capital here and the interest we have to pay on them. The entire interest is now estimated as high as $100,000,000 a year, and Great Britain prefers to take it (together with as much more which we have to pay her for transporting our goods) in merchandise. That country steadily imports a great deal more than it exports, and its prosperity is an abiding refutation of the "balance of trade" superstition. Not for a good many years after the war was our national credit far enough restored to tempt the foreigner to make such investments, so that their effect could not earlier be felt.

Will you please notice, before quitting these figures, that there is no shadow of justification for connecting the changes in them with the changes in our tariff policy? Imports began to be considerably in excess in 1850, four years after the last preceding change of the kind; this ceased, and exports ran ahead in 1875, with no change in duties; the excess of exports seems just now to have ceased or greatly diminished, with no change. When we remember that the years when the tariff was changed were 1842, 1861–1864, 1868–1870, when its rates were increased; 1846, 1857, when they were reduced, and 1883, when the changes were ambiguous, we see how totally unfounded are the claims that high tariffs strengthen us by bringing money into the country. And yet those claims are plausible at the first view. Tariffs look as though constructed for that purpose, since they stop goods and let money come in free. The case is evidently one of those in which a contrivance does not work as it was professedly intended to work. And, that being the case, telling people that it is working in exactly that way does not make it work so.

You have been detained a good while on this point, because it is a very important one. A great many glib and persuasive speakers found huge piles of argument on the pretense that high import duties in some way keep money flowing into the country, when it would not come under low duties. They support by this pretense the fanciful connection which they have conjured up between reduction of duties and the great financial distresses in 1837 and 1857. As there are not many people living who can clearly remember how those startling disasters really came about, and as there are a great many people who have not learned about the causes of them from reading, these quacks think they can safely and easily pass off any explanation of their own inventing.

Since the best refutation of their inventions is found in a simple study of the history of the times when the panics broke upon us and since the more thorough the study the more ridiculous such inventions are found, I need only say that those panics, like all others—including the ones that attended the collapse of the great "South Sea" and "Mississippi" schemes nearly two centuries ago, before there was a tariff question, and the terrible one beginning in 1873, while we were under a very high tariff—were alike the result of extravagant speculation; and there is good reason for the belief that the speculative spirit which received such a fearful rebuke in the disastrous crisis of 1837 had been to some extent stimulated by the twist given to our industrial enterprise by the high import duties enacted nine years before. Of course, the only reason anybody could have for supposing that high duties could prevent commercial crises must be their assumed tendency to bring in money, and it is therefore very proper for you to know that they do not bring in money to any perceptible extent.

You may often hear it claimed that the tariff does great things in the way of giving employment to workingmen and increasing our industrial establishments—claims which you can dispose of in the same way. You can point to the results of actual trial, too; you could not find any time when our country enjoyed free trade, to be sure, but you could go back to a time when import duties were upon a revenue basis and very much lower with us than they now are. Just before the war, when duties were lowest, there was not only no lack of industrial enterprise, but manufactories were fast increasing; faster, proportionally, than they are now. The laboring man was not forgotten; the superiority in his condition (in the free States) over what Europe could show was more marked than it has since been.

Although this country has progressed, along with all the rest of the world, in the improvements of the last thirty years; although we offer, even now, a better home for the workingman than any European country, it can not be denied that the change for the better has been more visible within the past thirty years in England than here. We have made progress, I dare say, and yet I can not help pointing out that it is within that time that we have become accustomed to the unwelcome visitation of tramps, not known among us before; and that England can point, as one of the accompaniments of her forty years of a free-trade policy, to a proportion of her inhabitants obtaining relief as paupers, of 1 to 23 at the beginning, 1 to 41 at the end. Our States can show no such change for the better in forty years. The change in many of them is the other way.

EXPORTATIONS DIMINISH ALONG WITH IMPORTATIONS.

The principle to which I have tried to call your attention, that there is very little movement of gold and silver when different countries trade with each other except in obedience to a special demand for gold or silver (from a country that produces more of them, for instance, to one that produces less), and that the great bulk of goods sent out are paid for by the goods sent in, is invariably disregarded by the protectionists, despite its importance. The practical proof of this principle you have seen in the small proportion which specie bears to merchandise in total import and export valuation, as shown by the tables of the statistical bureau of our national Treasury. Please attend, now, to a new point. If this principle is true another one must be just as true: whatever checks or interferes with importation of goods must to the same extent check or interfere with exportation.

This is by no means evident at first glance. We let goods go out freely, even encourage them to go, and block their coming in with taxes. Suppose we reversed this policy and admitted foreign goods free while taxing our exports.

It seems a little strange to say that the effect of two policies so very different must be in a general way the same, and yet there can be no doubt of the fact. Prices would be lower in the country taxing its exports, the same piece of money would buy more there, but there need be no other perceptible and no practical difference. In either case the value of exports would bear about the same proportion to that of imports; something near to equality, but neither so large as it would be with trade unimpeded.

The effect is a good deal that of the rubber or brake on your wagon wheel; it makes no difference whether you apply it to the side of the wheel that is going down or to the side that is coming up; what is done in either case is only to clog the wheel. You know that our tariff checks and interferes with importations; it is imposed with that very object. You know, too, that agricultural productions in this country form our most important exports and depend for a considerable part of their total sale on consumption abroad. Is it not well worth while to think a little and see how your access to your market abroad is checked and interfered with by the same agency that checks and interferes with importations?

That such interference exists there can be no question. There are two possible causes from which it could come: your foreign customers might be made less disposed to buy or you less disposed to sell to them. I do not see how our tariff could deter the foreigner from buying; and if it discourages you from selling, it must be by increasing the cost of production, by decreasing the price you get, or perhaps by furnishing a new consumer in place of the lost one. It is plain that while either of the first two effects must be injurious to your business, the last-named effect is not; and for that reason you hear nothing from protectionist orators of any effect but the last, which is always inflated and exaggerated past all recognition, notwithstanding the fact that we are without proof that it has any real existence, and have a good deal of proof of the other effects. Have patience now while I set before you as much as I can of my reasons for making so bold a statement.

DO IMPORT DUTIES GIVE US A HOME MARKET?

Do high taxes on imported goods have the effect of providing new customers at home who replace the foreigners to whom you would sell otherwise? Many people believe so, and that is what is meant by the "home-market" cry that is so loudly dinned in your ears before every election. It is perfectly true that, where other things are exactly equal, you can more profitably provide for customers close by than for customers across the ocean; and it is true that any device for bringing customers close to you, if it does not at the same time injure you in some other way, works in your interest; but it is quite untrue that these facts have any bearing upon the tariff question. For it is untrue that other things are exactly equal—that you are suffering no injuries from the protective system—and it is untrue that that system has any considerable effect in bringing consumers of farm products close to your farms.

In the first place, it has no such power to stimulate manufacturing as people claim for it. I am not denying that if there were but one duty levied, on one particular article of manufacture, the production of that article might be very much increased in this country or that the production of some articles may be stimulated as things are now, but I am claiming that, in the enormous multiplicity of our protective duties, so many of them operate to harass, obstruct, and injure other manufacturing enterprises, while advancing a few favored ones, that the whole effect of the system is less beneficial than detrimental to manufacturers along with the rest of the country.

This may sound strange to you who have so long been accustomed to hearing this huge and complicated scheme of duties spoken of as though absolutely essential to the carrying on of manufacturing, but I think you will be able to see on examining it the reason for it. Many manufacturers—myself among the number—every year export large amounts of goods, in the face of the world's competition; and no sophist, I think, is quite clever enough to persuade you that we can compete with foreign manufacturers abroad without any point in our favor, and yet can not compete at home unprotected, when we have all the advantages of nearness to the consumer, ability to study his wants, and lower freights to pay.

So that none of us making goods for export is helped in the smallest degree by the tariff; and, more than that, there is not one of us to whom it is not a great deal in the way. To find how much of our manufacturing is in that condition, see the number of manufactured articles of which there is a steady export trade. Besides agricultural implements, there are sewing-machines and clocks, engines and dredging machinery, and saws and axes; flour and vegetable oils, of course, and some boots and shoes and unbleached cotton goods. That makes a considerable list (which might be greatly extended) of manufacturing enterprises that are more hurt than helped by protection; and when you come to count up the aggregate effect the balance is by no means assured to the favorable side.

If you wish a test by figures compare the growth of our manufactures between 1850 and 1860, ten years of low tariffs, during which the value nearly doubled, with that between 1870 and 1880, ten years of very high tariffs, when the total value produced (allowance being made for the fact that all the values of the 1870 census were given in 80-cent dollars) increased hardly 60 per cent. I need not tell you that if the duties were as necessary to success in manufacturing as their advocates pretend, our rate of growth ought to have been greater, instead of less, when those duties were higher. If, therefore, you are benefited by having manufactures established in this country, it does not at all follow that you ought to keep the tariff high. You get quite as much benefit from the prosperity of those manufactures to which it is a tax and a nuisance as from those which are helped by it.

The point I have just made would be quite sufficient to settle the "home-market" question, but there is another one quite as strong. The easy assumption of the protectionists that, supposing for a moment we grant their unfounded claims about the manufactures "established" by their invention, they thus bring customers close to you, is altogether false. I might safely ask nineteen out of twenty of you, perhaps forty-nine out of fifty, what chance there is of building a factory within easy hauling distance of your own farms, however great the stimulation given to manufacturing in this country. How many of you live near the great lines of commerce, indispensable to manufacturing success? Could not a great many of you tell the old but ever new story of some capitalist, of more enterprise than shrewdness, who has tried to start some kind of factory in your neighborhood, but has failed because he found the location unsuitable?

You may be very certain that a stimulus to manufactures can stimulate them only where they exist—may start a new mill or two along the New England streams, or near the Pennsylvania coal fields; but, though protection were piled up to 200 per cent. and exports cut off along with imports, they would not penetrate the farming regions of Nebraska and Iowa and Kansas. What good, then, is the system to farmers there located? They probably share in the general patriotic satisfaction that our country has the manufactures, but not sufficiently to have the cost thrown upon them; for, as a matter of simple business, a factory in New England or one of the less accessible parts of Pennsylvania is no more to them than one in Glasgow or Liverpool. In fact, so cheap are ocean freights that Liverpool might easily be the more advantageous to the Western farmer as a place to have his customer, because the cheaper place to ship grain to. So much for the alleged home market, which I think I have proved would not be worth keeping up a protective system for, even if it cost you nothing. As I shall now try to prove, its cost is far indeed from being negligible as an airy trifle.

HOW FOREIGN SALES ARE RESTRICTED.

Your sales to foreign buyers might be cut down, I reminded you a little while ago, in three ways, and I have considered the only one of those ways in which that cutting down would not be injurious to you. The other ways, you remember, were by increasing the cost of production and by diminishing the price your produce brought you. It is not worth while to separate these. To save discussion I will admit at once that the price which agricultural produce brings in English markets would not be sensibly increased in money by removal of our restrictions on trade; but that is not all that you have to consider. A dollar in a place where everything costs double is worth no more than 50 cents to its possessor; and you will easily see that if protection raises all prices above the level they would otherwise maintain it effects a practical lowering of your price by decreasing the amount that you can do with the same money. So that this question, along with that of the cost of your tools and supplies, depends on this other: are prices of necessities higher because of the protective tariff?

How this question can be any question at all I find it difficult to see. You can not yourselves do very much at traveling, I am afraid; but to few of you can it be unknown that people never make large purchases of clothing before sailing for Europe, while they are pretty sure to bring a great many new clothes back with them. The difference in price does not extend to all necessaries; such provisions as are raised upon your own farms are nowhere, I dare say, to be had at lower prices than those you must be content with. But cutlery and other iron ware, as well as silk goods, are very much lower in England, while almost anything of wool is, quality considered, hardly above half price. I have the best reason and the strongest desire to uphold the credit of American manufacturing, and I know that many of our products—agricultural machinery particularly—are better than can be made anywhere on the globe; but when I look at woolens I am a little mortified.

It is not pleasant to contemplate the worsted or shoddy fabrics that are made here and compare them with the fine, durable articles at a lower price that are to be had in England and France. That there would be no such difference in prices were it not for our tariff I need hardly assure you. Ocean carriage of such goods as clothing is not expensive, and there is nothing else that could keep our price and theirs apart. Whenever, therefore, you are purchasers of woolen goods you feel your profits diminished by our tariff laws, by the duties on woolens and raw wool. You must now take 100 bushels of corn to market to buy your suit of Sunday clothes, while 50 bushels would buy as good a suit had we no tariff. Whenever you buy a tool of any sort you feel your cost of production increased by the higher price we are obliged to put upon it, higher because of the duties on iron, iron ore, timber, paint, and other items. And it is precisely by producing these effects that the tariff system operates to discourage the production of goods for exportation; in this way is the balance of trade held even, and thus does the repression of imports throw a burden on every producer of goods that can be sold abroad.

PRETENSE THAT THE DUTY IS PAID BY THE FOREIGNER.

It is one of the inevitables that there should be strenuous efforts to break the force of these conclusions; another, that those efforts should meet with some success; for it is a well known fact that a theory has only to bring in some money to some class of men in order to find earnest defenders, however opposed it may be to common knowledge and to common sense; and another, that a doctrine needs only to be taught confidently and emphatically enough in order to find adherents. Let us see, then, what the tariff advocates have to say for themselves. Accordingly, we find them one and all insisting, as though it were an established and certain truth, on the view that the duty is something paid by the foreign producer in order to secure his goods admission into our markets.

This being assumed, a great deal else very easily follows. Mr. McKINLEY, for instance, in the campaign speech I have already noticed, dwelt longer on this point than on any other. His opponents were "in the service of foreigners," seeking to have them relieved of this payment; he himself, like the ardent patriot he was, insisted that the foreigners must pay it. "How absurd in us to pay our own taxes when here was a way in which the foreigner could be made to pay them for us." "How unjust, too, to take a loyal citizen of our country, who had borne all the obligations of a citizen, and leave him only the same show in the market that was allowed an alien who bore none of those obligations." And so on and so on. It is easy to build up a towering edifice when the foundation is granted; but the whole structure at once collapses when once the foundation is knocked from under, when once it is settled that the import tax is a charge on the goods, and that if the foreigner pays it to get them admitted he always takes the best of care to get it back out of the user of his goods.

The fact that the great mass of articles protected in this country are more costly here than they are in Great Britain is one proof of this. Second, the fact that the explanation so comforting to Mr. McKINLEY was one that never occurred to any one in the early days of tariff agitation is quite suggestive. The invention of this explanation (that it was the foreigner who finally paid the duty) evidently awaited the day when people had forgotten what prices used to be before the duty was imposed. Third, proof is in the common sense of the thing. Suppose that some foreigner pays $1 duty on an article and sells it here for $4, is it probable that he would sell it for $4 or for $3 if there were no duty? His profits on sales here can not be very different from what they are at home, either higher or lower, for he has competitors, and the one who got hold of the more profitable trade would finally drive the others out; so that $3 must be his price at home.

Again, but for the duty he could not charge a much higher price here than at home for fear that we might take to buying of his home customers instead of himself directly. Manifestly, then, the same $3 would be his price to us if there were no duty. It is hardly worth while to bother about who it is that pays the duty so long as we know that it is lumped with the price of the article in the end. I know very well that this reasoning does not apply when the producer holds a monopoly, or when this country contains the only consumers, or when the demand elsewhere, or the supply, is very limited; but it does apply to the great mass of articles. If fourth proof is desired you have it in the necessary conditions of protection. The producer of this country is only protected when the sales of competing foreign articles are diminished. For this purpose either buyer or foreign seller must be obstructed.

Now, if the foreign producer pays the tax our buyers are certainly not at all obstructed; and if he finds profit in selling a few articles and paying the duty on them he would certainly find no less in a greater number of sales. In fact, as any manufacturer will tell you, it is only by very largely increasing his sales that he can pay his way at all when profits are low. Do you not plainly see, then, that if the duty is paid by the foreigner there is no protection possible? Put the rate high enough to stop all importations, and of course you have protection complete. Short of that, it is only because the charge is thrown on the buyer, because it is he that is obstructed from making the purchase, that protection protects.

My favorite demonstration, that the final cost of a duty is thrown in the end on the consumer of the taxed article is found, I confess, in the course of the protectionist legislators themselves. A disaster occurs sometimes; Portland or Chicago is swept by fire or some prairie town succumbs to a tornado. As a measure of relief it is proposed and carried through a protectionist Congress that materials for the rebuilding of the unfortunate town shall be admitted free of duty. Why is that? Why does not the statesman in Congress send word back that the proposed remission will have no effect except to relieve foreign

lumbermen of what they have to pay to gain admission to our markets? Would he not say so if he dared—if he did not know that at such times the people are not to be deluded?

Every revenue bill that has been introduced—certainly since the era of war tariffs—has contained provisions for what are known as "compensating duties." Examples of these are seen in woolen goods, which are protected by the curious rate of so many per cent. ad valorem, and so much per pound in addition. The reason assigned for this provision—and no other explanation, be assured, has ever been given for it—is that the first part is the suitable protection for the goods, and the second is the "compensation" for the duty on raw wool. This is only one among many duties of this "compensating" class; the manufacturer has always insisted on higher rates because of the duties levied on his raw materials. The facts about these duties have been often set before the public, and this explanation has never, I believe, been contradicted. Did you ever ask the question why it is that those manufacturers need "compensation?" They do not need it because of anything that the foreigner has to pay for getting his goods into our markets you may be very certain. Every Congressman who votes for such a compensating duty, as all protectionist Congressmen always do, acknowledges by that very vote that the duty is a charge on the purchaser of the goods, the price of which is made higher by the amount of the duty.

The way protectionists hang together is itself a demonstration. The statesman who is interested in getting one article taxed is bound by the strongest incentives to vote for taxing a great many other articles in which other members are interested, and tariff bills are always carried by log-rolling, each Representative voting for the favorite jobs of the others in order to carry through his own. It is well known to every Congressman in charge of a job to benefit some influential constituent at your expense, that he will fail to carry it if he does not stand in with the other fellows. Have you any idea that he would feel this apprehension if he believed, and believed that the others believed, that his scheme would throw no additional burden on the country? If the bit of protection he seeks is going to be a general benefit without general cost he could have it without buying it.

I have not space to consider all the reasons brought to prove that the burden of protection is thrown upon the foreigners. Here are two that are used as often as any. First, certain manufactured articles—steel rails, for instance—have been highly protected and have greatly fallen in price. It is claimed that protection did this, but if those who make the claim would only furnish, along with their list of prices in this country, the prices in England at the same time, and thus show that every fall in price here was preceded by a fall to an even lower point there, the fact that they would bring out would be merely that protection had prevented the price from falling as fast here as it otherwise would. The true causes of the fall—improvements in the process of making steel and the expiration of patents guarding it—are, of course, never alluded to by the faithful protectionist. Second, the English must be those who suffer from our high duties, because they are so anxious to have us lower them. Let me assure you they are not anywhere nearly so anxious for us to lower our duties as people pretend. What they tell you about large disbursements by the "Cobden Club" is 3 per cent. exaggeration and 97 per cent. sheer invention. A great many lines of export trade, including most of that to South and Central America, Japan, and Australia, the English now have a "soft thing" of, owing to our persistence in running up the cost of our raw material and machinery for manufacturing and in preventing our citizens from owning ships to send there. Were we to adopt a commercial policy like their own we might become formidable rivals in this business, as we promised to become before the civil war.

Notwithstanding this state of things, of which observant Englishmen are perfectly aware, I do not deny that if the question of our tariffs were to be left to them they would probably think more of gaining custom with us than of losing it with remoter countries, and vote a reduction by a considerable majority. But the laughable part of the business is that that fact, if it be a fact, should make any difference to you. Let me put to you a test question. One of you, we will suppose, lives across the river from a large town. You raise, we will also suppose, better oats, or turnips, or something than Jones, just over the bridge, and can afford to sell them at a lower price. Now, if Jones mounted guard over the bridge, so as to keep you from getting across with your produce, would you object to it or not? And what would you think if the townspeople, hearing your complaints, should set them down as a proof that you were the only sufferer by the closing of the bridge, and that they were just as well off in putting up with the inferior and more costly goods of Jones?

POINTS TO BE TESTED AND PITFALLS TO BE ESCAPED.

Now, permit me to go over the points I have undertaken to make:

1. That there is never any great movement of gold and silver in trade between nations unless there is somewhere an unusual demand for them.

2. That in consequence revenue devices can not change, and in fact never do change, the relative proportions of imported and exported goods.

3. That if duties cause a reduction in amount of imports, they must inevitably bring about an equal reduction in exports.

4. That this can only be done by preventing those who have exportable goods—particularly farmers—from exporting them.

5. That the pretense of increased home consumption, alleged to account for this, is baseless.

6. That the prevention of exportation of farm produce must therefore be brought about by increasing cost of production and lowering the effective reward of the farmer's labor.

7. That every pretense that the system acts otherwise—that it somehow throws the cost of protection upon the foreigner—is opposed to reason and to experience. Of all these points I gave as much proof as there was room for; and I earnestly hope, as my aim is more than anything else to present the matter before you as it truly is, that you will take all possible pains to test my argument both by reflection and searching of facts.

Do not be misled in making the test by plausible irrelevancies. Do not be persuaded into forgetting that American labor can be protected only by or at the expense of American labor, and that whatever one trade gains others have to stand the charge of. Do not be cajoled into the delusion that you need "protection" in this market when you know that you are able to meet competitors in foreign markets. Do not let people throw obstacles in the way of your reaching foreign markets under the plea that these are "uncertain" and "unreliable." If they really are so, exports will fall off of themselves, and "protection of home industries" will, therefore, be quite unnecessary. Do not let them frighten you with the prospect of competition in your own field of labor with workmen thrown out of factories, when the highest reasonable estimate of the number of workmen that absolute free trade could throw out of employment is less than that of our able-bodied immigrants in three years.

Do not let them ascribe the general prosperity of our people—not so high, you very well know, as it ought to be—to taxation, until allowance is made for the fact that this country (leaving out Alaska) has about thirty acres to each inhabitant, while England has less than two. Any man who conceals this fact in comparing industrial conditions in the two countries thereby proves his blindness or his dishonesty. Do not give protection credit for the progress of our country until you have seen what great forward strides have been made by England and New South Wales without any protection.

Treat with just contempt all insinuations that those who are engaged in the endeavor to reduce the burdens upon you are "agents of foreign manufacturers," or "enemies of the workingman," or "enemies of the old soldier," or "Confederates." If the Southerners oppose protection it is because they know what will advance agriculture, the great interest of the South; and on this point their interest is your interest. Have you any doubt of that? If the protective system is good for your industry, why not for the same industry in the Southern States? And if it is really to their interest to support it why do they oppose it? The agriculturists of the Southern States are not more intelligent than those of my own section, I willingly grant. But they are reasoning men, nevertheless; and neither the Union of our fathers nor the rights of the colored citizen will be endangered in the least if you stop and study out a candid answer to the questions asked you.

PRESENT AGRICULTURAL DEPRESSION.

That the farming interest of the country is not prospering as it should must be well known to all of you. You raised in 1889 greater crops than ever before, but the increase was prevented somehow from working in your favor. Prices have fallen more than your production has risen. The census of 1880 already showed, in its comparative tables of property located and property owned, that a considerable portion of the land of the great agricultural West was owned in the East; that of 1890, if fairly taken, will show the same thing in stronger colors. The amount of your land held under mortgages to non-residents every one knows to be huge, and it is hoped that the next census will furnish particulars. Farms in the older States are deserted by the hundred and begging for purchasers at prices less than the cost of the buildings on them. Farm values have fallen even where the farms are all occupied. An increased value of real estate is reported only in the cities and their suburbs.

The farmer's boy does not take to his father's calling as he used to. The amount of wealth held by farmers is, proportionally to the total wealth of the community, far smaller now than thirty years ago. That was, by comparison, a golden age for American agriculture. Can you fail to recognize the cause to which, in great degree at least, this state of things is owing? Can you allow youselves to be misled in regard to it because you happen to be unable to tell exactly where your money goes and how you fail of getting the return to which you are entitled? For me it is enough to know that a gun was fired in your direction, and that you have been struck by something; I do not feel obliged to trace the bullet through every inch of its passage from muzzle to mark. Evidence of exactly the same kind that the protective system is the cause of your injury is in your hands. You can not make the injury less by blinding your eyes to the evidence.

DUTIES ON FARM PRODUCE IN THE M'KINLEY BILL.

The subject proposed for this essay was the McKinley bill and the arguments made in behalf of it. Instead of examining these at once I have given five-sixths of my space to a preliminary discussion; but this course is not unwise, I think, because we must have some groundwork of general principles to stand on before we can see how to judge the bill at all. If we have prepared our groundwork rightly the judgment follows as a matter of course.

That the statesman who framed this bill has labored zealously for your approbation is very clear. If it is passed most of the things raised on farms will be dearer to every one who undertakes to import them. The gain to you (measured exactly by the loss to possible importers) you can easily estimate when you have found how much of the articles to be protected are now imported. Animals of all domestic kinds are among the items largely increased. But we do not import many of them; on the contrary, we more than supply our own market, and have such animals for export. Wheat, corn, and oats ditto, ditto.

The best that can be said of these provisions is that they are a dead letter, and were designed so to be—that is to say, a conscious humbug. Such practical operation as they can have will be to prevent you from improving your fields by the importation of seed grains, or your stock by bringing in any animal that you can not prove to be "for breeding purposes." Barley is increased. Were not you just suffering for that? Potatoes are advanced from 15 to 25 cents. At present rates we some years import fewer potatoes than we export, and only half the time does the amount reach 1 per cent. of the crop raised in this country. In but two years of the last thirteen, 1882 and 1888, did the importation of them rise as high as 3 per cent., and those years followed very poor yields the preceding fall; two-thirds of a crop made to cost the consumers more than do many full crops.

Is it not plain that the only aid that the duty can bring you is in making scarcer a food that is particularly the resource of the poor at times when nature has been least kind to them—at times, I should add, when you have least to sell? To my mind the idea of coining money by procuring legislation to help in starving my fellow-beings is something little less than infamous; but the cruelty of this blow at the defenseless is not more conspicuous than the stupidity of upholding an expensive protective system for the sake of gains that only come in exceptional years, when the potatoes are not in your hands to sell, and the same farmers who usually have a surplus may be compelled to buy for their own use. Hay is increased. How far could imported hay be carried, even though free, do you calculate, before losing its whole value in cost of carrying it?

THE OTHER SIDE OF THE ACCOUNT.

So much for what this bill proposes to do for you. Now let us examine what there is on the other side. I know that such an examination is considered irregular; that those who have charge of measures of this kind call no attention to any other provisions but those for preventing the importation of the goods that you produce, and represent those provisions as being the whole measure. Only those proposing to manufacture tin-plates by this reasoning need be interested in the duty on tin-plates (a firm of Pittsburgh capitalists in the present case). But we are not to be manipulated in this way. We are interested in this duty as well as others, you and I, and we propose to see how it will affect us.

We know that the proposed increase is and can only be for the purpose of increasing the cost of plates, since Government can help to increase the profits of domestic producers of them in no other possible way; we know that these plates are necessary for buckets and cans of all kinds, and form a considerable item in the cost of agriculture, in the meat and fruit preserving and dairying industries; we know that any increase in the expense of the tins must be passed down to the consumer—to all of us, that is—and it may so embarrass the trade as to drive out many private canners doing a small business in the back-country districts; we know also that our exports of canned goods raised by farmers give markets and added value to surplus fruits, vegetables, and meats, and that this trade would be crippled if not totally ruined by the proposed duty. Does that not interest us?

Consider the proposed increase in lead ore and the smelting establishments now using ore from Mexico that would be broken up by it. The compensating duty that Mexico proposes putting on imports of our corn will still further injure the farmer. Consider also the increase on wool. What our wool tariff does for us I have already tried to show you. Some of you may, perhaps, make something by the increase if it ever goes into effect, but not many. I do not think that our factories will pay much higher prices for your wool; they can not afford to and remain in business. The most significant increase is in the kind of wool that you do not grow, the coarse fibers used for carpets. The one certain thing about it is that it must make your carpets dearer (a well known manufacturer tells me that the material in a plain ingrain carpet, such as is used by most of you, will cost more after the passage of the McKinley bill than the finished carpet does now), and compel you to go without or else be content with poorer quality.

One provision that was left out of the bill is quite as instructive as anything contained in it. As originally prepared it provided for a duty on hides. This

was all for you, of course, notwithstanding the fact that few of you have hides to sell in such quantities that you could make much by the duty and that all of you wear the boots and shoes and drive with the harness whose cost would be increased by it. Mr. McKINLEY's committee loved you (or Armour & Co., of Chicago, I should rather say) so much that it was ready to sacrifice our trade in shoes with Canada, which could not bear any increase in the cost of leather. It yielded this provision, though, and why? Only because the consummation of the deal with Armour would have left it without votes enough to pass its bill.

SECRETARY RUSK'S BID.

The letter of Mr. Rusk does not call for much of our attention. He gives you a good deal of advice about private economy, railroads, speculative combinations, and other matters, with which I have no fault to find. His professed opinion that "the present agricultural depression" is due to "our imports of agricultural products" will be easy to weigh when we have considered the remedy he proposes: that of making scarcer and dearer such products as we import, so that you may be forced into raising them yourselves. Accepting his figures (although misleading in the exaggerated idea they give of the competition you have to withstand), we seem to import $250,000,000 of agricultural products that might possibly be raised. Well, how do we pay for them? What industries now supported by sending produce abroad to buy them does he propose to sacrifice? Or what else worth $250,000,000 does he propose to have us import?

A practical man, making a recommendation in good faith, would have looked carefully into these questions. Mr. Rusk makes no allusion to them. For anything that appears in his letter he might be as ignorant as a baby that there were any such questions to consider. Or he might perhaps fancy that we paid for this yearly importation out of the $30,000,000 of gold and $60,000,000 of silver that our mines annually yield. I should be delighted if we could. For Secretary Rusk personally I have none but the kindliest of feelings, and I cordially hope for him the best thing possible: that he will resign the discussion of political economy to people better equipped for it.

A CONFIDENCE GAME.

Are you not convinced that Mr. McKINLEY's new "farmers' tariff" and committee report are only a little confidence game, that his party is making a great clatter about the increase of duties on your products in order to draw attention away from the increases that truly count for something, those on the products of the "campaign boodler," about which nothing is said to you, on the principle of the adroit juggler who always has some by-play to distract your eye and your attention while he is performing his tricks? I can not see in it anything else. When you have studied the mazes and dark corners of the tariffs a little longer you will be able to see duplicity almost everywhere. Nowhere are their promoters so ready to make victims as in your own calling. They know the power of your mighty numbers, against whose opposition their ablest efforts would be hopeless, and they seek to enlist you by inflaming your unworthiest prejudices, befogging the issues, and beguiling you with misrepresentations.

Some of their tricks—for example, besides those I have exposed, there is that one of pretending that the duty on manufactures is for the purpose of making them cheaper, and that on your products it is at the same time for the purpose of increasing the price; or that other one of pointing at a few "trusts" not built up by the tariff, and pretending that they thus prove that the tariff does not build up "trusts," just as they might pretend that exposed cesspools do not cause disease, because they do not cause hydrophobia—are really so shallow that I am quite sure they can not long mislead you. You are beginning to reflect, to think for yourselves, and when you have once learned to do that the victory is won. United, you are irresistible.

The case is now in your hands. Your decision is more important to yourselves than to anybody else in the world; and the issue of welfare or disaster is one that comes so closely home to you that no words of mine are needed to lay stress upon it. Its gravity is such, moreover, that all the light you can possibly gather will be none too bright to pierce the dust and the fogs that have been thrown about it. If I have brought you a little new light, if I have made any point clearer or exposed any stumbling-block in your path, by this essay, I shall be well repaid for the trouble it has cost me. And I repeat, your interests are my interests, and I am far less anxious that you should agree with me than that you should know the truth wherever the truth is to be discovered.

The Revenue Bill.

SPEECH

OF

HON. JOHN P. JONES.

OF NEVADA,

IN THE SENATE OF THE UNITED STATES,

Wednesday, September 10, 1890.

The Senate, as in Committee of the Whole, having under consideration the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes—

Mr. JONES, of Nevada, said:

Mr. PRESIDENT: There are two tests to which all theories may be subjected, the test of reason and the test of experience. Discussions of the tariff are usually replete with statistics, and so completely, as I think, do statistics prove the wisdom of protection, that the advocates of that policy may well be pardoned for relying in large measure upon demonstrated facts for its ample justification. But, inasmuch as that side of the question has already been fully presented, it will be my endeavor in the few remarks which I shall have the honor to submit to avoid as far as possible the statistical method, and to rely, for the most part, on what I conceive to be the fundamental principles on which a protective system is founded.

The Senate, however, being anxious to reach a vote on the pending measure, time will not permit a marshaling of all the arguments which to my mind support the policy of protection. They are as numerous as the interests of the nation are various. Nor will the exigencies of this occasion admit of great amplification of the arguments presented. I shall therefore content myself rather with outlining than exhaustively discussing the propositions.

I do not rise to defend the policy which in the short space of thirty years has enabled this Republic to leap to the front rank among the nations of the earth. That policy needs no greater defense than to point to its achievements. "By their fruits ye shall know them!" I desire simply to present a few of the basic propositions constituting the immovable logical foundation upon which our tariff-wall securely stands. If, in the performance of this task, the discussion shall occasionally trench on the abstruse, I can only express the hope that the innate dignity of the inquiry will warrant the attention which I invoke for its consideration.

CAN A NATION DO MORE THAN SUPPLY ALL ITS OWN WANTS?

No man, Mr. President, can produce of *all things* more than are sufficient for his wants. In the savage state he clearly can not do it. As he becomes civilized, at every onward step, at every upward reach, his wants grow in number and in character more rapidly than do the means of supplying them. Some are physical wants, which must first be supplied, but these are the least of the wants of man. With every discovery in science, with every development of invention, with every new aspiration come trooping before his mental vision new wants.

After all that he has achieved in thousands of years of slow and toilsome emergence from barbarism man still finds himself standing on the edge of space, reaching out into the mysterious and marvelous domain of science, groping into the secret recesses of the earth, peering into the infinite azure and the deeper infinitude of his own brain, in the attempt to satisfy new wants. If one man can not produce of all things more than he wants, sixty-five million men can not produce of all things more than they want. Nor will the exchange power of the product of the labor of one man or of sixty-five million men be more than sufficient to supply his or their wants.

When, therefore, all the activities of a nation are in equilibrium—when its industries are perfectly adjusted to its needs—that nation can do no more than supply to all its people all the things they need. As society exists by reason of the mutual wants of men, if the inhabitants of a country occupy themselves in supplying all their own wants, there can not fail to be occupation enough for all and there will be no surplus for export.

There are, however, barriers established by nature, such as defects or limitations of soil or climate, or both, which render it impossible for men at the particular spot of earth on which they may be situated to produce the entire variety of articles of which advancing knowledge admits and which growing tastes desire. It is not unnatural, therefore, that men should wish to obtain from other countries some of the products which nature has inhibited in their own. Reciprocally, it is natural that they should produce of some articles indigenous to their own soil such quantity beyond their immediate needs as may be given in exchange for the foreign articles thus obtained.

But, as nations have grown up from small beginnings, the needs, the ignorance, the perplexities, and the selfishness of peoples have rendered impossible a compliance with this just law. Industries have been established and developed where, for the moment, they would prove profitable, and the several countries of the world have exchanged their products in response to the demands of the "market."

TWO COURSES OPEN TO A NATION FOR THE SUPPLYING OF ITS WANTS; WHICH SHOULD WE ADOPT?

According to the policy thus developed, there are two courses open to a nation for the supplying of its wants.

On the one hand, it may confine itself to producing, in larger quantity than its people need, some commodities of general or universal demand, and exchanging with other countries its surplus of those commodities for such others as it may require but does not itself produce. On the other hand, it may determine, so far as soil and climate permit, to supply all its own wants.

Whatever may be deemed the wiser policy for small countries capable of exceptional development in a few industries, but with limited natural resources, who is there that can doubt the proper policy for a nation of continental proportions, possessing every variety of climate, controlling every character of soil, and enjoying in unexampled degree and diversity the bounties and benefactions of nature? And especially who can doubt the proper policy for such a nation when it possesses a numerous and versatile population? The people of the United States already number 65,000,000. They inhabit a vast domain extending from the frozen zone to the tropics. Imperial Rome, at the height of its splendor, comprising all the civilized world, did not possess greater variety or affluence of natural conditions. The energy of our people is unexcelled, their ingenuity unequaled. What article of importance to civilization can they not produce or soon learn to produce for themselves?

At the rate of increase hitherto shown, our population in thirty years will number 130,000,000. In sixty years, or within the lifetime of men now born, it will number 250,000,000.

What momentous consequences do not these figures import? What far-reaching results do they not imply?

How shall the infinitely varying capacities of this vast population find suitable occupation? What economic policy will best subserve the interests of all and secure for them the highest form of industrial, educational, social, and political development?

In the evolution of society the pastoral preceded the agricultural age. Before men were farmers they were shepherds: that is to say, they were nomads. Being unacquainted with the art of agriculture or its implements, they wandered with their flocks from place to place in search of pastures that should demand no more labor than was necessary to reach them. In these wanderings they encountered a constant element of uncertainty. They were never sure how soon the fields of nutrition might become exhausted or they themselves be dislodged and their flocks driven off by hostile tribes. They found, also, that, notwithstanding long and tedious journeys, occasional seasons arrived when, owing to the action of the elements or otherwise, the grasses were stunted or altogether failed of growth, and water became inaccessible, so that their herds perished of hunger, thirst, and fatigue.

Urged by necessity, therefore, the more enlightened of them bethought themselves of the wisdom of controlling the conditions of existence by causing production to take place through the exercise of their own energies on the soil, within a fixed area, on which they should permanently remain, and of securing to themselves the results of their labor by erecting barriers which should serve as a protection against the attacks of less enlightened but more numerous tribes.

WE SHOULD SUPPLY ALL OUR WANTS.

As society advances and emerges from the strictly agricultural to the combined agricultural and mechanical industries the same rule of progress and of safety will hold good. The people of a country should produce everything that nature favors within their area, and should by proper means protect their industries from industrial invasion.

In order to secure to this country such abundance and variety of industries as shall constantly occupy, in the highest degree of efficiency, a large and alert population, and to maintain such industries indefinitely as population increases, I contend that it is necessary for us to supply our own wants to the fullest extent that the climate, soil, and physical conformation of our country will permit, and to seek in foreign countries only such articles as can not be produced here without greater expenditure of physical and mental force than is made in the production of like articles elsewhere.

Without the widest diversity of occupations among people their maximum power can not be realized.

This complete diversification of industries can not coexist with the free admission to this country of the product of the ill-paid labor of other lands.

Men differ widely in their tastes and aptitudes. The occupation that may be suitable and enjoyable for one may be unsuitable or repugnant to another. The work that would draw from one man his highest possible effort would render another indifferent and inert. It is only when men follow the occupations for which they are by nature and disposition adapted that they enter with zest upon their daily labor, and contribute with pleasure all the force of body and mind to the performance of what would otherwise be an irksome or intolerable task. One of the most serious evils that can afflict industry is the waste arising from lack of zeal in those who, by reason of the absence of opportunity, have been forced into vocations to which they are ill adapted.

The elevation and development of all the people should be the highest aim of the nation. That elevation is never complete until every man is occupied in the "labor of love"—the labor of his free, intelligent, and thoughtful choice—the labor which induces greatest effort without fatigue and produces the largest and most beneficial results. In all this the real enjoyment is the labor. The resulting product, while indispensable and natural, is not of itself the source of delight, except as the climax of effort. The enjoyment is in the doing, in the making, in the work.

What would be thought of the hunter, whether poor or rich, who should have his mind constantly fixed upon the material result of the chase? If he be a poor man the result is useful, perhaps necessary, to him. But the glow of delight is in the pursuit, in the occupation for mind and hand. So it is with the workman engaged in the labor of his aptitude. The high reward is in the pursuit, in the mental attrition, in the overcoming of difficulties, in the sense of achievement.

When men have found their true vocation they approach it each day with pleasure; they pursue it each day with exaltation; they live in its contemplation; they are happy in unraveling its mysteries, and take delight in surveying the fair proportions of their well conceived and well wrought plans.

This is the inestimable boon which diversified industries confer, and no greater diversity of human effort is conceivable than is involved in supplying all the wants, material, intellectual, and spiritual of the free, progressive, and aspiring population of this country. Such diversity can be secured only by confiding to those people themselves the duty of supplying all their mutual wants, which, under existing conditions, can not be done without recourse to the policy of protection.

THE POLICIES OF OTHER NATIONS NOT NECESSARILY A CRITERION FOR US.

If reminded of economic policies that prevail in other countries and of the great wealth and high civilization that there coexist, I reply that policies which are credited with developing that wealth and civilization for a comparatively few, must also be charged with the degradation and starvation of uncounted millions. In a government of the people, for all and by all the people, no inferences favorable to such policies can be drawn. Of what account to the great mass of the workers of those countries is it that they toil from daylight to dark throughout all the years of their weary lives, if of the wealth they create they themselves receive but a fraction, barely enough, even in the heyday of civilization, to maintain existence on a plane but one stage removed from that of primeval man?

If the wealth created be not justly distributed, if the producers of it are forever to produce and never to enjoy, if the larger part of the fruits of production are appropriated by a few who do not produce, and if this be the best result of enlightened progress, what a ghastly failure is civilization! But, Mr. President, it is not the best result. It is the result only of a partial and one-sided development, the fruits of false and selfish policies. The policies that are to prevail in this country must be such as will diffuse the blessings of material progress and advancing civilization among the entire body of its citizens.

The larger the numbers of the population of a country the greater the need for diversification of its industries. Among sixty-five million people an infinite variance of aptitudes will be found, and every increase in the number of inhabitants will be accompanied by a need for greater subdivision of industries to correspond with the ever-increasing differentiation of individual faculties and proclivities.

In order, therefore, to insure that a given population will always voluntarily yield up its natural maximum of working force, such national policies should be adopted as may encourage the establishment and maintenance throughout the country of the widest diversity of industries. This diversity should not be limited or affected by geographical lines. It should not be a characteristic of one section merely. In a country of such magnitude and variety of resource as ours each section should develop and mature every industry to which it may be adapted. There would thus be available for growing youth in all parts of the country the opportunity of adopting at home such calling as may be suited to individual aptitude. As additions were made to the number and variety of industries time would produce the needed adjustment and co-ordination.

INDUSTRIAL AS IMPORTANT AS POLITICAL INDEPENDENCE.

In order that this Republic may become fully independent it must become not merely politically, but also industrially independent; for, broadly considered, political freedom is not so much an end as a means; it is not a goal, but a starting-point. In the presence of false industrial and economic systems political freedom can not avail. After inducing the mass of the people to indulge in high aspiration, to believe in the principles of our immortal Declaration, that "all men are created equal," to understand that here they are living under no system of caste, that the people constitute the Government, and that all opportunities are open to the least among them, it is vain to say that they must be content to live in conditions of misery identical with those which surround the subjects of despotic governments who have never drank in the spirit of liberty. We must not say to our people, "Aspire, be proud, be independent—and live in squalor."

To be independent in the true and full sense a nation must become self-sustaining. Its work must be done by its own people on its own soil. In the means of livelihood of its citizens it must be independent of all the world. It should not leave them subject to the shifting, uncertain, and antagonistic policies of foreign governments. A great people should possess themselves of all the arts and industries of civilization.

THE BEST WEALTH—KNOWLEDGE.

For the art, Mr. President, is better than the article. The knowing how to produce is infinitely more valuable than the thing produced. The product we have for to-day; the knowledge we have for all time. No nation can enjoy to the full extent the luxuries, conveniences, and comforts of civilization whose people do not themselves produce them. Such things can not be permanently secured by exchange. If a nation would have them it must create them.

This consideration should impel every nation of wide territorial extent to be self-sustaining. That is the condition pointed out by nature. It is the only condition that accords with the fullest growth and development of a people. Exchange will for a time supplement our deficiencies, but, if for want of practical knowledge of the arts our skill decline, our exchange power will also decline.

Besides, material wealth is not the highest wealth, nor is it the most enduring. Not only is it drawn upon from day to day for natural consumption in the supply of man's wants, but it is liable to destruction by fire or flood; and, even when husbanded with solicitude and protected by all the safeguards that cunning and skill can devise, it bears within itself the seeds of corrosion, and in spite of all that human ingenuity can do it will deteriorate and decay.

How different is it with the intellect of man! It develops with use; it expands with exercise; it strengthens with time. The more it is used, that is to say, the more it is consumed, the more abundant and prolific it becomes.

Whatever policy best employs and develops the intellect of a nation, that is the policy which most enriches it. For, in the last analysis, intellect is the highest form of wealth. The prime factor in the wealth of the United States is the intellectual force of its people. The loss of

a fraction of that force would be a greater calamity to this Republic than the destruction at any given moment of all its accumulated billions.

If a people have not intellectual vigor, no matter what other elements of prosperity they possess, they have not true or enduring wealth. Imagine all our tangible products, the enormous bulk of the material wealth of this continent, transported into the heart of Africa and placed in the possession of a people without intellect; how long would the Africans be rich? But a few days, for they would consume the goods without knowing how to produce others in their stead.

Or, again, conceive it all immersed in the inaccessible depths of the ocean, leaving nothing within the limits of our national domain, save only the natural resources of our soil and climate and the intellectual vigor and activity of our people—within a short period we would have reproduced it all.

The doctrinaires of Europe, and some of those of our own country, are prone to ascribe our unexampled growth and development to our great natural resources. But that our prosperity is due only in part to that cause must be manifest from the slightest historical retrospection. Before our race peopled this continent, the aboriginal Indians had, for untold centuries, had at their disposal every physical property of soil and climate that we to-day possess. Yet where was their wealth?

THE BEST KNOWLEDGE—KNOWLEDGE OF WORK.

The ultimate foundation of wealth among any people will be sought in vain in natural resources merely, and in vain among temporary stores of tangible and material commodities. The greatest wealth resides in applied knowledge. Not the abstraction, knowledge, which has been the fetich of the ages; not the knowledge of dilettanteism, which has glossed over the miseries of mankind with the consolations of rhetoric; not the knowledge of polite literature, which has remanded man to the past and turned him from the future; but the knowledge of science, the knowledge of nature, the knowledge of endeavor, the knowledge of *work*. What the world demands is a knowledge that shall ameliorate the condition of man, that shall augment his happiness, develop his powers of body and mind, and establish his dominion over nature.

How is such knowledge to be acquired? Not by contemplation merely, not by the brain alone, but by the combination of brain and hand. To be of use to mankind, the conceptions of the intellect must be transmuted into material force.

On this point I will read an extract from a monograph on "The Coeducation of Mind and Hand," a most luminous and thought-stirring essay by Charles H. Ham, published by the New York College for the Training of Teachers. In it the attentive reader will find a contribution to the literature of education and of labor not surpassed, if equaled, in all the libraries of learning. Mr. Ham says:

> Education and civilization are convertible terms; for civilization is the art of rendering life agreeable, and things—art products—constitute the basis of all the comforts and elegancies of civilized life. The great gulf between the savage and the civilized man is spanned by the seven hand-tools and the modern machine-shop is an aggregation of these tools driven by steam. Tools, then, constitute the great civilizing agency of the world. Carlyle well said of man: "without tools he is nothing, with tools he is all." The savage may own a continent, but if he has only the savage's tools—the spear and the bow and arrow—he will be ill fed, ill clothed, and ill housed. He might be familiar with philosophy and the sciences, but if he were ignorant of the useful arts his state would be the more deplorable, for, with the sensibilities and aspirations of a sage, he would still be powerless to draw from heaven a spark of fire with which to warm his miserable hut.
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> It is not necessary to divide the arts by the employment of the terms "useful" and "fine," for the fine arts, so called, can only exist legitimately where the useful arts have paved the way. In a harmonious development the artist will enter on the heels of the artisan. Art is one, a unit. It is not less worthily typified by the carpenter with his square and the smith with his sledge than by the sculptor with his mallet and chisel and the painter with his easel and brush. Both classes contribute to the elevation of man.
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> It follows that the ultimate object of education is the attainment of skill in the arts. To this end the speculations of philosophy and the experiments of chemistry lead. At the door of the study of the philosopher and of the laboratory of the chemist stands the artisan, listening for the newest hint philosophy can impart, waiting for the result of the latest chemical analysis. In his hands these suggestions take form. Through his skillful manipulations the faint tracings of science become real things, suited to the needs of human life, for it is through the arts alone that all branches of learning find expression.

These words, Mr. President, will find ready appreciation among all who have reflected upon the influence of the arts upon the progress and development of civilization.

The world has had its share of ornate but barren scholasticism. It has seen the fruit of an intellectual training that made education an end, not a means—a training as sterile as it was severe and which kept the human mind forever moving in a circle. It has trained its youth, when it trained them at all, in dialectics, in the arts of speech, in the arrangement of phrases, in the devising of syllogisms. It is time it turned to a higher order of effort—from the analysis of sentences to the analysis of things, from metaphysics to physics, from the artificial to the natural.

The giant forces of nature, that for thousands of years had slumbered unsuspected under the gaze and within the very reach of the abstract philosophers, have been awakened by the concrete philosophy of labor. With that awakening has come a rearrangement of all industry, a readjustment of all interests, a transformation of the universe.

Men have learned that the highest enjoyment of knowledge consists not in revery, but in application, and that the highest application consists in supplying their own ever-increasing wants. It is the increase of wants that distinguishes civilization from barbarism. That increase should, as far as possible, be supplemented by a corresponding increase of power to supply them.

The importance of knowing how to make rather than how to buy is seen in the fact that the world has never more than one year's subsistence ahead. In the face of this tremendous fact, how insignificant are all ideas of hiring our work out and, by so doing, training and developing the creative faculty of the people of other countries instead of that of our own.

What a nation needs in order to be great is the generation of power in all its people; not merely the power to think, but the power to execute; not merely the power of a few to think for all, but the power of all to think for themselves. Nations are unworthy the name of great in which the thinking faculty is exercised by but a fragment of the population. American civilization is based on an essentially different foundation. It depends on the intelligence of all. But it should not content itself with a regard for literature alone; it should perceive thought, not in sculpture and painting merely, but in the art that supplies material wants. While admiring the ability that creates a statue, which cultivates and refines the tastes of a people, it should admire no less the steam-engine, whose influence on civilization has been greater than that of any other creation of man.

In a letter which I have recently received from a lady of high culture, of most refined sensibility and great accuracy of intuition, I find my idea upon this point so happily expressed that I shall read a few of her sentences and make them my own. She says:

> I think that insufficient consideration is given to mechanics, men of practical science, and inventors, as compared with that given to artists and authors. Art, of course, has its place and fills a certain demand of our nature, but no man can enjoy the contemplation of a fine picture or statue, or the reading of a poem, no matter how perfect its construction or sublime its subject, if he be hungry or scantily clad. The practical, the useful, the necessary, must precede the beautiful and the simply artistic, or at least go hand in hand with them. At the present stage of civilization there is more of the human than of the angel in man; and if the human side is neglected, the angel will soon disappear.

As this lady well observes, it is only as the human wants are satisfied that the finer qualities of man become developed. It is hopeless to expect high ideals of morality or civilization while men are struggling for bread. This struggle removed, the energy absorbed in the fevered hunt for subsistence is liberated and applied to purposes of progress, to production and invention.

The power to produce—the faculty to create—is indispensable to the full measure of enjoyment of any product. A nation that can not create things can not truly enjoy them. A people who do not know how to produce an article readily content themselves without it. Without possession of the art—without the knowledge how to make—the possession of the article will not suffice. There is not, and can not be, in the mere power to use, that sense of possession and enjoyment that comes of the power to create. Things furnished to a nation by the intellect of other nations can never serve the highest purpose. The highest work of art, the product of a foreign people, can never convey true delight to a people themselves wanting in the power and experience of art.

I do not envy a people that could thoroughly enjoy, or be content with copying, the inventions of other countries. It is the highest duty of a government to adopt policies that shall tend to develop the creative faculties of its people. In the savage state the only object of man is to obtain food and shelter. Civilization should have a higher aim and purpose. In order to obtain the barest necessaries of life—to secure a mere animal existence—it was not necessary for men to enter into relationships in society, to organize communities, to subject themselves to the restraints and limitations of civilization. Mere physical existence could be maintained without it.

ADVANTAGES OF ASSOCIATION.

The great end of civilization as distinguished from barbarism should be to uplift humanity, to unfold and develop those qualities of mankind that are superior to the animal nature, to bring forth and give play to intellectual force by the operation of which the higher wants may be satisfied. In this country the struggle is not for the bare necessaries of life. The struggle is for advancement, for progress, for elevation, for association. These objects can be attained only by a governmental policy that will insure such variety of occupations as may evoke the best efforts of all our people. The more men mingle together the more each man learns of that which his fellows know. Thus each will possess and enjoy a share of the knowledge of all, and will himself have imparted to others a share of the knowledge resulting from his own observation and reflection.

Man is a gregarious animal. His strength can not be developed, neither can his happiness be secured, in isolation. Imagine him placed, solitary and alone, amid the most splendid and luxuriant surroundings, with every wish granted, every yearning realized, every aspiration gratified, excepting one alone, society—excepting the touch of the human hand, the sound of the human voice, the interchange of thought with his kind! He would fly from this condition as from death, of which it is the "counterfeit presentment."

The instinct of association is the most powerful attribute of our race. No object of desire holds a higher place in the estimation of men. From

the cradle to the grave, the greatest charm which existence offers is companionship. The great object of life, after satisfying the indispensable needs of physical existence, is social intercourse.

This is more true of the people of this Republic than of those of any other country on the globe. Nine-tenths of their labor, whether of hand or head, is induced by social aspiration. It is to gratify this aspiration, to give their children larger and better opportunities, that men hazard their lives in numberless avocations. It is the mark of superiority in a people that they prize progress beyond physical ease, and it is the boast of the American people that their progress is unexampled among the nations.

The principle of association and social growth receives among us a broader recognition than among any other people, and it is to this country that the world must look for the highest realization of that principle. Association is the fundamental fact upon which civilization rests. It is the law of progress for humanity, and we can no more escape a violation of its decrees than we can escape a violation of those of any other natural law. To men in aggregations, with universality of occupations, properly proportioned and co-ordinated, all power is given, all advancement is possible.

So well and so universally is this fact appreciated that the greater part of the material wealth of every nation is derived from the assertion of the principle of aggregation. The twenty-five cities of Massachusetts, covering less than 5 per cent. of the area, contain 77 per cent. of the land values of that State. Boston alone, containing not one-half of 1 per cent. of the area of the State, contains 45 per cent. of the land values. These values do not arise from any property of the soil.

What people are paying for in cities is not the particular number of square feet which serve the purpose of existence, but for the opportunity at short range of supplying each other's wants—the opportunities of association, the privileges of possessing paved and lighted streets, ready means of locomotion, of having water, gas, or electricity in their homes, of having access to libraries and museums, of having their morning newspaper, hot from the press, of attending instructive and entertaining lectures, of hearing operas, of seeing the drama, and all the other innumerable advantages which can only be had by people in aggregation.

Association, then, stands for strength, for concentration, for intensity, for achievement. Isolation stands for feebleness, for ignorance, for inefficiency. It is the negation of achievement. It implies expenditure of force without proportionate result. It involves waste of physical energy, and induces mental languor and impotence. Whatever, therefore, tends to bring men together in communities, tends to lighten the burden of each, while multiplying the achievements of all. This is the great work accomplished by a protective tariff.

As men must live by labor, they must learn occupations that will supplement each other. The study of an occupation is the noblest study of life. In the absence of a policy which may enable our own people, without degrading competition, to do all their own work, how are they to secure opportunity for the study of varied occupations?

THE GREAT SCHOOLS OF THE WORLD—THE WORKSHOPS.

The great schools of the world are no longer those in which the dead languages are taught. They are the mechanical workshops, in which young men learn to build Corliss engines, Waltham watches, dynamos, and the long list of other marvelous machines that but herald the approach of greater marvels. The professors of the new philosophy are not those who despise industry; they are the chieftains of industry. "This is the stone which was set at naught of you builders, which is become the head of the corner."

These are the schools—the true "universities"—that a nation needs. The instruction which they impart has all the accuracy of mathematics, all the grace of rhetoric, all the rhythm of poetry. The implements of thought are not words, but the tools of labor. The processes of analysis and synthesis are taught by real, not mimic, object-lessons. The constructive faculty is exercised where it should be exercised—in construction. The imagination has free play in the realm of invention and experiment. The reasoning powers are disciplined to an extent unknown to the logicians. In the making of an argument men may err without detection; in the making of a watch or a window-sash they can not do so.

Says Macaulay:

> Bacon has remarked that in all ages when philosophy was stationary the mechanical arts went on improving. Why was this? Evidently because the mechanic was not content with so careless a mode of induction as served the purpose of the philosophers. And why was the philosopher more easily satisfied than the mechanic? Evidently because the object of the mechanic was to mold things, while the object of the philosopher was only to mold words. Careful induction is not at all necessary to the making of a good syllogism, but it is indispensable to the making of a good shoe.
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> Mechanics therefore have always been, as far as the range of their humble but useful callings extended, not anticipators but interpreters of nature; and when a philosophy rose the object of which was to do on a large scale what the mechanic does on a small scale—to extend the power and to supply the wants of man—the truth of the premises which, logically, is a matter altogether unimportant, became a matter of the highest importance; and the careless induction with which men of learning had previously been satisfied gave place of necessity to an induction far more accurate and satisfactory.

Men may take risks, Mr. President, in the employment of a professor of belles-lettres; they will take none in the employment of an engineer. The untrained head may do no harm; the unskilled hand may prove destructive. The workshop is the academia of the new philosophy. It is the fountain of thought, from which must flow the stream of invention that is to enrich and fructify the world. Who can prophesy the ultimate result of its work? Who would limit the bounty which it must confer on mankind?

The greater the number of workshops existing in a country the greater will be the number of inventions, and the more numerous the sources of that country's wealth.

The conquest of forest and field, the civilization of man, was achieved not by literature, but by labor; not by the wise saws of soothsayers, the deductions of moralists, the eloquence of orators, or the rhymes of those who "yoked rich words together." A half-dozen simple tools tell the story of the early struggles. From these, by the cunning of brain and hand, have been evolved all the intricate contrivances that now constitute the extended paraphernalia of the workshop. Whoever invented a new device and added it to the common stock was the true civilizer. If it be a benefaction to mankind to cause two blades of grass to grow where before but one had grown, it is no less a benefaction to multiply a hundredfold the power of the human arm.

Those who laud the graces of poetry and the charms of rhetoric will do well to remember that a machine which runs with rythmic beauty and irresistible power is more awe-inspiring, more eloquent, more noble, and infinitely more instructive and valuable to mankind than any poem ever inscribed. The power-loom, the spinning-jenny, the sewing-machine, the reaper, the steam-engine have done more to deliver the world from barbarism—to clothe, to feed, and to elevate the race morally, intellectually, and physically, than all the works of poetry and rhetoric that the world has ever seen. The Corliss engine is an Iliad, the locomotive an anthem, the sewing-machine an idyl, the reaper an eclogue. These are the greatest achievements of man—the richest and ripest fruits of his culture and genius.

Around these will the philosophers and *littérateurs* of the future admiringly cluster. In their praise will the muses sing, the poets indite, the seers foretell. In comparison with their deeds how insignificant the feats of Hector and Ajax, how repulsive the exploits of Alexander and Cæsar!

The advancement of the future must find its material basis in the development of the mechanic arts and inventions. There is a limit to the consumption of food; the richest man can consume no more of it than the poorest. An advance in civilization does not increase the demand for food, but it does increase without limit the demand for articles that minister to the comforts and refinements of life in other respects. New works of use and ornament are constantly in demand; new inventions and machines constantly making; new styles of houses, of furniture, of clothing, of jewelry, coming into vogue; new tastes and fancies even in the games and amusements of the people.

THOSE SCHOOLS MUST BE PERMANENTLY ESTABLISHED.

To secure the largest achievement, manufactures must not only be varied and generally dispersed throughout the country, but it is indispensable that they be long continued. The young of each generation must live in the presence of work and in the atmosphere of production. They must be accustomed to the hum of industry. They must imbibe the spirit of exertion. They must grow up amid surroundings that will give them respect for manual labor, which they must identify with their future as with honorable and self-respecting utility. They must see no debasement in the hard hand and the soiled face—these are the "medals" and insignia of the new order; they must hear none in the rumble of machinery—it is the sign by which they conquer.

A people accustomed to looking upon these things as humiliating, or as involving inferiority, can not succeed. When men realize that there are no divisions in the guild of labor, and that all labor is noble and necessary, they will seek that to which they are adapted, and will pursue it with zest. For such men there is always a future. Zeal is the parent of promotion. Study and observation are the handmaids of progress.

Improvements in machinery are effected by those in daily association with it; who see and study it at rest and in motion; who occupy themselves in noting the harmony and proportion of its parts and their adaptability to the functions to which they are assigned; who reflect upon the symmetry or the aberrations of its movements and discuss its merits and defects in detail with their fellows. This process awakens thought and arouses ambition. It invents machines and develops men.

A country can have no source of power more enduring than a body of skilled and well-paid mechanics who, working and residing in centers or cities at short and convenient distances apart, spend their money in their own localities and furnish the most certain, convenient, and profitable market for the products of agriculture. I lay it down as a fundamental maxim that the highest agricultural prosperity can never be reached except in countries which do their own work; in other words, in countries in which manufactures abound and in which the farms feed the factories. The law of orderly progress demands that a people shall develop all their powers. The aptitude of each will supplement the aptitudes of the others.

THE APTITUDES OF ALL THE PEOPLE SHOULD BE DEVELOPED.

In a controversy on protection and free trade, appearing in the North American Review for January, 1890, Mr. Gladstone said:

International commerce is based not upon arbitrary or fanciful considerations, but upon the unequal distribution among men and regions of aptitudes to produce the several commodities which are necessary or useful for the sustenance, comfort, and advantage of human life. If every country produced all commodities with exactly the same degree of facility or cheapness, it would be contrary to common sense to incur the charge of sending them from one country to another. But the inequalities are so great that (for example) region A can supply region B with many articles of food, and region B can in return supply region A with many articles of clothing at such rates that although in each case the charge of transmission has of necessity been added to the first cost, the respective articles can be sold for importation at a lower rate than if they were home-grown or home manufactured in the one or the other respectively.

In this statement Mr. Gladstone, to my mind, surrenders the fundamental basis of international free trade, so far as this country is concerned. Whatever might have been the apparent or presumed support for such a theory up to 1861, before the protective tariff gave impetus to home manufactures, the experience of the past thirty years has conclusively demonstrated to every reflecting mind that numbers of aptitudes not before possessed by our people have in that time been acquired. What but a free-trade policy can prevent us from acquiring other aptitudes which we do not now possess? Aptitudes reside not in the country, but in the people, and they are as varied as the people are numerous. Within the period indicated the development of aptitudes in this country has been a marvel and a revelation not only to ourselves, but to the world.

Mr. Gladstone admits that "it would be contrary to common sense" to pay freight on goods exchanged between countries, provided the aptitude for making such goods existed at home. Why not carry the argument to its logical conclusion, namely, that with an alert population it is cheaper to develop the aptitudes at home than to continue indefinitely the payment of freights?

But I take the question to a higher ground, where it enters the domain of ethics. Is it not the paramount duty of a people to develop all their aptitudes? Is it not in the following out of aptitudes that their enduring happiness is to be found? The enjoyment essentially is not in the product, but in its production; not in the possession of the article, but in the pursuit of the art.

Mr. Gladstone's argument is but a repetition of that with which the free-traders have for fifty years endeavored to make us familiar, namely, that our "aptitude" is restricted to the cultivation of the soil, while that of England extends to the ever-widening and all-comprehending work of manufactures.

It would be much better for England if her statesmen gave their country credit for more aptitude for agriculture. Owing to neglect of that industry a few months' suspension of England's commerce would bring the proudest of her aristocracy to starvation. As to this country, it will be found, as time goes on, that under the benign influence of a protective policy, which enables our people to supply all their own wants, we shall develop more aptitude for manufactures than now exists in any country of the world.

In a discussion on the repeal of the corn laws, to be found in the Journal of the Statistical Society of London for January, 1839, a British banker, in advocating the repeal of the duties, stated, as one of the advantages to accrue to England, that by offering a market for American cereals the development of American manufactures could be retarded. Free trade had not then been declared in England. On the contrary, so protective, even at that date, was the economic policy of that country that it was an offense against the law, punishable with severity, to export to a foreign country a piece of English machinery. Cloth could be sold, but not looms. The dream of England was to do skilled work for all mankind, and to receive reward in proportion to the skill. In stating his views as to the effect of the repeal of the import duty on cereals, this banker said:

It is probable that the continental nations, and especially America, would cease to turn their attention to manufactures. They would exchange their raw products for our manufactures, and the exchange would be beneficial to all parties. They buy from us, and we buy from them, not from any affection, but because the commodities which each has for sale are produced at the lowest price; and to effect such purchase is the constant aim of all merchants.

The effect of our present corn laws is, that we can not purchase their corn, and we are driving them to become manufacturers. As it is contraband [in Great Britain] to export machinery, they can not buy it without paying an exorbitant price—15 per cent. more than the regular charge being known to have been offered in this place to land it in Belgium. Hence, as the machinery can not be exported the heads are emigrating who will make the machinery, and who will carry with them all the capital they can command; and our landed proprietors too late will find that the prosperity of agriculture depends upon the prosperity of the manufacturers—upon their power of producing commodities, and exchanging them for the raw products of the agriculturists.

The bank officer of fifty years ago was concerned for the manufacturing supremacy of his country. In deeming it probable that America would cease to turn its attention to manufactures, it is evident that with him the wish was father to the thought. It continues to be intimated that by reason of our great agricultural resources we should depend for our wealth on crops of cotton, corn, and wheat, and that the duty of supplying ourselves with manufactured products should be committed to other nations with aptitude for manufacture.

How were those aptitudes acquired?

HOW APTITUDES MAY BE DEVELOPED.

For five centuries England protected her industries, both by heavy tariff charges and rigid prohibitory enactments, and when ready to become the workshop of the world her statesmen declared that she had "aptitude" for manufactures. There was a time, long before England asserted such "aptitude," when the weavers of Flanders made all the woolen cloth of the world—England, in the absence of "home manufactures," supplying them with her proportion of the wool. Flanders was then credited with aptitude for weaving. But the English people understood the importance of industrial development. They knew that aptitudes depended largely on conditions and training. They adopted the policy of protection, imported weavers, retained their wool, wove it into cloth in their own country, and thus developed the "aptitudes" which now they would lead us to infer are exclusively their own.

Aptitudes undoubtedly may be inherited, but, as we have seen, under fitting conditions they may also be acquired. It is in our power, and it should be our duty, to create in this country conditions that will develop every aptitude of which the human mind and hand are capable. If we continue unfalteringly the protective policy, it will be but a short time before our large, alert, and ingenious population will exhibit all the aptitudes now possessed by every nation engaged in industrial pursuits.

I will venture the assertion that with a proper adjustment and wide diversification of industries the strong, bright, hopeful, and alert people of this Republic may, in one generation, acquire all the aptitudes now exhibited by any nation upon earth. By that I do not mean that protection may then be dispensed with, for I contend that the protective policy—the policy which is to result in keeping in active and vigorous exercise the best faculties of all our people, in maintaining in equilibrium all their industries and enabling them to supply all their own wants—must be continued if this nation is to perpetuate its high order of manhood.

Nowhere in the world are there a greater variety of aptitudes displayed than in this Republic. Even were we lacking in some special aptitude, that is the one we should hasten to cultivate.

According to the free-trade theory, without the aptitude we should not attempt manufactures; yet without manufactures we can not secure the aptitude. We can not expect it to develop by accident. It can only be acquired by long and patient study in the "schools" of which I have spoken—the workshops of the country.

England became a great mechanical nation because of her wealth of minerals, her secure physical situation, and her strong protective policy. She had great beds of coal and iron, and had the men to work them. Shall we, possessing far greater wealth of minerals and far greater security of physical situation, possessing a boundless domain and an ingenious and untiring population, permit all opportunities of invention and progress to be confined to Europe? Shall we contribute nothing to the advancement of mankind? Shall we not lead rather than follow? Shall we content ourselves with the rudimental industry of agriculture, the industry of Adam, and depend upon other nations for our mechanical contrivances?

Rather let it be our aim to develop every aptitude of our people, so that our country may, through the intelligence, ingenuity, and virtues of its citizens, continue the work of upbuilding a great and free nation on this hemisphere from which the light of a true social science may shed its rays back upon the fading civilizations of the older continents, rekindling the torch of hope and revivifying the aspirations of their peoples.

It would be an extraordinary effect of liberty and of self-government of which we boast so much if the intellectual work of the world were confined exclusively to the people living under despotic and monarchical governments, and nothing but the least intellectual forms of manual labor performed in a free and self-governing republic.

If that is to be the result of republican liberty, then the other peoples of the world should be in no haste to change their forms of government. Civilization and spirituality under a despotism are better for mankind than the freedom and ignorance of the aborigines. If the price of liberty is to be the loss of skill in the arts which elevate and ennoble humanity, better that liberty should die in order that men may live.

If the results of the Declaration of Independence are to be that the work which exercises and develops the noblest faculties of man, the work which combines the labors of hand and brain, shall acquire increasing vigor and plenitude under the so-called "effete" governments of the older continents, and only the unskilled, unintellectual, and unprogressive labor is to be the characteristic of this Republic, the philosophers of the future will be at a loss to attach to republican freedom the importance claimed for it by the literature of the present. Thus Macaulay's famed New Zealander, instead of surveying the ruins of London from its celebrated bridge, may sit astride the fallen and forgotten Statue of Liberty in New York Harbor and sweep the horizon in vain for proof to support the averments of historians that civilization had once found lodgment on Manhattan Island.

ORIGIN OF FREE TRADE.

The free-traders and their allies, the "revenue reformers," aver that a protective policy is an injury to our people.

Two powerful classes have contributed largely to the dissemination of this belief. One, as would naturally be expected, comprises the European manufacturers, who see great profit to themselves in a possible monopoly of our market for the sale of their wares. The other is composed of the great variety of non-producers of Europe, the respectable idlers, the most powerful and influential of whom are the titled aristocracy, the annuitants and income classes. Their only relation to the state is as consumers, and they are naturally zealous in their own behalf.

Living largely on rents of houses and lands, on unearned pensions from the Government, and the interests on bonds and mortgages, they add nothing to the material wealth of the state. Producing nothing themselves, they regard the consumer and producer as different individuals, and hence talk of the producer "robbing" the consumer. They have no knowledge of conditions such as exist in this country, where practically all the people are both producers and consumers and where the general sentiment is that he who consumes without producing is not entitled to especial consideration in the enactment of economic statutes.

The great body of the land of Europe being held out of reach, the masses have not, as have our workmen, the alternative afforded by a resort to agriculture. However low the wages of labor may be pressed, they must be accepted. The laborer, being between the upper and the nether mill-stone, is in no condition to dictate terms. Two powerful classes combine to despoil him of a portion of the products of his labor.

THE PROTOTYPE OF THE FREE-TRADER, THE FREEBOOTER!

In the accomplishment of this purpose the free-trader is but following, by a more humane method, the precedent set by his prototype, the freebooter.

The object of the freebooter was to get wealth without producing it, to get that which somebody else had earned, but to get it without giving an equivalent.

In the early history of human endeavor large wealth could be obtained only by direct and open plunder, by undisguised spoliation.

This was a spoliation of the "producers" for the benefit of men who could not produce, and who despised the arts that led to production. It frequently culminated in the enslavement of the weak by the strong. Whenever circumstances gave prospect of constant employment to labor, the laborer was enslaved and large bodies of men, the real "producers" of the world, were held in subjection and hired out for wages paid to their masters, the "consumers," that they might contribute to the ease and wealth of those "consumers" who themselves could produce nothing. Thus we find that of a population of 120,000,000, constituting the Roman Empire, 60,000,000 were slaves, almost all of these being of the white race.

Whenever the conditions were unfavorable for actual enslavement, the "consumer" and his retainers contented themselves with making periodical raids upon the producer and in a night depriving him of the hard earnings of years of industry. The "free-trader" of that period was the warrior on land and the pirate at sea.

Whether in the midnight raid of robber bands, the more warlike conflicts of tribes, or the sanguinary encounters of armies, the ultimate object always was—unearned wealth. The opulence of the Orient excited the envy of Alexander, whose legions reveled in their ill-gotten booty. The riches of Gaul aroused the avarice of Cæsar, and the spoils of the provinces, transported to Rome, long supplied her proletariat with "bread and circuses." The empire, in its turn, was sacked by the barbarians. When, at its fall, society reverted to its earlier forms, the deadly foray and the predatory incursion became again, throughout Europe, leading instruments for the distribution of wealth among those who had not earned it.

On the decline of feudalism and the rise of the modern nationalities, the pillage for the benefit of the aristocratic "consumer" was continued under a new guise. The work was invested with an air of philanthropy. Barbarians were to be enlightened, and it became the self-imposed duty of the leading nations to secure, at the mouth of the cannon, the privileges of "freedom" of trade with those barbarians. Civilization had to be extended, and, with the aid of the resources of civilization, the terms of the trade were fixed by the one side for the "benefit" of both. These resources, however, did not consist exclusively of implements of warfare.

The aid of literature was invoked, and the world was flooded with books, which were translated into the principal languages, attempting to prove that free trade was the panacea for all economic ills. In the progress of time, having exhausted both physical and mental force in compelling or persuading the people of the world to accept "free" trade, and understanding the importance of money in its influence on the distribution of wealth, the free-trade "consumer" secured a further share of the earnings of the producer by a skillful manipulation of the volume of money in the leading countries of the world and by depriving of the money function the older, more useful, and more universal of the precious metals.

THE BASIS OF FREE TRADE.

Free trade is based essentially on the idea, express or implied, that in trading with other nations we can cheat them in the trade—that in exchanging with foreigners we can secure an advantage over them, that in return for the products of one day's work of ours we can get the product of a day and a half of theirs.

This is a delusive hope. With freedom of trade, equalization would soon take place. All the wealth we can have is what we produce, or its equivalent. In obtaining the equivalent, let us obtain it of our own people. Thus, to the extent that we are consumers of the things they make, we shall give them employment; and, in return, to the extent that they are consumers of the things we make will they give us employment, thereby insuring an equilibrium in our industries, developing at home skillful artisans in every branch of industry, and dotting the country over with manufacturing establishments.

Free trade would banish those establishments and would exchange skilled mechanics for cheap door-knobs or cheap cutlery. It would reject the knowledge of useful arts in order to save for the moment a few cents a yard on woolen cloth or cotton-ties, or a few cents a pound on tin-plates. Protection secures the arts and protects the artists. It transforms ignorance into knowledge, indifference into zeal, inertia into activity, impotence into power.

Free trade is based essentially on the idea of landed aristocracy—on the idea that the land of the country is the property, not of independent farmers, owning and working their own land, but of allodial lords, owning practically the community in which they live. It has its foundation in that form of social development of which slavery was a type, which takes no thought of the man who works with his hands. It implies that, as in Europe, there shall eventually be in this country no proprietary farmers, but that a few great proprietors who disdain work shall monopolize the land. It implies that when a few barons shall hold in large tracts the land of the country they, as lords of the soil, can ordain that what they call "their" country shall forever remain in the primitive occupation of agriculture.

These baronial owners can say to all comers, "We own all this land; this country is ours; you can starve unless you accept work on our terms. We do not wish you to have a variety of occupations. We do not wish you to aspire. What have you to do with aspiration? We can buy all the manufactured goods we want from the cheap labor of Europe or Asia. If you open stores or set up workshops you must compete with the cheapness of Europe and the squalor of the Hindoos and Chinese; you are entitled to no protection as against them. They have as good a right to sell their wares here as you have." But in the same breath the landed proprietor will add, "Of course you people are expected to shoulder your guns and with your lives defend and protect us and our property in case those same Europeans or Chinese invade the country and endanger our ownership of this property."

They will recognize the propriety and even the duty of protecting the country from an armed invasion, while they will contemplate with serenity the prospect of an industrial invasion, which might be more disastrous. The principal use of conquered territory in this age is to secure a market for the industries of the conqueror.

The opponents of the protective system claim that under their policy no law would prevent us from doing our own work. But they are unable to deny that conditions are as powerful as law, and that where conditions render it impossible for us to compete in our own market with foreign manufacturers it is idle to boast of our freedom under the law to enter into any business which we may desire.

SHOULD WE ADOPT A FREE-TRADE POLICY?

The question whether free trade should receive the sanction of our people depends altogether upon the view we take of the wants of the nation. If all that is to be done is to satisfy the barest physical wants, if we care only to maintain our workmen on the lowest fare, dress them in the poorest clothes, house them in the meanest buildings, and deprive them of the hope of all intellectual advancement, then let us adopt an economic policy which will result in the destruction of our industries.

If, on the other hand, we wish to unfold and strengthen every energy of our people—cultivate our material resources, preserve our national strength and impregnability; if we are to maintain our place in the vanguard of the nations; if we are to seek the satisfaction of intellectual and spiritual needs; if we yearn after the higher life, after the broadest development; if we aspire to the noblest use of our best faculties; then we must look for these, not in free trade, nor in any form of foreign trade, but in the development within our own country of the wide and varied catalogue of all the industries, all the sciences, all the arts that contribute to the happiness of man.

In none of this work would free trade aid or encourage us. On the contrary, its motto is to buy wherever it may buy cheapest to-day, without regard to the future, or to the country in which it buys. It is distinctly founded on individual selfishness. It looks only to the temporary advantage of the individual, and takes no thought for the future or for the community. The protective policy is founded on a higher form of selfishness, the selfishness of the nation, which is but another name for patriotism.

Free trade brings the watch, protection brings the watchmaker; free trade brings the machine, protection the machinist; free trade brings the engine, protection the engineer. Given the men, we can not lack the machines. Having the art, we shall not want for the article. Pos-

sessing the producer, we shall not want for the product. Between them who shall hesitate as to which is the more valuable to the country? Men found communities, machines do not; men constitute a society, machines do not.

The policy of free trade involves a contradiction not readily reconcilable with the genesis of the Republic. Among the causes that led to the Declaration of Independence was the fact that Great Britain would not permit us to do our own work. No source of difference between the mother country and the colonies was more offensive and repugnant to the sense of reason than the denial of the right to the colonists to set up their own manufactures.

All the force of law and of official discouragement was brought to bear to repress the spirit of enterprise on the new continent and to force its people to remain forever in a condition no less of industrial than of political dependence upon the mother country. It was our "market" rather than our country that Great Britain prized. Our voluntary adoption of an economic policy which would now give that market to Great Britain or any other country would defeat one of the principal objects of the founders of the Republic.

But it is not alone in an economic aspect that free trade would be an injury to this country. If we consider its effects upon our social life, we shall find it no less injurious. Communities are composed of men and women. Free trade separates by thousands of miles the sons of the farmer and the daughters of the watchmaker, of the machinist, of the book-keeper. It keeps the farmer's daughters unacquainted with the sturdy and honorable young men who should be learning in American, rather than European, workshops the various mechanical trades, which would yield them an income sufficient to enable them to enter with prudence into the marriage relation.

Not the least of the achievements of a continued protective policy will be that, by encouraging the widest development of the arts and manufactures and the formation of communities in proximity to the farmer's home, the law of natural selection in the most important incident of human life may have opportunity to assert itself. It will render it unnecessary for the farmer to send his daughters from home to get the advantages of society; it will bring society to them. The varying tastes, preferences, and affinities which sanctify the marriage state will thus have opportunity of finding expression. All temperaments, all dispositions, all shades of character will be observable in such communities, and ample opportunity for choice will be afforded to each sex. This will in very large degree promote the progress and happiness of society.

FREE TRADE DISCREDITED.

Not only is free trade delusive as a theory, it is discredited as a fact. The tendency of the time is in the other direction. By protective tariffs the nations of Europe are developing home industries.

For manufactured products France is no longer tributary to England, as she was thirty years ago. Instead, she is a competitor of England. The exports of French manufactured goods are now valued at nearly one-half those of Great Britain, and two-thirds of the amount consist of textile fabrics. In agriculture the French people, by the greater intensity of cultivation characteristic of small farms, are producing 50 to 60 bushels of wheat to the acre.

Germany, since the Franco-Prussian war, has by means of a protective tariff effected a revolution in her industrial system. She has improved and renewed her machinery in accordance with the latest developments of inventive genius. She begins her industrial career at a point at which Britain has arrived only after centuries of endeavor. Twenty years ago Germany was one of the best customers of Britain; to-day she is rapidly supplying her own wants. It is but thirty years since cotton spinning and weaving in Germany were unorganized and insignificant house industries, and the exports of cotton goods from all the German states but 830 tons. In 1884 Germany's exports of such goods were 25,000 tons. In the nine years from 1875 to 1884 she doubled the number of spindles in her woolen factories, and in the last-mentioned year exported 21,000 tons of woolen goods.

In 1879 Russia adopted a protective policy, increasing her tariff dues nearly 30 per cent., enormously decreasing her imports of British manufactures and correspondingly augmenting her own. Nearly all the steel and three-quarters of the iron now used in that country are of home manufacture. In the ten years ending 1884 the exports of British produce to Russia declined from $44,000,000 to $25,000,000 per annum.

Italy, too, has now her protective tariff. Notwithstanding lack of fuel, her home industries are rapidly developing. Her spindles, that in 1877 were but 1,000,000, had by 1885 increased to 1,800,000. Her imports of coal furnish an index to her augmented manufacturing power. For 1871 those imports amounted to 780,000 tons; for 1884 to 3,000,000 tons.

Austria and Hungary are participating in the race for home production, not only by protective tariffs, but by laws which exempt from taxation for a period of years such industries as may be established.

Thus all the leading countries of the world are waking up to the fact that they should be doing their own work, producing for their own people, setting their own houses in order. All begin to see the permanent value and the enduring national security furnished by an integrated variety of occupations. England itself is in throes of doubt, and discussing the virtues of "fair trade." Even Spain, the somnolent, is waking up.

The people of this country have in their own history an illustration of the blighting effects of a policy which disregards diversification of industries.

THE EFFECT ON THE SOUTHERN STATES OF THE ABSENCE OF DIVERSIFIED INDUSTRIES.

The great body of the opponents of a protective policy are found in the States of the South. Until lately they had no experience with labor, except such as they owned, and such as they could not, with safety to the institution of slavery, permit to become intelligent or aspiring.

The workman of the South, unlike him of the North, does not belong to the creative race. He forms the base only, the lowest stratum of the industrial system. He is under the feet of the dominating caste.

He is not regarded as a component part of the Government, or as a factor in the support of its institutions. He is simply a hereditary laborer doomed, as the people of the South believe, forever to remain a laborer, and forever to remain in a condition little above that of slavery.

The Southern people took no interest in the advancement or the intellectual achievement of their working class. They were willing to live on the reward of the rudimental industry of agriculture, and to be surrounded by a laboring class who should indulge no hope of advancement. As was to be expected, in the presence of the slave, with whom manual labor was identified, such labor by free men was discouraged and despised. Naturally, therefore, the South favored and now favors a policy which would enable its people to exchange the products of their cheap laborers for the products of the cheapest laborers they could find elsewhere on the globe.

In other sections of the country the conditions are wholly different. The workmen are in control. They do the voting; they direct the policies of the Government. Did the Southern people have in their working population so aspiring, self-reliant, intelligent, and aggressive an element as the working population of the North they would look at the question differently; nor would this result be with them altogether a matter of choice. The workmen would demand protection and insist upon receiving it.

The labor of the North forms at once the foundation and the superstructure, the pillar and the dome, of its civilization. The prosperity of that section means the prosperity of its workmen. With very few exceptions, the men of the North are all workmen. To degrade and depress them means to degrade and depress the entire body of the people. This can not be done. A policy that might be tolerable where the lowest order of laborers was employed would not be consistent with the peace, order, or well-being of a society in which the workingmen were of a high order and comprised the vast majority of the community in numbers and force.

The gauge and measure of civilization is the extent to which man subordinates to his will the latent forces of the universe. To that sublime work the States of the South contributed little or nothing.

As an illustration of this I will cite the ratio between the number of the white population and the number of patents that in the year 1870 were issued to the citizens of a number of the States of the South. For purposes of comparison I cite also the like figures for a number of States of the North. In order to make the comparison just, I do not include in the figures of population the recently manumitted class:

Table showing the ratio between the number of the white population and the number of patents issued to citizens of the States named during the year 1870.

States of the South.	Persons.	States of the North.	Persons.
Alabama, 1 patent to	14,483	Connecticut, 1 patent to	896
Arkansas, 1 patent to	32,919	Illinois, 1 patent to	2,916
Georgia, 1 patent to	7,888	Indiana, 1 patent to	4,277
Mississippi, 1 patent to	7,658	Massachusetts, 1 patent to	1,051
North Carolina, 1 patent to	12,565	New Hampshire, 1 patent to	3,121
South Carolina, 1 patent to	8,376	New Jersey, 1 patent to	1,827
Texas, 1 patent to	11,764	New York, 1 patent to	1,450
Virginia, 1 patent to	6,473	Pennsylvania, 1 patent to	2,284

The most instructive lesson of American history—indeed, the most impressive economic lesson of all history—is that afforded in a great crisis by the industrial impotence of those States, resulting from their persistent neglect of the mechanical arts and of diversified industries.

When the South declared war it was found that its people could create nothing of practical utility. Their orators and stump-speakers, who led them into the war, could spin "yarns," but not of cotton; they could weave sentences, but not woolens. They could make speeches, but could not make engines. They could make verses, but not vestments; they could talk learnedly of the rights of man, but could not supply the wants of man. They could write flaming essays on courage, but could not make a gun or a canister of powder. They could organize armies, but not industries. They could inspire their troops with en-

thusiasm, but could not supply them with blankets. With all their cotton they could not make a handkerchief; with quantities of sheep and all natural facilities for producing wool and turning it into cloth, they could not make a coat. With every opportunity for the establishment of manufactures, they could not make a needle, a knife, a bayonet, or a button.

With ample natural resources, and with opportunities equal to those of the North, the people of the South, looking only to the moment and never to the morrow, permitted iron, coal, and other valuable minerals in illimitable quantities to lie inert and useless in their fields. They could produce nothing but the raw materials of agriculture, and but little variety even of those. Theirs was a civilization that "disdained to be useful, and was content to be stationary."

When, therefore, in the hour of their utmost need, they wanted clothing, arms, munitions, and means of transportation, they were without factories, foundries, mills, machine-shops, railroads, tools, and skilled workmen. Had it not been for their slaves, they would have been without food. Their soldiers suffered for want of proper clothing, some of them even dying of cold; and many, especially toward the close of the war, wearing uniforms made from rag carpet. Like helpless aborigines, they were obliged to look to their enemy for every resource of warfare.

But this was not because the people of the South were wanting in ability. It was not that they lacked great qualities, not that they were destitute of the mental and physical characteristics of the great creative race from which, in common with the people of the North, they had sprung and to which they belong. In every department of effort to which they had directed attention, they had displayed all the ability characteristic of that race. They had the same innate qualities which all people of that race possess; but the greatest of those qualities they never exercised. The creative and inventive faculties were never brought forth.

The lack of diversified industries is destructive in time of war, but, like the "dry rot," it is none the less operative in time of peace and none the less certain to culminate in disaster.

The fruits of all this the leaders of the South have had ample opportunity to observe; but, with the fatuity of those who never learn and who never forget, they still cling to the traditions of the old régime and close their eyes to the demands of the age and of the future. The blunder on the part of the South was no less economic than historic. This fact has not escaped the eye of discerning men among its people.

In a work entitled Destruction and Reconstruction, by a lieutenant-general, Richard Taylor, of the Confederate army (son of President Zachary Taylor), that officer, referring to the effect on the struggle of the lack of diversified industries in the South, said:

> We suffered less from inferiority of numbers than from the want of mechanical resources. Most of the mechanics employed in the South were Northern men, and returned to their section at the outbreak of the war. The loss of New Orleans, our only large city, aggravated this trouble, and we had no means of repairing the long lines of railway, nor the plant. Even when unbroken by raids, wear and tear rendered them inefficient at an early period of the struggle. This had a more direct influence on the sudden downfall of the Confederacy than is generally supposed.

This pregnant statement of a distinguished officer is corroborated by Col. Archer Anderson in his oration delivered on the occasion of the late unveiling in Richmond, Va., of the statue of General Lee. In the course of a lengthy and eloquent review of the events of the war, Colonel Anderson said:

> Modern armies, with their elaborate small-arms, artillery, and ammunition, can not be maintained without great mechanical appliances. They can not even be fed without great lines of railway. And how can railways be operated in a country closely blockaded, without those same manufacturing resources? All this was true from 1861 to 1865. At no time during that period did there exist south of Richmond foundries and rolling-mills capable, in a year's work, of supplying the Confederate armies and railways for three months. In the first part of the war the nucleus of such establishments could not be found elsewhere in the South. In the latter part beginnings had been made, but the new production of cannon and railway material never became adequate to the demands of a campaign. If the requisite machinery could have been improvised the product could not have been hastily increased because of the absolute lack of skilled workmen. The loss of the skilled artisans of Richm nd would have been as fatal in our poverty as the loss of its mills and workshops.

These are the philosophical reflections and frank admissions of a chosen leader of the "lost cause."

The trouble with the South, Mr. President, was that in the case of its working classes the hand had been at work without the brain; and in the case of the intellectual classes, the brain had been at work without the hand. One worked without thinking, and the other thought without working.

At the North, on the contrary, the great bulk of the population had been working, and to-day continue working, with hand and brain in unison. The exact training of the mechanic of the North, under conditions which gave ample room for the expansion of his mind and the development of his intellect, had produced a race of mechanics who, compared with the mechanics of other countries, must be classed as intellectual athletes. These are the men who win wars—men of ingenuity, of resource, of high intelligence, of physical strength, of undaunted courage. Those are the reliance of a nation in war, each other's best customers in peace. Those are the men who build up great communities. It is to those that the people of this country must look for their prosperity.

A nation that does not perform its own work and possess, in the body of its citizenship, the mental as well as physical force wherewith to carry on every process of industry, from the production of the raw material to the last stage of its development and transformation, will be the helpless prey of national marauders. Without mechanical and manufacturing resources and capacity, no people can maintain prosperity or independence.

Any nation that desired the mastership of the world could achieve supremacy without a blow if the other nations of the earth would permit it to become their manufacturer. They would become powerless against it in war, as they would be tributary to and dependent upon it in peace.

The admissions of the distinguished Confederate chieftains quoted should stand for all time as a monumental lesson to the world, that a people, however brave, engaged exclusively in farming pursuits, can never hope to cope with a people of the same origin whose diversified avocations enable them indefinitely to feed, clothe, and move armies, overcome interior intrenched lines by concentrated systems of railway, and, through their large plants, organized workshops, and independent army of skilled artisans, maintain supplies of improved and elaborate small-arms, artillery, and ammunition, and improvise ingenious and effective weapons and works of offense and defense.

The success of the North was due to the wise, patriotic, and far-sighted policy of its people in adopting at the outbreak of the war the protective policy through which a wide diversity of industries was established and maintained. That policy they will continue and enlarge. But the lesson which history teaches of the defeat and discomfiture of the South seems lost upon the survivors of the lost cause, whose clamor for a low tariff would, if successful, lay this whole country as prostrate and helpless as they found their own States in 1865.

To whatever words they may give expression their favorite policy makes them in effect say: "We care not who makes articles, nor where they are made. We are not interested in the advancement of labor. We care nothing for improvements in machinery. We care nothing for the harmony of development of our national industries. We want to buy where we can buy most cheaply at the present moment, whether that be on this side the ocean or at the other end of the earth. We heed not the lessons of the past and reck not of the future. After us, the deluge!"

It is stated that a leading figure in the Confederacy has declared since the war that the fundamental error of the South was not to have remained in the Union long enough to fasten upon it a policy of absolute free trade with all the world, which would have starved out our workmen and closed up our workshops, and then to have kept them closed for a sufficient length of time to insure the loss of all the arts. Had this been done he felt no doubt that the South would have gained its cause, and I agree with him.

There are in this Chamber distinguished and patriotic Senators, once high in the counsels both of the cabinet and senate of the "lost cause," who can not controvert the bitter confession of the distinguished Confederate officers I have named: yet with this lesson deeply engraved on the mortuary tablet erected to their late military hero and chief, they persist in demanding the establishment throughout the Union of the same malign economic policy which was confessedly the prime source of the weakness of their own States:

> So the struck eagle, stretched upon the plain,
> No more through rolling clouds to soar again,
> Viewed his own feather on the fatal dart
> And wing'd the shaft that quivered in his heart.
> Keen were his pangs, but keener far to feel
> He nursed the pinion which impelled the steel.

IS A PROTECTIVE TARIFF CONSTITUTIONAL?

Many distinguished "tariff reformers," in this Chamber and out of it, wholly deny the constitutionality of a protective tariff. It is, of course, not my purpose to enter upon a discussion of the relations existing between the Constitution and the tariff. That question has been fully debated by able lawyers on both sides of the Chamber. But there is one aspect of it which, as it seems to me, lies at the foundation of our existence as a nation, and which, with propriety, even a layman may presume to discuss.

It is the inherent right of a nation to defend its life. The clear-sighted men who draughted our Constitution needed no instruction in that regard. In the preamble to that instrument they declare the purpose of its formation in the following words:

> We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

In Article I, section 8, the Constitution provides that—

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

What the opponents of a protective tariff assert is, not that Congress may not levy duties, but that it has no power to levy duties for the purpose of protection, or duties that shall be protective in character.

If Congress has not now the power to levy such duties it never had such power. In that case the members of the first Congress that met

under the Constitution were surprisingly ignorant of the intentions of the framers of that instrument, for the preamble to the first tariff bill, passed July 4, 1789, read as follows:

Whereas it is necessary for the support of the Government, the discharge of the debts of the United States, and the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported.

But the utmost conceivable effect that the highest protective tariff—even a tariff of exclusion—can have in any country is to decree that the people living in that country shall perform their own work. Is it then to be supposed that the framers of the Constitution intended that this country should never supply its own wants—should be forever dependent upon foreign countries for the simplest manufactured articles—nay, for the very instruments with which to "provide for the common defense?"

VARIETY OF INDUSTRIES NECESSARY TO THE NATIONAL DEFENSE.

How, in an inventive age, is the "common defense" to be provided for? Shall we accumulate enormous supplies of cannon and military stores of the kind now most approved? They would be worthless in a few years. Shall we build great fleets of armored vessels which no gun of to-day may penetrate? Their armor would be as tin-foil to the cannon of the future. And if we buy guns and ships of the most modern pattern, how many shall we have? For how long a war and how great a war shall we prepare?

Is it not manifest that the most powerful of all means for promoting the common defense is the development and maintenance of the highest and most varied mechanical and inventive skill among our people? Had we a sufficient number of weapons of the latest design wherewith to arm every able-bodied man in the United States, these weapons, in the absence of skilled workmen and of large manufacturing establishments constantly at work would, in a short time, be comparatively worthless. While this country might possess the article other countries would possess the art. They would possess not only great and indispensable plants, but the brainy and ingenious workman who, as occasion arose, as our own experience has shown, would invent new weapons of destructive power infinitely surpassing the old. The possession of skilled workmen who can make guns is of far greater consequence than the possession of the guns themselves.

But apart from the manufacture of arms, what more effective instrumentalities can a nation have of providing for the "common defense" than citizens who can make structural iron, erect bridges, construct steam-engines, and build ships of all kinds, including armor-clad vessels of the newest designs; and not alone who can construct all these, but who can invent new and improved designs in every department?

And if the makers of iron are necessary for the "common defense," why not, equally, weavers of cloth, artificers in leather, in brass, in copper, in steel, in tin, and in all the other materials of art and industry?

The larger the nation the more indispensable such artisans are to its safety and independence. They can not be had in large numbers without the existence of extensive manufacturing establishments, and even with these, they can not rely upon constant employment—the indispensable prerequisite of skill, and consequently of invention—without the encouragement and material support arising from the supplying of all the wants of their own country. The workmen of the country are entitled to the assurance of that support. With that assurance and that support we shall have no lack of skilled artisans upon whom, in these days, fully as much as upon soldiers in the field, depends the existence of nations. That assurance and support can not be extended except by the adoption permanently of the policy of protection.

GROWING IMPORTANCE OF THE MECHANIC AS A FACTOR IN WARFARE.

More and more as time passes will the workman in his shop become of greater importance than the soldier in the field. Less and less as invention develops will success in war depend on the man who holds the weapon; more and more on the weapon itself and on the man who invents and constructs it. Time was when war consisted of the wielding of clubs, and success depended wholly on the physical energy expended in their handling. But "times change and men change with them." The strength of the arm has been transferred to the finger, and the bullet outdoes the bludgeon. Power has been shifted from the field to the factory; from muscle alone to the combination of muscle and mind. The armies that have not artisans at their back, that have not the latest product of the ever-teeming brain and untiring hand of the alert and aspiring mechanic, may look well on paper and on dress-parade, but they will not win battles.

In order, then, that we may have, and constantly maintain in the highest degree of efficient training, a numerous body of men skilled in the mechanical arts, we must encourage the growth and development of extensive plants, not in one direction or department alone, not in one section of the Union, merely, but in all directions and departments of the arts, and in all sections of our common country. Such enterprises are not the spontaneous offerings of nature; they will not grow while we sleep, nor will they come with waiting. Neither, for emergencies, can they be had by act of Congress.

A large manufacturing plant is not a ready-made article which, like a piece of real estate, may be secured on the instant by the expenditure of sufficient money. A great mechanical organization is a growth, a development, a result of evolution. In all new fields of industry, and in most of the old, it finds its birth in the shop of the single machine, to which, as business increases, there is added a second and a third. Thus, as the human being arrives at maturity by the natural growth of each added day, so the workshop grows, from the smallest to the largest proportions, by almost imperceptible stages. But as men can not by taking thought add a cubit to their stature, neither can they by resolution effect at once that which time alone and the intelligent adaptation of means to ends can accomplish.

Even assuming that great plants could, on emergency, be obtained abroad, we should be without the skilled workmen to utilize them, and without the talent to organize or intelligently direct the work.

CONTINUED WORK NECESSARY FOR TRAINING.

Workmen do not acquire skill by reading books on machinery and homilies on the blessings of industry.

In an admirable little work entitled "The School of Life," William Rounseville Alger says:

A small portion only of the strenuous schooling of the world is done within academic walls. The general germs of culture, the elementary principles of education, are there disseminated; but the toughest toil is afterwards done by each student in the special school of his professional calling. The actor studies for the stage, on the stage; the courtier, for the salon, in all parlors; the lawyer, for the bar, at the bar; the politician, for the Senate, in the caucus; the physician, for the sick room, amidst his practice; the clergyman, for the pulpit, not less after than before he begins to preach.

The farmer studies agriculture more effectually by practical farming than in any bookish theory. No pedant or dreamer in scholastic halls pores over his manuscripts and themes with more intensity and perseverance than the devoted artist gives to the elements of his designs, to the features of the landscape, and to the colors on his canvas. And then what disciplinary process of tuition and practice do a hundred million laborers undergo in the dinning school of the mechanic arts, in whose seats their sturdy ranks stoop and strike, spin and weave, mold and polish, plane and saw, sift and strain, from dawn to dusk, till their trades are learned and their tasks are completed.

Neither can men maintain skill without uninterrupted employment, which can be secured only through the energy, the enterprise, and the sound judgment of the employers of labor.

The ability to wisely, kindly, and successfully supervise large gatherings of workmen, to place every man where he will achieve most, and most willingly, is an indispensable factor in the great work of upbuilding industries. Foresight and discretion in management are as necessary as skill in execution of the details.

IMPORTANCE OF THE TIME CONTRACT.

The feature which distinguishes the industry of this age from that of all the past is a feature demanding a high order of ability in the manager. That feature is the time contract. How is it that the great gatherings of workmen in the different manufacturing establishments of the country are kept occupied? Only by means of contracts made frequently years ahead of complete fulfillment. On the intelligence and foresight with which time contracts are made depends the success or failure of every industrial enterprise in the country. This intelligence and foresight are not wholly the work of nature. The quality of wise leadership—one of the greatest blessings as well as one of the most indispensable needs of labor—depends for the most part on experience and training.

Like the skill of the workman, this experience and training of the manager can not suddenly be acquired, nor can the skill or talent of either workman or manager be maintained without uninterrupted exercise. How, then, shall unceasing continuity of industry be secured? Only by securing to our own people through the protective policy the economic conditions which will enable them to do all their own work.

Great manufacturing enterprises are not entered upon without hope of reward. Without the encouragement of the home market we shall have neither the great plant, the great workman, nor the great organizing talent. With the support afforded by that market to the founding of industries of every character, and to their growth in magnitude and variety, we shall have, and continue indefinitely to have, all of these.

Our Constitution was framed to meet the wants of a living and progressive people. It contemplated the continued political and industrial existence of that people under ever-changing conditions. Its framers and founders, though gifted with prescience beyond most men, knew they could not foresee all the circumstances which the future might unfold, and having prescribed in general terms the duty and power of the Legislature, they wisely relegated to those who might come after them the selection of the means whereby to give effect to their purpose.

Who then but those whose intellects are clouded by party necessity can for a moment doubt that the ample warrant of the Constitution covers every means which the wisdom of the people of the United States may decide to be for the "common defense and general welfare?"

FOREIGN TRADE IS NOT WEALTH.

The free-traders attach much importance to foreign trade, which they regard as a source of great wealth to the nation.

I deny that the wealth of a country is shown by the amount of its imports and exports. It is seen in the every-day manner of life of the masses of its people. It is seen in the character and quantity of the food they eat; in the quality of the beds they sleep in, of the houses

they live in; in the character of their social life; in the quality of the education which they give their children.

Foreign trade exchanges wealth; it does not make it. Wealth is not made by exchange, but by production. Trade produces nothing. It serves a useful purpose in the distribution of wealth, but is not itself wealth. Neither can it make wealth. If, in the making of a bargain, one side is cheated, it may be said that the wealth of the other side has been increased, but the total sum remains the same. When the transaction is a fair and even exchange, as, under the operation of the principle of *caveat emptor*, it is bound in the long run to be, nothing is made by it, and wealth is in no way augmented.

One distinguished Senator on the other side of the Chamber, the Senator from North Carolina [Mr. VANCE], declared in this debate that foreign commerce was the chief source of the wealth of the United States. Said he:

> I maintain that neither men nor nations can grow wealthy except by the sale of their surplus products. A man sells his surplus to his neighbor, a nation sells its surplus to its neighbor; that is foreign commerce. That which is sold to its own people is not a surplus. When, therefore, our foreign commerce is destroyed the chief source of our national wealth will have perished.

In order, Mr. President, to illustrate this, and also to show the fallacy of the theory that it is the "foreignness" of the trade that enriches a nation, let us suppose a case.

Our trade with Canada for the year 1889 (imports and exports) amounted, in round numbers, to $100,000,000. That, of course, is foreign commerce. We therefore derived that much "wealth" from our trade with Canada in that year. If the principle enunciated by our free-trade friends be correct, then Canada realized an equal amount of "wealth" from the same trade. Hence the sum of wealth accruing to the two countries is yearly $200,000,000.

Now, suppose that Canada should be annexed to the United States and become an integrant portion of the Republic, then, Mr. President, all this wealth would disappear! Though the trade might be greater, it would no longer be evidence of wealth; for, "when * * * our foreign commerce is destroyed," says the Senator from North Carolina, "the chief source of our national wealth will have perished!"

The principle laid down by the honorable Senator gives a hitherto unsuspected reason for the determination of his section in 1861 to sever its connection with the Union. Obviously the purpose was to add to the wealth of both North and South by changing the designation of their trade relations and calling that "foreign" which before had been merely "domestic." Had the South succeeded, and then had each of its States in turn seceded from the Confederacy itself, what an enormous "foreign trade" there would have been all around! What untold "wealth" has been lost by the success of the Union arms!

LARGE FOREIGN TRADE AN EVIDENCE OF THE VICIOUS DISTRIBUTION OF INDUSTRIES.

No, Mr. President, the honorable Senator is mistaken. Foreign trade does not add to the wealth of a country. On the contrary, except in so far as it consists of articles inhibited by soil or climate in one of the countries to the trade, it is evidence of a vicious distribution of the industries of that country. If foreign trade decreases by reason of a people's supplying their own wants, the decrease is an evidence of increasing prosperity.

But, in any event, the foreign commerce of this country is a trifle, a bagatelle, compared with our magnificent domestic commerce, which, thanks to our protective tariff, is unexampled among the nations, whether of the present day or of all history. In the extent and completeness of its material resources, and, above all, in the high spirit and intellectuality of its people, our country can rely upon itself.

While ship-loads of goods are undoubted evidence of production, I deny that the extent of foreign commerce is of itself any evidence of prosperity.

As shown by the investigations of the select parliamentary committee of England, it has often happened that the foreign commerce of that country was largest when the times were hardest, because the people at home were too poor to buy, and the goods had to be exported in order to find sale. It is no sign of prosperity that one's dealings with foreigners increase; they may increase at the expense of dealings with one's neighbors. As production increases, if wages be pressed down, the laborer will become less and less a consumer, and the articles he would be glad to buy if he had the money may have to be sold abroad. Such foreign trade is no sign that the country is getting richer, but, on the contrary, is a sign that its people are getting poorer.

Foreign trade destroys the equilibrium of a nation's industry; it leaves them one-sided and disjointed, and postpones indefinitely the period of their natural co-ordination.

We are one country and one people, with one future and one destiny; subject to the same burdens of taxation, to the same duties and responsibilities of citizenship, and living on the highest plane of material civilization ever known to mankind. As against all the world we must regard ourselves as one family, between whose members there exist reciprocal duties which may not—nay, can not—be overlooked by any without injury to all.

Our geographical situation, separated as we are by the fiat of nature from the older forms, the stagnant conditions, and the imbruting civilizations of other continents, warrant us in demanding of the intellectual men among us, the professors and political economists of the country, themselves sharers of the national prosperity, that they shall investigate the new conditions of humanity, that they shall take into account the manhood and the spirituality of a people. Our workmen have a right to demand of the professors of polite learning that they shall study, not merely books of literature, but the book of labor, and that they shall cease their attempts to adjust the conditions of the free citizens of this country to the conditions, infinitely lower, which prevail in other countries.

The trifling character of our foreign, compared with our domestic, trade may be gathered from a few figures. The Bureau of Statistics estimates the total production of the United States in 1880 as worth $10,000,000,000, or $200 per capita of the population, and that of this $200 the value exported was $17, or 8½ per cent., the value consumed at home, $183, or 91½ per cent. Is it worth while to trouble ourselves about such a "foreign trade" when our home trade offers to our farmers, manufacturers, and merchants the richest market in the world?

The abandonment of our protective policy for the purpose of securing foreign trade would be to save at the spigot and lose at the bung.

England having already lost much of her foreign market, through the adoption of protective policies by Germany, France, Italy, and Russia, is filled with apprehension that by the bill under consideration her greatest market will be taken from her. This is made manifest by the tone of her public press and by the loud protests which have come to us from the manufacturing centers of that country.

By reason of the want of equilibrium in her own industries, her agriculturists being unable to furnish the food necessary for the support of her manufactures, England's position is such that at any moment the laws of a foreign country might force a deportation of large numbers of her people. What a helpless and pitiful attitude for a great nation!

FREE TRADE TENDS TO EQUALIZATION OF CONDITIONS.

The tendency of all free and unrestricted exchange is to equalize the conditions of the parties engaged in it.

It will be admitted that, under like conditions of skill and capital, persons engaged in the same trade and occupying adjoining houses can not do business except on substantially equal terms. That is to say, they must pay substantially the same wages and receive substantially the same prices for their products. If they are making and selling shoes, they can not materially differ in the scale of wages they pay to workmen of like skill, or the prices they charge for shoes of the same quality. What is true of persons thus circumstanced is equally true of persons across the street similarly circumstanced. The rule that holds good for men trading on opposite sides of the street will hold good for men trading on opposite banks of a river, and, by a parity of reasoning (making due allowance for time), to men on opposite shores of the ocean. The tendency is constantly and irresistibly toward equalization.

This is but the operation on trade and industry of a principle universal in its application. Take two reservoirs in which the water is of unequal height; connect them by a conduit, and at once the process of equalization sets in. How soon it will be completed, how far the water will fall in the one and rise in the other depends on the relative superficial areas of the reservoirs, on the capacity of the conduit, and its freedom from obstruction. If the low-water reservoir be much the larger of the two its rise will be slow and relatively slight, while the fall of the other will be rapid and great.

Again, take two rooms of varying degrees of temperature, and connect them by opening a communicating door. It is clear that as soon as communication is established the colder of the rooms will begin to warm, while the warmer will begin to cool. This process will continue till equalization is reached, until both rooms are of practically the same temperature. But, manifestly, if the cold room be much larger than the warm, the temperature of the smaller room will be sensibly diminished, while that of the larger will not be appreciably increased.

Throughout the entire material world this process of equalization is at work. Even when unobserved, or observed only by the rigid scrutiny of science, it pursues its unceasing course. By imperceptible stages the mountains are being leveled and the valleys upraised. Equally in the moral world is the operation of the same law to be observed. It is an old adage that "evil communications corrupt good manners." We can not deny that the tone of virtue is impaired by habitual contact with vice, even though we must admit that there is hope for the vicious if subjected to the constant association of the good. The processes of leveling up and leveling down are but complements of each other.

My contention, then, is that in any two countries engaged in mutual interchange of commodities, according as wages approach a level common to both, the conditions of life in both become gradually adjusted to the new line of wages until those conditions reach a stage at which they are on a level.

It is vain, therefore, for a nation possessing a high order of workmen to attempt to benefit itself by trading with a "cheap" nation. If it persists in doing so, the inevitable result must be that in time both nations will be equally cheap. Whoever insists on having cheap labor

from others will, in the end, find that in the process of cheapening the labor of others his own labor has been cheapened in precisely the same proportion.

INTERNATIONAL FREEDOM OF TRADE—INTERNATIONAL LEVELING.

International freedom of trade is but a process of international leveling. Lay down the connecting pipe of perfect freedom of trade between any two nations, and instantly the equalizing process begins. The nation having the higher average conditions will level down, while that having the lower will level up. How soon an equilibrium may be established will depend on the degree of divergence between their conditions and the disproportion in the numbers of their inhabitants. If the country of the higher level have the smaller population it will suffer a serious decline, while that of the lower level, because of its more numerous population, will not experience any material advance.

But the law, like that of gravitation, is irresistible. Running along the line of least resistance, equalization will more quickly take place with people of our own race, especially those with whom we are in touch, or with whose customs our customs correspond, than with people of a different race, or those at a greater distance, or of greatly different customs. So will it assert itself more quickly between ourselves and foreign peoples speaking our own language than with those speaking other languages. As affecting two or more countries equidistant from us, the tendency to equalization is more immediately felt between ourselves and those with which we have readiest facilities of communication than those with which communication is less ready.

The more we cultivate foreign commerce the more numerously do we lay down and keep open pipes of intercommunication between the reservoirs of industrial and social life characteristic of our own country and of the countries with which that commerce is conducted. This can only result in lowering greatly the level of prosperity of our people, while, owing to the much larger population of other continents, not greatly elevating the level of theirs.

We are therefore losing valuable time in attempting to acquire wealth or prosperity by mere trade and traffic with other countries—by exchanging with people of lower conditions things which we can make and should make for ourselves. In the end, the cheapest way for us to get an article is to produce it ourselves, under conditions of the most advanced scientific development and skill. Any country that trades at long range with another for articles which it could produce for itself, denies itself the acquirement and possession of the art and science which the other country possesses; that is to say, it deprives its people of the opportunity to acquire and maintain the skill necessary to produce the articles that are obtained abroad.

The true rule is that the people of the country should produce for themselves all things that require of them no greater expenditure of physical and mental force than must be expended by the people of other countries in the production of the same things.

Even were equalization to be established between this country and foreign countries on the basis of present conditions, how are we to know that that range of equalization is to continue? How are we to know that the exploiters of foreign labor will not force still lower the wages and conditions of their workmen in order to secure for themselves a continuing advantage over us? We know how difficult and undesirable it is to reduce labor in this country; it may not be so difficult to reduce it abroad. Our laborer can go to the land; the foreign laborer can not. With the slightest hope of success held out, the foreign manufacturers would make a desperate struggle to secure our markets, and, when secured, to keep them. To accomplish their purpose they would reduce to any desired level the wages of their laborers; ours would submit to no serious reduction without a struggle that would convulse society.

To set in motion the international equalizing process all that needs to be done is to destroy the tariff wall and lay down the connecting pipe of freedom of trade with foreign countries. Equalization must follow, as the night the day. From that time onward our prosperity will continue falling until it reaches the level of the countries with which we trade.

SHOULD NOT OUR PEOPLE EQUALIZE WITH ONE ANOTHER, IN PREFERENCE TO EQUALIZING WITH FOREIGN PEOPLES?

The law of equalization being in constant operation among the people of the United States themselves, the question at issue between the free-trader and the protectionist is whether our people should be satisfied to equalize with one another in their own country, where average conditions are high, and favorable to progress and prosperity, or should equalize with the people of foreign countries, of lower grades of living, whom they can not influence and with whom they can not co-operate. Is it not manifest that the prosperous and well-paid people of this country had better trade and equalize with one another than with the underpaid people of other countries?

The only thing that now restrains a tendency to equalization between this country and the countries of Europe is the tariff wall which we have erected. Were it not for this the cheap products of foreign factories would flood our markets, would destroy our workshops—those greatest of all our schools. We expend millions of dollars annually for the elementary education of our young men—an education that merely prepares them to enter these great schools of life, in which they continue their studies. No one doubts that we should provide liberally for our public schools. The great workshops of the country, filled with deft, thoughtful, and studious young men, are in the true sense an extension of the public schools—they constitute advanced grades—in which the students not only pay for their own tuition, but pay back to the country much more than was expended on their elementary education.

Without those workshops and workmen we should soon find ourselves reduced to the necessity of exchanging a large amount of the raw material of our soil for a very small quantity of the finished product of foreign factories. It would be discovered when too late that the work of supplying the wants of our own people, a people that earns more and spends more than any other people on earth, had been bartered away for the poor privilege of supplying the wants of the squalid and poorly paid inhabitants of other continents.

England very well understands this principle of equalization. When she looks toward France and Germay she wants "fair" trade, which means protection, because she knows that in dealing with those countries her people would have to equalize downward. When she looks toward the United States she wants "free" trade, because she knows that in dealing with us they would be equalizing upward.

I maintain and repeat that free trade between countries compels eventual equalization in the conditions of the people of those countries. To accomplish this may take a longer or shorter time, according to the circumstances of each case, but the process begins at once.

If it be desirable that the aspiring workmen of this country shall maintain their present grade of living, and shall not be pressed down to the condition of the ill-fed and ill-paid workmen of other lands, then all idea of a low-tariff policy and of a policy of international free trade must be abandoned, and the tariff wall must be maintained sufficiently high to exclude all articles whose manufacture or production here would require no greater expenditure of mental or physical force than must be expended in their production elsewhere.

THE TARIFF A NATURAL, NOT AN ARTIFICIAL, WALL.

A tariff upon imports, instead of being an artificial creation, is, in my judgment, the natural and proper thing for a nation. Free foreign trade is the artificial thing. A nation must be regarded as a family, all of whose members should stand together. As between the members of that family, undoubtedly, unrestricted trade is the natural condition, because equalization between them is the condition suggested by nature and by the mutual interests of the members of the national family. Any advantage given to one member of that family over another would be unnatural and intolerable, but to deny to strangers benefits that we might confer on members of our own family would not be unnatural. On the contrary, it would be in strict conformity with nature. The same law should govern the national family.

One of the highest duties of Government is the adoption of such economic policy as may encourage and develop every industry to which the soil and climate of the country are adapted, and, when established, to preserve and protect such industries from destructive foreign competition. Industries which, owing to climatic or other insuperable barriers, it would be manifestly impossible to develop should not be attempted, or, if foolishly attempted, should not be encouraged or protected. I should not think of raising bananas under glass, nor encourage an attempt to plant in this country the India-rubber tree, nor to develop a tea or coffee plantation—at least not with our present information regarding the probabilities of success in the growth of tea and coffee in the United States. But I lay this down as the correct and fundamental idea of a tariff: That whenever a given degree of mental and physical force exerted in this country will accomplish results equal to those accomplished by an equal degree of such force exerted in any other country, our tariff charge can not be too high.

With that principle in practical operation, the compensation for labor would be regulated, not by competition between our workmen and those of lower forms of civilization, but by the natural and unrestricted competition among workmen wholly within the borders of our own country, who are partakers of and contributors to the same civilization, who are the support and defense of our institutions and are prepared to sustain with their lives the perpetuity of our Government.

THE NATURAL WAGE.

I maintain that the natural wage of every man—the amount to which he is fairly entitled—is the amount he can earn in free and unrestricted competition in his own country with men who are subject to the same laws and responsibilities, accustomed to the same manner and standard of living.

To subject men to any keener competition than this or to exact a lower standard of wages than would result from the operation of that principle would be substantially to declare the ultimate and fundamental standard of wages for the world at large to be that rate at which the least skilled workmen of the lowest civilization will consent to work and procreate. The American workman will never accept such a standard, and he never should do so. He will not consent to be pressed down into the penury and squalor to which the laborers of other lands are subjected and with which, in the main, they are contented.

It is much better to do justice at the outset—to concede that the nation is one great family, and that no member of that family has a moral right to supply his wants with a cheaper workman than his own country affords. A country that will employ cheap labor will find that it reacts on those who employ it, and that, in the long run, instead of a profit, they will experience a loss by the operation. Our workmen are entitled to the control of our markets for the product of their industry. They pay the taxes; they constitute the people. It is right that they should refuse to be subjected to the barbarous competition of people who are living under the shadow of standing armies, and who, through ages of oppression, have become accustomed to a grade of existence that to our people would make life not worth living.

There is no reason whatever why every man in the United States should not be willing to pay such rates of wages as shall obtain by the free and unrestricted competition of all workmen in his own country. The compensation which he receives for his own services in whatever occupation he may be employed—and there are few of our people who do not work—is based on the average wages of his own community. He is not entitled to get other men's labor at any cheaper rate, in proportion to value of service, than he charges for his own; and this is what an adequate tariff justly prevents him from doing.

Under such tariff we are sustaining the conditions of life to which our people are accustomed. At the same time we are creating new comforts and inventing new devices by which human wants may be supplied with less of human sacrifice. Nor under it can we be in any danger of losing the benefit of such inventions as may be made in other lands. Science and invention are great travelers, and with the maintenance of such economic policy as may keep at a high level the conditions of all our people our country will always attract men of choicest skill in every department of the arts.

The condition of our people being universally acknowledged to be superior to that of any other people on the globe, the tariff wall is necessary to protect them from the squalor and misery prevailing elsewhere. If this be a Chinese wall it is only so because it walls out the poverty of less favored countries and walls in the prosperity of the United States of America.

IS THE TARIFF A ROBBERY?

The free-traders and revenue reformers assert that the tariff is a "robbery."

Can it be a "robbery" of any one to secure to the people of this country the opportunity to supply our national wants by the hands of our own countrymen? That is all that the highest conceivable tariff can secure.

In times of armed conflict our citizens are required to leave their homes and families to take up arms, and at the risk of their lives defend the country against armed invasion. Why should not the country in time of peace protect the labor of those men from an industrial invasion no less destructive?

If the tariff be a "robbery," it is first to be observed that all classes of people, the robbed as well as the robbing, are better fed, better clothed, and better housed than the people of any other country in the world. That is the crucial test of economical policies.

It is undeniable that the most perfect suiting of occupations to the various aptitudes of all the members of the community will be produced by the carrying on of the largest variety of industries.

Is it not then the duty of a country to maintain such industrial policy as will secure the greatest possible extent and variety of production, leaving to the natural competition between individuals the function of preventing undue profits on the part of any? There are 23,000,000 of active workers in this country. Among that large number the contests and competition of those engaged in the same business may be relied on to adjust prices so that none can make a profit greater than the average profits of the community.

But let us see whether there is any robbery effected by a tariff.

As to such portion of the money collected as is paid to the Government, that goes into the public Treasury and aids in defraying the expenses of the nation. Inasmuch as all the people share in its benefits, that portion can not be considered "robbery."

It will hardly do to assert that the foreign manufacturer is "robbed" by our requiring him to deposit in our Treasury a sum of money in the nature of a license-fee for the privilege of selling his wares in this country.

The "rob" therefore must consist of the difference between a reasonable price and the price now charged by the manufacturer. If such difference exists, it must constitute a margin so ample as to become a strong incentive to the people of any section claiming to be robbed by it to organize for themselves competing establishments and thus wholly protect themselves against the exaction of the robber. The tariff protects them against the foreigner, and all that is needed to protect them against the native robber is for themselves to do the work—to produce the article. Why do they not produce it? If they have not the skill, they can employ it. There is ample skill in this country ready to go wherever sufficient inducement is offered.

The law operating equally and impartially on all sections of the Union, the people of any section claiming to be robbed, yet refusing or neglecting to set up establishments for the manufacture of the article through which the robbery is effected, confess, by such refusal or negligence, that, notwithstanding their complaint, they get the article for less than they are willing to produce it for themselves. If through the adoption of sinister policies the domestic manufacturers should be driven out of business, then both they and those who now complain of robbery would be equally helpless against the exactions of the foreign manufacturer, who, the field being all his own, would continue, and, at will, enlarge upon the "robbery." If the "rob" is not sufficient to induce competition on the part of those who claim to suffer by it, it can not be very great—it can not exist at all except in the imaginations of those who believe that the exigencies of a political party are more to be consulted than the interests of the country.

UNDER KEEN COMPETITION IN ALL INDUSTRIES, HOW CAN ANY ONE BE ROBBED?

In order that we may arrive at some idea of the possibility of robbery by our manufacturers, let us inquire as to the character of the competition existing.

As the census figures for this year are not yet available, the figures at command apply to a population not of 65,000,000, but 50,000,000. I do not doubt that they are 40 per cent. greater now than in 1880, but I will take them as they then stood.

According to the census of 1880 there were 17,972 boot and shoe factories in the United States. Has anybody in this country, then, a monopoly in the making of boots and shoes? With the keen competition maintained by nearly eighteen thousand establishments, is it likely that purchasers of boots and shoes can be "robbed?" It is probable the number of establishments is now twenty-five thousand. No one of those establishments, if it would get trade and keep it, can charge more for boots and shoes than its competitors charge.

The census of 1880 also shows that we had 3,841 carriage and wagon factories. Is not that number enough to afford the purchaser of carriages and wagons ample protection against overcharge, against "robbery?"

We had 1,943 manufactories of agricultural implements. This is an average of fifty such factories for each State in the Union. Is it at all probable that with active competition for business among so many establishments any one of them could succeed for any length of time in "robbing" its customers?

We had 1,005 cotton factories, working 230,223 looms and 10,921,147 spindles. Is that number not enough to maintain sufficient competition in the manufacture of cotton goods? Is it likely that with so many separate and competing establishments, compelled to keep in active use so vast an amount of machinery, the profits in the manufacture of that class of goods can be maintained above the average profits of business in the United States? If 1,000 establishments, 230,000 looms, and 11,000,000 spindles are not enough to keep prices at a reasonable level, how many establishments, how many looms and spindles would be necessary for that purpose?

We had 4,958 machine-shops. Is not this number enough to keep up a fair competition in the production and price of machinery?

We had 6,008 factories of furniture and upholstery. Surely that number of competitors should make it impossible for any one of these factories to make more than a fair average profit in the making of furniture.

We had 1,005 separate establishments for the making of iron and steel. Considering the intensity of the competition in that business and the large amount of capital employed (which in 1880 was $230,000,000), the efforts of each establishment to get business, as against its competitors, render it certain that the profits of the business must bear a normal ratio to the general range of profits throughout the country.

Where competition is free among so vast a population as ours there can be no robbery in a tariff, no matter how high. Where the material forming the stock of an industry is not monopolized it is impossible to conceive of anybody being robbed. Our laws are general, and permit all our people to enter any pursuit they please. It can not be truthfully said that anybody is robbed if everybody is at liberty to enter and follow a pursuit that is profitable. There is an irresistible tendency under equal conditions to an equalization of the profits of industry as there is to an equalization of wages.

We are told that the free ingress of foreign-made goods is necessary to protect our people against the extortion and spoliation of the "trusts" and "combines" of this country. Leaving out of view the fact that free-trade countries are themselves the home and habitat of trusts and "combines," let me inquire whether our people are not perfectly well able to deal with any that may spring up in this country? If not, imagine the helplessness of our condition if there were no other country in the world than our own! How deplorable would be our fate did we not have the friendly and philanthropic English, French, Germans, Spaniards, Chinese, and Hindoos to protect us from the exactions of the "robber barons" who are "plundering" our people through the tariff! How these 65,000,000 of aggressive people would then be plundered! How grateful we should feel to the gracious foreigners who, from their distant homes, thousands of miles away, extend their sheltering and protecting arms over the oceans and hold in check the power of our robber chiefs!

If these theories of the free-traders are correct, it is a wonder that a

people so lacking in penetration, so devoid of the instinct of self-protection as our people have thus shown themselves to be, could have mustered up courage enough to venture on the experiment of self-government. The free-trade theory seems to be that while, up to a certain point, we can successfully carry on free government, yet when a protective policy is adopted our Government needs the safety-valve of cheaper labor than our country furnishes. While our people have been able to organize free political institutions, raise the greatest armies known to history, and fight the greatest battles of all time, yet, say the free-traders and the tariff reformers, they are unable to organize and carry on an industrial system, owing to the marauding proclivities of a few among their own number.

This is why the aid of foreign cheap laborers has to be invoked. Their efforts are directed to establishing an equilibrium between the power of a few of our manufacturers on the one hand, and the power of the remainder of our 65,000,000 on the other! If it were not for the friendly aid of these foreigners, the free-traders fear that the robber barons of this country would take from our people all the products of their labor, just as the slave masters did from their slaves.

Mr. President, if the protective wall were removed, most of the great manufacturing plants which have taken thirty years to build up would be abandoned in a single year. After that the prices of foreign articles would rise, while American wages would remain low and would constantly trend downward till they reached the foreign level. During the continuance of the fall the only persons benefited would be the income classes and such consumers as are not themselves producers. They would secure increased command over the labor and property of the country. On the other hand, by a continuation of the protective policy our great body of skilled artisans through increasing invention will continue reducing prices without reducing wages, without lowering the conditions of our civilization. They will cheapen articles without cheapening men.

But, Mr. President, no man is robbed by the tariff. The poor man is protected in his employment and in his wages from the competition of the half-starved labor of other countries, and the rich idler is compelled to contribute his proportion to the maintenance of the national policy which shall tend to keep every man at work, by reducing to a minimum the quantity of imported articles.

It is charged that the tariff rate is a tax. It strikes me, Mr. President, that it would be more correct to say that it is the price which the foreign manufacturers pay to this country for the privilege of selling the product of foreign labor in our market.

A duty of 40 per cent. ad valorem means that for every $100,000 worth of labor in the concrete which the foreigner ships into this country we charge him $40,000. That is to say, we charge him that sum for the privilege of cheating our workmen out of the work of this country, to which I maintain they have the first right and title.

It is the bonus which the foreign manufacturer pays us for the privilege of selling in our market the work of thousands of laborers who can not be called upon to defend the country in time of danger.

The Democratic party says that we ought to sell them that privilege for less. The Republican party, on the contrary, maintains we ought to charge the foreigner very much more, and enough even to absolutely prohibit him from bringing his goods here at any price.

If an American manufacturer, by genius of organization and the faculty of directing the employment of great numbers of men, aided perhaps by patents for valuable and beneficent inventions, succeeds in making a competence, he is pointed at by the free-traders from one end of the country to the other as a baleful example of the oppressive character of our tariff legislation, as though he had robbed the community. If, however, we observe the disposition of the wealth of the United States we will observe that the proportion of it realized in manufacturing industries is comparatively small. In this country, as in all countries, great wealth has been made for the most part in real estate and in railroads.

I admit that when the tariff is first levied, those who are most alert, those who are most active in mind or body, or both, are the first to reap the greatest benefit from it, and they may perhaps for a time hold some advantage. But it will not be long before the American people "catch on." It would be a poor compliment for a Senator or Member of Congress to pay to his constituents to say of them that they would long allow any class to have an advantage over them. American citizens very soon enter into a contest for their share of any advantages offered by the tariff laws or any other laws, these advantages being offered to all alike.

I should be loath to state that my constituents would long continue exchanging two days of their labor for one day of the labor of people of any other section of the country, provided the same opportunities and provisions of law were open to all.

The greatest bodies of iron ore in this country are to be found in Alabama; the greatest mines of lead in Missouri; the greatest sugar-fields in Louisiana. All those States have fine water courses, large bodies of timber, and large areas of arable land. Those States are governed by the same general laws that govern the other States. They have natural advantages equal to those of any State in the Union. For them to say that a law imposing a tariff for the protection of their laborers is a robbery of them, is nothing short of an admission, however unintentional, that under equal conditions they are unable to compete with their fellow-countrymen in other portions of the Union. More than that, it is a plea of supreme indifference to the welfare and advancement of their workingmen and to the development of diversified industries in their States.

It is charged that by the imposition of a tariff on imported goods one man is taxed for the benefit of another. That is not the fact, except in the sense that each citizen is taxed for the benefit of all, and all are taxed for the benefit of each. If by excluding foreign goods greater results are achieved in our own country, if there comes to be a larger proportion of production per day or per year than would otherwise take place, the nation is richer, not only in dollars and cents, but inestimably richer in the fact that it secures a wide range and variety of occupations for its own citizens. With all industries established, and all the people in their aptitudes, the largest possible aggregate of wealth is produced. Who shall secure that wealth? Who is entitled to it? The persons who produce it.

THE EMPLOYER AND THE WORKMEN.

The free-traders assert that our manufacturers make too much money. But we do not hear that, on the whole, the owners of our manufacturing establishments are as rich as the manufacturing barons of free-trade England, nor of those of Germany or France, nor are our manufacturers credited with making as much money in proportion to their plant.

Two or three persons are occasionally mentioned in the public press who, it is said, have realized fortunes in some manufacturing business. Nothing is said of the thousands of men throughout the country who have devoted their whole lives to manufacturing pursuits and have simply paid their way and made ordinary profit. It is something of a hobby with our free-trade friends to ascribe to the "iniquities" of the tariff every fortune made in this country.

The majority of American manufacturers find no greater reward for the money invested than is found by other business men for the money otherwise invested. As soon as it becomes evident that investment in any special line of business in this or any other country is more profitable than the average investments of the community, capital, ever on the alert, invades the more profitable department and reduces the profits. This rule applies to manufactures as to everything else.

Of the whole amount of money received by the American manufacturer, the workmen get a part and the employer a part. In other words, between them the employer and the workmen of this country get all that is made in the business.

Suppose it to be agreed that at the end of each day the workmen and their employer should sit down to divide or consume directly the products of their labor. Suppose there should be nine workmen and one employer. Suppose it were agreed that those products should be transformed into a dinner for ten. Imagine the nine workmen seated around the table, with the employer at the head. Imagine the workmen, after eating what had been set before them, rising from the table, pale, gaunt, and hungry, having received hardly enough to satisfy the first stage of animal hunger, and imagine the employer rising from the same table, his stomach gorged with terrapin-stew and canvas-back duck and his veins distended with potations of Pommery Sec or Mumm's extra dry.

That, in effect, is the picture which the free-traders give us of the relation between employer and employed in this country. And how do they propose to remedy that state of affairs? What substitute do they offer the workman for this modern form of Barmecide's feast? To give them a share of the good things? Oh, no. Simply to take from the head of the table and from the American employer the terrapin-stew, the canvas-back duck, and the other delicacies of life, and give them to the English, French, and German employer, leaving the place at the head of the American table as bare as the other places, and giving the workmen no chance to secure more than they now receive. The remedy proposed by the Republican party is one which says to the workingmen seated at the table, "This dinner is for all, employer and employed; divide it out between you according as you shall agree. It is for each of you to see to it that you get your fair share." And the workman is rapidly learning to look after his interests in that regard.

There is no law in this or any other country which prescribes the compensation of labor; and there is no doubt that there are in this country, as in all countries, greedy employers who would, if they could, pay their workmen but one-half their present wages. But every man knows that in this country the employer does not have things all his own way by any means. The workmen

Know their rights, and, knowing, dare maintain.

They very well understand that the only method by which the terms of labor are fixed is by agreement of both sides, and they show a constantly increasing confidence in their own power to protect themselves from unjust exactions. But instead of being benefited by the policy which the Democratic party favors, whatever profits now accrue from the products of labor would by that policy be destroyed, so that the workingman, no matter how earnestly he may struggle, could receive no more than he now receives, because there would be no more to divide. The only change which the Democratic party recommends is one by

which all would leave the table—employer and employed alike—lank and emaciated.

The laborer makes every effort in his power to get all the money he can for the smallest amount of labor; the employer, on the other hand, attempts to secure all the labor he can for the smallest amount of money. When the workmen do not receive their proper share, their growing intelligence will soon secure it. It is but a question of organization, and of the adoption by them of wise measures. The situation is absolutely at the control of labor, but the laborers are not yet in condition to guide and regulate the great force of which they are the exponents. If the laborers of the world should refuse to work, there would be no capital, and the capitalist would have to become himself a laborer.

When laborers understand how to unite and what rightly to insist upon—especially when they understand what it is that can be insisted on without destruction of the business in which they are engaged—when they know what is their just due and adopt wise and intelligent measures to obtain it, they will receive the equivalent of the entire products of their labor, less cost of management, renewal of plant, interest on investment, and a percentage to cover risks. The determination of the sum will require intelligence, virtue, wisdom, patience, and patriotism; and it will require those faculties not merely from leaders of labor, but from the whole body of labor. The schoolmaster is abroad, and the situation is full of hope.

It is a circumstance to be noted that the greater the knowledge of a workman, the higher his intellectual grade, the higher the grade of his wages. Even in countries in which the average range of wages is low, the intelligent workman extorts from capital a larger share of the product than is received by those in the same pursuit who have not become so well instructed. If any exactions are made by American manufacturers from their employés, they are not exactions based on or created by the tariff. If they depended on a tariff the European workmen should be better off than the American.

Whatever the horoscope of labor, industrial development can not yet dispense with the employer. Without the genius of organization and of effective and successful direction large bodies of men could not be kept continuously occupied. With the infinite variety of human aptitudes it is in the nature of things that as some men are equipped for detailed execution others are equipped for general supervision; and no co-ordination of effort can be complete and harmonious that has not room for both classes. In the true sense, therefore, the employer is not the enemy of the worker; nor, in the same sense, is the worker the enemy of the employer. They are simply indispensable to each other. Advancing knowledge will equitably prescribe the rightful share of each.

THE SPIRIT OF LIBERTY AS A FACTOR IN THE DETERMINATION OF WAGES.

A most powerful factor in the determination of wages is the spirit of liberty. The unfettered interchange of thought exercised by the people of this Republic, their unbounded freedom of association, and the absence of depressing, tyrannical, and overawing castes and aristocracies—all have potent influence in establishing the rates of wages of this country.

This is the answer to the inquiry of the free-traders why wages are higher in free-trade England than in protected France or Germany. The teaching of history is that increase of wages and improvement of conditions for the laboring classes have always followed accessions to the spirit of liberty. The pay of labor of all kinds is low where despotism prevails, where labor is considered dishonorable, or less honorable than idleness, and where standing armies stand ready to silence complaint and repress agitation. All improvements in the material conditions of people keep pace with their self-assertion and independence. This is evinced by a consideration of the average rates of wages paid in several of the countries of Europe to the ordinary mechanic. A free-trade writer of authority, quoted by the San Francisco Chronicle, states the wages of ordinary mechanics in Europe to be on the average as follows:

	Per day.
Great Britain	$0.91
France	.80
Germany	.72
Italy	.65
Russia	.35½

By a glance at these figures we observe the gradation to be practically in harmony with the proportional development of liberty in the several countries.

In the presence of standing armies of millions of men, the process of industrial no less than political emancipation is necessarily slow; but it is manifest that wages rise in proportion as liberty rises. But in all countries the selfishness of mankind is such that the laborer would be in poor condition had he to depend on the generosity of his employer. I have a higher opinion, a more hopeful view of the situation than to suppose that what the workman gets for wages, or is to get for wages, is to be what the employer sees fit to give him.

When the workman gets his full share of the products of his labor, the only advance he can then make—an advance fully equivalent to an advance in wages—will be through improvement in methods of production. Thus if two pairs of shoes can, with improved machinery, be made with the same sacrifice that before was required to make one pair, then, so far as concerns shoes, the wages of the workman have been doubled. When invention shall have asserted itself progressively along the lines of labor, effecting in each as much improvement as may have been effected in the making of shoes, then practically all wages will be doubled, because with the same amount of compensation the workman gets double the comforts that he got before.

WAGES IN THE UNITED STATES.

There is no reason whatever why every man in the United States should not be willing to pay such rates of wages and such prices of commodities as shall naturally result from the free and unrestricted competition of all our own people.

When trade between a people is perfectly free, as in this country, there can not, on the average and in the long run, be higher wages paid to those employed in one industry than to those in another. Wherever any one industry gives indication that the compensation paid to those engaged in it is on the average greater than the compensation paid in other occupations, the industry paying the higher compensation is invaded by men from the occupations paying less, and thus wages constantly tend to an equalization. This invasion may continue to a point at which, by the overstocking of the labor market in the favored industry, wages may finally decline to a point lower than the average rates prevailing in other industries.

Under the Democratic policy if wages fall in Europe our industries stand in danger of destruction. On the other hand, while professing to be the special friend of the workingman, the Democratic party would set on foot a policy which would render impossible any increase in the wages of our own people.

I favor the erection of a tariff wall so high that no possible reduction of wages in Europe would enable the foreign manufacturer to scale it. I would have it so high that absolutely nothing but the competition of our own workmen with one another would fix wages in this country. That is competition enough among 23,000,000 workers. The people of this country are entitled to such wages as result from the unrestricted competition of their own producers.

In the debate on the tariff in both Houses of Congress long discussions were had as to the exact amount of duty which should be levied on imported goods to make up for the difference between wages in this country and wages abroad. In these discussions the Democrats affected to admit that their object was to keep the duty at such point as would provide for that difference.

But such an admission presupposes that wages in this country are now exactly what they should be. This I deny. My idea as to the proper rates of wages for American labor is that they should result from the unrestricted competition of our own people; and I do not admit that the American laborer as yet gets his full share of the products of his industry. I do not admit that wages are yet what they will be.

The true wages that should obtain in the United States will never be known until, first, all our workmen shall be protected absolutely against the squalid competition of other lands; and, secondly, until they shall receive the equivalent of the value which they severally contribute to the products of their industry.

It is sometimes charged as a reproach against the protective policy that in some special protected industry wages tend to a minimum. Where this occurs it is an unerring indication of the vicious distribution of industries, and one of the most distressing consequences of their maladjustment. The remedy indicated is, not a reduction of the tariff, but a wider diversification and distribution of industries, so that all persons who want employment may not be compelled to seek it in the same occupation.

It is obvious that if industries be relatively few, with large numbers of men seeking employment, those men must distribute themselves as best they may, and without intelligent adjustment, among the few industries in operation. If a larger number enter into any special pursuit than are needed to meet the demands of production in that pursuit wages will inevitably decline. The function of a protective tariff, carried to its furthest limit, is to obviate the necessity for this. Its tendency is to encourage the establishment of a variety of industries and so to increase opportunities for employment, not in one or two, but in a great diversity of occupations.

No inference injurious to the tariff can therefore be drawn from the fact that at times in some occupations wages tend to a minimum. This is rather a sign that the tariff is too low to encourage the establishment of a sufficient variety of industries to absorb all the labor of the community.

But whatever the condition of labor in this country, it is infinitely superior to the conditions of labor in the home of free trade.

COMPARISON OF THE CONDITIONS OF LABOR IN A FREE-TRADE COUNTRY AND IN A PROTECTION COUNTRY.

What is the testimony on that point of those who have personal knowledge?

John Morley, speaking of Great Britain, makes the following striking statement:

It is an awful fact—it is really not short of awful—that in this country, with all its wealth, all its vast resources, all its power, 45 per cent., that is to say,

nearly one-half, of the persons who reach the age of sixty are or have been paupers. I say that it is a most tremendous fact, and I can not conceive any subject more worthy of the attention of the legislature, more worthy of the attention of us all.

Said John Ruskin:

Though England is deafened with spinning-wheels, her people have not clothes: though she is black with the digging of fuel, they die of cold; and though she has sold her soul for grain, they die of hunger.

Let me read from an article published in the London Evening News of November 14, 1888:

MR. H. J. PETTIFER ON HIS AMERICAN TRIP.

Last night the executive committee of the Workmen's Association for Defense of British Industry held their first meeting since the return of their secretary from the United States. That gentleman gave at considerable length his experience of that country, where he had addressed thirty large meetings. Amongst other things he stated that it was very hard to make American workingmen believe that their English brothers had any voice in the government of this country, as the first question he was invariably asked was, How is it possible for English workingmen to have control of the laws that regulate the tariff, and yet continue to admit the productions of other countries duty free? This was a question which he was unable to answer. He said he did not believe the Sackville incident had much to do with the result of the Presidential election.

The Republican majority was composed of seceding Democrats, many of whom were naturalized English and Irish citizens, who had been driven out of their native country by free imports, and who were afraid that Cleveland, if re-elected, would reduce the American tariff. He met with great numbers of workingmen who, still calling themselves Democrats, had decided to vote for Harrison and protection. Mr. Pettifer said he was sure that free trade between this country and America would in the long run be injurious to the British workman, as one of the first results of it would be the bringing down of American wages to the English level, or even below it, and with reduced wages the Americans would not only become our great competitors in foreign markets, but would also lose their present purchasing power, and consequently could not buy as much of us as they do now.

The only people he found in America who were in favor of what is there called English free trade were the professors of political economy at the different colleges. As a proof of the purchasing power of the wages obtained in the United States, Mr. Pettifer showed the boots he was wearing, bought in Boston, Mass., which could be purchased there by one day's wages, while in this country it would take at least two days' wages to buy a pair of the same quality. Public meetings in the States are always orderly and well conducted, it being considered a disgrace to any person to attempt to interrupt the speaker.

You are supposed to applaud as much as you like, but not to hiss, groan, or shout. If you do not like what is being said you walk out, and the test of the ability of the orator is his power to hold the audience to the finish. He also gave the average earnings of twenty girls taken haphazard from the wages books of Goff & Sons' braid works, Pawtucket, R. I., showing that they averaged $35 per month, or 35s. in English money per week, these young women being able to earn enough in one week to keep themselves in board and lodging over three weeks. He also stated on the authority of Mr. Conat, superintendent of Messrs. Coates's thread works in the same city, that they paid double wages in their American factory to what they paid in Paisley, Scotland.

Mr. Pettifer gave other figures to show the difference in wages between England and America in a variety of trades, but maintained that, after all, comparisons of wages are always more or less misleading. The true test is, what has the wage-earner got left after paying for rent, clothes, food, and taxes? Looked at from this point of view, and supposing the people in both countries to have steady work (which as a rule they have got in America and have not got in England), we find that at the end of the year, the American workman, on an average, will have $175, or about £36 in English money, left to spend in luxuries, or to save for an old age, and the English workman will have $50, or about £10 in English money left to use for the same purpose.

Mr. Pettifer told a very amusing anecdote about a free-trade Englishman he visited while in the State of New Hampshire. This man, although admitting that he had been forced to emigrate because he could not compete in England with German productions, was almost moved to tears when he said, "This tariff is a tax. We in America are taxed from the crown of our head to the sole of our foot; from hat to boots it is one long tax," and looking round his well-furnished sitting-room for an illustration of his argument, he went on to say, "That piano is taxed, that sewing-machine is taxed, that carpet is taxed," etc., and finished up by saying that he never had to pay a tariff tax on those articles while in England. "That is quite true," interrupted the wife, "because we did not have them when we lived in England." And, as Mr. Pettifer truly remarked, that put the whole matter in a nutshell. In America, where all these luxuries are taxed, the workingman has got them; while in England, where they are allowed to come in duty free, he has to do without them.

That is the frank statement of an English workingman as to the relative conditions of the masses of the people in his country and in the United States. But, as he seems to be a protectionist, I will supplement his statement with that of a free-trader whose testimony will not be suspected of bias. The late Matthew Arnold, in an article in the Nineteenth Century, for April, 1884, on "Civilization in the United States," concedes with candor that for all persons whose income is within the limit of £300 ($1,500) no country in the world offers such advantages as this. Such is the comment of a distinguished free-trader as to a country which at the time of his writing had had over a quarter of a century's experience of protection. Inasmuch as those whose incomes fall within the limit named by Mr. Arnold include the great bulk of mankind, we can bear up against his strictures with regard to other features of our civilization.

If we have high wages and high civilization for the masses in this country, then in order to keep wages and civilization on a high plane a tariff is indispensable. If we are to permit the product of the labor of the foreign workman, underpaid and underfed as he is, to compete in our home market with the product of our own workmen, shall we permit that competition to take place without exacting any return for the privilege? Shall our people, who consume twice as much food per head as the people of Europe, expend six times as much per head for education, cheerfully contribute of their earnings in many other directions to support the civilization of this country, and stand ready to defend it if need be with their lives—shall they permit foreign manufacturers from a distance of thousands of miles to carry on business in all the towns and cities of the United States without contributing in any way whatever to the support of our institutions or Government?

Shall we permit them to compete in our own market with our own people on perfectly even terms? If so, the consequences will not be slow to make themselves felt. The competition for the present may be only with the English, the French, or the Germans, but it is a progressive competition. What is to make it stop with the competition of Europe? If cheapness is the desideratum it can not stop there. Reaching beyond the Englishman, the Frenchman, and the German, our competition will soon be with the half-clothed Hindoo, and, beyond him, with the naked inhabitant of the Congo. Is this to be the measure of the ultimate civilization of the United States?

RAW MATERIALS.

While in one breath we are told that the manufacturers are robbing the people and growing rich upon the enormous profits of their business, the result of a wicked tariff, in the next we are informed that for want of "free raw materials" the manufacturers are unable to keep their factories going, and are compelled to go out of business.

What are "raw materials?"

The man dealing in pig-iron deems an article "raw material" until he has expended labor on it, ignoring the labor of the toiling miners. The man who makes steel calls it "raw material" until he puts it into steel. He ignores the labor of the miner and the iron manufacturer. The man who manufactures cutlery includes in his category of raw material the "finished" billet of steel, and denies that it is a "finished" product till it has been made into cutlery. The ship-builder considers the finished plate of steel to be "raw material" until he puts it into his ship. And so on through the entire series of industries, until the material that started out at $5 a ton as iron ore ends up in watch-springs at $276,000 a ton! Each man in his turn considers it "raw material." This view can be excused only upon the ground of the narrowness of human vision in all matters pertaining to self. The only period at which the article was, strictly speaking, "raw material" was while it lay, inert, useless, and valueless in the bowels of the earth. The moment a pick was applied to it, or a shaft sunk to facilitate its extraction, labor entered into the value of the article, and although it may be claimed that most of the labor employed in mining iron ore is not skilled, yet it is labor.

The miners are among us, and must live. If iron ores should be imported without limit, on the ground that they are "raw material," hundreds of thousands of American citizens would be deprived of their means of livelihood, and being without skill in other directions would be driven back to the land, from which, in isolation, to eke out a scanty subsistence, and by competition reduce the already sufficiently low compensation of agriculture. Each man thinks he should have, free of tariff duties, whatever is "raw material" in his business. This is saying to the long line of those who at various stages prepared the material for his use, "You shall starve in order that I may increase my profits."

WHO ARE THE PRODUCERS OF RAW MATERIALS?

The producers of these "raw materials" are the men without technical education—large numbers of people who in youth had not the advantages of schooling or the opportunity of acquiring skill in the production of a more highly finished product. They are the very men that most of all appeal to our sense of justice for protection. They are the most helpless members of the community—the men without alternative. They are, for the most part, the uninstructed foreigners among us; the victims of the free-trade policies, or, it may be, the despotism of the Governments under which they were born.

When the liberty-loving people of this country speak of "the down-trodden masses of Europe," these are the very men they have in mental contemplation. When those men become citizens of this country they come to cast their lot with us. They are here. What shall we do with them? Is there to be no hope held out to them? Are ignorance and poverty to become perpetual and recognized conditions of some class in this country? Are those people not to be uplifted?

When they become members of a community in which the life of the masses is on a relatively high plane they become subjected to the higher responsibilities and the greater expenditures characteristic of that life. Are they, who most need the helping hand, to be the only class to be brought into direct competition with the wretchedly paid labor of foreign countries, with a class of people who are not only wretchedly fed and clothed, but upon many of whom no governmental or other responsibilities are permitted to rest, who are suffered to maintain physical existence, while watchful and powerful military organizations stand ready to keep them in their places? The conditions of life and of citizenship for that class in this country differ so absolutely from those of like classes abroad that to remove the tariff protection from "raw materials" would leave absolutely without livelihood a class of men already the most needy and helpless in the community.

If the protection be taken from some forms of skilled industry their workers will not be altogether helpless. They may get along by going into other occupations. The wool-spinner can, on a pinch, earn a livelihood at cotton spinning, the machinist can become a factory hand, the

factory hand can invade the occupation of the producer of "raw material." But there is no alternative for those already engaged in the production of raw material.

Every industry in a nation is interwoven with each other industry. All industries are interdependent. It is a maxim of political economy that every man's income is derived in part from the income of every other man in the community. An injury to one industry, therefore, is an injury to all. That which lessens the prosperity of one lessens in a greater or less degree the prosperity of all. Hence, I maintain that no man has a moral right to bring into this country, in competition with the products of home industry, any article that is or can be manufactured here with no more effort than is required to manufacture it elsewhere. This is the fundamental principle on which a protective tariff is based.

The Government, as representing all the people, and charged with the duty of seeing that the Republic take no harm, has a right to say that no man, to gratify a selfish cupidity, shall buy from abroad any article which his own country is able to produce with an expenditure of energy no greater than is necessary to produce the article elsewhere. The state has a right to say that no man shall have his wants supplied for a less compensation than can be secured by the free play of competition among the people of his own country and within the borders of that country. The rate of wages to which the workers of that country are entitled is the rate dictated by fair and free competition among themselves. They are entitled to be protected from the influence of the lower rates of wages ruling in foreign countries.

It is the duty of the state to interpose barriers against the degradation of its people by industrial invasion no less than by armed invasion. These barriers may take the form of a money payment which the foreign manufacturer pays to the Government for the privilege of competing with our industries in our own country. That form it takes in the tariff.

HOW THE DEMOCRATIC POLICY WOULD DESTROY ALL OUR INDUSTRIES.

In his somewhat celebrated tariff message, the chief of the free-trade party, Mr. Cleveland, when President, referred to the small number of farmers engaged in wool-raising compared with all the farmers in the country, and used the fact of the comparative smallness of their number to enforce his argument that foreign wool should be admitted free of duty. He also says, "It may fairly be assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from twenty-five to fifty." On this theory of the then President we may assume that the average flock consists of thirty-five sheep.

WOOL.

According to the figures of the Bureau of Statistics the total number of sheep in the United States in 1887 was 44,759,414. Mr. Cleveland said (and I accept his statement) that "a large proportion" of those sheep consists of small flocks. Just what he means by a "large proportion" we are allowed to infer. It might be fairly within the line to say that 75 per cent., or three-quarters of the whole number of sheep, consists of those small flocks, but to keep within bounds I will assume the number to be 65 per cent. Sixty-five per cent., then, of all the sheep in the country consists of "small flocks, numbering from twenty-five to fifty," say thirty-five, sheep each.

Sixty-five per cent. of 44,759,414, is 29,083,619, which, divided by 35, gives 830,960 as the number of separate flocks. That means 830,960 separate farmers or wool-raisers owning flocks of 35 sheep each. On Mr. Cleveland's own rule of ascertainment, therefore, there are over 830,000 farmers who are directly benefited by the tariff on wool. If we estimate five persons to each family, it will appear that there are 4,000,000 persons directly and pecuniarily interested in the wool tariff. This may be a "small proportion" of the population, but it is a very considerable number of persons.

If this theory of Mr. Cleveland's be correct, that because the number of persons engaged in a particular industry is not a "large proportion of the population" therefore the product of their labor should have no protection whatever, what would become of the industries of the United States? Who shall judge when the number of persons engaged in any special industry is sufficient to warrant the protection of that industry? And if the needs and condition of the country warrant or demand the establishment of an industry essential to its industrial independence why should it not be established and maintained irrespective of the number engaged in it?

In a great self-sustaining nation of 65,000,000 people, with the multiplicity of occupations that should prevail among them, with a proper variety and co-ordination of their industries, the number of persons engaged in any one industry can never bear any large proportion to the entire population. Indeed, the smaller the number in any one industry, provided it be sufficient to supply the wants of the country, the better. What is wanted is an infinite variety of occupations, that each man may find that for which he is best fitted.

Mr. Cleveland called wool "raw material," but by the application of his own rule we find as many as 830,000 farmers with whom wool is a finished product; that is to say, a product into which a part of their labor has entered. If we take the principle laid down by him as to the industry of wool-raising and apply it to the various other occupations and industries followed by the people of the United States we shall make short work of the entire body of our industries.

BOOTS AND SHOES.

If wool should be admitted free of duty because only 830,000 farmers are engaged in its production—that being but "a small fraction" of the population—then boots and shoes should be admitted free, because by the census of 1880 only 194,000 shoemakers were engaged in that industry. If we should have free trade in wool, why not free trade in shoes? Reducing the duty would not suit Mr. Cleveland, for his implied question is, "Why should the entire population be 'taxed' for the benefit of a few?" If wool must go on the free-list, why not boots and shoes?

COTTON FABRICS.

Again, the cotton-mills of the country in 1880 gave occupation to 169,771 operatives. This, too, is "a small fraction" of the population. Why should we place a duty on imported cottons? Why not buy our cotton goods in England, and keep the workmen of that country busy making for us all the cotton cloth we need in the United States?

HATS.

By the same census the number of hatters in the United States in 1880 was 16,860. This, again, is a "small fraction" of the population. Why should we put a duty on hats made in foreign countries in order that 16,860 American hatters may be kept busy? The idea of Mr. Cleveland and his Democratic friends is that in any case it is not the workman who gets the benefit of the duty, but the employer. Why, then, should we think for a moment of keeping any duty on hats? Why not admit all hats duty free?

CLOTHING.

Why, too, should we have any duty on foreign-made clothes? Why not have all our ready-made clothing made abroad? The number of tailors in the United States in 1880 was 133,756, which is but "a small fraction" of the population. Should the ready-made clothing of London and Liverpool be "taxed" merely to support 133,000 American tailors?

CARPETS.

Our carpet makers in 1880 numbered 17,068. Why should not foreign-made carpets be admitted free to compete in our home market with carpets made by our own people?

PAPER.

Our paper-mills in 1880 employed 21,430 operatives. This is a very small fraction of the population. Why should we care to foster that industry? We can get good papers made abroad. If wool should have the benefit of free trade, why not much more so paper?

IRON AND STEEL.

The number of iron and steel workers in the United States in 1880 was 114,539. This, again, is a "small fraction" of the population. Why should we attempt to bolster up a business that employs only 114,539 people out of the entire population of this vast country? If the wages paid these men benefit nobody but themselves, then we are depriving the workmen of Liverpool and Birkenhead of the work to which, by reason of the long establishment of their industries, they may be considered fairly entitled.

MACHINERY.

We had in the United States in 1880 some 101,130 machinists. Why should we buy machines made by them in preference to those made more cheaply abroad? One hundred thousand men form but a "small fraction" of our population. If the wool grown by 830,000 farmers should be on the free-list, why not the product of the labor of 100,000 machinists?

CARRIAGES AND WAGONS.

Our carriage and wagon makers in 1880 numbered 49,887. Should we impose a "tax" on foreign carriages and wagons and deprive our people of the benefit of patronizing foreign workmen and the pleasure of sending our money out of the country merely to benefit such "a small fraction" of our population as 50,000 carriage and wagon makers?

And so, if the list were continued, we should find the industries of the country utterly wiped out piecemeal by applying to each in turn the views of the Democratic President with regard to the wool-raising industry.

The denial of protection to any one pursuit on the ground of the small number engaged in it serves, *pro tanto*, to drive people out of it, to overcrowd other pursuits and correspondingly depressing the rewards of labor in the other branch. But it brings no benefit even then. As soon as the occupation is destroyed in this country and the workmen dispersed into other occupations the prices of the articles which it had produced and which now must be imported would at once be increased. So that we should not only injure our workmen, but compel all our people needing the articles produced in that occupation to pay the foreign manufacturer whatever price he may choose to put upon his own production.

ARE THERE SOME UNPROTECTED INDUSTRIES?

In the tariff message to which I have referred, Mr. Cleveland takes

occasion to declare that many of our industries are unprotected, and implies that those who follow them are robbed by the protective tariff.

He maintains that no protection is afforded to the blacksmith, the mason, the baker, the plasterer, the carpenter, the railroad employé, the milliner, the day-laborer, the domestic servant, nor to the persons engaged in professions, such as doctors, lawyers, clergymen, etc.

On the very contrary, Mr. President, I maintain that those are the most absolutely protected of all industries.

The utmost that the highest protective tariff could do—even a tariff of absolute exclusion—would be to decree that all the work of the country should be done by the people living in the country, and that the rates of wages and of profits should be regulated by their unrestricted competition among themselves. No protective tariff ever enacted in this country has been so high as to have that effect.

Such being the case, those so-called "unprotected" industries enjoy a much more stringent protection than that of a tariff. Were it possible to construct houses in Europe and send them, ready-made, to this country, it would become our duty to protect specifically, by a tariff charge on imported houses, the occupations of the mason, the bricklayer, the carpenter, the plasterer, the painter, etc. In their favor is ceaselessly operating a barrier more effective than the custom-house—a barrier erected by nature—and equivalent to a tariff of exclusion.

This applies equally to the blacksmith, the domestic servant, the lawyer, the doctor, etc. In the very nature of things it is impossible that they can have European competition. Their only competition is with the inhabitants of their own country—just such competition as the protected industries would enjoy were the tariff so high that not a dollar's worth of foreign product could be imported into this country.

Such of our people as are engaged in those occupations have therefore no need of any other barrier than that which nature provides for their protection. It is a barrier which neither time nor circumstances can remove. No man not standing on American soil can enter into competition with them. Competing with Americans only, they will always receive such rates of compensation as shall result from the unrestricted competition of our own people, uninfluenced by the low compensation of labor in other lands.

If it be said that our unskilled laborers are liable to competition by reason of the free immigration of the unskilled laborers of foreign lands, I answer that our skilled workmen are liable to precisely the same competition by the equally free immigration of the foreign skilled workmen. But our skilled workmen are subject to the additional disadvantage of the competition created by the importation of the products of foreign skilled labor.

UNSKILLED LABOR HAS THE HIGHEST CONCEIVABLE PROTECTION.

The unskilled laborer of this country, then, enjoys a protection of the highest character conceivable. He can never be competed with from abroad. His competitors must live in this country. The skilled workman, on the contrary, is competed with at every step of his progress, not only by his fellow-workmen living here, but by men living and working in Europe, the products of whose labor are imported and sold in this country. One is protected by nature; why should not the other be protected by statute? Shall we not decree for our skilled workmen some share of the protection which nature has decreed for our unskilled? Shall we, by our law, refuse to care for the higher industries, while the lower and rudimental industries are cared for by a law as immutable as time? The unskilled workmen of other lands are attracted to this country because of the protection afforded by nature; should we not establish conditions of protection that will attract the skilled workmen also? Should we dedicate the Republic to the use of the unskilled only?

Nature found men without skilled industries; it found them in a rude and undeveloped condition; it therefore protected them by natural law. It decreed that the unskilled workers should have no competition except those of their own community. It set the example of the highest conceivable form of tariff—a tariff of absolute exclusion.

SHALL SKILLED LABOR HAVE NONE?

Shall men, as they become skilled, forfeit at each step of their progress all the benefits of effort and aspiration by being exposed to the competition of the whole world? Skill comes only by labor. It is an artificial creation. With its development shall not advancing knowledge give by artificial means to the products of the skilled producer the protection that nature gives to the unskilled? The unrestricted competition among themselves of the men engaged in the unskilled industries among us and in such of the skilled industries as can not be prosecuted elsewhere results in a level of prices of which nobody complains. Should not like competition in the skilled industries produce a like effect?

Without a tariff we should have the patcher of shoes instead of the skilled shoemaker, the solderer of tin pans instead of the producer of tin-plates; the line-man who strings the wire instead of the wire-worker who makes it; the second-rate man who mends machines and the botch who attempts to mend them, instead of the first-rate man, the intelligent and alert man, who can not only mend machines, but can invent and make them.

Shall we protect, by what is tantamount to a tariff of exclusion, the man who lays the rail on the track, and yet afford no protection to the man whose skill produced the rail out of the inert matter of the earth? Shall we give to the cobbler and the tinker, the mere menders of things, the highest protection known to man, and the compensation characteristic of America, while subjecting the makers of the articles which the cobbler and the tinker mend to the competition of the low-paid labor of Europe?

Free trade says to the shoemaker: "We can not protect you in the making of shoes. Become a cobbler and you have all the protection that the highest tariff could possibly give you." It says to the man skilled in the art of making tin-plate: "We can not protect or encourage skill. Become a tinker and you have the highest of all forms of protection."

It says to the intelligent and skillful watchmaker: "Do not exercise your talents in the making of watches; that is skilled work and we can get that class of work done in Europe. Set up a little mending shop and we will drop in occasionally and have our watches repaired." It says to skilled workmen of every class: "Abandon all ambition. For workingmen, ignorance is preferable to knowledge. The country is in danger from the aspirations of its laborers. If you will give up all desire for advancement, if you will content yourself with the cobbler's bench and the tinker's 'budget' you will not have to compete with the ill-paid workmen of Europe; you will have for competitors only the men living in your own country, which is as absolute a protection as the highest tariff could possibly give you. If, however, you dare to aspire, you shall compete with the half-starved labor of every land."

THE DEMOCRATIC POLICY DISCOURAGES THE IMMIGRATION OF SKILLED MEN AND INVITES THE UNSKILLED.

Free trade, therefore, tends to discourage the incoming of skilled and talented men; and instead would invite hither the unskilled of every land, including the paupers, of whom their country is glad to be rid. Those whom we should attract to our shores should be the men of skill and ability—men who, when domiciled among us, would be an endless source of wealth, not in material result merely, but in blood and brain and brawn.

We can not employ labor in Europe to repair our shoes; why should we employ labor in Europe to make them? We can not have our old clothes mended in Europe; why send to Europe for our new clothes? We can not send old engines and machinery to Europe for repairs; why send to Europe for new engines and machinery?

The tariff, then, unless absolutely prohibitory, affords but partial protection to our skilled workmen. If it be true that by this partial protection the skilled workman is robbing the community, what can be said of the robbery effected by the unskilled workman? He has the community entirely at his mercy. The skilled workman, by reason of the importation of competing foreign manufactures, is able to effect but a partial "robbery," while the unskilled workman has a clear field. Yet we have heard neither from Mr. Cleveland nor any one else any complaint of "robbery" effected by the unskilled workman.

The fact that no one suspects those who repair our shoes or our machinery of robbing the community should be assurance that there is no need to suspect of robbery those engaged in making our shoes or our machinery. If such fear existed it would only show that ignorance should be preferred to intelligence. It would tend to prove an absurdity, namely, that the more instructed a people become the less integrity will they have, and that a nation has less to fear from an ignorant populace than from an intelligent body of skilled and artistic people. It would be an extraordinary result of human progress if those who had only a smattering of a trade should be more desirable citizens than those who were masters of it. The utmost that a tariff can do is to lift the skilled workman to the same high level of protection afforded to the unskilled workman.

The moment the Democratic leaders reach the point at which labor becomes skilled they complain of "robbery." Are they afraid to trust the laborer when he becomes skilled? Do they fear that in proportion as a workmen becomes intelligent and skillful he becomes more removed from the Democratic party?

THE "NECESSARIES OF LIFE."

The sympathies of the free-trader go out in unstinted measure to the purchaser of goods; he has no sympathy with the producer of them. He wishes the duty taken from the "necessaries of life." In behalf of whom? Not the producer of those necessaries, but the purchaser. He ignores the fact that it is in the production of those very necessaries that nine-tenths of our people are engaged. If the tariff charges are to be taken from "necessaries of life," there will be no need of a protective tariff; there will be nobody to be protected. Under the pretense of benefiting the purchaser the Democratic party would destroy both the producer and the industry.

If we examine the list of productive pursuits followed in this country, we shall find almost all of them dealing with "necessaries of life." Protection should be given to all pursuits, so that the largest variety of industries may be encouraged. The fact that only a few persons are engaged in a particular industry is no reason why that industry should

be destroyed, our country deprived of the art, and other industries overcrowded with the displaced labor.

In the idea, therefore, that all tariff charges should be taken off the "necessaries of life," there is nothing but an appeal to "consumers," in the hope that the producers of the country, being also consumers, may be deceived by mere names.

Before the great protective system was inaugurated by the Republican party a very large number of articles now deemed by our people to be "necessaries" were luxuries of life. The daily living of the masses of this country has in thirty years, under protection, come more and more to consist of things that prior to that time were beyond their reach. With the protective principle thoroughly understood and universally applied, there is hardly an article in the present category of luxuries that would not, as time passed, become part of the daily life and daily needs of the masses of the American people.

It will be generally admitted that worsted shawls come fairly within the designation of "necessaries of life" in this country. Suppose the duty on worsted shawls to be high and the duty on camel's-hair shawls low. Our free-trade friends would characterize this as a gross wrong. Let us see. There are thousands of people in this country engaged in the manufacture of worsted shawls. With one accord they assert that if the tariff charge should be taken from those articles it would either destroy the industry in this country or relegate all those engaged in it to a grade of living inconsistent with citizenship of this free Republic. They therefore unite in a request that the duty be not taken from imported worsted shawls.

So, also, the American sheep-raisers who supply the wool for those shawls, living in isolation and self-denial, entreat us not to subject them to a competition with the cheap labor of South America and Australia. It is manifest, if we are to have a protective policy at all, that the policy should extend to every industry existing in the country; otherwise it would be a partial and unjust policy. By a duty on wool and on worsted shawls we protect the people engaged in the manufacture of those articles from the competition of European labor. But in examining the subject, to see against whom a discrimination would operate in case we put only a comparatively light duty on camel's-hair shawls, I fail to find American labor engaged in raising camels. I have seen no camel ranches in this country, nor have I heard of anybody in the United States being engaged in the manufacture of camel's-hair shawls.

Whom, therefore, should we protect by an extraordinarily high tariff charge on camel-hair shawls? An industrial policy, to be worthy of a great nation like this, should enable its people to do all their own work, untouched by competition from the squalid labor of other lands.

By the protective feature of the tariff we secure all the revenue needed by the Government, and, whether luxuries are highly taxed or not, it would be absolutely destructive of the interests of our laboring men to take the tariff charge from foreign importations of articles that may be called "necessaries of life." By taking the duty off "necessaries of life" we should subject our producers to a competition that would deprive them of work, that work being the production of those very "necessaries." As I have said elsewhere, it is the producer to whom the highest consideration is due. All except the aged and infirm should be producers, and even these are provided for by the protection which the tariff affords to those whom nature has appointed to care for them. Industrial policies can not be planned in the interest of those who produce nothing, who contribute nothing to the common wealth. States can live without them.

IS THE DEMOCRATIC PARTY A FREE-TRADE PARTY?

Is the Democratic party a free-trade party? Some of the leaders of the Democratic party dislike the appellation of "free-trader," and deny that theirs is a free-trade party. Inasmuch, however, as all phases of the economic policy of that party would produce every injurious effect of absolute free-trade, they object to nothing but the name. They will not deny that in their ranks will be found all the free-traders of the country, whatever the number may be; and that there are a considerable number must be inferred from the fact that one section of the constitution of the late Confederate States contained the following provision:

> Nor shall any duties or taxes on importations from foreign nations be laid to promote or to foster any branch of industry.

The free-traders are those who, when asked at what time they would remove all tariff duties and tear down all custom-houses, have the candor to reply, "Now!" As this frank avowal might lead to the alienation of Northern votes from the Democratic party, some of the great lights of that party denominate themselves "tariff reformers," while, in order that the party may be all things to all men, others of its leaders are advocates of a "tariff for revenue with incidental protection." The "tariff reformers" have as little regard for a protective tariff as have the free-traders. They are believers in a "revenue tariff." This is the opposite—the very contradiction—of a protective tariff. Its purpose is to refuse to protect. It would utterly destroy protection. In order that under it protection may be impossible, a "revenue tariff" imposes duties on articles not produced in this country, so that nobody could be protected—duties levied with a view of providing a revenue only.

The advocates of a "tariff for revenue with incidental protection" are the most illogical of these "reformers." Professing to desire protection, they would adopt means that would render its realization impossible. Now, protection is either right or wrong. It is either necessary or unnecessary. If right and necessary, why should it be made an "incident?" If wrong and unnecessary, why, equally, should it be made an "incident?" In such case, why have it at all? The outspoken free-traders, therefore, deserve credit for possessing the courage of their convictions.

If, as all Democrats in good standing believe, it be a "robbery" to have a tariff that fully protects, how much of a robbery is permissible under that which "incidentally" protects? Where does the "incidental" honesty cease, and the "robbery" begin? Do they mean that they are in favor of a "tariff for revenue with incidental robbery?" This is equivalent to a rule of morals that should inculcate the observance of truth with incidental lying, of honesty with incidental stealing, or, in general, the practice of virtue with incidental vice.

The simple fact is that all these classes of "reformers" have in view the very same purpose. The out-and-out free-trader would at a stride place the people of this country on a level with the people of other countries. The "revenue reformer" would perhaps make two strides instead of one—the first taking us half the way, and the second the other half. The advocate of a "tariff for revenue with incidental protection" would take us to the goal by "easy stages"—at each remove reducing the condition of our workmen, and getting them accustomed to the new and less favorable condition before taking them farther along in their journey to join the army of the disinherited, the poverty-stricken laborers of other lands.

If the intention be to protect in any degree the labor of this country from competition with low-paid foreign labor, how can a low tariff effect that object?

This class of tariff results in large importations, but the special degree of lowness is not a matter of importance. So long as the goods can be imported and sold here at all at a profit, they will come. Suppose that English cotton goods, if admitted free of duty, could be sold here at a profit of 10 per cent. And suppose that with a view to "incidental" protection a tariff charge of 5 per cent. were imposed on such goods. There being still possible a profit of 5 per cent., the foreign goods would keep pouring in. If, therefore, the tariff charge be not high enough to afford substantial protection it does not "incidentally" protect. It does not protect at all.

No prudent man would build a house in a valley in proximity to a dam that was just high enough, and no more, to keep the water from overflowing during an ordinary season. Before building he would wish the dam raised to a point sufficiently high to protect his dwelling in seasons of exceptional overflow, during which he might be subjected to the risk of having his house carried away by flood.

So it is with the tariff. So long as the wall—or dam—is only just high enough to keep out the article the prudent American business man will hesitate about investing his money in the business. He can not foresee the moment when through even a slight reduction of wages abroad a flood of imports may overwhelm him, and consequently the full benefits arising from keen home competition will be wanting. If the tariff be amply high, confidence is established and the business of production can go on without trepidation.

The greatest decline of prices in this country has been of articles on which the tariff charge has been so high as practically to exclude the foreign article from our markets. Illustration of this fact may, as is universally known, be found in the carpet and steel industries. The decline of prices has been least in articles of which our principal supply comes from Europe. The reason is obvious—because full competition was not secured among our own people. Fears were entertained as to the wisdom of entering a business which might at any time be disastrously affected by importations. In all departments in which there existed perfect safety from foreign competition the competition among our own people was keen enough to effect a great reduction in price.

HOW HIGH SHOULD THE TARIFF BE?

The early protectionists of this country believed that protection would be needed for but a short time. They supposed that when industries had been established and in operation for a short period they would be able to compete in our own market with the products of foreign labor. It did not present itself to their minds that protection was a continuing duty which the country owed to its labor and its industries. The factors and conditions which enter into and surround the industrial problem must be such as will assure permanence and progress, so that labor and capital may intelligently reason upon the future and make the calculations necessary in these days of large time contracts and great manufacturing plants.

No mistake can be made by making a tariff too high; an industry may be destroyed by making the tariff too low. If the protection is not needed, it has no effect. Whenever a duty is placed on any article that can be produced here cheaper than elsewhere, the duty is of course a dead letter. It has no effect one way or the other. If, for example, we should put a duty of $10 a pound on imported cotton, the duty would not have the slightest effect, either on keeping out foreign cotton, which is already effectually kept out, or in raising the price of the domestic article. Or if we should put a duty of $1 a gallon on imported

petroleum, it would not change the price of petroleum. Protection, then, refuses to protect any article that is cheaper here than in foreign countries.

When people say that the tariff is or is not high enough, they very often have no definite conception why it is or is not so.

THE TRUE TEST—ARE WE DOING OUR OWN WORK?

The true test of whether the tariff is high enough is to be found in answer to the question, Are we doing our own work?

When large importations are coming in it is a certain sign that the tariff is not high enough. To suppose otherwise would be to assume that our people are not active in observing opportunities for promoting and extending their business.

The tariff ought to be sufficient to insure our people against the competition of foreign labor and foreign capital.

Nobody in this country is going to risk a new, elaborate, and costly plant on the hazard that wages in other countries are going to continue at present rates, as he does not know, and can not know, to how low a degree wages may be pressed in those countries. The people there, having no alternative, must accept any offered wages, however low. The people here would not. In Europe one class fixes wages; in this country two classes fix them.

If our people do not enter an industry the tariff should be made high enough to induce them to do so. Capital is constantly seeking investment and taking risks, but there is a point at which risk will stop. If it were fully assured and understood that the protective policy would continue, capital would more freely enter new occupations and thus, by degrees, reduce the importations of foreign goods.

If the fear be expressed that the profits of capital may become too high, it is only necessary to remember that the tendency to equalization of profits and of interest on capital is just as strong as the tendency to equalization of wages or of anything else.

No matter to what height the tariff might be carried in a country where capital is as widely diffused as it is here, where it is more widely diffused than anywhere else on earth and where it is daring to a remarkable degree, it is absurd to suppose that men with money, looking for investment, will long permit those already in business to make extraordinary profits.

The profits of capital in one industry can not long remain above the average profits of capital in all the enterprises of the community. There is a constant vigilance exercised by those having money to invest; they will invade any department of business in which the profits promise to be remunerative, and moneyed men of active dispositions are not long going to permit other men in the neighborhood to continue making two or three times the profits realized in the average business. To suppose otherwise would be to admit that men are not actuated by self-interest.

IF THE TARIFF IS HIGH ENOUGH, WHY ARE OUR IMPORTS SO LARGE?

If the tariff is high enough, why is it that our own people, enterprising as they are, should continue to permit the foreigner to occupy our markets, when by every means in their power our people are hunting for the profitable employment of capital, especially in manufacturing industries? If it be high enough in woolen goods, why is it that fifty to seventy million dollars' worth of woolen goods are imported every year into this country? If not high enough to maintain our rates of wages, it is only a revenue tariff.

When a tariff is really protective we produce the article here, and there is no revenue derived from it. By making it too low, or by declining to make it high enough to bridge over the difference between the rates of wages and subsistence in another country and in this, our wages must range so as to approximate those of foreign countries.

Whenever conditions are such in any line of industry that it is on the edge of competition with a like foreign industry, a reduction of the tariff by 10 per cent. might be sufficient to drive the industry wholly out of our own country.

So long as the reduction is not sufficient to enable the manufacturer to send his goods here it has no effect.

But if the rate be so reduced as that importations come in by reason of it, then by our law we cheat our workmen out of their right to the work of this country, to which by reason of their citizenship, their tax-payments, and their obligations to support and defend the country they are naturally entitled. I maintain that they are entitled to have the products of their labor bought at prices that will admit of the payment to them of wages on which they can live in the manner characteristic of this country and people.

Whenever the tariff is sufficiently high and sufficiently general in its application to protect all industries, no one is or can be injured.

It is impossible to protect one industry without in a measure protecting all industries.

When everybody is permitted to engage in any industry he chooses, he can only get paid according to the average wages paid in his community. If, then, you raise permanently the wages of any reasonable number of laborers in the community, you increase to that extent the average wages of that community.

BUYING IN THE CHEAPEST MARKET.

But we are told by the free-traders that political economy teaches that we must buy in the cheapest market and sell in the dearest. That is good political economy for the few, but bad political economy for the many. For a short time one may get an article cheap in a foreign market, but the article is dear at any price if its purchase abroad discourages or postpones the production or development of a similar article in our own country.

If the English people had contented themselves with importing the work which the skill of the Huguenots had fashioned England would have lost a source of much wealth as well as a most desirable addition to her population. With true foresight England abandoned the importation of the Huguenot's manufacture and imported the Huguenot himself. There may have been for a short time a money loss on the article, but Great Britain got more than an equivalent; she got an enduring source of intellectual and moral wealth by importing the fabricator instead of the fabric. The thought embodied in the article is surpassed by the thought embodied in the artist.

Our farmer may be willing to buy cheap clothes or exchange his wheat for them, but the clothes soon wear out. The farmer would do better were the country filled with the talent that produces good clothes, which, by reason of the ingenuity of the skilled workman in calling to his aid the latent forces of nature, would soon become as cheap in the farmer's own country as the clothes he now buys abroad. The farmer would then have the skilled workman as a customer for his agricultural products.

DEMOCRATIC CHEAPNESS A CHEAPNESS OF—MEN REPUBLICAN CHEAPNESS A CHEAPNESS OF METHODS.

The cheapness that our Democratic free-trade friends are seeking means an ultimate cheapness of men, an inferiority of citizenship, a cheapness that submits men to squalor of living. This form of cheapness is odious and repulsive. In order to get cheaper goods for the moment they would cheapen our institutions. The aspiration of the Republican party is not for that form of cheapness, but for the cheapness developed by science and promoted by art, the cheapness that results from improved methods of production.

I maintain that the first duty of the government of a republic is to adopt and maintain such economic policies as shall protect its citizens from a degrading competition with "cheap" people, with those who have no alternative but to take what is offered or starve, men who are obliged to accept in return for their labor the smallest amount that will sustain animal life.

With the free-trader the dream of life is "cheapness." He uses this word as if it were a fixed and immutable quantity and not a mere expression of temporary relation. He says we ought to have "cheap" clothing without regard to the method by which the cheapness is effected. If we have to keep the wool-grower, the wool-spinner, and the cotton-weaver in squalor in order that we may have cheap clothes; if we are to keep the shoemaker on the edge of starvation in order that we may have cheap shoes, every man in the community will find in "cheapness" a two-edged blade, one edge cutting the man from whom he buys, the other cutting himself.

ONE CHEAP MAN BEGETS ANOTHER.

All industries being interdependent, the prosperity of all depends on the prosperity of each. One "cheap" man begets another. If the hatter must have "cheap" shoes, the shoemaker must have "cheap" hats. If both must have "cheap" clothes, there must be "cheap" farmers to raise the wool, "cheap" spinners to spin it, "cheap" weavers to weave it, "cheap" sewing-women and "cheap" tailors to make it into clothing. To supply "cheap" machinery for the shoemaker and the hatter, we must have "cheap" machinists; to supply the needs of existence for all these, there must be "cheap" agricultural produce, and "cheap" grocers; to repair their houses there must be "cheap" carpenters and painters.

So there must be cheap railway cars, cheap locomotives, cheap engineers and conductors—and so on throughout the entire body of labor. This form of cheapness would be the destruction of civilization. The way to cheapen things is not to cheapen the price without regard to the effort involved in production—not to cheapen the men who make them, but to cheapen the processes by which they are made—to reduce the amount of human sacrifice that enters into their making; in other words, to compel the forces of nature to do the work of man.

Whoever buys "cheap" must sell "cheap." This rule is inexorable. It has but one exception. If a man has a monopoly of a product he may sell "dear" and buy "cheap;" but where no monopoly exists, where, from the nature of the business, it is impossible to have a monopoly, then cheapness on the one side will involve cheapness on the other. Cheapness in buying will involve cheapness in selling.

TRUE CHEAPNESS IS EFFECTED WHEN LESS SACRIFICE PRODUCES THE ARTICLE.

The true cheapening of an article takes place when its production demands less sacrifice from him who produces it, not when its purchase demands less sacrifice from him who purchases it. The gauge of cheapness is the sacrifice incurred by the producer, not that incurred by the consumer. There is no producer who is not also a consumer; there are consumers who are not producers. With the exception of the aged and the infirm, men are entitled to regard only in so far as they are producers. It is the man who works, not him who idles, that is entitled

to consideration. The producers are the strength and buttress of the state. The willing idlers, whether rich or poor, and the majority are rich, are its weakness. No mistake can be made by consulting the interests of men in their capacity of producers. By consulting the interests of men as "consumers" merely we undertake to protect the interests of the idle rich—the non-producers—at the expense of the producers.

To get cheap shoes the free-trader would either buy the product of foreign labor, which he would admit free of duty, to enter into competition with the product of our shoemakers, or if he bought the home-made article it would be at the low price of the European shoe. So he would condemn all our artisans, in turn, to the lowest grade of compensation because he could buy at less outlay in dollars and cents the products of European labor. The truth is that no class of people in this country are entitled to goods any cheaper than the other classes of our own people can make them at wages that comport with the requirements of American civilization.

Our people not being able under present conditions to compete with the foreign manufacturer in the production of the various articles demanded by our civilization, a larger proportion are driven into agriculture than the needs of our own country require, and more than is consistent with a proper adjustment of industry. The consequence is that large numbers of men find their life-work uncongenial or repulsive, who, had they, in youth, had the opportunity of entering an avocation suited to their tastes and capacities, would have been a source of strength instead of weakness to their country. For with everybody occupied at the work for which he is fitted, not only is the largest amount of work produced, but it is produced at the smallest amount of sacrifice.

If we are to be satisfied with hiring our work done abroad in all departments of practical art because it can be done there more cheaply than here, then on the same principle we should be satisfied with hiring music for our homes instead of permitting our children to experience the delights of musical instruction. Millions of dollars are annually expended in teaching American girls the use of the piano, in possessing them of the art of music. Why not instead hire a hand-organ? For the same reason, instead of applying our money to the education of our children, we should be satisfied to hire "cheap" intelligence.

Why should we deem it essential that in respect to the accomplishments of life—in respect to music, to literature, to the abstract sciences, and the fine arts—our young people should be trained according to their several aptitudes, while in respect to the most important of all arts—the art of supplying the material wants of life—they should be made dependent on foreign nations?

Are we willing that our people, having a larger faculty of development than any other people in the world, shall be dependent on other lands for the skill that shall enable them to keep pace with their aspirations?

When it becomes a question of cultivating the esthetic and refined tastes all admit that we want the art, but it would seem that we do not care for the art that teaches people how to achieve in the great work of providing all the wants of a highly civilized people.

It is proper that our people should cultivate esthetic tastes and extend the influence of refinement through all the homes of the land, but the estheticism, the literature, the fine arts, that will endure are not those that precede, but those that accompany and follow material progress. They have a positive and assured foundation. Neither the moral, the intellectual, nor the physical advancement of a people is assured without immunity from hunger.

Neither is the civilization to be commended that develops one class of the community in all the intellectual qualities, while leaving all other classes without opportunity for progress. The cultivation of a few does not compensate a nation, especially a republic, for the ignorance of the many. This is a country without privilege or privileged classes. For us cultivation must reach beyond the few; it must extend to the many. Ours is a society of workers, and work should be held to be the highest badge of privilege. It is the prime factor in the true cultivation of a people, that form of cultivation most essential to the prosperity of a nation. The cultivation that contemns labor is not for us. That is a relic of the past and is inconsistent with the welfare of mankind. The most essential and salutary culture is that culture of head and hand whose beginnings have been observed to develop within the recent past and whose culmination reaches far into the distant future.

In the last analysis the real cost of production is not money, but labor. The true cost of any article is the number of hours' or days' work that have entered into its manufacture, the amount of toil it has evoked. As already stated, if you have unrestricted freedom of trade, you must exchange on even terms. The man who is at work making shoes in England will not be content to be cheated by the man who grows wheat or anything else in America. Under free conditions things tend to equalization. If the Englishman sells cheap shoes he will insist on getting cheap wheat. When people say they want things "cheap," it only means that they want everybody else to make things for them more cheaply than they are willing to make things for other people. It means that each man wants his share of the world's goods supplied to him at a lower price than he is willing to supply the world with the things he makes.

With this sordid argument of cheapness the free-trader goes to the shoemaker and inquires, "What do you pay for your clothes?" On being informed of the cost of the clothes, he says, "If it were not for the tariff you could buy your clothes so many per cent. cheaper." He then says to the tailor, "What do you pay for your shoes?" On receiving the information he tells the tailor, "If it were not for the tariff you could get your shoes at so many per cent. less." He advises each to agitate for a repeal of the tariff act. If the agitation prove successful, the tailor, by buying his shoes abroad, deprives his neighbor, the shoemaker, of a customer. The shoemaker, in turn, by buying his clothes abroad, deprives his neighbor, the tailor, of a customer. Thus selfishness overreaches itself.

WHAT IS MEANT BY BUYING IN A FOREIGN MARKET?

When a man says he wants to buy in a "foreign market," what does it imply? Simply that he wants to get, in exchange for his own toil, more than an equal share of the result of some other man's toil. Let the tariff be ever so high, he can get a fair and equal exchange of labor in his own country. If we imagine a condition of things among ourselves in which labor is unequally distributed, so that, for example, one day's work by A is equal to two days' work by B, other men, seeing the advantageous position occupied by A, will enter his trade, and thus lower or tend to lower the value of his day's labor when compared with that of B. Thus profit and wages are constantly tending to an equality. People who entertain the hope that they can get a cheap market—that is to say, a market in which a given amount of force or labor will be exchanged for a less amount of force or labor—will find in the end that they entertain a vain and delusive hope. However things may be at the start they will soon equalize.

The cost of all articles in this country should be that which results from the universal and unrestricted competition of our own people, untouched by that of the squalid labor of other lands.

Whoever competes with others must accept all the conditions of life of those with whom he competes. If we compete with Europe, we must accept the conditions of European life. From this there is no escape.

But the free-trader tells us that when he wants a bale of cotton, he does not want a cotton-mill. Wanting but one bale, he wants that at the lowest price at which he can get it. He insists that the element of present price is all that he has to consider.

FLESH AND BLOOD INVOLVED IN CHEAPNESS.

If cotton produced itself, without human agency, there might be some reason in that argument. But we can not discuss the price of cotton without discussing the price of flesh and blood. It is no answer to this for the free-trader to ask "Am I my brother's keeper?" A nation is a living community in which each individual has certain well-recognized and well-defined duties toward every other, in which each person is under an implied obligation not to seek his personal gain by an injury to the community. When the free-trader sends abroad for his cotton goods, is it to be supposed that he inflicts no injury on his own community? We have only to extend the inquiry by asking how this rule would work if everybody sent abroad for everything! The result would be that in time the people themselves would have to go abroad.

Why send abroad for cotton goods? Because, says the free-trader, they are produced cheaper abroad than at home. Does it follow that those goods will never be cheaper at home? Can not our skilled workmen devise improvements and processes by which to make cotton goods cheap without at the same time, as is the case abroad, cheapening the men who make them? And have they not so done again and again? Is not this work of improving our processes going on every day in every machine shop and cotton factory in the United States? The ingenuity of our artizans is proverbial; it is constantly discovering new methods and inventing new machiney which, by greatly increasing the product of labor, cheapen the price of the product without reducing the wages of labor.

Wages and all other conditions of life are higher with us to-day than they were in 1850 when, according to the census, the value of our manufactures was $44 per head of population; and higher than in 1860, when our manufactures had risen to $65 per head. In 1880 we manufactured $107 worth of goods for each man, woman, and child in the United States. Yet the price of manufactured articles is generally conceded to be, on the average, 50 per cent. less to-day than in 1860. With increasing output we are decreasing the price. Is it to be assumed, because an article is cheaper to-day in some foreign country than in the United States, that it is to the permanent interest of our people that the article shall be bought abroad and brought here ready made rather than made here, where the art will be the possession of the people, where the money will enter into the home circulation and aid in the development of home industry?

Are we willing, for the sake of the price which happens to be ruling abroad to-day, to permit our home manufactures to languish, if not to die, and the inventive genius of our people to decline? It does not need the eye of a prophet to see that had we no tariff charge on the foreign article the foreign manufacturers would flood our market with

their goods, destroying our industries. It is equally clear that they could then raise the price of the articles to whatever figure they pleased.

One of the principal effects of the tariff, therefore, is that by the development of home manufactures we are protected from the exorbitant prices which in the absence of the home product we should be compelled to pay for the products of foreign factories and workshops.

IS PRICE A STATIC CONDITION?

Price is treated by the free-traders as a static condition, as a fixed and unvarying quantity, whereas in fact it is controlled absolutely by the relations existing, at any given time, between supply and demand. Increase the supply of any article without correspondingly increasing the demand, and you diminish the price of that article. On the other hand, add to the demand for it without adding to the supply, and you increase its price. With this principle borne clearly in mind, let us see how it applies to the doctrine that our people should abandon the protective policy, tear down the tariff wall which incloses our prosperity, and admit to full competition with our own manufactures the manufactures of foreign countries.

We impose what the free-trader would no doubt regard as a heavy duty on imported cotton goods, yet we imported into the United States in 1889 manufactures of cotton amounting in value to $26,805,942. On these the duties amounted to $10,841,970, an average of about 40 per cent. If the payment of $10,000,000 of duty did not prevent the sending of $27,000,000 worth of those goods into this country, the quantity that would be sent here were no duty imposed can only be measured by the entire demand of our people for that class of goods. If the foreign manufacturer can pay 40 per cent. duty and still compete with us in our own markets, it must be obvious that were the tariff out of his way he would speedily dismantle every cotton-mill in the United States. That done, what is to prevent the foreign manufacturer from raising his price for the cotton goods which we would have to buy?

Prices would no longer be those of to-day, but would depend absolutely on the new conditions. The European manufacturers understand their business, and should they find the entire demand of 65,000,000 people open to them, they would sell their goods on the basis of the increased demand.

Whatever price cotton goods command to-day is a price resulting from and fixed by the relations of supply and demand as they now exist. Imagine our cotton mills destroyed, our plant, consisting of probably 300,000 looms and 14,000,000 spindles, rendered idle, and our markets made wholly dependent for their supply upon the foreign manufacturers. Notwithstanding the cessation of production in this country our people would still need a large supply of cotton goods. This would enormously increase the demand for the products of the foreign factories, and correspondingly increase the prices at which we could buy them.

Even if the price should afterward rise to a point at which our people could make them, they would be restrained from again entering upon the risks of the business. It is not what the foreigner is willing to sell for, but what he can sell for, that will decide. Our cotton mills would therefore continue closed until such a time as a lower order and scale of living should reduce our people to the conditions prevailing in competing countries. That result would be certain to follow from precipitating all our people into one industry. Even then the advantage of plant would remain with the foreign manufacturer, which would enable him to out-sell the American.

But as it would take half a century to reduce our people to the conditions prevailing abroad, if our capitalists should decline to altogether abandon the business, they would be compelled to take their plant and machinery from this country and set it up elsewhere, in some country in which they could get labor on the same terms as other manufacturers, where the laboring classes are oppressed and where great armies stand ready to repress all demonstrations of dissatisfaction.

HOW PROTECTION REDUCES PRICES.

The duty of this Republic is to assist in the cheapening of products, not by cheapening humanity, but by cheapening the processes of labor. This is the only method consistent with progress. By any other method, humanity must retrograde, not advance. By this method the result is effected by bringing to bear upon industry all the subtle powers of science for the liberation of man from the slow and toilsome method of hand labor. For centuries cotton fabrics from the hand-looms of India had been imported into England. In order to develop her manufactures England finally passed an act absolutely prohibiting their importation—with what result? The development of the industry in England, and as a consequence the invention of the power-loom. Had it not been for that prohibitory act the world might for centuries have had to depend on the ryots of India for cotton fabrics.

Does the free-trader believe that the end of discovery and invention has been reached? If the action of England proved a benefaction to humanity by promoting variety of industries among a race superior to the Hindoos, even though unfavorably situated, why should we not expect further advance of invention by promotion and encouragement of diversity of industries among the same race on this continent, situated infinitely more favorably, where every inducement is held out to ingenuity and where every aspiration finds encouragement? The age of invention is not past. On the contrary, we have seen but its opening day.

Our workingmen, who with hand and brain have been busy devising new labor-saving processes, have year by year reduced the cost to the consumer without reducing the wages of the producer. They have cheapened the article without cheapening the artisan. Had we not had this great gathering of skilled mechanics, well fed, well clothed, well housed, with all the energy and aspiration that prosperity begets, thousands of labor-saving inventions would have been postponed to the far future. Why is it that Americans are recognized the world over as natural inventors? It is because they are the best fed and best paid of all the people of the earth.

A people accustomed to low physical conditions and depressing social surroundings, deprived of aspiration and liberty, can never possess the fullest inventive faculty. Men engaged in a hunt for mere animal subsistence are too near the starvation line to give thought to invention. In proportion as the intensity of this pursuit relaxes thought is born, imagination expands, invention develops, and men investigate the subtle forces of nature. Accordingly we find that for the past quarter of a century, under the fostering care of the protective tariff, this Republic has not merely outstripped all other nations in the extent of its industrial development, but far exceeded its own previous history.

AS WE EXCLUDE THE CONTRACT AND THE PAUPER LABORER, WHY ADMIT THEIR GOODS?

Our free-trade friends vote for laws intended to keep out that class of labor known as contract labor. Yet the objections that apply to the contract laborer himself apply with greater force to his goods, the products of his labor. If he is "cheap," his goods are cheaper. If he deprives our workmen of their work, so do his goods. There is no logic in excluding the one and admitting the other. To be consistent the Democratic party should oppose all laws that restrict the immigration of contract laborers, for they bring what that party regard as the most desirable attribute which society can covet, namely, cheapness.

While assisting the Republicans in the passage of laws to keep out the cheap laborer, the Democrats have no objection to his remaining in his own country, and while receiving much less wages than American labor receives, shipping annually millions of boxes and bales of his goods in here to be sold in competition with the products of American labor. I maintain that it were better to have the laborer than the products of his labor.

WE CAN REASON WITH THE LABORER—WHAT ARGUMENT CAN BE USED WITH BALES OF GOODS?

The foreign workman coming here becomes inspired by his new-found freedom. Belonging to our own race, he becomes moved by higher aspirations; he soon joins the labor associations of his American fellow-workers; he becomes in all senses, except that of birth, a true American. With him our workmen can reason; to him they can appeal. But what argument can be used with boxes and bales of goods? How can men reason with a pair of blankets or of shoes? So, as long as the foreign articles are on the shelves of our merchants, American labor must constantly tend to equalization of conditions with those who make them. Our workmen will not accept European conditions so long as there is an acre of unoccupied land in the country. They will prefer to take the land. In doing so they take from our farmers one consumer; and worse, add a producer and a competitor.

If cheapness is the desideratum the contract laborers are the very laborers who should be brought in. If they come to this country in person, then to the extent that they consume they will furnish a market for our farm products, and will consume infinitely more of those products here than they would consume in Europe.

Would it not be better for the American farmer to have the European laborer brought in person to the neighborhood of the American farm, where he will earn American wages, such as he had never earned before, eat the products of American agriculture, as he had never eaten before, and pay for them two or three fold what he had paid before, than to send those products across the ocean to be sold to the same laborer under conditions which would render it impossible for him to pay the cost of their production? If we are to have no tariff, our people, farmers and mechanics alike, will be obliged to compete not merely with the pauper laborer who comes here, but with the pauper laborer who does not. If our people have to compete with pauper labor, they had better compete with it here than to compete with it in foreign lands.

CAN OUR WORKMEN COMPETE WITH EUROPEAN PRISON LABOR?

Suppose the governments of Europe should organize in their prisons great systems of manufacture, with all the most modern machinery, set their prisoners to work, and ship the products of their labor to this country, will it for a moment be contended that the product of the labor of our workmen could compete in the home market or in any market with that class of merchandise? It will at once be admitted that the prisoners receive but the barest necessaries of existence. Yet according to the statements of all witnesses there are millions of people in Europe, outside of the prisons, who, in all the essentials of life except greater liberty of movement, are no better off than the prisoners.

Should our workmen be subjected to competition with those merely that some non-producers may, for the moment, be able to save a few cents?

OR WITH THE CHINESE?

Suppose the people of China, by the aid of European or American superintending skill and the adoption of the latest improved machinery for manufacturing cotton goods, should undertake to compete with Europe and America in the manufacture of such goods. With their hundreds of millions of cheap and imitative laborers they would soon become the most extensive manufacturers of such goods in the world. If we imported their cottons it would be in vain that we excluded themselves.

Should the Chinaman come here in person, while he would be an undesirable accession to our population, while he would not amalgamate with us, and could never become part or parcel of our civilization, we could at least compel him to pay his share of the expenses of the Government under which he conducted business. But with free trade, with the unhindered power of entrance given to the product of his labor performed in China, he would contribute nothing to that object, but, while carrying on his business practically among us, and under the protection of our Government, would drive all men of our own race entirely out of any business which the Chinese might invade.

The two faculties that most distinguish races of men from one another are the creative and the imitative faculties. The creative, inventive, or originating faculty is practically confined to the Western races. The oriental and all other races, constituting the great bulk of mankind, are wholly imitative. Of the white race, our countrymen are the most inventive and original. We have, therefore, most to lose in arming the imitative nations with the latest developments of inventive genius. With our latest machinery in their possession, the products of their labor transported to our shores—freights costing practically nothing—can crush out the life of our industries.

Shall the men of originating force and constructive genius in this country have no protection against this class of labor wherever performed—whether abroad or here?

IF THE EUROPEAN PAUPER LABORER IS TO CONTROL OUR INDUSTRIAL AFFAIRS, WHY NOT, WITH AS MUCH REASON, OUR POLITICAL AFFAIRS?

Under the doctrine of the Democratic party, while the foreign laborer might remain physically in his own country, he would be here no less actually in the form of boxes and bales of goods.

Suppose we extend the illustration a little.

Since the foreign laborers can exercise their vocations in this country without their personal presence; since, with boxes and bales by the million, containing their cheap goods, they can control our industrial conditions, the basis and foundation of our people's prosperity and independence, why not entitle them to send here, at each recurring period of our general elections, boxes and bales containg countless millions of their cheap votes, that they may thus be enabled to destroy the policy of protection and secure a more perfect "freedom" of trade?

I have already, on another occasion, quoted the words of Sir Lyon Playfair, in the British House of Commons, to the effect that if you harness a racer to a dray-horse you may slightly improve the speed of the dray-horse, but it will be at the expense of the racer. So, by harnessing a proud, free, aspiring, and inventive people to a people dispirited, hopeless, and unaspiring, you may succeed in elevating to a slight extent the condition of the second class, but it can only be at the grievous expense of the first. It may cost us something more to keep our "stock," Mr. President, but all that we have consists of "racers."

WHAT HAS THE TARIFF DONE?

The tariff has protected our people against the competition of the under-paid and under-fed workmen of foreign countries.

The condition of those people is such that no friend of humanity can wish to see it duplicated on this continent.

The ruling classes of Europe consist of countless numbers of aristocratic idlers who, at the expense of the masses, consume of the products of land and labor, without themselves creating wealth to the value of a blade of grass.

During the feudal ages their ancestors, or predecessors in privilege, secured a monopoly of the land, which they still hold out of reach of the masses. They maintain their power and privileges by the aid of standing armies composed of millions of men who, also at the expense of the masses, consume without producing. These great swarms of idle men of both classes live on the producers and eat up their substance. It is a fair estimate that at least one-half the products of the labor of Europe are practically confiscated to support and maintain in idleness the classes named.

After centuries of what is styled a "high civilization" we still see the great body of the European people sunk in the lowest condition of ignorance and misery—millions of them often, if not always, on the verge of starvation. We see those millions unable to grasp the meaning of liberty, forbidden to think for themselves, unwilling or unable to assert their manhood, and, while not devoid of the aspirations of their race, so depressed by their conditions and environment as to lack the independence and self-assertion that characterize the workers of the United States.

The tariff has operated to bar out from competition with our people the peoples of those countries. That is precisely what a tariff properly adjusted should do and is intended to do. At the same time it has kept the people of our own country busy in their shops and laboratories working, investigating, and inventing.

IT HAS DEVELOPED OUR WORKMEN AND THUS PROMOTED PRODUCTION.

The discipline and training thus received by virtue of the protective policy of the country has produced here a class of workmen the like of which has never been seen in the history of the world. Intelligent, fearless, aspiring, they are men fit to constitute a great nation and to be citizens of a great Republic. As the workers must always form the great bulk of the people, so must they constitute the bulwark of the nation. It is on their love of liberty that republican government depends. They man the armies in time of war and contribute to the country all the wealth it has, whether in war or peace. Their prosperity, therefore, should be the especial concern of the Republic. It is impossible that true patriotism, virtue, or progress among the masses should exist in the presence of ignorance and squalor.

The industries which have been most highly protected in this country are those in which not only the greatest improvements have been effected, but the greatest reductions of price have taken place. Such reductions, however, are not those that result from the cheapening of men or the crushing out of humanity. They are the result of the cheapening of methods by requiring less sacrifice to be expended in production. The truth of this is evident from the fact that wages have not only not declined, but have risen.

By means of modern invention—for the most part the work of Americans—even the servant girl is able, with her American wages, to wear better clothes, eat better food, and enjoy more of all the comforts of life than could Queen Elizabeth have done with the income of a monarch and all resources of her time.

SAVING OF TIME AND MONEY BY INVENTION.

The mere pecuniary result of invention, the saving to society, the freeing for purposes of progress and advancement of much of the monetary reward of toil, may be indicated by the mere suggestion that the sewing-machine must save to the people of this country alone not less than $50,000,000 a year. It enables millions of mothers to do the sewing of their families who could not possibly do so without its aid.

The pecuniary value of the time saved by the air-brake is almost incalculable.

During the year 1889 the railroads of this country transported 476,000,000 passengers. If one-fifth the time of all those passengers has been saved by the efficiency of the new brake—and no reasonable estimate can place the saving at less—the time thus plucked from waste is so much added to the effective working force of the community, so much to the productive capacities of men and to the wealth of the nation. And so it is with a great number of other inventions which might be named. Indeed it might be said that the money value of the time saved and of the greater production effected in the United States each year by reason of inventions made by the mechanics in our workshops far exceeds the annual sum of customs receipts.

In the mere pecuniary sense therefore, even were the tariff a tax, the stimulus which it gives to invention by inducing effort and encouraging the establishment in our own country of an infinite variety of industries is more than ample return for the money cost. Every penny devoted to the payment of tariff charges represents a ticket in the lottery of invention, from which society is constantly drawing prizes.

SOME MARVELOUS EFFECTS OF INVENTION.

The marvelous effects of invention in economizing labor may be told in a few lines.

By the aid of machinery every man employed in the manufacture of boots and shoes can now do the work that by hand labor alone would require the work of five men. In farm labor also one man with machinery is equal to five without it; in flour-mills one man under the new system becomes equal to four under the old. In the making of brooms one becomes equal to five; in the making of glass jars, to eight. In the manufacture of hats and of tobacco one operative with machinery becomes equal to eight without it.

The sewing-machine does the work of twelve women. In the winding of silk one person with machinery becomes equal to ten, and in its weaving one becomes equal to twenty. In the manufacture of woolens one person with machinery is equal to seventeen without it. In the manufacture of paper one becomes equal to seventeen, while in the manufacture of wall-paper one person by the aid of machinery is made equal to one hundred operating by hand-labor. These are some of the results of recent invention and do not include such as are familiar to all—the steam-engine, that infinitely multiplies power; the locomotive, that destroys distance; the telegraph, that annihilates both distance and time, and the great variety of electrical machinery with which the world is familiar. The wealth created by skill may be indicated by a few facts. One pound of steel wire worth 70 cents makes 7,000 screws for the Waterbury watch, each screw worth 1 cent, making $70.

PRODUCT OF 13,800 ACRES OF LAND FOR THE PRODUCT OF ONE BAR OF PIG-IRON.

A bar of pig-iron worth $5 made into horseshoes becomes worth $10;

into needles, $55; into pocket-knives, $3,250; into buttons, $30,500; into watch-springs, $276,000! These values are the creation of labor. In the progress of the material from the ore-bed to the finished watch, it passes through hundreds of processes, in each of which the hand and head of the deft and skillful workman are necessary to prepare it for the processes that are to follow. The nation that exchanges wheat at a dollar a bushel for foreign-made watch-springs gives the product of 13,800 acres of land for the product of one bar of pig-iron!

SAVING OF FARM LABOR.

The mechanical industries have not neglected the farmer. The tools of his trade have been revolutionized and the hardships of his life materially lessened by them. Fifty years ago agriculture was one of the most exhausting of pursuits. The sickle, the scythe, and the cradle were its principal instruments. Their employment demanded hard and unremitting toil. They have been superseded by machines with the aid of which the farmer does his work for the most part while seated and under shade. Like a conqueror, he "drives his team afield" and reaps, binds, and thrashes his grain with hardly any manual labor. The beneficent instruments that have thus smoothed the rugged path of life for the farmer are the products of American invention. They are the results of training and discipline received and thought evoked in the mechanical workshops of this country.

But invention in aid of the farmer does not end in the field. It supplies the elevators which handle his grain, the locomotives and cars which haul it to the markets of his own country, and the steam-ships which carry it to distant lands. No farmer, therefore, should favor the establishment of an economic policy which would limit or retard mechanical progress.

HAVE NOT AMERICAN WORKMEN LED THE WORLD IN INVENTIONS?

When we point to the reductions which have been made in the prices of articles by reason of inventions which economize human labor and give to each man the working power of many men, we are met by our free-trade friends with the statement that this cheapness is not a characteristic of this country alone; that it is seen operating all over the world. Though the greater effectiveness of labor be observable universally, is it not a well verified fact that the inventions of this country have been the principal factors in securing this result?

Is it to be supposed that in this age the developments of science and art can be kept secret? Is it to be supposed that an invention which cheapens steel in this country will not cheapen steel in England? Does the Democratic party believe that the human mind has reached the limit of its powers—that all the secrets of the universe have now been exposed? Are we to live henceforth exclusively on the discoveries of the past, without hope and without confidence in the future?

It may be true that at any given moment the foreigner may defeat us by a 30 per cent. difference in the cost of some manufactured article. If, then, by means of American invention we reduce our price 60 per cent. (or 30 per cent. below the price abroad), the foreigner may immediately take our invention and by applying to it his cheaper labor again reduce his price to a point much below ours. It is therefore obvious that no matter to what stage of reduction wages or prices may be brought in this country, the foreigner can at any given time undersell us.

Yet the Democratic policy would require us to employ the foreigner to the exclusion of our own workmen. That party would concede that invention has ceased, and to secure cheapness for the moment would abandon the certainty of future inventions.

IF LABOR IN EUROPE MUST CONSTRUCT OUR MACHINERY, LABOR IN EUROPE MUST REPAIR IT.

If it be admitted that by reason of its cheapness foreign labor must construct our machinery, it must follow as a natural consequence that foreign labor must repair it when out of order. Great establishments and plants can not be maintained on repairs alone; and if they could, the expense of maintaining them for repairs alone would be altogether disproportioned to the results. On repairs alone our workmen could not acquire the skill, experience, and familiarity necessary to thoroughly understand and efficiently and promptly repair delicate and complicated machinery. That which may be simple to the man who made it may be of exceeding complication to him who did not.

The purchase of our machinery abroad practically necessitating repairs abroad, our people would be absolutely deprived of all mechanical industries and compelled to resort to agriculture for subsistence.

This would be an extraordinary condition for a people who have developed the greatest inventive talents of the age. The most splendid triumphs of mechanical genius during the past quarter of a century have been effected by the mechanicians of this Republic. The most beneficent improvements in both the large and small economies of life for all mankind have been made by them. Must we require improvements now to cease? Shall our inventors retire from the position which a high tariff has enabled them to occupy, that of advance agents of progress? Is it not so probable as to amount to a certainty that the developments of the past are but the first steps in the great march of improvement?

If it be true that no consideration would now induce us to part with the sewing-machine, the air-brake, and the thousand other valuable devices to which we have become accustomed, why should we be willing to set on foot an economical policy that would destroy all opportunity for future inventions? Why subject the American mechanic to such competition with European labor as would keep him always on the verge of want? Such a condition would deprive him of the faculty of invention. It would shut off progress; it would petrify the civilization even of this Republic.

Judging by our experience under the protective policy, there would seem to be no limit to the inventive powers of our people. The inventive faculty is acquiring accelerated momentum. At the present time the spirit of invention in all departments of industry is more active than at any period of our history. Are we willing to permit present conditions to be declared permanent and immutable, to declare them the conditions that must forever prevail for the highest type of the human race?

If the people are not constantly in their workshops or otherwise engaged in daily observation of the working of machinery, great inventions will come into existence only at long intervals. Such inventions can result alone from continuous communing with mechanism and mechanical forces. Of this fact the great agricultural implements known as "harvesters" afford an apt illustration. In order to develop and improve them it was necessary to secure continued observation of the process of harvesting. The season being necessarily short in any one locality, men were sent to the southernmost boundary of the United States with directions to follow the process northward, State by State, as the season progressed, so that beginning in Texas the tour was not ended or the fund of information deemed complete till Minnesota and Manitoba were reached.

These inventions and improvements were not made by agriculturists, but by mechanics. In the nature of things a knowledge of mechanical forces was necessary to their conception and development. Men so determined to achieve should not, by the selfishness of the moment, be arrested in their great career as the most inventive in the history of the world.

When, by perfect equilibrium of our industries, we shall have developed to the highest degree the intellectuality and skill of our people, when we shall have rounded out all their faculties of investigation and construction, then will it be found that what are now called the necessaries, comforts, and even luxuries of life will cease to be objects of serious concernment; they will be mere by-products, which all may have as matter of course, while the great consideration will come to be the finding of fitting work for head and hand, and the greater development, by inquiry and analysis, of man's power over nature.

By doing our own work we shall have centers of industry existing at short distances apart throughout the entire extent of the continent, affording to all engaged in mechanical trades constant, remunerative, and honorable employment, with opportunity for the development of every aspiration. By this means the workmen throughout the country will be brought into intimate touch and relation, by which the sense of invention will be quickened. By the same means the agriculturist will be furnished not only with the most remunerative of markets at his door, but also with that which men prize beyond pecuniary reward, the advantage of association, with all that it implies: a higher range of social life, schools, academies, libraries, museums, works of art and taste, theaters, opera-houses, and all the elements that distinguish life in communities from life in isolation.

The people of this Republic will prefer to be called great, not for resort to the forces that waste and destroy, but for development and utilization of the beneficent powers of production by giving to mankind great discoveries and inventions in all departments of science and art. In this way and this only can they fulfill their high mission among the peoples of the earth.

THE SOUTH AND THE PROTECTIVE TARIFF.

Mr. President, yesterday I heard the Senator from Texas [Mr. REAGAN] take exception to a statement made by the Senator from Iowa [Mr. ALLISON], who denied that the tariff bill under consideration was sectional in its bearing. The Senator from Iowa stated that the tariff bill operated equally upon all the people and upon every section of the country, and that it could not truthfully be said that it was either sectional or unfair. The statement of the Senator from Texas has been repeated by almost every Senator on that side of the Chamber.

The Senator from Texas stated that the North and East are manufacturing countries, while the West and South are agricultural countries. Why, Mr. President, there was a time in this world when countries had not arrived at even the agricultural stage. First came the pastoral condition; then came agriculture; then the manufacturing. States can have and should have both agriculture and manufactures. Illinois is as great an agricultural State as Texas, and yet Illinois is one of the greatest manufacturing States in the Union. Pennsylvania is as great an agricultural State as any State in the South, yet Pennsylvania has most extensive manufactures.

Is there any law in the United States which prevents the people of Texas, with their immense herds of sheep, from utilizing the wool obtained from them and spinning it into cloth? Is there any law which

prevents them from taking their surplus cotton and spinning and weaving it into cloth, as is done in Connecticut or Massachusetts?

The Senator who last occupied the floor [Mr. VANCE] complained that an enormous wrong had been inflicted and great discrimination had been made because binding-twine had been put upon the free-list and cotton-ties and cotton-bagging had been subjected to a duty. I disagree with the gentlemen who voted for free binding-twine, for I believe that the dropping of any industry from the dutiable list affects, so far as it goes, every industry and the wages of every artisan throughout the country. I believe, in order to have a perfect system of industry, there must be an equilibrium of all industries and that this country must produce everything which by nature it is capable of producing.

When we know that great fields of iron ore lie in the mountains of Alabama, Tennessee, Georgia, and other States of the South, when we know that throughout those States there are great deposits of limestone and all that is necessary for fluxing, great deposits of coal fit for coking and for steam in the very region where the cotton is produced, I should be surprised to be told that these people, having the chance to take that ore and coal and make iron, could not do it. Especially would it be strange if they could not make cotton-ties, for they belong to one of the rudimentary processes of iron-making. If those who favor this tariff are engaged in perpetrating a wrong upon them, why do they not do this work themselves? Do they plead mental inferiority?

Mr. REAGAN. Will the Senator allow me to answer him in a word?

Mr. JONES, of Nevada. Certainly.

Mr. REAGAN. The capital is concentrated in the older portions of the country, and, under the influence of legislation which has been passed, capital has been added to capital, and the agricultural portions of the country have been so taxed for the support of manufacturers that they could not accumulate money.

Mr. JONES, of Nevada. That is the most astounding proposition I ever heard in my life, that one of the very richest States in the Union can not put up a cotton factory.

Mr. REAGAN. I meant the general business of manufacturing.

Mr. JONES, of Nevada. Build one factory and that will build another, and the second will build a third. There must be a beginning. It was but a short time since the monopoly of manufacturing was east of the Blue Ridge Mountains and north of the State of Maryland. Now the center of manufacturing has gone over the mountains and into the Western country. All that these Western people had at the start were their courage and their enterprise. The manufactories had always been in Massachusetts, Connecticut, Rhode Island, and the other Eastern States, but now the manufacturing supremacy of those States has passed away.

With a tariff law operating uniformly over a great country like this, when industries are established in certain localities and other localities afterward develop, it will sometimes happen that hardships will accrue to individuals. Such hardships are now being suffered in the Eastern States. People who established in those States manufactures of barbed wire and other articles find that the same class of manufactures are now not only nearer to the points at which barbed wire and other articles are wanted, but the ore or raw material is nearer to the mill as is also the coal necessary to make it. But, like men, they stand up to the consequences of the change. They say if we have made a mistake in locating our industries in an improper situation we must suffer the loss and must readjust our workshops. If we can not make barbed wire we can make something else. It is not the fault of the law that the industries are more profitably pursued elsewhere.

Where the law bears equally on all, capital will adjust itself to the demands of business and to the probabilities of profit in all parts of the country. The law gives equal facilities to every man in every part of this country to engage in any business he chooses. As far as my constituency are concerned, I should be ashamed to claim that they are robbed; for, I can assure you, whenever there is any chance to get a portion of the plunder, if they do not get their share they will not complain. [Laughter.] They are going to be alert and get in. The trouble with the constituents of the Senator from Texas is that they have been asleep, they have not fully "caught on" to the movement, but we have seen signs lately that they will do so. Throughout the entire State of Virginia such a movement as has not been heretofore known is now going on, building up the industries of that State, and if the protective policy shall continue it will make that State one of the great manufacturing States of the Union. So it is in Alabama; so in Tennessee; and so it will be throughout the Union if the protective policy shall remain the policy of the country.

STATISTICS OF RECENT PROGRESS.

What has the tariff done for the South? In a few years of the new policy that section has shown more progress than in a century it would have shown under the old. In 1880 the number of cotton mills in that section was 142; in ten years they have doubled. In 1880 the number of bales of cotton consumed by those mills was 180,000 pounds; in 1889 it was 500,000 pounds. In 1880 the pig-iron produced in the South amounted to 350,000 tons; in 1889, to 1,780,000 tons. In the same period the product of wood-working establishments has increased by 225 per cent. In 1880 the amount of coal mined in the South was 2,000,000 tons; in 1889 it was 13,000,000 tons. In 1880 the total value of the manufactured products of the South was $3,300,000; in 1889 it was $30,000,000!

The railroad mileage of the South has increased from 17,808 miles in 1880 to over 40,000 miles in 1889. The assessed value of Southern property, which in 1880 was $2,000,000,000, is now estimated at $4,000,000,000.

These figures show that a new era has opened for the South, that at last the brain and hand are working together, and that with a continued policy of protection the ultimate development of all the material resources of that section is assured.

In order to show that some progress is making, even in invention, I will cite the advance shown in a few of the Southern States in the ratio between the number of patents and the numbers of white population since 1870. The figures of the Eleventh Census not being yet available I have based my computation of population for 1889 on the estimates of the New York World Almanac for 1890. As in the case of the figures cited earlier, I have in this case also excluded all consideration of the numbers of the recently manumitted class, from whom, in the nature of things, no great creative effort could yet be expected:

States.	1870.	1889.
Alabama, 1 to every	14,483	10,375
Arkansas, 1 to every	32,919	11,160
Georgia, 1 to every	7,888	6,222
Texas, 1 to every	11,764	5,261

The tariff therefore stands for aggregation because it tends to develop aggregation. It implies that all the wants of the country can be supplied by our own people. It stands for association, for strength, for homogeneity, for national self-development. It promotes equality of material conditions among our own people and prevents a descent to the lower conditions of life that obtain in other countries. In a free and self-governing republic equality of conditions must precede and accompany a progressive and enduring civilization. Those conditions are impossible without a protective tariff. It would be folly for us, situated as we are, to attempt the task of equalizing conditions of living with those of foreign peoples of lower material conditions.

The tariff encourages the pursuit of all the industries in our own country; it therefore tends to symmetry of industrial development.

Free trade, and what is called "revenue reform," which practically amounts to the same thing, would keep us from developing our own resources and compel us throughout all our history to be industrially dependent upon other nations. In so far as it permitted progress the development would be uneven, one-sided, and unsymmetrical. It tends to the creation of castes, one consisting of the very rich, few in numbers, but great in power; the other of an enormous mass of the very poor. The reason why men preferred slavery to freedom was the same that impels them to oppose a protective policy, namely, to obtain the labor and sacrifice of others in return for less labor and sacrifice of their own.

For our country, therefore, free trade and "revenue reform" stand for national dependence, inequality, and waste. While the protective tariff cheapens products by promoting inventions that elevate humanity, free trade and so called "revenue reform" would cheapen products by degrading humanity.

It will not be matter of surprise—indeed it seems highly probable—that under the operation of the measure now pending in this body the industries of the country will within ten years be brought to an equilibrium, so that we shall have practically no surplus staples for export.

THE FARMER AND THE PROTECTIVE POLICY.

Agriculture, though the basis of all other industries, can never of itself develop the highest form of social life. With agriculture, population must always be sparse. Its fundamental condition is, not that men shall come together in aggregations, but that they shall stand apart. The labor of the field is, as a rule, labor of isolation. In it men are a series of units, not an aggregation. Many of them have selected that occupation, not from choice, but from necessity; from the lack of other opportunities; from the absence in their community of that amplitude and variety of industrial development necessary to afford scope and play to the varying tastes and adaptabilities of men.

The recent organization of Farmers' Alliances in this country is an indication that the farmer is beginning to understand the needs of association. He realizes that men in isolation are ciphers in comparison with those living in aggregations, where they can bring their influence to bear on their Government as well as on their fellow-citizens in other occupations. He has observed that the movements which have been instituted by populous communities and associations have been, to a large degree, successful. He is learning the strength which lies in association and organization. The popularity of the Farmers' Alliances is derived from the awakened sense of pleasure and the gratified sense of power which association and aggregation bring to a class hitherto comparatively isolated.

It has its genesis in the yearning for society. The American farmer

wishes to be in touch with his fellows. Like all other Americans he longs for broader intellectual interchange. His hopes and aspirations are reflected in his children, who, often at an early age, fly from the isolation and monotony of the farm to seek the life and bustle of the city.

To enable the farmers to realize the full benefit of the associative tendency of the age, to give to their occupation the strength and influence as well as the pecuniary reward to which it is entitled, they should not be content with organizing Alliances; they should aid in the organization and development of communities in proximity to their farms.

For this reason there is no class of men in this country whose interests are so absolutely bound up with and dependent on the policy of protection as the farmers. Not only is that the policy which gives birth to and develops communities in proximity to the home of the farmer, but it is the only economic policy consistent with the existence of the independent working farmer.

SUGGESTION OF THE EFFECT OF FREE TRADE ON AGRICULTURE.

Men who seriously reflect on the subject will find it difficult to escape the conclusion that long persistence in a policy of free trade would, by destroying the present system of farming, effect the ruin of the Republic. As our population increased (as increase it will, and rapidly) the absence of a sufficiency of mechanical industries would drive people more and more into agriculture. As there would be but little opportunity for the investment of capital, except in land, which the people must have, large capitalists would be quick to grasp their opportunity. Their only resource for profit would be in the ownership of great landed estates, on which to exploit multitudes of tenant farmers, over whom they would exercise the dogmatic authority of lords-paramount.

The free American farmer of to-day would disappear, to be replaced at first by the lessee, next by the tenant at will, and later on, in the future, as the exploitation continued and became more intense, by men who, however free in law, would in fact, like the Coloni of Rome, become attachments of the soil on which they worked, for all practical purposes the personal property of the landed magnate. Let us take a lesson from history. "Great estates," said Pliny, "ruined Italy." The greed and selfishness that destroyed Italy are still doing their perfect work among the nations of the earth.

An excellent authority* estimates that in order to have an equilibrium between agriculture and all other industries in any nation the number of persons engaged in agriculture should not exceed one-third the number engaged in all occupations. That is the proportion whose labor, properly applied, can produce the food supply of all the people without leaving a surplus. If more than this proportion are farmers their competition with one another reduces to an abnormal and unremunerative degree the compensation which they should receive in so arduous an occupation. According to the census of 1880 the number of separate farms in the United States was 4,008,907; the number of persons engaged in agriculture, 7,670,493; the number of workmen engaged in all occupations, 17,392,099. The farming class, therefore, constituted 44 per cent. of the whole working body.

IN THE ABSENCE OF DIVERSIFIED INDUSTRIES, TENDENCY TO OVERCROWDING OF THE FARMERS' OCCUPATION.

The constant tendency, in the absence of sufficient protection and encouragement for manufacturing industries, is to an overproportion of cultivators of the soil. Agriculture being a primitive occupation, requiring for its conduct on a small scale but little capital and comparatively little skill, may be undertaken by persons who for any reason fail to find occupation in any of the great fields of manufacture. Whatever, therefore, tends to discourage the establishment or maintenance of manufactures or to limit their variety tends in the same degree to encourage men to engage in agriculture. That is to say, men who fail to find employment in their accustomed occupation, having no skill in any other, are necessarily thrown back to the land, from which by hard work they may hope to secure at least a subsistence. Workmen in any and every industry thrown out of employment by a reduction of the tariff, therefore, swell the great army of those who cultivate the soil. Every such addition to the number of agriculturists not only tends by competition to reduce the price of agricultural products, but at the same time reduces the number of persons who would be consumers of those products.

According as we increase the numbers of our skilled workmen, we do not diminish the number of farmers. As we diminish the number of skilled workmen we increase the number of farmers. When the farmer's occupation is invaded he has no recourse. Not being a skilled mechanic he can not in turn invade some other occupation. All mechanics can become farmers without preparatory training; no farmer can become a mechanic without such training. When we shall possess the utmost diversity and multiplication of industries, therefore, we shall have comparatively fewer farmers and a relatively greater number engaged in skilled industries.

The trend of population from farming to industrial pursuits will then have a tendency to make manufactured articles relatively cheaper and farm products relatively dearer. The farmer, therefore, has everything to gain by a policy which induces the people of this country to do all their own work.

Instead of precipitating increased numbers into farming by lowering the tariff and reducing the numbers employed in the work-shops, if we can succeed by a high tariff in widening our industrial development and rendering it unnecessary for our skilled workmen to have recourse to the land, our natural increase of population will in a few years enable our factories to consume all the products of our farms.

In a properly adjusted system of industry the artisan is as necessary to the agriculturist as one blade of a pair of shears is to the other; and both are indispensable to the state. It may be said by the free-trader that the foreign mechanic can supplement the American agriculturist and that he will cost less. But this places the agriculturist in one country and the consumer of his products in another, 3,000 miles away. The producer in Europe has but little means wherewith to pay for the agricultural products of our farmers; and if he be a good workman, he as where the sons of our farmers can have none of the advantages of association with him or of instruction in his art.

THE PROTECTIVE POLICY NOT BEGUN SOON ENOUGH.

There is much truth in the statement made by the free-traders that the farmers of the United States do not receive the full benefit of the protective tariff. The cause of this, however, is not that usually advanced by the free-traders, nor is it one which their policy would in any degree tend to remove. On the contrary, it would but intensify that cause and bring disaster where now there is at least a chance for prosperity. The true reason why the tariff policy does not bring to the agriculturist the full measure of prosperity of which it is capable is because that policy was not inaugurated earlier.

Had the protective policy been adopted a quarter of a century sooner than it was the entire country would now be dotted with manufacturing centers—not merely cities separated by long distances, but busy towns and villages a few miles apart, in which the farmers of the neighborhood would find ready and remunerative markets. In other words, in a properly adjusted system of industries the farms would feed the factories and the factories would consume all the products of the farms. There would then be no overproduction of farm products for export; the "home" market (in the strict sense of the term) would consume all that would be produced, and the farmers would have the benefits and profits coming from direct sales to consumers, without the intervention of brokers, commission merchants, railroad magnates, and the army of middle-men who now appropriate what under a better system would be the farmer's profits. The delay in the adoption of a distinctly protective policy postponed till the coming generation that fullness of development and that variety of industry which, if a strong tariff be maintained, we shall at no distant day secure.

As our population has increased by immigration and natural growth the meagerness of our industrial development and the absence of variety in such industries as were established afforded insufficient accommodation for our rapidly increasing numbers. Hence very many men who would have preferred town or village life and who had neither taste nor inclination for agriculture were compelled to resort to it for a living. And thus the lot of the farmers, already sufficiently hard, became gradually harder because of the disproportionate increase in their numbers, and can not materially improve till the manufacturing activities of the country are developed in proportion to the numbers engaged in agriculture; in other words, until an equilibrium is established between the manufacturing and agricultural industries.

FREE TRADE WOULD INJURE THE FARMER.

Instead, therefore, of the free-trade or low-tariff policy benefiting the farmer, it would seriously injure him. Whatever may be said against a tariff, it is undeniable that it induces the establishment and maintenance of manufacturing enterprises. Thereby it gives employment to labor and keeps the wheels of industry and commerce in motion. The men who are to eat and wear the products of the farm can pay for them only from the fund created by those manufactured products, for the money result of a manufacture does not end with the making of the article, but follows it through every movement of its transportation and every transfer of its ownership.

Any reduction of the tariff, therefore, which throws factory operatives out of employment must result in throwing men out of employment on railroads, steam-ships, and in city stores and offices. The products of factory labor, being no longer transported, will require no merchants to "place" them, no salesmen to induce customers in city stores to buy them, no book-keepers or clerks to keep account of them; nor, indeed, will the city store itself be required in which to expose them for sale. Thus the politician who formulates a tariff bill which results in closing up a factory in the remotest corner of the Union or reduces the reasonable profit of its business is but touching the electric button that rings the alarm in every avenue of labor throughout the land, and loudest of all in the open highway, where every farmer may hear.

A POLICY OF VARIED INDUSTRIES THE BIRTHRIGHT OF THE FARMER'S CHILD.

In a strictly agricultural community, if a farmer desires to give his children that broad character of education necessary to fit them to enjoy an advanced civilization and to perform with the highest degree of

*Mr. J. R. Dodge, Statistician of the Department of Agriculture.

efficiency the duties of citizenship in a country which depends for governmental direction upon the intelligence and sound judgment of its people, he must send his children away from home; whereas if manufacturing centers were established within convenient distances and in large numbers throughout the country, all the facilities for education would be almost at his door. Hence, his children could remain at home and have the advantage of parental supervision and authority at that important period; and the farmer and his wife would find in their home that solace of life, society, which present conditions render impossible.

There would also be opportunity afforded the farmer's children to enter upon the occupations to which by taste and nature they may be adapted. With a protective tariff that confines the work of this country to the people of this country, these young people would not be turned out at maturity to compete with the starving labor of other lands. They would not find themselves at the threshhold of their career engaged in a hand-to-hand struggle for existence with men who have no alternative but to work at low wages or starve; men who, having no access to land, must accept proffered conditions, however hard. Does not the farmer wish for his children all the opportunities of advancement which they have the ability to utilize? Is not his whole life characterized by an unselfish desire to advance their interests?

The time is close at hand, if not already upon us, when all available or desirable land in this country will be held in private ownership. From what we know of farming and of the prices that can be obtained for the products of the farm all over the world, it is out of the question to suppose that from the products of his farm any farmer of average condition can take care of his children as they grow up and go out into life. Imagine the case of the farmer who has three or four children growing into manhood and womanhood. He can not, from the profits of his farm, buy from private owners three or four quarter-sections of land with which to start the young people in the world; and, were he able to do so, they would necessarily be engaging in competition with himself in the production of farm products, increasing the supply and lowering the price. Nor can he take into the old homestead the wives or the husbands of his children, for it would be impossible for them all to make a living on an average-sized farm.

Even were that practicable it is not to be supposed that, with varying tastes and aptitudes, all the sons or sons-in-law of farmers would be contented to go into farming, or would, by so doing, be putting their lives to the best use, whether for themselves or for their country. The children of even one hundred thousand farmers would evince too great a variety of tastes to make it conceivable that all of them would be contented on farms. How much more true is this of the children of four million farmers! A large variety of industries and occupations would be indispensable to enable them to make out of their lives the most that is possible by enabling each to find that vocation for which his talents might fit him.

For the training and development of whatever talent he may have the farmer's boy must seek instruction in his own country. Unlike the son of the city merchant or of the successful lawyer, physician, or artist, the farmer's son can not spend years in the study of an occupation in foreign countries, and it is better that he should not. He who takes high talent into the machine-shop contributes more to the elevation and advancement of humanity than the prize-scholar of the university.

A policy of varied industries is therefore at once an heirloom to the farmer's child and his birthright. When he steps out of the old homestead (as, in ninety-nine cases in a hundred, step out he must) he should find established in his own country—and the nearer to his home the better—such diversity of industries as to enable him to select for his life work that which best suits his taste and temperament. In following his chosen pursuit and rendering service to his employer he should receive such compensation as will enable him to live as an American should live. This he will not receive unless employers need workmen and compete for their labor as keenly as workmen compete with each other for employment.

If all workmen crowd into a few pursuits, the labor market is overstocked and wages tend to a minimum. If the working population be distributed throughout a variety of occupations there will be no surplusage of labor in any of them, and there will be as much competition among employers to find workmen as among workmen to find employment.

Inasmuch as the farmers are the most numerous class of the community, their children will therefore benefit more by diversity and multiplication of industry than the children of any other class.

DISADVANTAGES OF EXPORT CROPS.

In exporting the cereals of the country our farmers, as experience has shown, have not only shipped the crop, but at each shipment have sent out of the country a portion of their land. They might as well have reduced the quantity of the land as to reduce its productive power. There is a great and growing necessity for a larger development and growth of the classes of crops that do not appreciably impoverish the soil, but for which now, in the nosence of the local markets that, with a more general diffusion of manufactures, would exist, there is not sufficient demand to compensate for the labor necessary to their production.

The farmer who is simply producing things suitable for export must of necessity confine himself to the cultivation of crops that will bear distant transportation. Hence, much of his time is not fully occupied. There are probably ten millon persons now engaged in the farming industry in this country. Assuming that there is but a loss of one day's time each week by each man, what an enormous economic loss is suffered by the country!

ADVANTAGES OF LIGHTER CROPS.

If the American farmer were working not for the inhabitants of other continents, but for his own neighborhood, he would combine with the cultivation of the cereals the profitable culture of various other products of the field, the garden, and the orchard, that not only would not exhaust the soil, but would supply to his own family and his neighbors certain favored articles of food which are now too generally denied them.

For want of local centers of population, which would constitute a market for the tender and more palatable products of agriculture, such as the luscious fruits and berries and the more palatable vegetables, the farmer's family is itself, in many cases, deprived of those articles, and the table which of all others should be laden with what the non-agricultural communities denominate the delicacies and luxuries of life is often spread with uninviting and unpalatable food.

So, too, what pleasure and profit may not be had in the cultivation of flowers, those emblems of refinement and purity, of which every household in the land should have its daily quota. Millions of dollars are annually expended in the cities of the country for the adornment and delight which these furnish. With centers of mechanical industry in the neighborhood of his home, the farmer would find ready sale for large quantities of flowers, and in their culture could turn to interesting and profitable account many hours now necessarily unoccupied and add new zest and pleasure to the lives of all the members of his household.

Those little additions to life are filled with importance for individual men and women; they change the standard of living from the lowest to the highest grade. When the industries of the country are not in equilibrium, the farmer is without customers for many products that under proper conditions would prove highly profitable. At the same time the workmen of the country and their families lose many delicacies and refinements, are deprived of the very things that mark the difference between the hard necessaries and the luxuries of life.

In agricultural communities, when young girls or women are deprived of father or husband they are left utterly helpless. Compelled to earn a livelihood, they find no occupation open to them. They deem themselves fortunate if they find opportunity to lead a life of dreary drudgery on some neighboring farm, or, sadder still, of entering the marriage relation for the sake of "having a home!"

What a boon to such girls and women would be a neighboring village or town with manufacturing establishments for the lighter grades of fabrics, affording such work as is adapted to the physical strength and delicate organization of their sex.

ADVANTAGES OF CENTERS OF POPULATION IN PROXIMITY TO THE FARM.

As all farmers know, agriculture, conducted in proximity to populous communities, is an occupation wholly different from agriculture conducted in sections remote from population.

Under the present system, with farmer's homes remote from centers of population, not only are their occupants deprived of society, but the intelligent and aspiring young men and women among them who have reading tastes or intellectual ambitions can not gratify them. To people in isolation, literature is expensive and art impossible. They can not have libraries, museums, theaters, opera-houses. It is with difficulty that they are able even to maintain churches.

By being deprived of these amenities the life of the farmer and that of each member of his household are often rendered dreary and uninteresting. It may be fairly said that a few hundred persons constitute an average agricultural community in this country. If each contributed one or two dollars toward the establishment of some work of general improvement, the whole would make but a trifling and inadequate sum. As a nucleus for a library it would serve to buy but a few books. On the other hand, as men come together in aggregations they may have libraries containing thousands of volumes at a cost to each person of but a fraction of that which it would cost an agricultural community to accumulate a few.

The larger the aggregation the smaller the amount necessary for each person to pay in order to procure comforts, conveniences, and even luxuries. The experience of city life teaches that the larger the audience the smaller the amount of money needed from each individual composing it. And although all the advantages of the largest aggregations can not be realized in villages or the smaller towns, yet to the extent that towns and villages are multiplied in agricultural sections, to that extent will the way be opened to the farmer and his family for the enjoyment of social opportunities.

It should, therefore, be the great aim of the farming class to aid in securing the adoption of such national policies as may encourage the establishment and maintenance of manufacturing industries in all parts of the country.

The farmers and their families will be much more contented and happy when, in their home surroundings they shall have a larger measure of the advantages of civilization; and those can only be attained by the growth and development of centers of industry in all parts of the country.

As it is, those engaged in agriculture spend much time and money in traveling to and from centers, to and from the nearest cities or towns, which may be many miles distant. If centers of population existed in proximity to the farm, the money thus expended would be saved and the time utilized in profitable employment.

FOREIGN COMPETITION.

In agriculture, the barbarous peoples of the world, aided by machinery, are fully able to compete with those that are more intellectual. With our own inventions in their hands they defeat us. For this reason the agriculturists of the United States should by all possible means attempt to build up and maintain a market at home. They should not attempt to compete with the ryots of India, who, by the aid of improved railroad systems and extensive canals, are now cultivating wheat in the immense plains stretching from the base of the Himalayas to the Indian Ocean.

But cheapness is not to end with the competition of the Hindoo. Leaving out of view the vast pampas of the Amazon and La Plata, the cheapest agricultural laborers in the world will shortly be found in the valley of the Congo, raising illimitable quantities of wheat and all the other cereals which our farmers now export. The foreign competition to which the American farmer is to be subjected has therefore hardly commenced. For the moment, owing to the beneficent effects of the silver bill recently passed in this body, the competition is not so keen as heretofore, but the danger still threatens.

The combined inventions of the world are at the disposal of all who cultivate land, and whatever injury may not be inflicted upon us by cheap labor, standing alone, will be inflicted by ingenious machinery in the hands of the cheap laborer. The time is coming, therefore, when, if the industries of this country are not developed to their widest and greatest extent and variety, so that the factories and machine-shops may consume all the products of our farms, the American farmer will experience a competition the like of which has never been known in the history of the world.

POSSIBLE HOME COMPETITION.

But aside from foreign competition how would the farmers feel if, with their occupation already overcrowded, one-half the remaining population, deprived of their industries, should go into farming? The farmer's surplus, already too great, would then be quadrupled and would not sell for one-half the present price.

Our free-trade friends inform the farmer that by getting cheaply the things he buys he will improve his condition, and that he should therefore oppose a protective tariff. They fail to inform him that as the prices of manufactured articles decline the greater become the incentive and the necessity for the makers of those articles to invade the farmer's domain.

To illustrate the ever-widening ill-effects, especially to the farmer, of a policy which encourages foreign importations without regard to the permanent welfare of the community, let us suppose that all who wanted crockery at the lowest price to-day should buy it abroad, which, were there no tariff, they would undoubtedly do. That would destroy the crockery manufacture of the United States and throw out of employment all persons engaged in it, obliging them to invade other occupations, and, by overstocking the labor market in such occupations, materially reduce the compensation of the people already engaged in them or throw them altogether out of employment.

So, also, such of our citizens as should insist on obtaining woolen goods at the cheapest price to-day, irrespective of the interests of their own communities, would find them abroad. If all bought foreign cloths our woolen industries would decay, and the large numbers of persons to whom they now give employment would be compelled to distribute themselves among other occupations, glutting the labor market wherever they went, and thus reducing wages.

Again, those desiring to obtain silk at the cheapest price at the present moment would, in the absence of a tariff, find it in France. If all Americans bought their silk in France, the silk industry in this country would be destroyed, and all engaged in it would be compelled to enter other occupations, either displacing numbers of people already engaged in those occupations or lowering their wages.

The extension of the same policy of destruction to the pursuits thus newly entered would in time subject them also to a like displacement of labor, and so, by taking all occupations in turn, we should find the people engaged in manufacturing industries thrown back from one occupation to another until all were relegated to the cultivation of the soil, beyond which they could not go. Where, in all this, would be the advantage of the farmer? He might, for a time, supply some of his wants with less money than can be done under the operation of a protective tariff, but each purchase of a foreign-made article would be an invitation to the maker of a like American article to invade the field of the American farmer. The only prospect of relief to the farmer is to have people invade other industries, not his.

If the farmer is to pursue the "cheapness" of the moment, without regard to the future, he will soon find the entire population of the country, trade after trade, brought to the level of the cheap people of whom he has been buying. A large population of "cheap" and idle people, such as throng the European countries, would constitute but a poor home market for our farmers.

It is a modern idea to give the ballot to landless men. European governments keep millions of soldiers to overawe the people and repress all serious evidences of discontent. In this country the people themselves constitute the Government. Better than standing armies, as security for the peace and prosperity of a nation, is a high-spirited people constantly occupied and well paid.

If by reason of the vicious distribution of industries too many persons invade one occupation, there will be unavoidable disturbance and distress. As all men are prone to enter farming when their own occupation fails; the farmer's vocation is always that which there is a tendency to overcrowd. In seasons of industrial depression, therefore, it becomes the common receptacle for the displaced and dispossessed of all the other occupations. This leads naturally to greater competition and depression. Owing to the disarrangement of industry and lack of prosperity which, for the past seventeen years, by reason of the demonetization of silver and the consequent disturbance of the money system of the world, have characterized the condition of industry, the American farmer's occupation has become much overcrowded.

Unrest and discontent have therefore found expression. But if for a few years the mechanical industries be permitted to remain in adjustment, so that no mechanical labor shall be displaced to invade the farmer's calling, the equilibrium will be restored, consumption will overtake production, and prosperity will mark the lot not of the farmer only, but of every American workman.

To the end that the adjustment and co-ordination necessary to prosperity may be reached at the earliest period, it is absolutely indispensable that the tariff charges upon imported goods shall be maintained at a point sufficiently high to render certain that no attack from foreign ships can dislodge it.

It being estimated that if one-third of the workers of a country are engaged in agriculture the food wants of all the people can be supplied, it is clear that in this age, when invention and manufactures are transforming the world, a great economic waste would take place by a failure of this Republic to utilize its natural resources. The only moral justification which can be advanced for our seizure from the Indians of the lands of which they had so long been in possession is that they were wasting a great inheritance, that they were devoting an illimitable area of land to the sustenance of a small population. Should we in this age devote ourselves to agriculture alone we should effect a far more serious waste.

In my belief, the possibilities of development by means of the inventions of our people surpass the conceptions of the most exalted imagination. After the examples we have had of American genius for invention, to confine such a people wholly to the labor of cultivating the soil would be nothing short of culpable and criminal national folly, a folly from which the present class of independent, working farmers would suffer more than any other class of the community.

The increased protection afforded by this bill will, in my belief, largely add to the demand for products of the farm by encouraging the development of manufactures in various directions. Taking one article alone—should we manufacture all our tin-plate, of which we have been importing in the neighborhood of $20,000,000 worth a year, employment will be given to probably 40,000 men, who, with their families, constitute a population of 200,000 persons, all to become consumers of the products of the farm.

With all industries in full operation in a country the farmer will find a market for a great variety of articles for which he can find none if trade be carried on at long distances. Transportation is not production. It should be the aim of every nation to dispense with unnecessary transportation. Nothing can be more absurd than to haul articles across the ocean to be used by people who themselves have the skill and the natural resources for producing those articles in their own communities. A man sending 3,000 miles for an article which he can get within a mile of his home is guilty of grievous waste as well as of an injury to his community.

THE FARMER AND THE "MARKETS OF THE WORLD."

The free-trader points the farmer to the "markets of the world," and recommends him to strain every nerve and exert every energy to supply those markets. He advises the farmer that his mission in life is to produce a "surplus" which shall meet the wants of the teeming millions of other continents.

The hope of the farmer of the United States, however, is in the home market. The best consumers of his products are his own countrymen. They are, man for man, the greatest consumers in the world of everything that is the product of labor.

The general power of consumption of our people compared with that of other peoples may be indicated in a few words, it being borne in mind that our population is not one-twentieth the population of the earth.

The annual production of coffee for the entire world is stated to be

856,000 tons, of which the United States consumes 265,000 tons, or 30 per cent. The iron production of the world is 25,000,000 tons, and of this we use over 8,000,000, or one-third. The steel product of the world is 10,500,000 tons, of which this country uses one-third. The total product of the world in cotton is stated to be 11,421,000 bales of 400 pounds each, of which this country consumes more than a quarter. We consume nearly a third of the world's wool, our consumption being estimated at 600,000,000 pounds. We consume a third of the India rubber of the world, nearly 40 per cent. of all the coal mined, and more than half the tin produced. The sugar crop of the world is stated to be 5,114,620 tons, and of this we consume 1,422,900 tons, or 28 per cent.

A comparison, by countries, of one article alone, and that of universal consumption, will serve as a criterion for all. The consumption in this country of cotton is 17½ pounds per annum for each inhabitant; in Great Britain it is 7.56 pounds to each inhabitant (not one-half that of the United States). In Germany, 7.53 pounds; in Austria, 5.27 pounds (not one-third the average for this country); in Italy, 5.6 pounds; in Russia, 3.31 pounds, not one-fifth our average. Thus, with a population, as stated, of less than one-twentieth that of the world, we consume more than a quarter of the world's production of this great staple.

The statistics of our agricultural exports for the fiscal year 1886–'87, as reported by the Department of Agriculture, show that, omitting cotton and tobacco, our own people in that year consumed 95 per cent. of all the products of our farms. Exclusive of the two articles named the exports were but 5 per cent. Including cotton and tobacco the exports were 10 per cent. The following are the figures in detail:

Value of products of American agriculture in 1886 and of the proportion exported in the fiscal year 1886–'87.

Products.	Production (farm value).	Exportation (farm value).	Per cent.
Breadstuffs:			
Corn	$810,311,000	$11,790,046	1.9
Wheat	314,226,020	87,668,833	27.9
Oats	186,137,930	343,659	.2
Barley	31,840,510	691,809	2.2
Rye	13,181,330	197,687	1.5
Buckwheat	6,465,120	.....	.....
Rice	5,000,000	26,284	.5
Total breadstuffs	1,167,161,910	100,718,318	8.6
Meats	748,000,000	62,522,185	8.4
Poultry products	186,000,000	71,172	.....
Hides, hair, etc	93,000,000	825,502	.9
Dairy products:			
Butter	192,000,000	1,487,773	.8
Cheese	32,000,000	6,455,438	20.2
Milk	156,000,000	181,279	.1
Total meats and dairy products	380,000,000	8,124,490	2.1
Textile fibers:			
Cotton	257,295,327	177,895,501	69.1
Wool	77,000,000	70,202	.1
Hemp, flax, etc	9,000,000	.....	.....
Total textile fibers	343,295,327	177,965,703	51.8
Vegetables:			
Irish potatoes	78,441,940	238,694	.3
Sweet potatoes	20,000,000	.....	.....
Pease and beans	13,800,000	450,291	3.3
Market gardens	68,000,000	256,518	.4
Fruits	175,000,000	1,601,979	.9
Hay	353,437,699	130,804	.....
Tobacco	39,082,118	22,510,388	62.5
Hops	3,500,000	46,725	1.3
Sugar and sirup, including honey	33,500,000	.....	.....
Clover and grass seed	15,000,000	638,329	4.3
Wines	10,000,000	129,103	1.3
Grand totals	3,727,218,994	374,230,603	10.1
Percentage exclusive of cotton and tobacco	.....	.....	5.2

Deducting from the total agricultural exports the amount of the cotton and tobacco (together $200,405,887), we find that there were exported but $173,824,716, and of that amount wheat and meat constituted $150,191,018, so that of miscellaneous articles of farm produce the amount exported was but $23,633,698. If we estimate the average expenditure for food for a family of five persons to be even no greater than one dollar a day, an addition of 476,232 families or 2,251,160 persons of all ages to the population of the country would take up this entire agricultural surplus, including wheat and meat, leaving nothing for export but cotton and tobacco.

The census showing our increase of population for the past decade to be about 1,500,000 yearly it is clear that if our mechanical industries were sufficiently prosperous and sufficiently co-ordinated to keep all their workmen constantly employed, so that none were compelled to invade the domain of the farmer, and if, of the immigrants, a fair proportion were mechanics, or non-agriculturists, it would take but four or five years at furthest for the home market to consume all the products of our farms, and at prices that would compensate the farmer better than he has ever been compensated.

These figures are convincing evidence that the American people—especially the American farmers—should attend to the wants of the home market. By intelligent attention to our own needs we should not have any material disproportion between production and consumption, resulting in stagnation of trade, with all the evil which that implies. The so-called "markets of the world" are an indefinite and intangible element.

EFFECT OF THE SILVER BILL ON THE PRICES OF FARM PRODUCTS.

Much of the discontent of our farming population during the past decade, and much of the misfortune of which they have been the victims, has arisen from the depression caused by what, for the United States, was the economic mistake of the century: the demonetization of silver. Our farmers could not expect remunerative prices for their surplus wheat while competing with the wheat of India, paid for at par with silver purchased at a discount of 30 per cent. Silver having been during all the age the legal money of India, it suffered no loss of purchasing power in that country when demonetized in Europe and America.

The multitudinous millions of ignorant people constituting the population of Hindostan could not in one generation so far depart from their traditional ideas of value as to permit Western legislation to affect in the slightest degree the purchasing power of their money medium. Hence the English merchant, wanting Indian wheat, bought in England or America for 70 cents such quantity of silver bullion as realized him $1 (2 rupees) in the mints of India, where the coinage of silver is free—the sum of $1, or, in the money of the country, 2 rupees. Thus the quantity of wheat which if bought in America would have cost a dollar could, by the trick of transmutation effected by demonetization, be bought in India for 70 cents. It is no wonder, therefore, that the price of American wheat was such as to depress and discourage the American farmer.

But the recent legislation effected by the Republican party, whereby silver has been brought nearer to a par with gold, is destined to effect a much needed improvement in the price not only of wheat, but of all the products of the American farm. That this is not an empty prophecy the following table, cut from a recent issue of the Cincinnati Price-Current, will bear witness:

Comparative statement of prices of leading articles of agriculture on August 26, 1889 and 1890, respectively.

Articles.	1890.	1889.
Wheat, No. 2, bushel	$1.02½	$0.74
Corn, No. 2, mixed, bushel	.52	.35
Oats, No. 2, mixed, bushel	.38½	.20½
Rye, No. 2, bushel	.70	.41
Flour, winter patent, barrel	5.25	4.40
Mess pork, barrel	11.00	10.62½
Lard, 100 pounds	6.00	5.90
Short rib sides, 100 pounds	5.60	5.15
S. P. hams, 100 pounds	10.50	10.25
Butter, creamery, pound	.25	.21
Cheese, choice, pound	.08½	.08
Eggs, dozen	.16½	.15
Potatoes, barrel	3.50	1.00
Apples, choice, barrel	3.00	1.75
Rice, Louisiana, pound	.07	.06

The beneficent effect of that legislation on our agricultural interests is so clearly stated in an editorial article of a leading Democratic daily, The New York Sun (August 21, 1890), that in connection with the farmer's future I can not do better than read that article.

It is as follows:

THE ADVANCE IN THE PRICE OF SILVER.

The advance in the price of silver from 94 cents to $1.20 per ounce has a wider bearing than seems to be generally appreciated. There is a general disposition to see in this new departure merely a variation in the amount of currency or a speculative phenomenon incident to a great and sudden advance in the value of an important commodity.

We have heretofore, in round numbers, exported about 20,000,000 ounces of silver per annum, the remainder of our product being absorbed by Government purchases and by use in the arts. For these 20,000,000 ounces there is now opened a market at home, and it would seem at first sight as if for their former export to pay our debts abroad we should have to substitute a corresponding export of gold but this is not the case.

In our three staple exports, petroleum, cotton, and wheat, we come into competition with silver-using countries exclusively, with the exception of Australia. Egypt and India supply cotton and wheat to Europe, and, with declining values of silver in terms of gold, so long as we were on a gold basis those countries were competing with us at a tremendous advantage. This is proved by the enormous increase in the exports of wheat and cotton from India during the last few years. By causing the appreciation of silver, as measured in gold, we make Indian wheat and cotton cost just so much more as the rise in the gold price of silver measures.

Of course we can not expect to get the full measure of this advance. The augmented price of wheat and cotton in India and Egypt must, to a certain extent, react in order to meet the increased competition from America. But European markets will rise in sympathy with the higher cost of these exports from those countries measured in terms of gold. Of our cotton crop we export in round numbers 5,000,000 bales, and of our wheat crop from 100,000,000 to 150,000,000 bushels. It is fair to assume that the advance under normal conditions in the price of the exportable surplus of these two staples would reach two-thirds of the advance in silver, allowing one-third to be taken off the increased

standard for Indian and Egyptian wheat and cotton, to enable those countries to export at all.

As against the export of 20,000,000 ounces of silver bullion we have therefore the enhanced value of the exportable surplus of wheat and cotton, to say nothing of oil.

Assuming that we receive 2 cents per pound more for our cotton out of the now inevitable 30 per cent. rise in the value of silver, we should thus have $10 per bale added to the value of the exportable surplus of cotton, and thus the country would receive from Europe $50,000,000 more than it has received for this staple previously. The same calculation applies relatively to our surplus of wheat and oil.

We believe it will be found that this new value of silver provides the true protection to our agriculturists. And the inferences to be drawn from these facts are plain. Given $100,000,000 more in the pockets of our farmers, and it is safe to argue that an activity such as we have not witnessed in years in this country must follow in all lines and ramifications of business.

Every man who goes into a business makes some calculation, not only as to probable profits, but as to the possibilities of the business as a whole. This he can do with some degree of certainty as to the home market, of which he is sure. He knows the elements entering into the home demand, the numbers of the population, their manner of life, the character and degree of their wants, and their general civilization. He can place no reliance on the markets abroad. Whoever leans upon them leans upon a broken reed. The nations we might trade with are liable at any moment to adopt a fiscal or an industrial policy that might exclude our products from their markets.

Germany, by a single decree—by the stroke of one man's pen—cut off in a day the entire German market from one of the largest products of American exportation, pork. France did likewise as to the French market. This action was based upon the gratuitous assumption that the pork was not sound, but the decrees were not modified upon the presentation of complete and irrefragable proof of the groundlessness of that assumption. The course pursued by those Governments as to that article may at any moment be repeated by other Governments. Should the embargo be extended by the French and Germans so as to include all other articles of American export, we could not prevent it. We can not control the policies of other nations; we can fully control our own. It is their right to regulate their own affairs; it is our right to regulate ours.

What the farmer now receives for his wheat is the Liverpool price minus the cost of its transportation to Liverpool. Under an economical system which should develop among ourselves the capacity to do all our own work our industries would be in equilibrium, and all the products of our farms would be consumed at home at such price to the farmer as should result from the unrestricted competition of the other farmers of this country. With a varied and natural development of all mechanical industry, the tendency of the youth of the country would be to enter such of those pursuits as they felt adapted to, and so to lessen the tendency to engage in the pursuit of agriculture. Under those circumstances the probabilities are that those who followed agriculture would receive relatively greater reward for their labor than those who followed other pursuits, inasmuch as the competition among farmers would tend to a minimum. It is certain that under an economical system by which we should do all our own work the farmer would find a market at home at good paying prices for all his products. This being the case, a Liverpool merchant wanting American wheat would be compelled to pay our farmer not, as now, the Liverpool price minus the cost of taking our wheat to Liverpool, but the Liverpool price plus the cost of bringing foreign wheat here; that is to say, our farmer would not sell for less than the price at which he could be competed with.

With proper development of mechanical industries in local centers in all parts of our country, it will not be long before the farmers will find our own people consuming all the agricultural products of the country; and whenever we are threatened with invasion of foreign agricultural produce—and that time is much nearer at hand than many suppose—the same policy which shall have enabled us to do all our own manufacturing will enable us to protect the farmer against foreign competition by reserving for him the markets of his own country.

The utmost that protection can do for any industry is to keep the foreigner from competing with our own people in our home market.

If we are to have free trade or anything approaching it, our industries will languish; and our farmers will find that protection did protect—even them.

One of the leaders of the free-traders, Mr. ROGER Q. MILLS, himself bears unconscious testimony to the insignificance of the foreign markets, so far as they relate to our industries. In a speech delivered at his home, Corsicana, Tex., on May 21, 1888, he said, "We produce and exchange among ourselves and consume more of the products of our own labor than the 300,000,000 on the continent of Europe." Our home population being 65,000,000 this would make the average production, consumption, and exchange among our people nearly five times as great for each head of population as the like average for Europe; and we all know that this is not too high a figure at which to measure the entire body of American activities compared with those of Europe.

CONTRAST OF THE CONSUMPTION OF FOOD IN EUROPE AND AMERICA.

One of the essential differences between the civilization of Europe and that of the United States concerns the relation of the masses of the people to the prosperity of the whole community. For the rich, the privileged, and the high-born, as well as for the literary, artistic, and professional classes, the civilization of Europe is high; for the great mass of the people it is low. There civilization is the privilege of the few; here it is the inalienable right of all. The literature of Europe is full of the implication that aspiration is the concomitant of birth and wealth, and of those alone. How significant is the fact that in all the marvelous conceptions of Shakespeare's genius no elevated sentiment is attributed to any except men of noble blood.

In literature, as in life, the plebeian is made to "keep his place." This is a philosophy that accords well with the aristocratic spirit and with the maintenance of standing armies, which overawe the masses and repress their aspiration. It is the philosophy of the *dilettante* and the doctrinaire, who discuss the theory of supply and demand as a "great natural law," and then, ignoring other natural laws of equal and countervailing force, apply their theories to the human laborer with the same iron rigidity and cynical indifference that they apply it to waste paper and scrap-iron. It is to this class of men, not the real workers of the world, that we are indebted for the political economy that advocates free trade between nations.

It will be generally admitted that the food consumed by the masses of the people of a country is a fair index of their energy and power of achievement. Is it not also an index of their civilization? For of what avail is the civilization under which the masses of the people starve or in which life becomes a fevered hunt for animal subsistence?

In order to leave no room for a charge of partiality, I take my figures not from an American or "protection," authority, but from the English statistician, Mulhall. He states the number of pounds of meat consumed annually by the people of the different countries as follows:

Number of pounds of meat to each inhabitant consumed in the United States and in the principal countries of Europe.

	Pounds.		Pounds.
Italy	23	Denmark	69
Russia	48	France	74
Spain	49	Belgium	76
Holland	56	Great Britain	105
Austria	64		
Norway	65	Average for all Europe	63½
Germany	69	The United States	120

I will remark in passing that two distinguished American authorities—one, Mr. J. R. Dodge, statistician of our Department of Agriculture; the other, an editorial writer on The New York Tribune, of world-wide repute for the accuracy of his computations—agree that the consumption of meat in the United States is not less than 175 pounds per annum for each inhabitant.

But even on English authority it is seen that on the average our people consume twice as much meat per year, man for man, as the people of Europe. I think the American computations, however, nearer to the fact.

Again, Mulhall gives the statistics of cereals consumed by the people of different countries, as follows:

Annual consumption of cereals per head of population.

	Bushels.
Italy	9½
Austria	14
Holland	16
Spain	18
Russia	18
Great Britain	20
Germany	24
Average for Europe	17
Annual consumption per head of cereals in the United States	41

As to this item also, our American statisticians credit this country with a larger consumption, but the foreign authority will not be suspected of favoritism.

These figures represent the bread and meat consumed by the people of the countries named. Although our consumption is thus shown to be enormously greater per head of population than that of Europe, such is the scale of American wages that our food costs our people less in proportion to their incomes than is paid by the masses of the people of Europe for the meager supply of poor and innutritious food eaten by them. Mulhall states that—

If we consider only the working classes, we find that in the United States the cost of food is exactly one-third the value of labor, whereas in Great Britain it is almost one-half, and in France still more.

Those figures have deep significance, since at the foundation of all questions of civilization and human progress must lie the question of food. Other things being equal, the quantity and quality of food consumed by the people of a nation determine the energy of body and vigor of mind which they will possess.

As a further illustration of the importance of the home market and the trifling character of our foreign trade, I would remind Senators who point to our commerce with Great Britain that in two decades we shall have added to our own numbers a population as large as that of Great Britain, and that the population so added will consume, man for man, three times as much as is consumed by the inhabitants of that country.

What folly, therefore, to dwell upon the supreme importance to the

American people of the "markets of the world." The trade of our own people with one another is infinitely to be preferred. We should be preparing, by the adoption of proper policies at this time, for the immense population—at least 250,000,000—which within the lifetime of men now living will have assembled within the limits of the United States.

The most beneficial, economical, and natural commerce must always be that between neighbors. If I can exchange with my neighbor a thing of which I have a surplus for a thing of which he has a surplus, it is a more economical and natural exchange than an exchange with somebody living at the antipodes. Not only do we gain by saving charges of middlemen and avoiding deterioration of goods in transit, but, as I have already had occasion to observe, a consideration of paramount consequence is that we establish here the civilization that comes of aggregations, without which we should be deprived of many of the modern comforts, and of that large body of society which has a refining and civilizing influence on men.

Whatever tends to aggregate people in communities tends to increase the comforts and luxuries of life and to develop human aspiration. A man living alone must go through life with little, if any, improvement in mental condition beyond that which he inherited. He may even deteriorate from the condition at which he began; but where numbers are gathered together each takes inspiration from all. The intellectual attrition that takes place in society is the great source of the advancement of humanity. Without it men would degenerate into savages. It is impossible to conceive of intellectual growth under conditions of complete isolation. In the proportion in which men isolate themselves is their social and intellectual growth retarded.

The ultimate result of American development must be the emancipation of labor from the stigma which the privileged classes of the older continents have imposed upon it. They have permitted their laborers to remain ignorant and despised them for their ignorance. They have treated them as belonging to an order apart, to a race different from their own. This can not be attempted and will not be tolerated in America. With the education of our laborer he approaches nearer to his employer, and if, as is certain, the education of all is to continue from generation to generation, the line of demarkation in the intelligence of the two classes will become less and less apparent. There is no necessary connection between ignorance and any form of labor, however humble. All labor is honorable; it is idleness that is degrading. The time must come when every workman, being as intelligent, as honorable, and as useful to society as his employer, will be treated with the same degree of consideration. As men approach nearer to each other in intellectual, social, and moral excellence, they come face to face, without regard to their business relationship.

One of the great obstacles to the progress of the working classes of Europe has been that during all history legislation has been in the hands of men who have been consumers without being producers. As might have been expected, the producers have been subjected to an elaborate system of spoliation by which they have been compelled to support from their hard-earned pittances the magnificent establishments of royalty, with their superadded infliction of endless "civil lists," by which aristocratic mendicants may live in idleness at the expense of the humble and hard-working producers.

This is the government of a free Republic, without king or kaiser. The army on which it relies for defense is not composed of men who consume without producing. It is not a standing army of a million men, but a moving army of many millions, moving, not on the field of battle, but in all the varied fields of industry. We live without fear of assault or molestation. With our mechanical resources fully developed and in operation we need contemplate no attack. Possessing in the brains and hands of our people all the intellectual and all the executive powers, all the sciences and all the arts, should great emergencies arise our workshops as schools of invention and achievement will be found again, as they have been already found, the buttress and support of the Republic. In war a skillful and alert population proves the greatest defense against an enemy, as in peace it proves the most effective defense against hunger and cold.

In discarding the European political system and admitting all citizens to an equal participation in the Government, we discarded the idea that idleness was entitled to more consideration than industry. We also discarded the idea that a workingman is under obligation to his employer for the fact of his employment. It does not require much reasoning to perceive that if the workman faithfully performs what he has agreed to perform he is under no obligation whatever.

With the independence and self-assertion of the American people and the irresistible tendency to equalization among them, if the protective policy be continued and foreign trade be not permitted to disorganize and disrupt our industries, the time will come when each worker will receive the full value of his individual contribution to the common wealth, and when, therefore, no man can acquire more than he fairly earns or take from society more than he gives it in labor or its equivalent. In my belief the time will come when men, however rich or learned, who do not contribute their quota of useful labor of some sort to the support of society will be looked upon with much the same eye as criminals. They will lose and should lose caste in a society and civilization based upon labor as upon a necessary foundation. The maxim of justice is, "If a man work not, neither shall he eat."

No American can doubt that our country should stand first among the nations in all that tends to the unfolding and development of the powers of man.

The implied promise of the Republic to the people of the earth is that on this continent shall be developed the highest type of manhood. The founders of the Republic did not aim at political liberty merely. They had in contemplation the highest standard of individual and social life, the crowning work of civilization. Their efforts were an earnest that here should be found not only that equal liberty which was to constitute the level plain on which all citizens may stand alike, but that there should, in time, be found that which alone can give to political liberty its highest value, but of which the history of the world furnished no example, namely, the opportunity for the equal, complete, and harmonious development of all the faculties of all the people.

An enduring civilization must have its foundations laid not in what are called the upper but in the lower levels of society. The history of the past civilization is the history of the few; that of the coming civilization shall be the history of the many.

In our schools for the young the teaching of science and the useful arts must take the place of dead languages and mythology. The high school of the future will be the school of technology, supported by the State, in which the children of all the people may learn how to explore the recesses of science and to apply their discoveries to the satisfaction of the wants of man. But the greatest of all schools are the workshops, the schools of practical life.

These will be found the basis of the coming civilization, in which the process of development begins, where it should begin, among the level masses of the people.

The same beneficent principle which would warrant us in supporting schools of technology in which to train our youth to investigate the laws of nature and to evoke new and subtle forces from the arcana of science will justify us in maintaining a tariff sufficiently high to enable our workmen—those faithful students of a lifetime—to continue in their schools of applied science the investigations and discoveries which, during the last quarter of a century, have transformed the face of industry.

Whenever the artisans of the United States are subjected in their home market to unrestrained competition with the ill-paid labor of other countries, their wages, on which depends their grade of living, will decline, their aspirations droop, and their life of hopeful, genial, and welcome occupation be turned into plodding, dreary, and unremitting drudgery.

If cheapness alone be the desideratum, without regard to the means by which it is attained, then it would seem that in the other countries of the world the ultimate is about reached. The cheapening of human life has gone about as far as it can go. As we look over the face of the globe and "survey mankind from China to Peru," we see millions toiling during all their waking hours for pittances that barely sustain animal existence. As the masses acquire greater intelligence, their condition will undoubtedly be ameliorated by an insistence upon a just distribution of the products of their labor, but even this relief has its limits, for in a stagnant and unprogressive civilization, did they receive the entire product, their last state would be little better than their first. The great relief is to come from improvements in the processes by which things are produced, so that without increase of sacrifice there may be increase of production. Without such improvements it is clear that the sacrifices to be made by men in order to procure the comforts of life would always, even under the most righteous distribution of the products of industry, be nearly as great as they now are.

According to the policy of the Democratic party cheap products mean cheap men.

The policy of the Republican party aims at a reversal of this. It seeks to make products cheaper by making human life—flesh and blood—dearer. This means cheap products and dear men. In a civilization that is truly advancing, it is only as men become dearer that products can become truly cheaper. It does not follow that products are cheap merely because they cost less to the purchaser or consumer. No inquiry as to cost can be answered without taking into account the cost in sacrifice to the producer. If the cheapening is at the expense of the producer, the article is not really cheaper, but dearer.

Skillful men, intellectual men, creative men, may be dear, but it is their labor and theirs alone that can effect a true cheapening of products—a cheapening consistent with the welfare and progress of society.

The policy of the Democratic party presents no outlook to humanity. That of the Republican party by encouraging the development of skill will make men dearer and products cheaper. The aim of society should be to have dear men and cheap products—not to secure cheap products by cheapening and debasing humanity.

Increase of comfort uniformly accompanies the growth of constructive intellectuality. The development of this force among the masses of the people should especially be the duty of a republic. Their prosperity is indispensable to the perpetuity of a republican form of government. A despotic government may exist with an ignorant and poverty-stricken population, all power being in the hands of a few,

while the masses are inert and without responsibility. With us the responsibilities of government are shared by all. We have no privileged class. Power is distributed throughout the entire community. Intelligence and opportunity of achievement should be equally distributed.

This measure, Mr. President, I regard as one of the most important which could be enacted into legislation. Its influence will be felt in every household throughout the land. It will enlarge and develop industries already established, will give birth to new industries of the most useful and far-reaching character, and will give employment to large numbers of men now suffering from involuntary idleness.

As it is a measure for the protection of labor and one which will largely increase the productive wealth of the country, it is the fitting companion of the silver bill recently passed by this body, which will secure a more equitable distribution of the products of industry. Such, however, in my belief, will be the increase and development of business caused by the passage of these two measures that it may, and probably will, in the interest of a perfect distribution of those products, be necessary in the near future to make some amendments to the silver bill.

These measures, to my mind, embody in their conception and scope the highest duty of government, which is to see that all its people have work for hand and work for brain, and just reward for both.

The passage of this bill, Mr. President, will bring the toilers of this country a long step nearer that to which they have a natural right, namely, the supplying of all their own wants, and at rates of compensation consistent with the grade of civilization maintained among us.

With those great twin measures on our statute-books, I predict for the people of this Republic, by the opening of the next census year, a prosperity and progress unexampled in our own history or in the history of the world.

Much of that prosperity will be due to the organization of great workshops which the pending measure will call into being. With workshops and skillful workmen the Republic will be all-powerful. Without them how helpless would it not be? Without a high order of workmen well paid, well fed, and well housed, the inventive faculty can not assert itself. Without the possession of large numbers of such men constantly at work in well appointed establishments, in which they may be in touch with one another, how can a nation accomplish, and continue to accomplish, the largest results in science, art, industry, and invention? The higher the range of living for such men the sooner will all their powers be developed and the sooner will they succeed in removing from the face of nature the veil which during all the ages has hidden in impenetrable secrecy the beneficent forces that are only now revealing themselves; and which yet hides forces of equal or greater beneficence, forces that with the progress of invention and discovery can not elude the unceasing scrutiny of the human mind, the unceasing industry and immeasurable skill of the human hand. How wise the provision of nature which refuses to yield its secrets without demanding from man the labor of search! If mankind could have everything it wanted without the necessity of labor, the charm of life would be destroyed. The glory of existence is in achievement. How barren, how wasteful, how unbeautiful, how offensive to nature is life without work! Yet, from an economic point of view, ill directed work may prove as wasteful as idleness. To be of the highest efficiency, work must be intelligently directed. The time that men spend seeking roses in thistle-beds is time put to little purpose. The labor of this country can not be directed with the fullest intelligence until we do all our own work; and this result can never be accomplished without a tariff which shall exclude the products of labor performed abroad, except in so far as that labor may supply us with articles to the production of which some insurmountable barrier exists in our own country.

The highest aim of society should be to develop man. By developing the human being all other development follows. Every faculty of mind and hand should be afforded opportunity for expression and exercise. Above all, the powers of construction should be encouraged and promoted. What miracles have they not wrought! More awe-inspiring than the tread of conquering armies are the rush and whirr, the dash and drive, the rumble and roar of the locomotive, as with mighty speed and resistless power, in the light of day and gloom of night, it traverses continents, bounding over prairies, vaulting over rivers, penetrating mountains, pursuing with faithful and unceasing pace its mission from ocean to ocean as the "messenger of glad tidings" to all the habitations of men!—its column of smoke the "pillar of cloud" by day, its flamboyant head-light the "pillar of fire" by night, leading the way for labor from the house of bondage through the wilderness into the land of promise and of hope.

With the advance of man in knowledge and skill work will become increasingly dignified and ennobled. Labor will become its own liberator. Increasing intelligence and wise organization will effect its disenthrallment. Land will become more accessible to the laborers of the older continents. The vast and idle hunting-grounds, the parks and preserves held out of reach of the people, will be restored to their proper use in furnishing sustenance for human life. Then will swords be turned into plowshares and spears into pruning-hooks. Then will the king—which is the people—come to his own again.

In the early stages of civilization, man secured assistance in the hardest of his toil by domesticating and subordinating to his will the animals of the dumb creation. In process of time the winds and waters were harnessed; and later, under the impetus of modern progress, the more subtle forces of steam and electricity. In all this there was a steady advance, an evolution from the rude to the refined. The strength of horses was found insignificant compared with the strength of the unseen properties of matter. It is the duty and the destiny of man to continue the work of subduing and "domesticating" the viewless forms of the universe. To this work he is dedicated by the higher law of his being. Who can doubt his ability, who does not observe his ambition, to evoke from earth and air and sea hitherto unsuspected forces? In the ample folds of the unrolling years of an illimitable future what may not the genius of man accomplish? As the navigation of the sea extended the boundaries of his knowledge of the earth, what may not the navigation of the air unfold? And as the soil is but the bed in which the plant may securely rest while absorbing and assimilating chemical constituents themselves dependent for their nutritive qualities upon atmospheric conditions, why may we not look to a time when the nutrition may be drawn from the atmosphere direct and when we may thus return to the soil all that we take from it? What widening of the vista of human achievement does not such prospect afford? What marvels may we not see when every farmer shall be a chemist, evoking from the circumambient air the life-giving force that is to regenerate the earth, and this by the aid of processes yet to come from the laboratory, by the aid of instruments yet to be furnished by those universities of applied science, the mechanical workshops?

So with advancing knowledge the farmer will not be dependent for his crop upon accidental and ill timed rains, upon alternating floods and droughts. By securing fuller control of natural forces he will learn how to effect condensation and precipitation of the moisture of the upper atmosphere, and, in the fitting seasons of recurrence, cause it to descend upon the earth "like the gentle dew from heaven," fructifying and refreshing the soil. The arid lands will then no longer be arid; the waste places will no longer be waste.

Then will the world realize for the first time the full meaning of the lines:

What a piece of work is a man! How noble in reason! How infinite in faculties! In form and feature how express and admirable! In action how like an angel; in apprehension, how like a god!

Federal Elections.

SPEECH
OF
HON. LEVI MAISH,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,

Monday, June 30, 1890.

The House having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, etc.—

Mr. MAISH said:

Mr. SPEAKER: A party that has lost the confidence of the people and sees its power rapidly vanishing, sometimes will resort to every means, good or bad, to avert its impending fate. The measure now before the House is one of the means resorted to by the Republican party to defeat the doom that awaits it. It has this purpose, none other. The elections that have occurred since the last Presidential contest portend the defeat of the dominant party at the elections of 1890 and 1892, and something, its leaders declare, must be done to frustrate the will of the people.

The success of that party at the last Presidential election was accomplished by methods that, for vile and corrupting processes, have had no parallel in the history of the country. Superadded to the unscrupulous use of money, furnished by the beneficiaries of national legislation, pledges were made to divert millions of the public treasury as a reward for the support of that party. It was found that a discontented people, already crushed by the weight of merciless taxation, would not tolerate these proposed exactions, and the pledges were broken.

In this dire dilemma desperate expedients were required, and the Federal election law is one of them.

It is certainly not designed to improve the condition of the negro race in the South. If such were its purpose I have heard no argument advanced in support of the proposition. It would be futile to do so, for I can conceive of no measure better calculated to demoralize it. If one fact is more apparent than another it is that the colored man was never in a more prosperous condition than he is now.

At no time since the war was he as secure in his person and property, at no time were his rights better protected. Contrast his condition to-day with his condition during the gloomy days of carpet-bag rule, when, as is alleged, his rights were protected by the strong arm

of the Government, as it is proposed to do by the pending bill. No, the motive for this proposed legislation is the same that actuated the Republican party when they clothed the negro with the right of suffrage.

The professed purpose then was to save the Republican party from overthrow. As was stated by that gifted orator, Henry Winter Davis, with a frankness that would be refreshing in this debate, "We want numbers." It was the numbers it got by that means that enabled it to succeed for the last quarter of a century. Those numbers, however, have in many places in the South been deserting the Republican party and adding considerable numerical strength to the Democratic party. This, of course, is a very ominous state of affairs for the other side of the House, and the ingratitude of the negro must, in some way, be arrested. He must be made to feel the strong arm of the Government, or to be more exact, the strong arm of the Republican party.

It is quite unnecessary to show that this bill is, to say the least, of questionable constitutional authority, for it is not every measure that is constitutional that is also expedient or desirable. The report of the majority of the committee that reported this bill seemed to take the view that if they can show that the bill does not conflict with the Constitution it is all right. The committee declared that there are two points to be considered: First, the power of Congress to enact such legislation; and, second, the expediency of doing so. Then, after declaring that the language of the Constitution "is so plain that it seems almost superfluous to enter into argument or discussion as to its meaning," they devote nearly five pages to a discussion of the constitutionality of the bill, and not quite a half page to its expediency.

The bill, however, is inherently so pernicious that the sanction of the Constitution can give it no redeeming quality. The ostensible purpose of it is to guard the ballot-box against fraud. The bill contains fifty-seven sections, or 1,653 lines, and in many respects it is so complex and obscure that it will be exceedingly difficult even for intelligent people to comprehend it. It will prove much more of a snare than a shield to those whom it was designed to benefit.

For the purpose of suppressing fraud at elections the bill places their control in the hands of Federal officers. They are, strictly speaking, Federal officers, because they are appointed under Federal statute; but they could be called with much more propriety officers of the Republican party. They would owe their appointment and retention in office to the Republican party; and hence they would have a powerful interest in the success of that party. They are besides virtually guaranteed immunity from prosecution for any crimes they may commit "for the good of their party."

The bill is so framed that these guardians of the purity of the ballot-box may violate every statute, State and national, and under this bill they are in advance indemnified and saved harmless from condign punishment. Now, this is the scheme devised to promote the purity of the ballot-box. The bill should be entitled "An act to control elections in the interest of the Republican party."

The people of this country are not quite unsophisticated enough to believe that all political virtue resides in the Republican party. That is quite too much even for the gullibility of the Republicans themselves.

Pains and penalties are prescribed in this bill for violations of law; but what good does that do if the tribunal is so formed as to insure acquittal to the offender? Under this bill the conviction of a Federal officer would practically be impossible. The outraged voters, knowing this, would never institute prosecutions against them, for they would have only a humiliating defeat and heavy costs of prosecution for their attempt. This bill, therefore, gives a license to election officers to perpetrate frauds with impunity.

This is the plan presented by the committee and advocated by a large majority of the other side of the House to promote that "popular confidence" which the committee allege is "the only guaranty of the peaceful acceptance of the verdict of the ballot-box." It can not be seriously pretended that a method so permeated from beginning to end with partisan control as this, can have any other effect than to destroy utterly the freedom of elections.